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**Dealing with Mukhtalaf al-Hadīth:  
Between the Prohibition and the Instruction of Writing Hadīths**

**Ahmad Syauqi \***

**ABSTRACT:** *Hadīth* is one of the two sources of law in Islam whose existence is irreplaceable for the Muslim community. Apart from being an explanation of the Qur'ān, there are instances where *hadīths* establish laws that are not specified in the Qur'ān. Realizing the importance of *hadīth*, there are those who attempt to cast doubts on the validity and authenticity of *hadīth* by arguing that the writing of *hadīth* was only done hundreds of years after the demise of the Prophet ﷺ. This argument is built upon *hadīths* in which the Prophet ﷺ warned against writing down *hadīth*. However, on the other hand, a number of *hadīths* indicate the opposite, in which the Prophet ﷺ ordered writing down *hadīth*. The contradiction between these two categories of *hadīths* falls under the *mukhtalaf al-hadīth*. This contradiction provides a massive confusion regarding the documentation of *hadīth*. This study focuses mostly on the *hadīth* of prohibition by analysing the *sanad* (chain of narration) and *matn* (text) of the *hadīth*, and the methodology to resolve this contradiction. The study discovered that the *hadīth* of prohibition is *ṣahīh* (authentic), and indeed contradiction exists between the *hadīth* of prohibition and the *hadīth* of instruction of writing down *hadīth*. However, the ruling inferred from the *hadīth* of prohibition was replaced by the *hadīth* of instruction of writing down *hadīth*.

**Keywords & Phrases:** *Mukhtalaf al-hadīth*; *contradictory hadīth*; *writing hadīth*; *written transmission*; *hadīth tradition*.

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## Introduction

As the second source of law in Islam, *ḥadīth* plays an indispensable role in explaining and interpreting the commandments of Allah SWT contained in the Qur'ān. As it is well known that the Qur'ān has been transmitted through *mutawātir* (numerous chains of narration), and as a result it is considered as *qaṭī' al-thubūt* (undoubted transmission), which implies that the laws, commands, and prohibitions stated in the Qur'ān are transcendent for Muslims. However, the laws or messages in several verses of the Qur'ān often contain meanings that are *'āmm* (universal), *mujmal* (vague), or *muqayyad* (restricted). Some of the verses in the Qur'ān indicate a common instruction and not all those verses were revealed with detailed and specific descriptions. Thus, more explanation is needed to understand them. And one of the best explanations and interpretation for the Qur'ān besides the Qur'ān itself is *ḥadīth* of the Messenger of Allah ﷺ (Ajāj, 2006, p. 31).

Considering the important role of *ḥadīth* in its relation to the Qur'ān, its preservation is as important as the Qur'ān. As the Qur'ān is believed to be valid based on its transmission through *mutawātir* means and preserved through systematic and strict memorization and writing. Thus, it is also important to consider the validity and authenticity of *ḥadīth*; if the process of preserving *ḥadīth* from the beginning goes through a similar process as with the Qur'ān, then its validity and authenticity is unquestionable. However, if the process of transmitting *ḥadīth* is only through rote memorization as claimed by some who denied the legitimacy of the Sunnah, their hypothesis on the authenticity of *ḥadīth* would be hard to refute.

Talking about the authenticity of religious literature, it cannot be separated from the way of narration, and the methodology of its preservation. The main reason why the Qur'ān is accepted as a transcendent law for Muslims is because it is narrated through a systematic and scientifically valid method. Besides that, the Qur'ān is preserved and maintained by a combination of two crucial methods; memorization and writing. However, how about the preservation of the *ḥadīth*? Is the same applicable to *ḥadīth*? Was there any writing, recording, and documentation of *ḥadīth* from the beginning of the Prophet's time which could prove the validity and authenticity of *ḥadīth*?

Looking deeply at historical data and texts on this issue, we will find collections of propositions which are generally divided into two categories; the first is the arguments that prohibit the writing down of *ḥadīths*, and the second is the arguments of the existence of *ḥadīths* written in the time of the Prophet ﷺ. This problem would certainly have become easier to understand if the *ḥadīths* which are the source of information on this problem were related and confirmed one another. However, in this case, there is a significant difference between one *ḥadīth* and another, and this is actually the root of the problem; the problem due to the contradiction between the two *ḥadīths* texts; two laws that are textually contradictory to one another.

In the perspective of *'ulūm al-ḥadīth* (*ḥadīth sciences*), the terminology used to describe *ḥadīth* which is contradictory to other *ḥadīths* is *mukhtalaf al-ḥadīth* (al-Dasūqī,

n.d). In this research, the writer will elaborate on this problem by analyzing the contradictory *ḥadīths* through its *sanad* (chain of narration) and the *matn* (text), and the methodology to resolve this apparent contradiction.

### 1.0 The Concept of *Mukhtalaf al-Ḥadīth*

*Mukhtalaf al-Ḥadīth* is a nomenclature composed of two morphemes; *mukhtalaf* and *ḥadīth*. Etymologically, *mukhtalaf* is derived from the word *ikhtilāf* which means disagreement or disputation (Majmaʿ al-Lughah al-ʿArabiyyah, 1989). While *ḥadīth* means the narration of the sayings, doings, or tacit approvals of Prophet Muḥammad ﷺ, and his physical and moral characteristics. (ʿAjāj, 1988, p. 21).

Terminologically, most *ḥadīth*'s scholars have a similar perspective on the meaning of the *mukhtalaf al-ḥadīth*. al-Imām al-Nawawī defines *mukhtalaf al-ḥadīth* as a condition in which two *ḥadīths* are contradictory to each other textually, and both need to be compromised or selected. And this definition was also adopted by al-Imām al-Suyūṭī (al-Nawawī, ed. 1985, p. 90; al-Suyūṭī, ed. 1415 AH, pp. 651-652). Meanwhile, according to al-Sakhāwī, *mukhtalaf al-ḥadīth* is *ṣaḥīḥ* (authentic) *ḥadīths* in which its texts negate one another (al-Sakhāwī, ed. 1426 AH, p. 471).

The conclusion from the above is that *mukhtalaf al-ḥadīth* is a condition where there are two *ḥadīths* that are textually contradicting and negating each other. Those two contradictory *ḥadīths* must be *ṣaḥīḥ* (authentic), and to resolve the conflicts between the method of *al-tawfīq* (reconciliation) or *al-tarjīh* (preference) is used. Likewise, it can be clearly understood from here that the contradiction is only textually and is not an essential contradiction between the authentic *ḥadīths* (al-Shawkānī, ed. 2000).

#### 1.1 The Principles of *Mukhtalaf al-Ḥadīth*

Departing from the conclusion above, then we can draw a line to standardise the regulations (*ḍawābiṭ*) of the *ḥadīths* which are classified under *mukhtalaf al-ḥadīth*. Among those *ḍawābiṭ*, the most important are as follows;

1. All of those *ḥadīths* must have the status of *maqbul* (acceptable) or can be used as a *ḥujjah* (evidence) (al-Sakhāwī, ed. 1426 AH, pp. 471-472). If the contradictory *ḥadīth* has different levels of quality (*ṣaḥīḥ*, *Ḥasan*, *ḍaʿīf*) or the conflict occurs between *ḥadīth mardūd* (rejected), or *bāṭil* (invalid), or *ḍaʿīf* (weak) then it is not categorized as *mukhtalaf al-ḥadīth*.
2. The conflicts that occur between the *ḥadīths* are on the same issue (Usāmah, 2001, p. 47).
3. Those *ḥadīths* mutually deny the laws inferred from them. If there is one *ḥadīth* that stipulates lawfulness for one problem, and there is another *ḥadīth* that stipulates prohibition for the same problem, then this condition is considered as *mukhtalaf al-ḥadīth* (Usāmah, 2001, pp. 49-52).
4. The contradiction between those *ḥadīths* occurred at the same period (al-Baghdādī, n.d, p. 433). The contradiction between those two texts must occur at one time, in

the sense that if there are prohibitions and orders at two different times, such as the prohibition of the transaction during the *adhān* of Friday prayers and the permissibility of the transaction at another time, then this is not categorised as *mukhtalaf*.

### 1.2 The Methodology of Resolving *Mukhtalaf al-Ḥadīth*

The scholars provide methods that can be taken to resolve the *mukhtalaf al-ḥadīths*. Some of the methods agreed by the scholars are; *al-jamʿ* and *al-tawfīq* (reconciliation), *al-Naskh* (abrogation), *al-Tarjīh* (preference) (Usamah, 2001, pp. 129-208). Some scholars add the last method that can be applied in case the three previous methods cannot provide a solution, which is *al-Tawaqquf* (suspension) (al-Sakhāwī, ed. 1426 AH, pp. 475).

The *ḥadīths* scholars predominantly employ the first method as the initial step in resolving contradictory *ḥadīths*. Imām al-Nawawī argues that there are two types of *mukhtalaf al-ḥadīth*; first, the *ḥadīths* that can be reconciled, and the second that which cannot be reconciled. For those which can be reconciled, this method is deemed mandatory in resolving the problem (al-Nawawī, ed. 1985, p. 90). This *al-jamʿ* (reconciliation) method is applied by bringing together the contradictory texts or *ḥadīths* and then consolidating them before drawing final conclusions from them.

The second method, *al-naskh* (abrogation), is a method used to eliminate the contradiction between two *ḥadīths* by abrogating the legal content from the earlier text, then replacing it with the law that came after (al-Ghazālī, ed. 1993, pp. 86-90). Some Hanafiyah scholars prioritize this specific method rather than other methods (al-Sarkhāsī, ed. 1993, pp. 12-15). However, there are several conditions that must be considered in the application of this method; (1) The two propositions are of the same quality level; (2) There is no *nasakh ṣarīh* (verse or text that clearly expunges the law of the earlier verse) founded in; (3) uncompromised; (4) it is known which *ḥadīth* appeared earlier and which *ḥadīth* appeared later.

While *al-tarjīh* (preference) is a method to resolve the conflict between texts by taking one of the arguments and leaving the others because it is believed that there is an error in one of those contradictory texts (al-Shirāzī, ed. 1983, pp. 159-161).

The final method chosen by the scholars in dealing with *mukhtalaf al-ḥadīth* in case the other methods cannot be applied is *al-tawaqquf* (suspension), which is not taking any of those contradictory texts and leaving them all until the problem becomes clear and solved (al-Sakhāwī, ed. 1426 AH, p. 475).

## 2.0 The Tradition of Writing at the Time of the Prophet PBUH

The tradition of writing in Arab society in the earliest era was heavily influenced by the Persians and Romans. Even before Islam came, writing activities have existed especially in North Arabia. ‘Adī ibn Zayd al-Ubbādī, who had a position on the Kisra council, is

evidence that there were already *kuttāb* (writers) in the Arabian Peninsula during the *jāhiliyyah* (era of ignorance) ('Ajāj, 1988, p. 295).

The tradition of writing continues to develop in the Arabian peninsula especially after the advent of Islam. The Messenger of Allah ﷺ himself played a big role in this matter. There are historical evidences to support this argument; the Messenger of Allah ﷺ allowed the disbelievers of Mecca who were captured in the battle of Badr to redeem themselves by teaching writing and reading to ten Muslim children of Medina (al-Suhail, n.d, p. 92). Another fact is that there were approximately forty *kuttāb al-wahy* (Qur'ān scribes) at the time of the Prophet PBUH. This strongly indicates that reading and writing activities were intensively carried out by Muslims in the early days of Prophet's era. More than that, the art of calligraphy has been seen in existence when a person named 'Abd Allāh ibn Sa'īd ibn al-'Āṣ taught the *khatt* (the art of beautiful writing) to several residents of Medina ('Abd al-Barr, ed. 2006, p. 366).

### 2.1 *Ḥadīth Writing Activities In the Era of the Prophet PBUH*

*Ḥadīth* researchers and scholars have various perceptions about when the codification of *ḥadīth* began. From this differences of opinion, a further question arises about whether *ḥadīth* has been documented and written since the Prophet's era or long after the Prophet ﷺ died?

Some *ḥadīth* researchers, especially the orientalist, claim that the writing and codification of *ḥadīth* only started at the beginning of the second Hijri century (Muir, 1901, pp. Xxxii-xxxvi). This claim is based on historical data which records the command of the Caliph 'Umar ibn 'Abd al-'Azīz to Abū Bakr ibn Muḥammad ibn Ḥazm and several people of Medina to collect and write *ḥadīth*. The argument is also strengthened by the statements of several scholars namely al-Imām Ibn Ḥajar al-'Asqalānī and al-Imām Mālik who said that al-Zuhrī (d. 124 H) was the first to complete the task of codifying *ḥadīth* (Abu Zahou, 1984, p. 127; al-Baghdādī, ed. 2008, p.5).

William Muir (1901) claims that there is no authentic evidence of any compilation of *ḥadīth* before the middle of the second Hijri century. William Muir's opinion was supported by a well-known Hungarian orientalist, Goldziher, who believed that the recording of *ḥadīths* was only done at the beginning of the second Hijri century (Subhī, 2009, p. 34).

A contemporary *ḥadīth* researcher, Muhammad Mustafa al-Azami, strongly refuted the argument claiming the writing of *ḥadīth* only happened long after the Prophet ﷺ died. He reckons this argument is a common assumption that has been passed down from generation to generation. The basis of these opinions in his view generally departs from three reasons; (1) the majority of *ṣahābah* and people at that time were unable to write; (2) the tradition of memorization is more dominant than writing; (3) the Prophet ﷺ prohibited writing *ḥadīth* (al-Azami, 1980, pp. 72-74).

According to al-Azami, those reasons are logically incorrect. The reason that there was no writing of *ḥadīth* at that time was because the companions were unable to write was inaccurate. Historical facts record at that time many of the companions were able to write. This is clearly indicated by the writing of the Qur'ān. If the companions have no writing abilities at that time, then how could the Qur'ān be written? And the existence of the prohibition of writing *ḥadīth* by the Prophet reinforces the fact that many companions were able to write. The second argument that the *ṣaḥābah* left writing because of the power of their memorization is also incorrect. This can be proven by the presence of poetic texts among them. And regarding the prohibition of writing *ḥadīth* by the Prophet ﷺ, al-Azami argues that from the three companions who narrated the *ḥadīth* of prohibiting writing *ḥadīth*, namely Abū Sa'īd al-Khudrī, Abū Hurayrah, and Zayd ibn Thābit, only one the *sanad* (chain of narrator) is considered as authentic, which is Abū Sa'īd al-Khudrī through Hammām ibn Yahyā (al-Azami, 1980, pp. 74-83).

All of the above are clear proofs since it is not a secret that writing activities existed among the *ṣaḥābah*, even some of them such as Sa'd ibn 'Ubadah al-Anṣārī had a collection of *ḥadīths* of the Prophet ﷺ (al-Tirmidhī, ed. 1996, *ḥadīth* no. 1433). Logically, it is hard to accept the claim that some prominent *ḥadīth* scholars are unconscious of this famous historical fact.

## 2.2 The Prophet's Prohibition of Writing Down *Ḥadīth*

Abū Sa'īd al-Khudrī reported that Allah's Messenger ﷺ said, (Muslim, n.d.a, *ḥadīth* no. 3004):

“Do not write down anything from me, and he who wrote down anything from me except the Qur'ān, he should efface that and narrate from me, for there is no harm in it and he who attributed any falsehood to me (Hammām said: I think he also said: 'deliberately') he should in fact find his abode in the Hell-Fire.”

This prohibition from the Prophet ﷺ was used as the basis for the argument about the absence of *ḥadīth* writing during the early period of Islam. This prohibition is believed to be absolute and permanent and consequently no *ḥadīth* were written at that time, and *ḥadīth* were only written at the beginning of the second Hijri century.

This case actually leads to a more serious problem which is the invalidation of *ḥadīth*. A few people use this argument as an accusation against the authenticity of *ḥadīth*. If a *ḥadīth* has never been recorded, written, or documented, then its authenticity is doubtful due to the potential of adulteration.

Ibn Ḥajar's statement which says that al-Zuhrī was the first to complete the task of writing *ḥadīths* was used as an additional tool to obscure other historical facts. As if al-Zuhrī was the first person in Islamic history to write down *ḥadīth*. Despite the possibility that Ibn Ḥajar's statement was to explain that al-Zuhrī was the first person to receive an official

assignment from the caliph to write *ḥadīth*s and he was the first who accomplished it, not the first person in history to write the *ḥadīth*.

This argument is strengthened by the fact that Ibn Ḥajar himself in *Fath al-Bārī* has explicated the *ḥadīth* of 'Abd Allāh ibn Abī Awfā which clearly stated that he wrote *ḥadīth* directly from Mesengger of Allah ﷺ (al-'Asqalānī, ed. 2013, p. 87). So, it would be strange if he said that al-Zuhrī was the first person to write *ḥadīth* of the Mesengger of Allah ﷺ.

Consequently, to get a clear point of view, it is necessary to comprehensively review the *ḥadīth* which contains the prohibition on writing *ḥadīth*s by analyzing through its *sanad* and its *matn*.

### 2.2.1 The *Sanad* Analysis

In this analysis, we take a sample of a *riwāyat* (narrative) whose *mukharrij al-ḥadīth* (the last narrator of *ḥadīth*) is al-Imām Muslim. As proclaimed by the consensus of the *ḥadīth* scholars over generations that the two books which the ummah agreed to be the most authentic book after the Qur'ān are *Ṣaḥīḥ al-Bukharī* and *Ṣaḥīḥ Muslim* (al-Sakhāwī, ed. 1426 AH, p. 46-59). Therefore this specific *sanad* (chain of narrator) considered to be representative to be examined. If this *sanad* is proven valid, then it is sufficient to prove the authenticity of Abū Sa'īd al-Khudrī's *ḥadīth* from the aspect of its *sanad*.

Abū Sa'īd's *ḥadīth* was narrated by Muslim through the Ḥaddāb ibn Khālīd al-Azdī, from Hammām, from Zayd ibn Aslam, from 'Aṭā' ibn Yasār, from Abū Sa'īd al-Khudrī, from Mesengger of Allah ﷺ (Muslim, n.d.b, *ḥadīth* no. 3004).

- a. Muslim ibn al-Hajjāj al-Naysābūrī (d. 261 AH), *thiqah* (trustworthy), *ḥuffāz* (title for the Imām who is able to analyze the sanad and text *ḥadīth*), *ṣadūq* (truthful). He narrated *ḥadīth* from Yaḥyā ibn Yaḥyā al-Naysābūrī, and Muḥammad ibn Ishāq al-Naysābūrī, and 'Abd Allāh ibn Maslamah al-Qa'nabī, from Khālīd ibn Khaddāsh, and Ismā'īl ibn Abī Uways, and Ḥasan ibn Rabī', and Aḥmad ibn Yūnus (Ibn Abī Hātim, 1952a, p. 182).
- b. Ḥaddāb ibn Khālīd al-Azdī (d. 236 AH), according to Ibn Abī Hātim he is *ṣadūq* (Ibn Abī Hātim, 1952b, p. 114), according to Yaḥyā ibn Ma'īn he is *thiqah* (trustworthy). According to al-Nasā'ī he is *ḍa'īf* (weak), however, al-Nasā'ī has never narrated from him. Abū Ya'lā al-Mawṣilī said that Ḥaddāb was better and more *thiqah* than Shaybān. According to Ibn 'Adī, from his numerous reports that none of them is *munkar* (A *ḥadīth* narrated by a *ḍa'īf* (weak) narrator), and he is *ṣadūq* (truthful). According to Maslamah ibn Qāsim al-Baṣrī, he is *thiqah* (al-'Asqalānī, n.d.a, p.25).
- c. Hammām ibn Yaḥyā (d. 163 AH), according to Ibn Dinār, he is *ḥāfiẓ* and *ṣadūq*. According to Yazīd ibn Hārūn, *qawī fi al-ḥadīth* (strong in *ḥadīth*). According to Aḥmad ibn Ḥanbal, he is a *thiqah* narrator. Hammām narrated from Ḥasan, Anas ibn Sīrīn, 'Aṭā', Nāfi', Yaḥyā ibn Abī Kathīr. And those who narrated from him were Sufyān al-Thawrī, Ibn al-Mubārak, 'Abd al-Raḥmān ibn Maḥdī, Abū 'Alī al-Hanafī (al-Dhahabī, ed. 2006, p. 7).

- d. Zayd ibn Aslam (d. 136 AH) was a *tābi'ūn* and *fuqahā'* of Medina (expert in *fiqh*). He narrated from Ibn 'Umar, Abū Hurayrah, 'Ā'ishah, Jābir, and some other *ṣaḥābah* (al-'Asqalānī, n.d.b, p. 397). As per Ibn Sa'd he is *thiqah* (Ibn Sa'd, ed. 1990, p. 412).
- e. 'Aṭā' ibn Yasār (d. 103 AH) is a *tābi'ūn* who narrated from several *ṣaḥābah* such as; Ubay ibn Ka'b, 'Abd Allāh ibn Mas'ūd, Abū Hurayrah, 'Ā'ishah, 'Umar ibn al-Khattāb, Ibn 'Abbās, and other *ṣaḥābah*. al-Imām Mālik ibn Anas stated that 'Aṭā' ibn Yasār from Abdullah al-Sunabihī is *thiqah* and has narrated many *ḥadīth* (Ibn Sa'd, ed. 1990, p. 132).
- f. Abū Sa'īd al-Khudrī (d. 74 AH) is a *ṣaḥābah* whose real name is Sa'd ibn Mālik ibn Sinān al-Anṣārī. Multifarious *ṣaḥābah* have narrated from him, including; Jābir ibn 'Abd Allāh, 'Abd Allāh ibn 'Umar, Zayd ibn Thābit, Anas ibn Mālik, Ibn 'Abbās, Ibn al-Zubayr. And from the *tābi'ūn*; Sa'īd ibn al-Musayyab, Abū Salamah, 'Aṭā' ibn Yasār, and Abū Umāmah ibn Sahl (al-Aṣbahānī, ed. 1998, p. 1260). The number of his *ḥadīths* which are narrated in *Ṣaḥīḥayn* (Bukhārī and Muslim's book) is around forty-three, while in *ṣaḥīh* al-Bukhārī alone around sixteen *ḥadīths*, and those in *ṣaḥīh* Muslim are fifty-two *ḥadīths* (al-Dhahabī, 1998, p. 36). Based on the *ijmā'* (consensus) of '*ulamā'*' (scholars), it was agreed that all *ṣaḥābah* are trustworthy. The trustworthiness of the *ṣaḥābah* has been established through the Qur'ān and *ḥadīth* (Ibn al-Ṣalāḥ, 1986, p. 56).

Based on the above *sanad* analysis it can be concluded from the continuity of the *sanad* (*muttaṣil*) and the integrity of the narrators (*adālah*) as well as the intellectual capacity of the narrators (*dābiṭ*) that this *ḥadīth* is *ṣaḥīḥ*. Practically only Ḥaddāb ibn Khālīd al-Azdī was judged by al-Nasā'ī as *ḍa'īf*. However, Ibn Ḥajar insists that there is no specific and clear reason behind the judgment of al-Nasā'ī. Furthermore, Ibn Ḥajar said that he read al-Dhahabī's statement that even al-Nasā'ī himself classified Ḥaddāb as *ḍa'īf* once and *thiqah* once (al-'Asqalānī, n.d). Moreover, the statements and judgments from other scholars who stated that Ḥaddāb ibn Khālīd al-Azdī is *ṣadūq* and *thiqah*, are more than enough to refuse the al-Nasā'ī claim.

### 2.2.2 The Matn Analysis

The analysis on the *matn* (text) is a further step that can be taken to assess a *ḥadīth*. In practice, criticism and evaluation of the validity of *ḥadīth* have been carried out by companions (Muslim, n.d., *ḥadīth* no. 2154), and this tradition has been maintained and developed from generation to generation.

The *ṣaḥābah*, *tābi'ūn*, and the generations after them are extremely conscientious in evaluating a *ḥadīth*. Before making any decision on the quality of a *ḥadīth*, a rigorous analysis on *sanad* and *matn* is performed. Among the signs that a *ḥadīth* needs to be analysed more deeply are if it is found to be in conflict with the Qur'ān, or in confrontation with another *ṣaḥīḥ* (authentic) *ḥadīth* (al-Baghdādī, n.d, p. 17).

In this case, why the analysis is only carried out on one *ḥadīth* is because the *ḥadīths* permitting writing are more than *ḥadīths* which prohibit writing. Furthermore, there are

several collections of ancient manuscripts and companion's *ḥadīth* compilation that had been discovered which make the *ḥadīths* permitting stronger on the basis of quantity.

Regarding the *ḥadīth* of the prohibition of writing *ḥadīths* by the Prophet ﷺ to his companions, there are several things that must be considered;

- a. The prohibition of writing *ḥadīths* by the Prophet ﷺ does not mean that the writing of *ḥadīths* was only done hundreds of years after the Prophet ﷺ died, and certainly does not mean there were no *ḥadīth* writing activities at that time. The fact that there is a proscription, indicated that written *ḥadīths* existed. The Prophet's prohibition was a reaction to the act of writing down *ḥadīths*. But what is often overlooked is the factor of the issuance of the prohibition, is it applicable to all companions or only to certain people?
- b. The prohibition from the two successors of the Prophet Muḥammad ﷺ, Abū Bakr and 'Umar ibn al-Khaṭṭāb, which is considered as a legacy of law from the Prophet ﷺ, cannot be interpreted to be an absolute prohibition on the writing and collection of *ḥadīth*. The prohibition of the two caliphs needs to be understood more as an effort to minimize the activity of writing *ḥadīth* and giving focus on compiling the Qur'ān. In addition, it is feared that there will be deviations in the narration of the *ḥadīths* if there is no order to reduce the activity of writing *ḥadīth*. 'Umar himself even had the desire to write down *ḥadīths*, but he abandoned his intention because of his fear of diverting the focus of the companions from the Qur'ān (al-Baghdādī, ed. 2008, p. 50).
- c. By analyzing the text of the *ḥadīth*, it is understandable that there was an ongoing activity of writing the Qur'ān at that time. The 'illah (reason) of the prohibition is due to the activity of writing the Qur'ān. Therefore, there are several possibilities behind the issuance of the prohibition on writing *ḥadīths*. Firstly, the prohibition is temporary, and had been issued to protect the activities of writing the Qur'ān to not be interfered with other activities. The second possibility is the answer to the previous question; the legal content of the prohibition only applies on certain individuals who are allegedly incapable of carrying out two writing activities at the same time which are writing the Qur'ān and *ḥadīth*. This argument is strengthened by the statement that there was a permission from the Prophet ﷺ to write *ḥadīths* when most of the Qur'ān had been revealed and many had memorized it (al-Khattabī, 1932, p. 184).

From this *sanad* and *matn* analysis, it can be understood that there is indeed a prohibition against writing *ḥadīths*, and this is a *ṣaḥīḥ* (authentic) *ḥadīth*. However, the prohibition is not absolute and permanent. This does not mean that the Prophet ﷺ actually prohibited and did not favour writing down *ḥadīth*. But, the reason behind the issuance of the ban is to provide protection for the activity of writing the Qur'ān.

### 2.3 The Ḥadīth Writing Activity In the Era of the Prophet PBUH.

As has been explained before despite there was a prohibition of writing *ḥadīth* during the time of the Prophet PBUH, in fact, the activity of writing *ḥadīth* was still being carried out by some companions. In a number of cases, they even collected *ḥadīth*'s manuscripts that they wrote for their personal collection and documentation. The following are some of the arguments which indicate that the writing *ḥadīth* activities existed since the beginning of the time of the Prophet PBUH;

- a. It is reported that Samurah ibn Jundab (d. 58 AH) has a compilation of *ḥadīths* of the Prophet Muḥammad ﷺ in one large manuscript which then he inherited to his son (al-ʿAsqalānī, n.d.c, p. 198).
- b. ʿAbd Allāh ibn ʿAmru ibn al-ʿĀṣ (d. 65 AH) received a permission and direct orders from the Messenger of Allah ﷺ to write down *ḥadīths* (Abū Dāwūd, ed. 2009, *ḥadīth* no. 3646). Narrated from Ibn Qutaybah that the permission ʿAbd Allāh ibn ʿAmru got was because he was a reader of classical books, and he was able to write in Arabic and Syriac (Ibn Qutaybah, ed. 2009, p. 366). This validates the argument that the prohibition is not for everyone and it is not permanent. In addition, ʿAbd Allāh ibn ʿAmru explained that he himself wrote the compilation of *ḥadīths*. This compilation is also known as *al-Ṣaḥīfah al-Ṣādiqah*. The number of *ḥadīth* compiled in *al-Ṣādiqah* is claimed to have reached one thousand *ḥadīths* (Ibn al-Athīr, 1989, pp. 720-721).
- c. ʿAbd Allāh ibn Abī Awfā (d. 86) independently wrote *ḥadīths* and collected them (al-Bukhārī, ed. 1422a AH, *ḥadīth* no. 2833).
- d. The noble *ṣaḥābah*, Abū Hurayrah (d. 59 AH) said (al-Bukhārī, 1422b AH, *ḥadīth* no. 113):
 

“There is none among the companions of the Prophet ﷺ who has narrated more *ḥadīths* than I except ʿAbd Allāh ibn ʿAmru ibn al-ʿĀṣ who used to write them and I never did the same.”
- e. Part from these records of the *ṣaḥābah*, there is a *tābiʿūn*, Hammām ibn Munabbih (d. 101 AH) who compiled the writings of the *ḥadīths* known as *al-Ṣaḥīfah Hammām ibn Munabbih*. As reported by some researchers, Hammām's manuscript is most likely a copy of the manuscripts from the writings of Abū Hurayrah. According to a contemporary *ḥadīth* researcher, Muḥammad Hamidullah, the contents of the *Ṣaḥīfah* of Hammām are similar to what is now in Aḥmad's *Musnad*, and some of the *ḥadīths* in it are narrated by al-Imām al-Bukhārī in different chapters of his book. This *Ṣaḥīfah* is found in two separate manuscripts in Damascus and Berlin with a total number of around 138 *ḥadīths* (Subhī, 2009, pp. 31-33).

This entire narrative is strong evidence of the existence of writing *ḥadīth* activities in the early days of the Prophet's era. Furthermore, the discovery of a compilation of *ḥadīth* literature from the early era defies the argument of some who claim that *ḥadīths* were only written hundreds of years after the Prophet ﷺ died. In addition, there is a compilation of *ḥadīth* that has survived to the present era, the compilation is called *Jāmiʿ Maʿmar ibn Rāshid* (d. 153 AH) (al-Jaʿdī, n.d, p. 66).

#### 2.4 The Contradiction Between the Command And the Prohibition of Writing Ḥadīth.

The majority of scholars have the same view regarding this issue. They strongly argued that essentially there is no contradiction between the ḥadīths of the Prophet ﷺ. Imām al-Shāfiʿī clearly explained, “It is not true that there is a contradiction among the words of the Prophet ﷺ which are *ṣahīḥ* (authentic) unless there is a factor of *ʿāmm* (general), *khāṣṣ* (specific), *ijmāl* (ambiguous), *tafsīr* (interpretation), or *nāsikh* and *mansūkh* (abrogation).” (al-Shawkānī, ed. 2000, p. 275).

The same condition applies to this contradiction between the prohibition and commandment of writing down ḥadīths. It is unthinkable that from one source there are two highly contradictory outcomes if there is no specific reason behind them. And from those specific reasons, it necessarily takes a specific methodology to resolve the conflicts between them.

As has been detailed in the previous segment regarding the consolidation methodology of *mukhtalaf al-ḥadīth*, in this section it can be studied which method can effectively resolve the conflict between these two categories of ḥadīths.

al-Azami in this case is more inclined towards the method of *al-jamʿ* (reconciliation). He decisively stated that if that ḥadīth of prohibition was *marfūʿ* (ḥadīth which its *sanad* continued to the Prophet ﷺ), then the prohibition was specifically for writing ḥadīths along with the Qurʾān due to a substantial concern of the Qurʾān and ḥadīth being mixed up (al-Azami, 1980, pp. 71-83).

However, the author is more inclined to the viewpoint that takes the methodology of *al-naskh* to consolidate those ḥadīth because historically the ḥadīth narrated by Abū Saʿīd al-Khudrī regarding the prohibition of writing ḥadīth was delivered before the conquest of Mecca, while the ḥadīth which declared the permission and orders of writing down ḥadīth including the ḥadīth of Abū Hurayrah were said after the conquest of Mecca. So it can be understood that the ḥadīth which came earlier was replaced by the later ḥadīth. The Prophet’s prohibition of writing ḥadīths is no longer applicable due to Messenger of Allah’s new statement.

The opinions that prefer the *al-jamʿ* method which in this case was chosen by al-Azami, from an objective point of view is not completely wrong. The contradiction of these two ḥadīths were due to a concern about some people whose credibility and literary competence were less than others. Thus, the issuance of the prohibition of the Prophet ﷺ, was objectively based on this reason. Even before the Prophet’s prohibition, some of the companions had also started writing down ḥadīths for personal collection. The conclusion from the method of *al-jamʿ* is that the Prophet ﷺ prohibited it only for some companions who would probably mix ḥadīth with the Qurʾān, and for others who had special abilities and competencies, either writing capability, or being able to differentiate the *uslūb* (phrase and locution) of the Qurʾān and ḥadīth, then writing down ḥadīth is permissible.

However, if the assessment is based on the whole aspect of the *ḥadīth*, indeed, the most perfect method to solve this problem is *al-naskh*. Additionally, if a law has been replaced by another law, then what is the relevance for reconciling the two laws? For instance, the verse regarding the prohibition of *khamr* (alcoholic beverages) has three-phases of prohibition, the first two phases of prohibitions have no implication and effect on the latest prohibition. The last verse of prohibition has absolute authority, and it is the only law applicable.

### Conclusion

*Mukhtalaf al-Ḥadīth* is a condition where two *ṣaḥīḥ* (authentic) *ḥadīth* are textually in conflict with one another. This contradiction requires a proper resolution to resolve the problems between them. The majority of *ḥadīth* scholars in resolving conflicts between *ḥadīths* applied four methods; *al-jamʿ* (reconciliation), *al-naskh* (abrogation), *al-tarjīh* (preference), and *al-tawaqquf* (suspension).

*Mukhtalaf al-Ḥadīth* is also found in *ḥadīths* regarding the writing down of *ḥadīths*. In general, there are two authentic *ḥadīths* that textually negate one another, one *ḥadīth* prohibits writing down *ḥadīths*, while the other authentic *ḥadīth* permits such. This conflict caused several problems and it is the root of the accusation of a few against the authenticity of *ḥadīth*.

Universally, the scholars stated that these two contradictory *ḥadīths* have the same level of validity so that one of them cannot be eliminated. al-Azami (1980) is inclined towards *al-jamʿ* (reconciliation) because he believes both *ḥadīth* are *marfūʿ* and its means that the Prophet's prohibition is not absolute for all, but specifically only for some companions.

The most appropriate methodology to resolve this problem is *al-naskh* (abrogation) because speaking of the time of its utterance, the *ḥadīth* prohibiting writing down *ḥadīth* appeared earlier than *ḥadīth* permitting it. Thus, it is understood that the prohibition of writing down *ḥadīths* has been replaced by the permissibility to write down *ḥadīths*.

The existence of historical evidence and facts related to the writing of *ḥadīths*, as well as the discovery of ancient manuscripts and compilations of *ḥadīths* of the *ṣaḥābah*, prove that there were activities of writing and documenting *ḥadīths* since the beginning of the Prophet's era. This fact also defeats the argument of some who accuse that *ḥadīths* were only written and documented hundreds of years after the Prophet's death, and at the same time confirms the authenticity of *ḥadīths* because it is well documented and preserved through generations.

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