

## THE METHOD OF HADITH INTERPRETATION IN THE LIGHT OF *MAQĀSID AL-SHARĪ'AH*: A STUDY OF MUHAMMADIYAH'S FATWAS

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### ABSTRACT

This paper address about one of the methods for understanding hadiths which is important to apply in the contemporary era. The objectives of this paper are: (1) to investigate the significance of *maqāsid al-sharī'ah* in understanding hadiths, and (2) to know and analyse how to Muhammadiyah applies this approach in interpreting the hadiths. In order to reach out these two main objectives, literature studies and interviews were done to obtain data required. This paper is using qualitative method as a method of analyse. Based on this study, the writer found that the theory of *ta'līl al-aḥkām* played an important role in interpreting hadiths in the light of *maqāsid al-sharī'ah*. The methods used by Muslim scholars to investigate 'illat (causa legis) can be applied to know the ultimate purposes (*maqāsid al-sharī'ah*) in hadiths. The writer also found that indeed Muhammadiyah has applied the methods in fatwas that it has issued. That methods that Muhammadiyah applied in its fatwas are *al-sabr wa al-taqṣīm* and *istiqrā'*.

**Keywords:** Understanding Hadiths, *Maqāsid Al-sharī'ah*, *Ta'līl Al-aḥkām*, Hadith Interpretation, *Majelis Tarjih*

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### INTRODUCTION

Today, people in the world are facing the problems such as terrorism, radicalism and extremism. Especially in Indonesia, the phenomenon on suicide with bomb, intolerance, crushing of the house of worship are the effects of the problems. The most disadvantaged is indeed Muslims, due to the above problems are always identified to the religion which is conveyed through Muhammad, namely Islam.<sup>i</sup> To some extent, they are caused by several factors, which are one of them is misunderstanding to the rules of religion.<sup>ii</sup> The construction of religious understanding is closely influenced by how to read and interpret the texts (*naṣ*) of religious. In terms of this, it is important to consider the method of interpretation in the light of *maqāsid al-sharī'ah*. According to the contemporary scholars, the theory of *maqāsid al-sharī'ah* is interesting and important because it is considered to be able to give the answer for the lack of methodology in

facing the contemporary issues which can not be dealt by the traditional approaches/methodologies.<sup>iii</sup>

Therefore, in this paper, the writer will investigate the method of hadith interpretation in the light of *maqāṣid al-sharī'ah* which is applied by Majelis Tarjih of Muhammadiyah. It is necessary to know that this method has been introduced by a few of scholars, however they did not elaborate it further.<sup>iv</sup> Majelis Tarjih is chosen due to the writer assumes that this method has been applied in its fatwas, though in its official documents Majelis Tarjih did not explain it explicitly.

### **TA'LĪL AL-AHKĀM AS A BASIS TO SEEK MAQĀṢID AL-SHARĪ'AH IN HADITHS**

In the contemporary era, studies on *maqāṣid al-sharī'ah* are considered as one of the important studies in order to renew Islamic law as well as to make it running flexibly. However, a group of Muslim scholars considered that the theory of *maqāṣid* has been understood and applied excessively and inexactly for going out of the *nas* of the shari'ah and being not based on principles that their founders have established. This group is what Yusuf al-Qaradhawi called it as *al-mu'aṭṭilah al-judud* (neo-liberalism group).<sup>v</sup> In this point, the role of *ta'līl al-aḥkām* becomes important. The process of *ta'līl al-aḥkām* becomes an important part of *usul fiqh* for its role in determining *maqāṣid al-sharī'ah*, benefit (*maslahat*) and *hikmah*. Especially, even Ishak Suliaman in his doctoral thesis entitled *The Concept of Maslaha wa al-Nass with Special Reference to Kitab al-Buyu' in the Book of Bulugh al-Maram* explained the important role of *ta'līl al-aḥkām* in seeking *maqāṣid al-sharī'ah* in the hadiths.<sup>vi</sup> He examined the theory of *ta'līl al-aḥkām* as a basis of methodology, and concluded that it can be applied in looking for *maqāṣid al-sharī'ah* in the texts of the hadith.

In addition, in line with Ishak, Syamsul Anwar has also considered that for determining *maqāṣid* in the religious texts, we are able to use the theory of *ta'līl al-aḥkām* which is usually applied to seek *'illat*. Syamsul's argument is based on an opinion said that to some extent *'illat* is similar with *maqāṣid* or *maqsud*. Both can be used interchangeably (interchangeable terms).<sup>vii</sup>

There are several methods that are usually used in seeking *'illat* in the process of *ta'līl al-aḥkām*. In this paper, the writer will elaborate two methods that have the relevance with this study, namely *al-sabr wa al-taqṣīm* and *istiqrā'*. These two was applied by Majelis Tarjih of Muhammadiyah.

### **MUHAMMADIYAH'S METHOD IN UNDERSTANDING THE HADITHS IN THE LIGHT OF MAQĀṢID AL-SHARĪ'AH: AN EARLY EXPLORATION**

Muhammadiyah as an organization has many boards depend on their duties. One of them is a board deals with the sosio-religious matters, which is called as Majelis Tarjih. One of the tasks of Majelis Tarjih is to formulate the ideological basis of Muhammadiyah.<sup>viii</sup> To complete the task, Majelis Tarjih gives the guidance for Muhammadiyah people especially and Muslims generally by issuing fatwa. In issuing fatwa, Majelis Tarjih has been always holding onto the principles that are unanimously accepted by the boards of Muhammadiyah. Muhammadiyah people call them as

Manhaj Tarjih. Manhaj Tarjih consists the methods which Majelis Tarjih applies to do *ijtihad*, including principles on hadith. Unfortunately, it is nothing in whole of the Manhaj Tarjih, principles deal on the method of hadith interpretation, especially in the light of *maqāṣid al-sharī'ah*. In fact, at one of the parts of the Manhaj Tarjih, Majelis Tarjih accomodates the theory as a basis to do *ijtihad*.<sup>ix</sup> Moreover, if the fatwas of Muhammadiyah are punctiliously seen, it will appear that Majelis Tarjih considers *maqāṣid al-sharī'ah* when understanding the hadith. At this point, it is interesting to look on how Majelis Tarjih stands regarding this issue. Therefore, an interview with the members of Majelis Tarjih board is necessary to further investigate on how to Majelis Tarjih understands the hadiths in the light of *maqāṣid al-sharī'ah*.

There are three persons (members) of Majelis Tarjih who were interviewed by the writer. The three persons were Syamsul Anwar (chairman of the Majelis Tarjih of Muhammadiyah central board), Muhammad Rofiq (vice-secretary of the Majelis Tarjih of Muhammadiyah central board), and Ruslan Fariadi (a member of fatwa division of the Majelis Tarjih of Muhammadiyah central board).

#### A. *Al-Sabr wa al-Taqsīm*

Ruslan<sup>x</sup> and Rofiq<sup>xi</sup> explained that in seeking *maqāṣid al-sharī'ah* that was hidden in the texts of the hadith, Majelis Tarjih usually applied the methodology which was used in the principles of Islamic jurisprudence (usul fiqh). In another occasion, Syamsul then gave an explanation more specifically that the method can be utilized for seeking *maqāṣid al-sharī'ah* in the hadith is *al-sabr wa al-taqsīm*.<sup>xii</sup> It was the method in principles of Islamic jurisprudence for inquiring 'illat. *Al-sabr* is an activity to investigate and examine some attributes which is exist within the law. Whether the attribute is reasonable to be 'illat or not. Furthermore, one of the attributes that is reasonable is carried out to be 'illat, and the others are eliminated. In addition, *al-taqsīm* is an attempt to limit 'illat at one of the attributes that is within the text (*naṣ*).<sup>xiii</sup> The question is how to apply this method in order to seek *al-maqāṣid al-sharī'ah*?

In terms of this, Syamsul gave a further explanation. According to Syamsul, the procedure of *al-sabr wa al-taqsīm* or what he called it as the method of clarification and elimination is firstly to make such as hypothesis on the possiblities of *maqāṣid al-sharī'ah* which are based on the reasonable considerations, and then one by one of the possiblities is examined to be carried out as *maqāṣid al-sharī'ah*.<sup>xiv</sup> To explain the procedur clearly, the writer tries to elaborate and breakdown it into the following points:

- To choose a topic of the hadith will be studied or will be sought its answer.
- To formulate the problems of the hadith which was choosen.
- To seek the *maqbul* hadiths (shahih or hasan) which are in line in the meaning with the topic that is being studied.
- To make such as hypothesis on the possibilities of *maqāṣid al-sharī'ah* which are hidden in the hadiths that are being studied.
- To examine critically every possibility that is considered as *maqāṣid al-sharī'ah*.
- To carry out one of the possiblites which is examined, most probably, and most logical to be accepted and considered as *maqāṣid al-sharī'ah*.

- To connect to another evidences, if any (either from al-Qur'an or hadith), to support, confirm, and affirm a result of the study which is considered as *maqāṣid al-sharī'ah*.

To give a more explanation on how the procedure was applied by Majelis Tarjih, the writer is going to show the application of the procedure in fatwas which are issued by Majelis Tarjih. Fatwa on beard<sup>xv</sup> is chosen to explain this procedure:

- The topic of the hadith is on a command to lengthen the beard.
- The problem is going to be answered is whether lengthening the beard is command to do or it is only a tool (*wasīlah*) to reach out the purpose (maqasid) of the hadith.
- In fatwa on this issue, unfortunately, Majelis Tarjih cited only one hadith on the command for lengthening the beard. In fact, there are many hadiths which are in line in the meaning on this issue.
- First possibility of *maqāṣid al-sharī'ah* of the hadith is lengthening the beard itself. In other words, lengthening the beard is indeed a purpose which is intended in the hadith, so it has to be done and it can not be changed by another ways. Second possibility is to differentiate the Muslim identity than the unbeliever (non-Muslim) and to maintain it in order to run in line with the rules of shari'ah.
- If the first possibility is *maqāṣid al-sharī'ah*, the question to be answered is, how is about the destiny of the people which were born into the world without the beard (it means they can not have the beard due to their ethnic and so on)? If those having or lengthening the beard are considered as followers of the prophet traditions, then how about those can not have the beard due to the ethnic? The deniers of the prophet traditions? If so, it means that Islam is an injustice religion because it is only limiting a particular of community can obtain the rewards as a consequence of lengthening the beard, while ignoring the others can not acquire the opportunity. Now, it is time to examine the second possibility, which is to differentiate the Muslim identity than the unbeliever (non-Muslim) and to maintain it in order to run in line with the rules of shari'ah. Because of the possibilities are only two, the second becomes automatically *maqāṣid al-sharī'ah*. The second possibility was also mentioned implicitly in the hadith cited by Majelis Tarjih through word "*khālifū al-mushrikīn*".
- The possibility which is most probably and logical to be accepted as *maqāṣid al-sharī'ah* is to differentiate the Muslim identity than the unbeliever (non-Muslim) and to maintain it in order to run in line with the rules of shari'ah. It is also chosen by Majelis Tarjih as maqasid of the hadith.
- To support the result of study, Majelis Tarjih cited and connected it to another hadith spoken on the command to colour hair in which the purpose is to differentiate the Muslim identity than the unbeliever. Based on this, it is clear that lengthening the beard, colouring the hair and so on are tools to reach out the real purpose of the hadiths, which are to differentiate the Muslim identity than the unbeliever (non-Muslim) and to maintain it in order to run in line with the rules of shari'ah.

## B. *Istiqra'*

An another procedure can be applied to determine *maqāṣid al-sharī'ah* in the hadith, as said by Syamsul, is *istiqra'* (induction) which is to collect the hadiths speak either directly or indirectly on the topic is being studied, then to conclude the general principle of the hadiths inductively.<sup>xvi</sup> The prominent scholar who has introduced as well as elaborated this procedure was al-Shātībī.<sup>xvii</sup> This procedure is one of the most acknowledged procedures by the jurists for determining *maqāṣid al-sharī'ah*. This procedure which is used by Majelis Tarjih is almost in line with the thematic method introduced by Yūsuf al-Qaraḍāwī. He stated that for understanding comprehensively and wholly the hadiths, then a mujtahid has to collect those which are interrelated (either directly or indirectly) on one issue, and then to seek the answer for the issue based on the evidences collectively.<sup>xviii</sup> Despite of different, the spirit and principle of these two methods are same, namely it does not conclude a rule (*ḥukm*) based on only one or two hadiths, but it requires to collect the hadiths which are interrelated either directly or indirectly to the topic is being studied for finding the answer comprehensively and wholly. Based on the framework of induction, the steps of this procedure can be explained into the following points:

- To choose a topic will be studied or will be sought its answer.
- To formulate the problems of the topic which was choosen.
- To collect the hadiths which are *maqbul* speak either directly or indirectly on the topic is being studied. In the cases which are not found specifically their evidence, then which has to be collected is the universal evidences contain on the explanations of universal values either positive one or negative one.
- To seek either deductively or inductively *maqāṣid* of the hadiths which are collected.
- To consider circumstances and significance indications of the society.
- To analyse the problem is being studied based on *maqāṣid al-sharī'ah* of the hadiths collected.
- To connect to the evidences of al-Qur'an, if any, for confirming or affirming the result of analysis.
- To make a conclusion.

Like the former procedure, to give a more explanation on how the procedure was applied by Majelis Tarjih, the writer is going to show the application of the procedure in fatwas which are issued by Majelis Tarjih. Fatwa on marriage of *sirri* is choosen to explain this procedure.<sup>xix</sup> It was noteworthy that in this fatwa, Majelis Tarjih commanded to record the marriage in the court, and its consequence was Majelis Tarjih had the stand which was different with the others. The following is points of the procedure:

- The topic will be studied is on the validity of the marriage of *sirri*.
- The problem will be answered is on how is the validity of the marriage of *sirri*?
- According to Majelis Tarjih, the hadiths can be the evidence for this issue are two kinds, namely the hadith speaks on a command to spread the information of marriage (*i'lan al-nikah*) and a command to do a wedding party though in a simple way.

- The purpose of spreading of the information of marriage and the wedding party are to inform people on the marriage so that there is social control which is given by people or community as a security tool for rights of each of the couple. In other words, the command to spread the information of marriage and the wedding party are attempts to protect the family institution (*hifz al-nasl*) and rights of each of the couple as human being (*hifz al-nafs*).
- In the prophet era, social control could be likely implemented only through spreading of the information of marriage (*i'lan al-nikah*) and the wedding party. However, for Majelis Tarjih in the present that is not sufficient. Therefore, in Majelis Tarjih view, the registry of marriage which was not exist in the prophet era can be valid in this time.
- Based on *maqāṣid al-sharī'ah* concluded deductively from the above hadiths, Majelis Tarjih considered that the registry of marriage intended to disciplinize the practices of marriage in society, to give the guarantee of law, and to protect the rights of each of the couple, for instance basic necessities of life for wife, inheriting, and so on. Through the registry of marriage which is proven by the certificate of marriage, if dispute of the couple occurs or one of them do not responsible to the other, then who was damaged can do attempts through the court to obtain their rights. In other words, for Majelis Tarjih, the registry of marriage is an obligation in the name of the benefit (*maslahat*). According to Majelis Tarjih, the change of the rules of law is necessity and not wrong in the Islamic law point of view, such as the rules of marriage by making the new law which is not exist in the prophet era.
- To affirm the result of analysis, Majelis Tarjih cited two verses of al-Qur'an, which were al-Baqarah: 282 on a command to record the transaction of debt and al-Nisa': 21 explained on the marriage as a powerful and great contract. According to Majelis Tarjih, if the transaction of debt which was part of muamalah was commanded to record, then the marriage which was mentioned in al-Qur'an as a powerful and great contract has to be more stressed to record.
- In the end of its fatwa, Majelis Tarjih concluded that recording of the marriage is a command for the sake of coming benefit and avoiding harm.

## CLOSING REMARKS

In conclusion, I will summarize some important points:

First, in terms of understanding the hadith in the light of *maqāṣid al-sharī'ah*, the theory *ta'līl al-aḥkām* which is exist in the principles of Islamic jurisprudence (*usul fiqh*) can be applied by comparing *maqāṣid al-sharī'ah* with *'illat*.

Second, although in its Manhaj Tarjih Majelis Tarjih did not explicitly explain on the method of hadith interpretation in the light of *maqāṣid al-sharī'ah*, yet in the practices, the members of Majelis Tarjih applied the method in the fatwas that it issued.

Third, there are two procedures which are used by Majelis Tarjih in understanding the hadiths in the light of *maqāṣid al-sharī'ah*, namely *al-sabr wa al-taqsīm* and *istiqra'*.

Fourth, Majelis Tarjih has not applied yet the method perfectly. For instance, Majelis Tarjih did not collect comprehensively the hadith on an issue was being studied. In fact, it is necessary to collect the hadiths speak either directly or indirectly on the issue to obtain the result comprehensively. Therefore, this becomes the lack of Majelis Tarjih.

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- <sup>i</sup> Radicalism, especially religious radicalism, almost occurs in every religion. In its history, radicalism is also exist within Christian, Jewish, Hindu and Buddhism. See Nur Syam, “Radikalisme dan Masa Depan Hubungan Agama-Agama: Rekonstruksi Tafsir Sosial Agama,” p. 1, <http://eprints.uinsby.ac.id/15/1/NUR%20SYAM.pdf>
- <sup>ii</sup> Junaidi Abdillah, “Radikalisme Agama: Dekonstruksi Tafsir Ayat-Ayat ‘Kekerasan’ Dalam al-Qur’an,” *Kalam: Jurnal Studi Agama dan Pemikiran Islam*, Vol. 1, No. 2 (December 2014), p. 283.
- <sup>iii</sup> Syamsul Anwar, “Makasid Syariah dan Pemecahan Problem Perumusan Kalender Unifikatif Islam“ (The Report of Research, UIN Sunan Kalijaga, Yogyakarta, 2013), p. 2.
- <sup>iv</sup> One of the scholars is Jasser Auda. See Jasser Auda, *Maqāṣid al-Sharī‘ah: A Beginner’s Guide* (Herndon: The International Institute of Islamic Thought, 1429/2008), p. 36.
- <sup>v</sup> Yūsuf al-Qaraḍāwī, *Dirāsah fī Fiqh Maqāṣid al-Sharī‘ah* (Kairo: Dār al-Shurūq, 2006), p. 83.
- <sup>vi</sup> Ishak Suliaman, “The Concept of al-Maṣlaḥa wa al-Naṣṣ with Special Reference to Kitāb al-Buyū‘ in The Book of Bulūgh al-Marām,” (Doctoral Thesis, University of Wales, Lampeter, 2005).
- <sup>vii</sup> The writer interviewed with Syamsul Anwar on November 2016. See also Syamsul Anwar, “Makasid Syariah dan Pemecahan Problem Perumusan Kalender Unifikatif Islam“, 47.
- <sup>viii</sup> Syamsul Anwar, “Fatwā, Purification and Dynamization: A Study of Tarjih in Muhammadiyah,” *Islamic Law and Society*, Vol. 122, No. 1 (2005), p. 34.
- <sup>ix</sup> Syamsul Anwar, “Manhaj Tarjih’, p. 16 (The Paper conveyed at The Work Meeting of Majelis Tarjih of Muhammadiyah Central Board).
- <sup>x</sup> The writer interviewed with Ruslan Fariadi on November 2016.
- <sup>xi</sup> The writer coresponded through e-mail with Muhammad Rofiq on December 2016.
- <sup>xii</sup> The writer interviewed with Syamsul Anwar on November 2016.
- <sup>xiii</sup> The writer interviewed with Syamsul Anwar on November 2016. See also Syamsul Anwar, “Makasid Syariah dan Pemecahan Problem Perumusan Kalender Unifikatif Islam“, 47.
- <sup>xiv</sup> *Ibid.*
- <sup>xv</sup> See Tim PP Muhammadiyah Majelis Tarjih, “Fatwa tentang Jama’ah Tabligh dan Islam Jama’ah Serta Hukum Memakai Jenggot,” number of fatwa 17, year 2005 (Yogyakarta: Majelis Tarjih Pimpinan Pusat Muhammadiyah).
- <sup>xvi</sup> The writer interviewed with Syamsul Anwar on November 2016.
- <sup>xvii</sup> See Ibrāhīm bin Mūsā bin Muḥammad al-Gharnāṭī al-Shaṭībī, *Al-Muwāfaqāt fī Uṣūl al-Aḥkām* (Beirut: Dār al-Fikr, 1341).
- <sup>xviii</sup> Yūsuf al-Qaraḍāwī, *Kayfa Nata‘amal ma‘a al-Sunnah al-Nabawiyyah: Ḍawābiṭ wa Ma‘ālim*, cet. ke-6 (Herndon: The International Istitute of Islamic Thought), 1414/1993, p. 103.
- <sup>xix</sup> See Tim PP Muhammadiyah Majelis Tarjih, “Fatwa Tentang Hukum Nikah Sirri,” number of fatwa 13, year 2007 (Yogyakarta: Majelis Tarjih Pimpinan Pusat Muhammadiyah).