

CHAPTER 3

ORIENTALISTS' ARGUMENTS ABOUT THE AUTHORITY OF *MUTAWĀTIR* ḤADĪTH

3.1 Introduction

The purpose of this chapter is to present all the perspectives of orientalists on the authority of *mutawātir* ḥadīth. Similar to the previous chapter, this chapter is also divided into three sections and the orientalists' perspectives are discussed based on the same three aspects. First, the perspectives of orientalists about the *isnād* of *mutawātir* ḥadīth. When discussing the reliability of the *isnād*, orientalist G.H.A. Juynboll has elaborated further on Joseph Schacht's work in the Common Link and Single Strand theories.¹⁰⁶ Juynboll uses both theories to argue his contrasting opinion from Muslim scholars regarding the *isnād* of *mutawātir* ḥadīth. The second section is about the perspectives of orientalists on the existence of *mutawātir* ḥadīth. Juynboll uses the method of *argumentum e silentio* to prove the non-existence of *mutawātir* ḥadīth.

The third section discusses the knowledge created by *mutawātir* ḥadīth. Another orientalist, Wael B. Hallaq, applies probability theory to compare *mutawātir* and *aḥad* ḥadīth with the concept of certainty and argues the level of authenticity for *mutawātir*. These theories and methods used by the orientalists are defined and elaborated further in this chapter to explore how orientalists apply this method to argue the credibility of *mutawātir* ḥadīth. The discussion about the *isnād*, the existence and the knowledge created by *mutawātir* ḥadīth is also related to clarify the orientalists' perspectives.

¹⁰⁶ Fauzi Deraman & Arif Chasanul Muna. (2001). Kritik Terhadap Metode Kajian Sanad G.H.A. Juynboll: Tumpuan Terhadap Teori Common Link dan Single Strand. *Al-Bayan Journal of al-Quran and al-Hadith*, 5 (5), pp.72-73.

Reading throughout this chapter might give an overview regarding their different perspectives on the authority of *mutawātir* ḥadīth.

3.2 Arguing the *Isnād* of *Mutawātir* Ḥadīth

Orientalists have their own methodologies in rebutting the reliability of Prophetic ḥadīth by analysing either *matn* or *sanad*. One of the most prominent figures in utilising the *matn* of the ḥadīth is Ignaz Goldziher. Meanwhile, the one who focuses on the *isnād* approach is Joseph Schacht with his *Isnād* Analytical Study and theories to prove the fabrication of ḥadīth. There are many kinds of responses received by Schacht, both criticisms and supports from other orientalists, and one of them is from G.H.A. Juynboll. Juynboll elaborates further on Schacht's work in Common Link and Single Strand theories.¹⁰⁷ Juynboll uses both theories to argue his contrasting opinion from ḥadīth scholars, especially regarding the *isnād* of *mutawātir* ḥadīth.

Juynboll challenges the concept formed by Muslim scholars that the level of *mutawātir* ḥadīth in a way guarantees the reliability of the ḥadīth. Applying the Common Link theory to the well-known *mutawātir* ḥadīth of *man kadhaba*, Juynboll deduces that if the most well-known *mutawātir* ḥadīth cannot be justified as authentic according to his method, then the whole notion of *mutawātir* ḥadīth is no guarantee for the historicity of a ḥadīth ascribed to the Prophet s.a.w.¹⁰⁸ Before further discussing how the Common Link theory is able to deny the authenticity of *mutawātir* ḥadīth, how this theory actually works needs to be understood first. Jonathan A.C. Brown in his book, *Ḥadīth: Muhammad's Legacy in the Medieval and Modern World*,¹⁰⁹ designed the figure of Schacht's Common Link theory as follows;

¹⁰⁷ Ibid.

¹⁰⁸ Juynboll, G. H. A. (1983). *Muslim tradition*. New York: Cambridge University Press. p. 98.

¹⁰⁹ Brown, J. A. C. (2009). *Hadith: Muhammad's Legacy in the Medieval and Modern World*. Oxford: Oneworld.

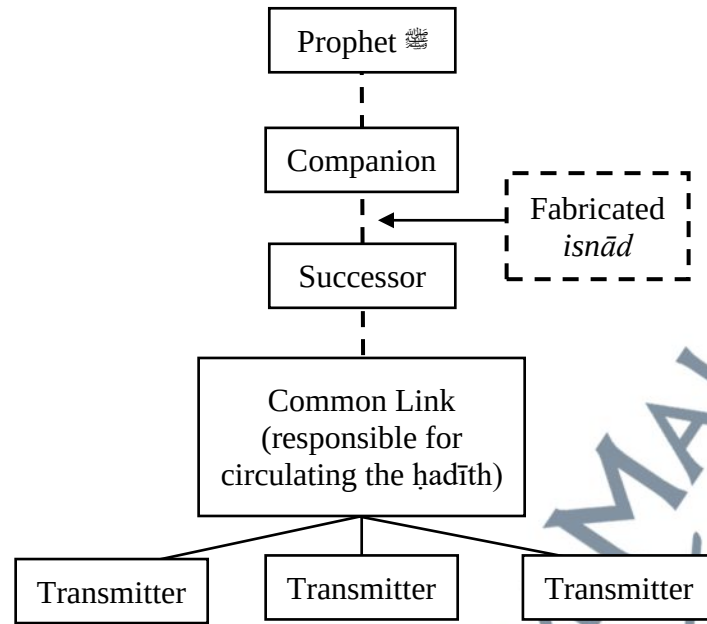


Figure 3.1

Joseph Schacht's Common Link Theory¹¹⁰

Schacht's Common Link theory is based on his analysis that the transmission of ḥadīth suddenly spread out widely at a certain point after several generations from the Prophet s.a.w. Schacht claims for the ḥadīth he chooses for analysis, the ḥadīth is narrated by only a single *sanad* from the Prophet s.a.w until a certain narrator, which he terms as the Common Link. After this 'Common Link narrator', the ḥadīth suddenly spread out widely and formed multiple *isnād*. Schacht believes that this Common Link is responsible for forging his *isnād* back to the Prophet s.a.w. The whole thing before the Common Link is thus fabricated, which justifies why the ḥadīth only branches out after him.¹¹¹

Counting on Schacht's Common Link theory, Juynboll questioned the single *sanad* from the Prophet s.a.w until the Common Link before the *sanad* spread out widely afterwards. He asks if the Prophet s.a.w had really conveyed a certain ḥadīth to

¹¹⁰ Ibid. p. 211.

¹¹¹ Schacht, J. (1979). *The origins of Muhammadan Jurisprudence*. Oxford: Clarendon Press. p. 175.

the *Ṣaḥāba*, why he chose to convey the ḥadīth to only one *Ṣaḥāba*, and why the *Ṣaḥāba* chose to convey the ḥadīth to only one *Tābi'īn*? It is unlikely that a true ḥadīth could be narrated by only a single *sanad* from the Prophet s.a.w, thus Juynboll also agrees that anything before the Common Link must have been forged.¹¹² Answering the questions, Harald Motzki, a Western orientalist asserts that it was hard to find plentiful *isnād* from *Tābi'īn* back to the Prophet s.a.w because, in the early period, it was only necessary to provide one *sanad* for a ḥadīth, not a bundle as became the common in the second half of the 700s and the 800s.¹¹³

Besides, Juynboll questions that there is only a single *sanad* because he does not count on other *isnād* through other *Ṣaḥāba* or *Tābi'īn*. He believes those other *isnād* are just the 'Diving *Isnād*', a jargon that he formed for portraying various phenomena of *isnād* fabrication. J. Brown in his book explains that the Diving *Isnād* is the alternative chain of transmissions or alternative *isnād* which actually is just a set of unrelated diving chains. Based on the figure, there are two other *isnād* apart from the *isnād* with the Common Link, one via the Common Link's source and another one via another *Ṣaḥāba*. These two *isnād* are the Diving *Isnād* invented by the collectors of the ḥadīth as they lack a Common Link and occurred independently. There is no historical way to attest to the existence of these two *isnād* and should assumed to be fabrications. They are merely plagiarisms of the Common Link's *isnād* to make the ḥadīth look more reliable.¹¹⁴

Juynboll's perception towards the Diving *Isnād* had swept away the whole facts about either *mutāba'āt* or *shawāhid*. The concepts of *mutāba'āt* and *shawāhid* are the result discovered from the process of research on ḥadīth literature called *i'tibār*. These

¹¹² Ibid. p. 215.

¹¹³ Brown, J. A. C. (2009). *op.cit.*, p. 227.

¹¹⁴ Ibid.

three terms are used to describe the resulting outcome when Muslim scholars attempt to find supporting narrations for a solitary report.¹¹⁵ The *i'tibār* is defined as a process of tracing other transmissions for a solitary ḥadīth narrated by a single narrator to know whether someone else shared his narration with him or not. If there is another narrator found to narrate the same ḥadīth from the same *shaykh* or above, either with the same words or meanings, the narration is regarded as *mutābi'* or in plural *mutāba'āt*. While if the same ḥadīth is found to be narrated by another *Ṣaḥāba* (Companion) with the same *matn* or content, thus the narrations are considered as *shawāhid* or in singular *shāhid* to one another.¹¹⁶

There are different definitions that exist for *mutābi'* and *shāhid*. Some scholars have said that *mutābi'* is when the agreement occurs in terms of the words, regardless of whether the *Ṣaḥāba* is different or not. *Shāhid* is when the agreement occurs in terms of the meaning, regardless of whether the *Ṣaḥāba* is the same or not. Others have inversed the definition of both. Ibn Ḥajar al-'Asqalānī is aware of the different definitions and dismisses the importance of the exact definition of each because both *mutābi'* and *shāhid* serve exactly the same purpose which is to strengthen reports that are first deemed solitary.¹¹⁷ Although the concepts of *mutāba'āt* and *shawāhid* are only applied to single narrations and not totally related to the discussion on *tawātur* narrations here, but back to the issue discussed, it is not just the theory of Diving *Isnād* but the Common Link theory is also contrary with the whole concept of *mutāba'āt* and *shawāhid*. Next is the figure of Juynboll's Common Link theory illustrated by J. Brown which clearly shows the application of the Common Link and Diving *Isnād* theories.

¹¹⁵ Husain, A. S. (2012). *The Nuzhah of Ibn Ḥajar al-'Asqalānī (d. 852/1449); A Translation and Critical Commentary*, (Doctoral dissertation) University of Birmingham, England. pp.141-142.

¹¹⁶ Abū al-Layth al-Khayrābādī. (2011). *op.cit.*, pp. 30-31.

¹¹⁷ Husain, A. S. (2012). *op.cit.*, p. 141.

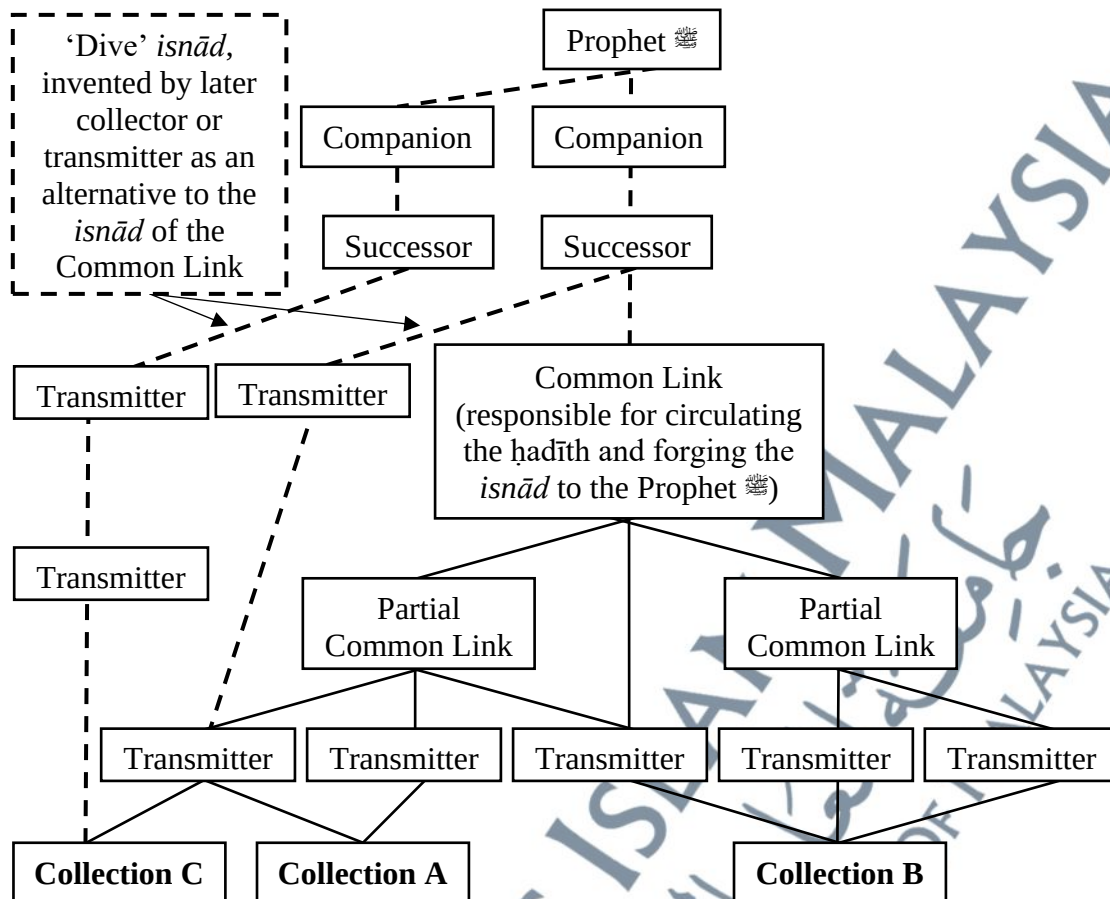


Figure 3.2

G.H.A. Juynboll's Common Link Theory¹¹⁸

After a thorough reading regarding the Common Link theory, here is how this theory works on one of *mutawātir* narration as an example;

¹¹⁸ Brown, J. A. C. (2009). *op.cit.*, p. 214.

حَدَّثَنَا الْأَنْصَارِيُّ، حَدَّثَنَا مَعْنٌ، حَدَّثَنَا مَالِكٌ، عَنْ ابْنِ شِهَابٍ، عَنْ أَبِي عَبْدِ اللَّهِ الْأَعْرَبِيِّ، وَعَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ "يَنْزِلُ رَبُّنَا كُلَّ لَيْلَةٍ إِلَى السَّمَاءِ الدُّنْيَا حِينَ يَبْقَى ثُلُثُ اللَّيْلِ الْآخِرِ فَيَقُولُ مَنْ يَدْعُونِي فَأَسْتَجِيبَ لَهُ وَمَنْ يَسْأَلُنِي فَأُعْطِيَهُ وَمَنْ يَسْتَغْفِرُنِي فَأَغْفِرَ لَهُ"

It was narrated by Al-Anṣārī, narrated by Ma'nun, narrated by Mālik, from Ibn Shihāb, from Abī 'Abd Allah al-Agharr, from Abī Salama ibn 'Abd al-Rahman, from Abī Hurayra, the Messenger of Allah said: "Our Lord descends every night to the lowest heaven of the world, until the last third of the night remains, so He says: Who is calling upon Me so that I may answer him, and who is asking from Me so that I may give him, and who is seeking forgiveness from Me, so that I may forgive him."¹¹⁹

This ḥadīth was narrated by various chains of narrators as illustrated below;

¹¹⁹ Al-Tirmidhī, Muḥammad ibn 'Īsa al-Sulamī. (2014). *Sunan al-Tirmidhī*. Qāhirah: Dār al-Ḥadīth. p. 404. #3498.

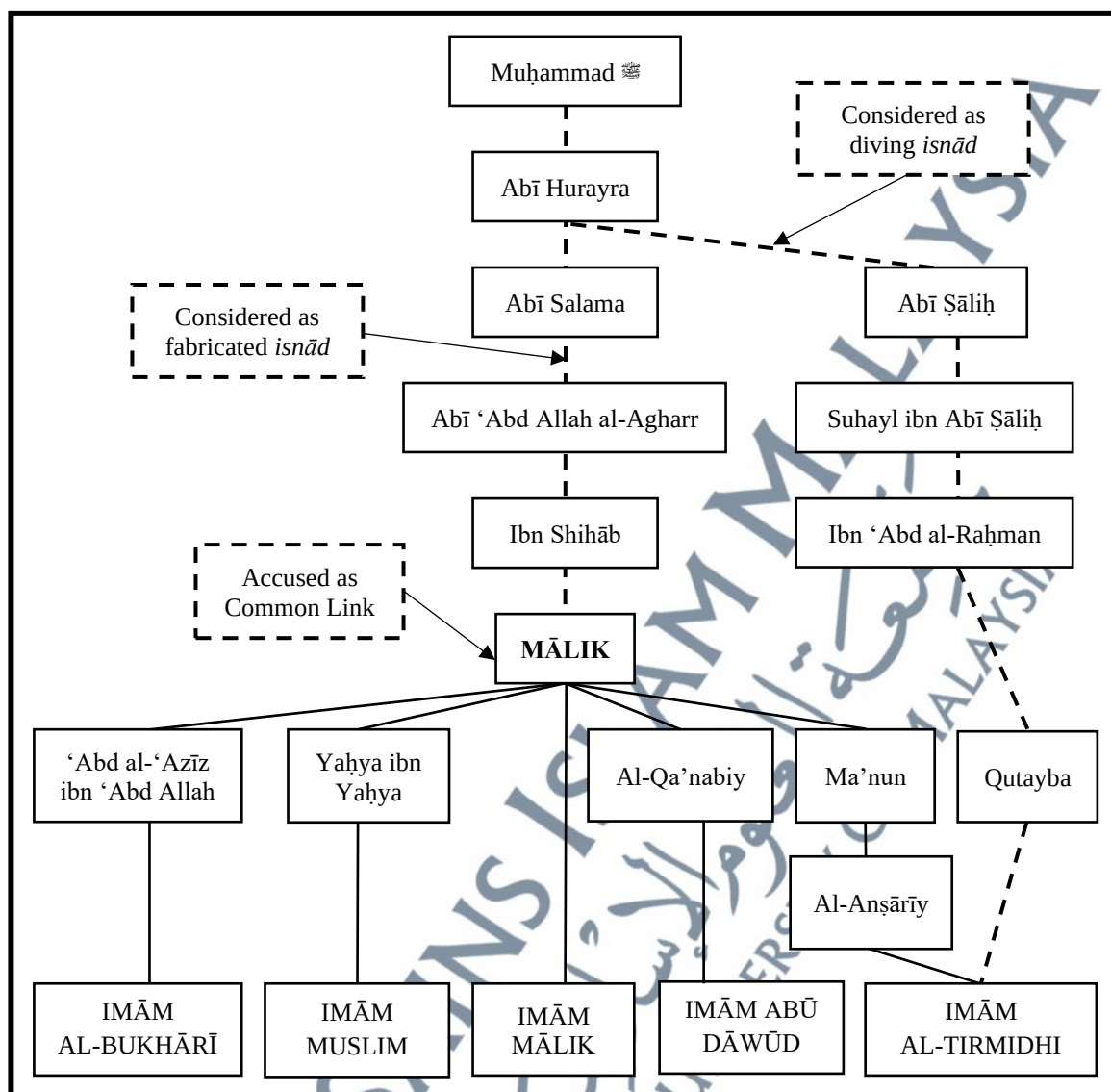


Figure 3.3

Isnād of Yanẓilu Rabbunā Ḥadīth

Applying Juynboll's theory here, Mālik will be regarded as the Common Link because suddenly, many people narrated from him and the *isnād* branched out after him. Hence, the *sanad* before him, starting from Ibn Shihāb until the Prophet s.a.w is considered as fabricated. The ḥadīth is assumed to be invented during that period of time or earlier, and not come from the Prophet s.a.w. That is why Juynboll affirms that, when there are a lot of people who narrated a certain ḥadīth, from a certain narrator, at

a certain time, there is evidence that the ḥadīth actually existed or was invented at that period. Thus, he believes that the ḥadīth can be proven not uttered by the Prophet s.a.w by tracing when the ḥadīth came into existence.¹²⁰ Meanwhile, the other *sanad* from Abī Ṣāliḥ is considered a Diving isnād, just a set of unrelated diving chains. This is how Juynboll asserts that the Common Link analysis is able to prove that the *isnād* do not reach back to the Prophet s.a.w.

Now focusing on ḥadīth of *man kadhaba*, Juynboll argues that even the most well-known *mutawātir* ḥadīth cannot be justified as authentic according to his method. Here, he analyses various versions of this ḥadīth and finds Shu'ba bin al-Hajjāj, a highly regarded *rāwī* among Muslim scholars, roled as the Common Link in a few versions of this ḥadīth;

حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ جَامِعِ بْنِ شَدَّادٍ، عَنْ عَامِرِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ أَبِيهِ، قَالَ
قُلْتُ لِلزُّبَيْرِ رَضِيَ اللَّهُ عَنْهُ: "مَا لِي لَا أَسْمَعُكَ تُحَدِّثُ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَمَا أَسْمَعُ ابْنَ
مَسْعُودٍ وَفُلَانًا وَفُلَانًا؟" قَالَ: أَمَا إِنِّي لَمْ أَفَارِقْهُ مُنْذُ أَسْلَمْتُ وَلَكِنِّي سَمِعْتُ مِنْهُ كَلِمَةً: مَنْ كَذَبَ عَلَيَّ مُتَعَمِّدًا
فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ."

It was narrated by Muḥammad ibn Ja'far, narrated by Shu'ba, from Jāmi' ibn Shaddād, from 'Āmir ibn 'Abd Allāh ibn al-Zubayr, from his father, said: I said to al-Zubayr r.a: "Why don't I hear you narrating from the Messenger of Allah s.a.w as I hear Ibn Mas'ūd and so and so, and so and so?" He said: "I never left him since I became Muslim, but I

¹²⁰ Juynboll G. H. A. (2016). *Studies on the origins and uses of islamic ḥadīth*. England: Routledge Taylor & Francis Group. p. 352.

heard something from him: Whoever tells a lie about me deliberately, let him take his place in Hell.”¹²¹

The role of Shu’ba as the Common Link could be seen more clearly in the chains of narrators for *man kadhaba* ḥadīth as illustrated:

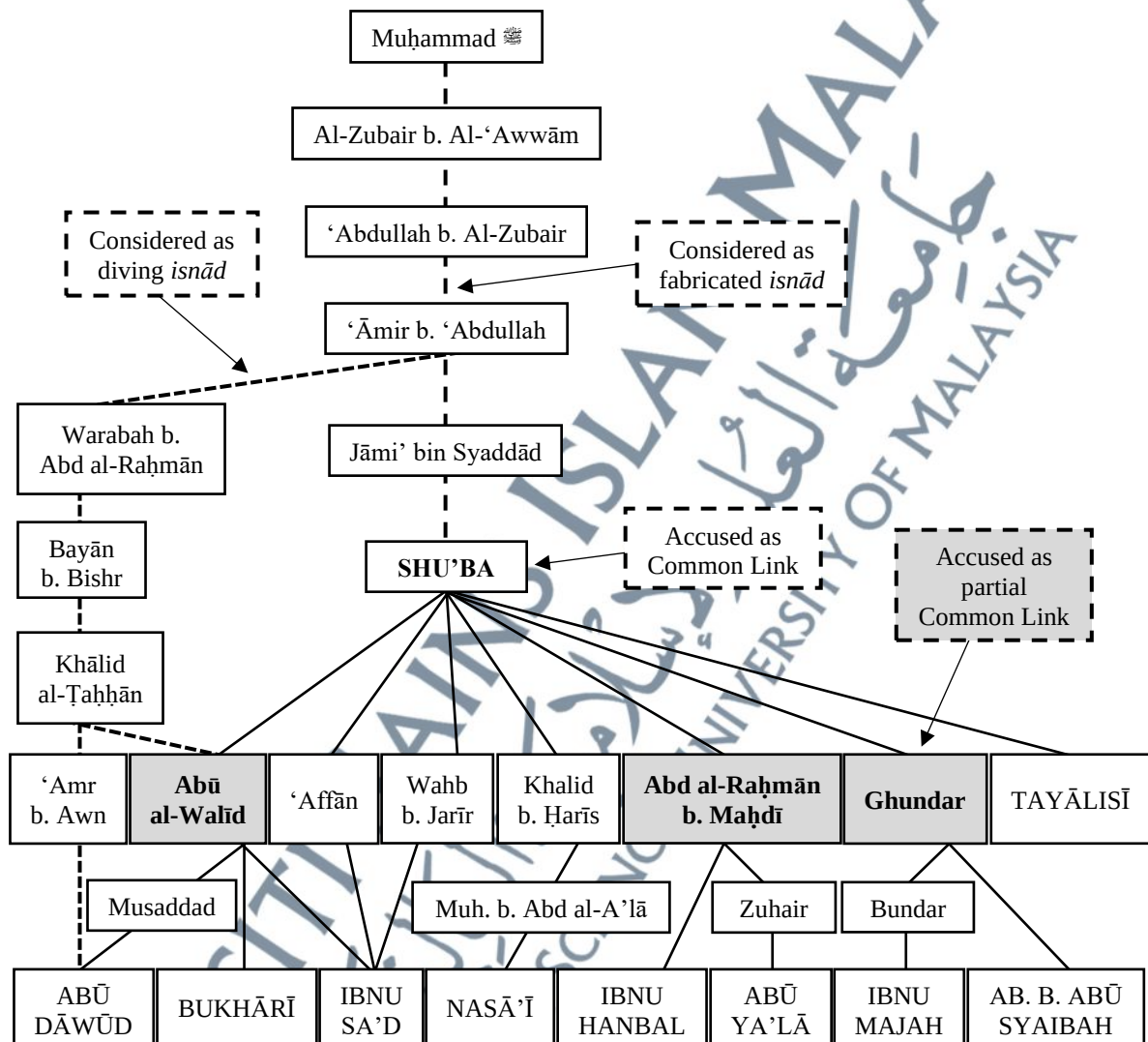


Figure 3.4

*Isnād of Man kadhaba Ḥadīth*¹²²

¹²¹ Aḥmad, Ibn Muḥammad Ibn Ḥanbal. (2009). *op.cit.*, p. 30. #1413.

¹²² Afwadzi, B. (2011). Pemikiran G.H.A. Juynboll Tentang Hadis Mutawatir. *Jurnal Studi Ilmu-ilmu Al-Qur'an dan Hadis*, 12(2). p. 343.

Shu'ba is assumed as the Common Link because, obviously, the *isnād* spread widely after him, while Abū al-Walīd, 'Abd al-Raḥmān bin al-Maḥdī and Ghundar are considered as partial Common Link.¹²³ Again, everything before the Common Link is considered forged and the other chain of narrators from Warabah b. Abd al-Raḥmān is considered as an unrelated Diving *Isnād*, the alternative *sanad*. The ḥadīth of *man kadhaba* is assumed to be invented by Shu'ba or during his time, thus explaining the sudden widespread of the narration. This is why Juynboll believes that his theory is able to argue the whole idea of *mutawātir* ḥadīth because he can argue the most well-known *tawātur* narration. Anyhow, even if this *ṭuruq* argued by Juynboll is problematic according to his Common Link theory, there are still many other *ṭuruq* for the *man kadhaba* narration for it to still be regarded as *tawātur*.

In *Naẓm al-Mutanāthirah*, Al-Kattānī listed the number of *Ṣaḥāba* who narrated the *man kadhaba* ḥadīth as recorded by different scholars in their ḥadīth books. The numbers reached 200 of the *Ṣaḥāba* and there is an opinion that this is the only narration that exceeded 60 *Ṣaḥāba* as the narrators. This is also the only narration that completely has all the 'ashara al-mubashsharūn, the ten *Ṣaḥāba* who was promised *Janna*, as the narrators.¹²⁴ There are various *ṭuruq* from other *Ṣaḥāba* besides Al-Zubair b. Al-'Awwām and without Shu'ba in the chain of narrators. Hence, presented in the chart are those *ṭuruq* based on seven different ḥadīth books which are regarded as fundamental ḥadīth books collections;

¹²³ Ibid.

¹²⁴ Ibn Ja'far al-Kattānī. (n.d.). *Naẓm al-Mutanāthirah min al-Ḥadīth al-Mutawātirah*. Qāhirah: Dār al-Kutub al-Salafiya lil-Ṭabā'a wal-Nashr. pp. 28-30.

Figure 3.5

*Ṭuruq of Man kadhaba Ḥadīth*¹²⁵

Nevertheless, Juynboll insists that the ḥadīth of *man kadhaba* cannot be categorised as a *mutawātir* ḥadīth just because various *isnād* for this ḥadīth were found in canonical collections. Juynboll explains this by using the Single Strand theory. He claims that if the various *isnād* or *ṭuruq* of *mutawātir* ḥadīth are analysed one by one, there will be *isnād* that consists of a single strand and *isnād* that consists of multiple strands. If the *isnād* with single strands are examined thoroughly, there will be similar narrators and strands that can be matched to each other and form an *isnād* bundle.¹²⁶ Since the differences between *mutawātir* ḥadīth and *aḥād* ḥadīth are based on the number of narrators, he argues whether it refers to unmatched single strands that are impossible to be compiled together as an *isnād* bundle, or matched single strands which if compiled will form an *isnād* bundle. Juynboll believes that only matched single strands which are able to form an *isnād* bundle can be considered *mutawātir* ḥadīth. Thus, if it is impossible to be compiled as an *isnād* bundle, the authenticity to be regarded as a *mutawātir* ḥadīth is questionable.¹²⁷

¹²⁵ Al-Bukhārī, Muḥammad ibn Ismāʿīl. (2011). *Ṣaḥīḥ al-Bukhārī: al-Jāmi' al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar min umūri Rasūl Allāh ṣalla Allāh ʿalayhi wa Sallama wa Sunanihi wa Ayyāmihi*. Qāhirah: Dār al-Ḥadīth. p. 214. #1291; Muslim, Ibn al-Ḥajjāj al-Qushairī. (2010). *Ṣaḥīḥ Muslim: Al-Musnad al-Ṣaḥīḥ al-Mukhtaṣar min al-Sunan bi al-Naqli al-ʿAdli ʿan Rasūlillāh Ṣallallāhu ʿalaihi wa Sallam*. Qāhirah: Dār al-Ḥadīth. p. 15. #3; Al-Tirmidhī, Muḥammad ibn ʿĪsa al-Sulamī. (2014). *Sunan al-Tirmidhī*. Qāhirah: Dār al-Ḥadīth. p. 460. #2659; Abī Dāwūd, Sulaymān ibn al-Ashʿath al-Sijistānī. (2013). *Sunan Abī Dāwūd*. Maṣūra: Dār al-Mawda. p. 433. #3651; Al-Dārimī, ʿAbd Allāh ibn ʿAbd al-Raḥmān ibn Faḍl. (2013). *Sunan al-Dārimī*. Bayrūt: Dār al-Nawādir. p. 303. #237, p. 304. #238, p. 305. #240, p. 307. #244, p. 476. #613; Ibn Mājah, Muḥammad ibn Yazīd al-Qazwīnī. (2014). *Sunan Ibn Mājah*. Qāhirah: Maktabah al-Tawfīqiyya. p. 26-27. #33, 37. Aḥmad Ibn Muḥammad ibn Ḥanbal. (2009). *Musnad al-Imām Aḥmad ibn Ḥanbal*. Bayrūt: Muassasa al-Risāla. p. 24. #584, p. 323. #1075, p. 414. #2675, p.122. #2974, p. 364. #3814, p. 204. #9350, p. 9. #11942, p. 163. #12110, p. 400. #13980, p. 158. #14255, p. 33. #16506.

¹²⁶ Juynboll, G. H. A. (2001). *op.cit.*, p. 318.

¹²⁷ Idri, M. A., & Baru, R. (2018). *op.cit.*, p. 950.

Idri M.Ag and Rohaizan Baru commented on these arguments by stating that the use of the term single strand and the term *isnād* bundle is rarely or even never used by Muslim scholars. When doing the *i'tibār* of a ḥadīth, they describe the *ṣuruq* without searching for which are single and which are not in the *isnād* bundle. Juynboll's descriptions and the Single Strand theory are strongly influenced by the Common Link theory which always focuses on the possibility of a single path of ḥadīth transmission and the finding of ḥadīth fabrication.¹²⁸ Through the Common Link theory, Juynboll has given many ideas, opinions, and assumptions to argue about the *isnād* of *mutawātir* ḥadīth which opposes the opinions of Muslim scholars. Muṣṭafā al-A'zamī also states that Western scholars should update their data instead of parroting Schacht uncritically.¹²⁹ After all, this theory cannot be used as a basis and paradigm to examine the ḥadīth of the Prophet s.a.w by Muslims, because eventually, it will conclude that every ḥadīth is faulty and this is opposed to the teachings of Islām.

3.3 Arguing the Existence of *Mutawātir* Ḥadīth

Argumentum e silentio or argument from silence is one of the methods used by orientalist or at least they act based on this method to argue the existence of ḥadīth. This method works by expressing a conclusion or raising doubt about the existence of a statement or a reference based on its absence in an event or a document.¹³⁰ Joseph Schacht proposed to use this method in his research and claims that the finest approach to verify that a tradition does not exist at a certain time is by revealing that it was not used as a valid argument in a debate that would have made reference to its vital

¹²⁸ Ibid.

¹²⁹ Muṣṭafā al-A'zamī. (2000). *Studies in early Ḥadīth literature: With a critical edition of some early texts*. Petaling Jaya: Islamic Book Trust. p. 218

¹³⁰ Lange, J. (1966). The Argument from Silence. *History and Theory*, 5(3), pp. 288-301.

importance, if it had existed.¹³¹ Thus, if a relevant ḥadīth has not been written in documentation or used in an argument of an event, it should be considered as proof that it was forged after the time of that event.

However, Juynboll believes in the case of such famous ḥadīth, which are characterized as *mutawātir*, the mere fact that they are not listed in some collections is significant, and this fact cannot be dismissed with the consideration that it only constitutes an *argumentum e silentio*. Their non-occurrence in some other collections raises questions that need explanation. He then adds that the more famous the ḥadīth, the more significant its absence where it is expected to be included and, consequently, the higher the value of this non-occurrence being affirmed as an *argumentum e silentio*.¹³² Since Schacht first suggested it, many *aḥkām* ḥadīth have been examined in the *e silentio* framework, and G. H. A. Juynboll contributes the most comprehensive works on this topic.

Before completing his research by using the Common Link theory, Juynboll applies *argumentum e silentio* in his book, *Muslim Tradition* to examine ḥadīth of *man kadhaba* which is commonly accepted by Muslim scholars as *mutawātir*. He uses this method to ascertain the date of origin in which the ḥadīth might be forged.¹³³ Besides the ḥadīth of *man kadhaba*, Juynboll also applies this method to examine another *mutawātir* ḥadīth;

حَدَّثَنَا يَحْيَى، حَدَّثَنَا شُعْبَةُ، حَدَّثَنَا قَتَادَةُ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ ابْنِ عُمَرَ، عَنْ عُمَرَ، رَضِيَ اللَّهُ

عَنْهُمَا عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِالنِّيَاحَةِ عَلَيْهِ.

¹³¹ Schacht, J. (1979). *op.cit.*, p. 126.

¹³² Juynboll, G. H. A. (1983). *op.cit.*, p. 98.

¹³³ Kuzudişli, B. (2007). *op.cit.*, p. 48.

It was narrated by Yahya, narrated by Shu'ba, narrated by Qatāda, from Sa'id ibn al-Musayyab, from Ibn 'Umar, from 'Umar r.a from The Prophet s.a.w said: "The deceased is tormented in his grave because of the wailing over him."¹³⁴

Juynboll states that both ḥadīth of *niyāḥa* and *man kadhaba* are often found in connection because if one examines the progression of *man kadhaba*, one will surely come across the ḥadīth of *niyāḥa* on many occasions. Since the ḥadīth of *man kadhaba* is considered as a forged ḥadīth by orientalists, then two birds may be killed with one stone, if the research of the one includes the research of the other. He also believes that research on both of these *mutawātir* ḥadīth may establish a valid evaluation of the *tawātur* concept in general.¹³⁵ In *Muslim Tradition*, Juynboll discusses both ḥadīth of *niyāḥa* and *man kadhaba* in one chapter by arguing the presented *isnād* or absence of these ḥadīth in some canonical collections.

Juynboll first examines the narrations of the *niyāḥa* ḥadīth and finds that there is no trace of this ḥadīth in some of the earliest collections which are *Muwatṭi'ā'* al-Imām Mālik, *Jāmi' al-Ṣaḥīḥ* by al-Imām al-Rabī' ibn Ḥabīb and *Jāmi' fī al-Ḥadīth* by Ibn Wahb, a devoted student of al-Imām Mālik. However, later in *Musnad* Abī Dāwūd al-Ṭayālīsī, he finds this ḥadīth with every *isnād* appearing to be Iraqi. Then, in *Muṣannaf* Ibn Abī Shaybah, there are impressive series of this ḥadīth with a majority of Iraqi *isnād*, one Meccan *isnād*, one Medinan/Syrian *isnād* and one purely Medinan *isnād*. After that in *Musnad* Ahmad ibn Ḥanbal, there are longer lists of these narrations which appear to have Iraqi *isnād* and one defective Syrian *isnād*.¹³⁶ The timeline below shows the emergence of the *niyāḥa* narration in canonical collections as claimed by Juynboll;

¹³⁴ Aḥmad, Ibn Muḥammad ibn Ḥanbal. (2009). *op.cit.*, p. 15. #180.

¹³⁵ Juynboll, G. H. A. (1983). *op.cit.*, p. 97.

¹³⁶ Ibid. pp. 103-105.



175 H	<i>Jāmi'</i> al-Rabī' Absent
179 H	<i>Muwaffā'</i> Mālik Absent
197 H	<i>Jāmi'</i> Ibn Wahb Absent
203 H	<i>Musnad</i> al-Ṭayālīsī Present - All Iraqī <i>isnād</i>
235 H	<i>Muṣannaf</i> Ibn Abī Shaybah Present - Majority Iraqī <i>isnād</i> - One Meccan <i>isnād</i> - One Medinan/Syrian <i>isnād</i> - One purely Medinan <i>isnād</i>
241 H	<i>Musnad</i> ibn Ḥanbal Present - Majority Iraqī <i>isnād</i> - One defective Syrian <i>isnād</i>

Figure 3.6

Emergence Timeline of *Niyāḥa* Ḥadīth

Based on his findings, Juynboll concludes that the ḥadīth of *niyāḥa* was fabricated in Iraq, and to a limited extent Syria and Egypt, as the breeding ground of the concept *niyāḥa*. Juynboll justified that this ḥadīth in all its forms is an Iraqi concept, an invented ḥadīth and cannot be attributed to the Prophet s.a.w.¹³⁷ Juynboll then points out the emergence of *man kadhaba* narration in the *Musnad* Ibn Ḥanbal, which is in context with the prohibition of *niyāḥa*.¹³⁸ As mentioned before, he believes that two birds may

¹³⁷ Ibid. p. 107.

¹³⁸ Ibid. p. 105

be killed with one stone because when one examines the progression of *man kadhaba*, he often comes across the ḥadīth of *niyāha*.

The *Man kadhaba* ḥadīth is also claimed as an Iraqi concept by Juynboll. He divides some of the canonical collections into Iraqi and non-Iraqi collections to prove that this narration is absent in most of the non-Iraqi collections but later present in some of the Iraqi collections. For example, there are numerous *kadhib* narrations in both of these non-Iraqi collections, *Muwaṭṭā'* Mālik and *Jāmi'* Ibn Wahb, but there is no trace of the *man kadhaba* ḥadīth. Though later in this Iraqi collection, *Musnad al-Ṭayālīsī*, there are many narrations of *man kadhaba*.¹³⁹ There are also a number of dissimilar *isnād* supporting the ḥadīth that suddenly exist and increase from time to time. Here are some main points gathered from Juynboll's arguments towards the *man kadhaba* narration;¹⁴⁰

1. The ḥadīth is undiscovered in *Muwaṭṭā'* Mālik but later in *Risāla fī Uṣūl al-Fiqh* by al-Imām al-Shāfi'ī, a variant format of this ḥadīth was found. Three *shuyūkh* of al-Imām Mālik which are Muḥammad ibn 'Ajlān, Muḥammad ibn 'Amr ibn 'Alqama, and 'Ubayd Allāh ibn 'Umar, were found as narrators in the ḥadīth transmission recorded in *al-Risāla*.
2. 'Abd Allāh ibn al-Zubayr al-Ḥumaydī, a student of al-Imām al-Shāfi'ī, narrated this ḥadīth only once with a defective but highly relevant *isnād*. Apparently, he did not list *isnād* from his *syakh*, al-Imām al-Shāfi'ī.
3. The ḥadīth is undiscovered in *Jāmi' Ibn Wahb* but later Ibn Wahb was recorded as a narrator of this ḥadīth in *Musnad Ibn Ḥanbal*.

¹³⁹ Ibid. pp. 108-109

¹⁴⁰ Ibid.

4. The ḥadīth is undiscovered in *Sunan al-Nasā'ī*, but years before, this ḥadīth was recorded in *Jāmi' al-Tirmidhī* with *isnād* from Qutayba ibn Sa'īd, *shaykh* of al-Imām al-Nasā'ī. Juynboll questions whether al-Imām al-Nasā'ī never received this ḥadīth from his *shaykh* because it was falsely attributed, or it was rejected because he did not trust it.
5. The ḥadīth is found in *Musnad Abū Ḥanīfa* but with problematic *isnād* which was nowhere to be found in other canonical collections of ḥadīth. Juynboll discards all the *isnād* of *man kadhaba* narrations by al-Imām Abū Ḥanīfa as a fabrication that began to be circulated by his followers perhaps 200 years after his death.
6. The ḥadīth is undiscovered in *Jāmi' al-Rabī'* but was later found in *Musnad al-Ṭayālīsī* whilst both are Iraqi collections. Hence, Juynboll believes that this ḥadīth was forged sometime in the second half of the second century between the two death dates of al-Rabī' Ibn Ḥabīb and Abī Dāwūd al-Ṭayālīsī, in Iraq, as the breeding ground of this ḥadīth.

Hence, Juynboll believes that the ḥadīth of *man kadhaba* is also an Iraqi concept, an invented ḥadīth and cannot be attributed to the Prophet s.a.w. The absence of this ḥadīth in a few collections is being questioned and every piece of evidence points to Iraqi ḥadīth scholar circles based on Juynboll observation. Besides, there are a number of dissimilar *isnād* supporting the ḥadīth that suddenly exist and increase from time to time. He also claims that it can be seen clearly that the *ṭurūq* of the ḥadīth *man kadhaba* had significantly increased. In *Musnad Abī Dāwūd al-Ṭayālīsī*, it was only a handful, then in the period of al-Imām Ibn Ḥanbal, the number had increased remarkably.¹⁴¹

¹⁴¹ Ibid. p. 129.

Above all, by proving that *niyāḥa* and *man kadhaba* ḥadīth were not recorded in earlier collections, but appear obviously in later collections, Juynboll concludes that these ḥadīth did not exist in the Prophet era but were invented by the later generations. Implicitly, Juynboll still admits the existence of *mutawātir* ḥadīth in Muslim studies, but he insists that these ḥadīth did not come from the Prophet s.a.w. The *isnād* of *niyāḥa* and *man kadhaba* ḥadīth could be claimed as *mutawātir* but could not be guaranteed their authenticity.¹⁴² However, in his further research development with the Common Link method, Juynboll states that in ḥadīth literature, *mutawātir lafẓī* is a confusing and unrealised theory or in other words does not exist. While *mutawātir ma'nawī* only occurred in a limited number of ḥadīth in an unstandardised manner, individually, they are not considered as *mutawātir*.¹⁴³

Juynboll's opinions about the existence of *mutawātir* ḥadīth are greatly influenced by both the Common Link and *argumentum e silentio* theories. The refutation for the Common Link theory has been presented before, while for the *argumentum e silentio*, this method can be refuted with these two simple arguments. Muṣṭafā al-A'ẓamī briefly argues that it is common to answer a question without documenting the evidence used in arriving at the conclusion or without presenting the complete *isnād* of the ḥadīth.¹⁴⁴ As quoted by J. Brown in his book, Harald Motzki also agrees that this is just an inaccurate and unreasonable assumption because a scholar could decide not to mention a ḥadīth if it feels like it does not actually address the issues at hand.¹⁴⁵ Moreover, as discussed in the perspectives of Muslim scholars, the reason for the opinion of non-

¹⁴² Afwadzi, B. (2011). *op.cit.*, p. 331.

¹⁴³ Juynboll, G. H. A. (1983). *op.cit.*, p. 98.

¹⁴⁴ Ibid. pp. 219-221.

¹⁴⁵ Brown, J. A. C. (2009). *op.cit.*, p. 226.

existence might be because of a lack of knowledge about the ways or the circumstances of the narrators and their desirable traits that it is impossible to agree to lie.¹⁴⁶

3.4 Arguing the Knowledge Created by *Mutawātir* Ḥadīth

The authenticity of Prophetic ḥadīth undoubtedly has been one of the most central problems discussed among Muslim scholars and orientalists, even for *mutawātir* ḥadīth which has been regarded as the most authentic ḥadīth. Although there is no *khilāf* (contradiction) among Muslim scholars that all *mutawātir* ḥadīth, either *lafẓī* or *ma'nawī*, necessitate certainty and definite knowledge,¹⁴⁷ this issue still received intense attention from orientalists. Wael B. Hallaq is one of the scholars who argues the knowledge created by *mutawātir* ḥadīth and he used the probability theory in mathematics as his main point. In this case, there are two probabilities for a narration which are true and false. True refers to the authentic narration which necessitates *ḍarūrī* (certainty) and definite knowledge, while false refers to the dubious narration which creates *naẓarī* (preconception) knowledge or *ẓann* (guesswork) that requires attention towards its *isnād* and *matn*, and needs to be supplemented with other convincing arguments.

Basically, the probability for a narration to be *ḍarūrī* is 0.5 since the remaining 0.5 is assigned to the probability of the narration being *ẓann*, with the degree for certainty being 1.0. Wael pointed out that since the *aḥad* is admittedly *ẓann*, that means that it engenders in the intellect a probability in the order of 0.51 or higher, but never reaches the level of certainty which is 1.0. Hence, even if two *aḥad* ḥadīth narrated by different transmitters support a particular *ma'na* (definition/theme), their aggregate probability together increases to a degree higher than 0.51 but still significantly lower

¹⁴⁶ Ṣubḥī al-Ṣāliḥ. (2003). *op.cit.*, p. 147.

¹⁴⁷ Ṣubḥī al-Ṣāliḥ. (2003). *op.cit.*, p. 151.

than 1.0.¹⁴⁸ Thus, Wael claims that in this context, not just *aḥad* ḥadīth, but *mutawātir ma'nawī* also fails to survive beyond the test of probability. This is because, *mutawātir ma'nawī* is nothing more than a collection of *aḥad* ḥadīth, which readily acknowledged it as a subject to mendacity, error, and liable to falsification. Hence, if the *aḥad* is not to be trusted as a historical source, then *mutawātir ma'nawī* is to be treated precisely in the same manner.¹⁴⁹

Wael also states that a number of scholars denied the *mutawātir lafẓī* status of certainty, although this *tawātur* was universally acknowledged as being epistemically superior to the *ma'nawī* type.¹⁵⁰ He also argues *mutawātir lafẓī* ḥadīth as quantitatively insignificant because a thorough search by a number of Muslim scholars could yield no more than eight or nine ḥadīth of the *mutawātir* type, which still may not have always meant the *mutawātir lafẓī*.¹⁵¹ Thus, by applying probability theory in his arguments and using *aḥad* ḥadīth as a comparison, he claims that the authenticity of *tawātur* narrations is still debatable. Wael concludes that if the particulars are dubious, then the whole is equally so which clearly means that if *tawātur* narrations are dubious, hence the same goes for the whole tradition of ḥadīth.

3.5 Conclusion

Orientalists use their theories and methods to argue the authority of certain *mutawātir ḥadīth*, but then generalise it to all *tawātur* narrations or even towards the whole notion of ḥadīth narrations. Juynboll uses the Common Link and Single Strand theories and then deduced that if the most well-known *mutawātir* ḥadīth cannot be justified as authentic according to his methods, then the whole notion of *mutawātir*

¹⁴⁸ Hallaq, W. B. (1999). *op.cit.*, pp. 81-82.

¹⁴⁹ Ibid. p. 82

¹⁵⁰ Ibid.

¹⁵¹ Ibid. pp. 87-88.

ḥadīth is no guarantee for the historicity of a ḥadīth ascription to the Prophet.¹⁵² He also uses the *argumentum e silentio* method and states that since the ḥadīth of *man kadhaba* is considered as a forged ḥadīth by orientalists, then two birds may be killed with one stone, because they usually also come across the ḥadīth of *niyāḥa* on many occasions. Then he believes that research on both of these *mutawātir* ḥadīth may establish a valid evaluation of the *tawātur* concept in general.¹⁵³ Orientalists tend to conclude that if the particulars are dubious, then the whole is equally so as claimed by Wael B. Hallaq with his probability theory. Orientalists' reliance on certain *mutawātir* ḥadīth to reach broad generalisation is not well agreed by Muslim scholars. This is surely because eventually, they will reach the conclusion that every ḥadīth is faulty and this is opposed to the teachings of Islām.

¹⁵² Ibid. p. 98.

¹⁵³ Juynboll, G. H. A. (1983). *op.cit.*, p. 97.