RELEVANTIZING METHOD OF *TARJĪH AL-ḤADĪTH* IN TIMES OF COVID-19: A STUDY ON *AL-SHĀFIʿĪ'S IKHTILĀF AL-HADITH*

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ABSTRACT

With the emergence of the deadly COVID-19 pandemic in 2019, Muslim scholars have been going back and forth searching for Qur'anic and Prophetic injunctions on how to face this fatal virus. Prophet PBUH said, "If you hear about it (an outbreak of plague) in a land, do not go to it; but if the plague breaks out in a country where you are staying, do not run away from it."[1] With this injunction, Malaysia's government implemented a nationwide lockdown known as Movement Control Order (MCO) from 18 March 2020 (first phase)[2] until 3 May 2020 (fourth phase), with the latter marking the end of the total lockdown[3]. It is during these phases that fake news started to develop in the middle of mass information regarding the outbreak of COVID-19, that fake news seems to be the truth, while the fact appears to contradict. This turmoil is not rare, as hadith scholars had been facing them early on with a handful of ahadith that seemed to contradict each other. Indeed, this contradiction will have a negative impact on the authority of hadīth as it is one of the primary sources of understanding Islam, especially to the public. Scholars of Islam had come up with the solution on how to solve the contradictions in hadīth through their writings from the early second century of Hijrah, in which the earliest writing that appropriately touches on the issues of contradictory hadīth is *Ikhtilāf al-Hadīth* by *al-Shāfiʿī*. This study aims to analyze the approach used by *al-Shāfiʿī* on identifying contradictory ahadīth by the method of *al-tarjīh* and use the same process in identifying credible information by using constant comparative technique, inductive and deductive methodologies. This paper concludes that the method of *al-tarjīh* used by al-Shafiʿī when solving the contradiction in hadīth can also be used in identifying truth and credible information or news, especially during COVID-19.

Keywords: *Mukhtalaf al-Hadīth, al-Shafiʿī, Method of al-tarjīh, COVID-19*

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[1] Muḥammad ibn Ismāʿīl ibn Ibrāhīm al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, ed. Muṣṭafā Dīb al-Bughā (Damascus, Dār Ibn Kathīr, 1993), Vol 5, 163, Hadith no. 5396

[2] John Bunyan, "PM: Malaysia Under Movement Control Order from Wed until March 31, All Shops Closed Except for Essential Services," *Malay Mail*, March 16, 2020, https://www.malaymail.com/news/malaysia/2020/03/16/pm-malaysia-in-lockdown-from-wed-until-march-31-all-shops-closed-except-for/1847204

[3] "Get ready for the 'New Normal', post-MCO," The Star, May 9, 2020, https://www.thestar.com.my/news/nation/2020/05/09/with-mco-phase-4-ending-soon-will-life-in-malaysia-return-to-normal

INTRODUCTION

To comprehend the actual teachings of Islam, reference to the instructions of the Prophets hadīth is necessarily required in addition to reference to the teachings of the Qur'an.[4] But the problem is that a handful of hadīth seem to contradict each other. This contradiction will have a negative impact on the authority of hadīth as a primary source in understanding Islam.[5] For example, there are *ahadīth* that forbid visiting someone's grave and another hadīth that permits it. This contradiction will give an opposing view, especially for non-Muslims, as they will wonder if hadīth is really the primary source of Islam and how it can be contradicted. That is why, since long ago, Islamic scholars have viewed the issues of contradiction of hadīth as a serious issue, thus resulting in the evolution of the Science of *Mukhtalaf al-Hadīth*. Dr Syaraf al-Dīn al-Rājhī describes *Mukhtalaf al-Hadīth* as a situation of a hadīth *maqbūl,* which can be either *ṣaḥīḥ* (authentic) or *ḥasan* (good), contradicts with another hadīth *maqbūl,* and the contradiction in both hadīth can be compromised in a way reasonable[6]. Meanwhile, the Science of *Mukhtalaf al-Hadīth* is a branch of hadīth methodology, particularly a discussion on contradicting hadīth.[7]

The issues of contradiction in hadīth have been talked about for a long time till now. For example, we can see it based on the publication of books that touched on this topic, among them are *Ikhtilāf al-Hadīth* by al-Shafʿī, *Ta'wīl Mukhtalaf al-Hadīth* (Interpretation on Contradictory Hadīth) by Ibn Qutaybah, *Mengharmoni Percanggahan dan Kesamaran Dalam Hadith* (Harmonizing Contradictions and Ambiguity in Hadīth) by Dr Faisal Ahmad Shah and so much more. Lots of articles published also focus on contradictions. Thus, this study aims to use the already-established Science of *Mukhtalaf al-Hadīth* to counter real issues that happened in the current world's issues.

What started as only three positive cases of COVID-19 on 25th January 2020 in Malaysia resulted in 5,945 cases by 29th April 2020.[8] From then on, it marked the start of a nationwide lockdown known as Movement Control Order (MCO), where citizens were restricted from working and leaving the house except for essential services.[9] Mark Sableman in Thompson Caburn LLP said that the crisis of coronavirus has heightened both the need for reliable information and existing concerns about the growth of misinformation and the financial weakening of traditional media,[10] with the current virus outbreak and being stuck for months in their residences, people are more prompt to believe whatever they can find on the internet

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[4] Tasmin Tangngareng., "Methodology of Hadīth Content Criticism: A Study on the Thought of Salah al-Din bin Ahmad al-Adlabi," *ESENSIA* 17, 1 (2016): 97. https://doi.org/10.14421/esensia.v17i1.1281

[5] Rohaizan Baru and Rosmalizawati Ab Rashid, "The Reconciliation Approach in Resolving Contradictory Prophetic," *International Journal of Business and Social Science* 2, 3 (2011): 227-232

[6] Syarf al-Dīn 'Alī al-Rajhī, *Muṣṭalah al-Hadīth wa Atharuhu 'alā al-Dars al-Lughawī 'inda al-'Arab*, 1st ed. (Beirut: Dār al-Nahḍah al-'Arabiyyah, 1983), 217.

[7] Roqiyul Ma'arif Syam, "Al-Shafi'i's Perspective on the Method of Resolving the Conflicting Hadiths," *Journal of Qur'an and Hadith Studies* 6, no. 2 (2017): 15–41, https://doi.org/10.15408/quhas.v6i2.13410.

[8] Jamal Hisham Hashim et al., "COVID-19 Epidemic in Malaysia: Epidemic Progression, Challenges, and Responses," *Front Public Health* 9, (2021), doi: 10.3389/fpubh.2021.560592.

[9] John Bunyan, "PM: Malaysia Under Movement Control Order from Wed until March 31, All Shops Closed Except for Essential Services,".

[10] Mark Sableman, "COVID-19 Crisis News Environment Found Full of Contradictions and Concerns" *Thompson Coburn LLP, https://www.lexology.com/library/detail.aspx?g=7af7caee-a7d2-4cd5-a65a-2ea7a77a383a*

and the mass media than what had been announced by the official government. This situation further stimulates fake and unreliable news, thus spreading like wildfire faster than the virus outbreak. When two different sets of information contradict each other, the readers are confused about which is the truth and which is not. This happened to a man who had lost his wife to COVID-19 because he had believed the virus was a hoax,[11] even with the massive news reporting about its threat. Not to mention, fake news and conspiracy theories circulating regarding the COVID-19 vaccines have caused people to skip their vaccination appointments, resulting in wasted supplies of vaccines and other effects.[12] The news also reports that almost 27,000 people in Kelantan rejected COVID-19 vaccines, of which 9,000 are anti-vaccines who claim that the vaccines are part of the Jewish agenda, while the rest have health issues.[13]

Therefore, it is essential to appreciate what the Islamic scholar has come up with in dealing with contradictions in hadīth and apply it to our modern day when dealing with the news that seems to contradict each other, resulting in confusion among the public, especially during this time of Covid-19 where there is much confusing contradictory news that had been spread around in the communities. This study aims to analyze the approaches used by *al-Shāfiʿī* on identifying contradictory ahadīth by the method of *al-tarjīh* and use the same processes in determining credible information by using several methodologies such as constant comparative technique, inductive and deductive methodologies.

MATERIALS AND METHODS

Qualitative research is research that involves collecting primarily textual data and examining it using interpretive analysis[14]. This research did not use a quantitative research design as it is exploratory research that seeks to discover new insights and ideas and generates new theories.

For data collection, this article mainly focused on using official documents taken from a plethora of online databases due to the closing of libraries in times of Covid-19. The researcher also used constructed data, which had been taken by analyzing the information regarding the method of *tarjīh* and relevantizing it to modern issues. Constructed data are things produced during the research by the research participants, such as drawings, diaries, recordings, and paintings. Meanwhile, secondary and existing data are the most crucial in all of the research done by the researcher, which is a collection of data recorded for an entirely different reason than the current research purpose. In its simplest form, reviewing something that has already been written before. It can be used for corroboration with another set of data, or it could be the

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[11] Marianna Spring, "Man Who Believed Virus Was Hoax Loses Wife to Covid-19" BBC News, 2021, https://www.bbc.com/news/world-us-canada-53892856.

[12] Stephanie Lee, "Covid-19: Fake News, Rumours, Making People Skip Vaccine Appointments, Says Ongkili," *The Star*, 2021, https://www.thestar.com.my/news/nation/2021/08/07/covid-19-fake-news-rumours-making-people-skip-vaccine-appointments-says-ongkili

[13] Adila Sharinni Wahid, "27,000 Rakyat Kelantan Isytihar Tidak Mahu Vaksin," *Sinar Harian*, 2021, https://www.sinarharian.com.my/article/164149/KHAS/Covid-19/27000-rakyat-Kelantan-isytihar-tidak-mahu-vaksin.

[14] Juanita Heigham and Robert A. Croker, *Qualitative Research in Applied Linguistics: A Practical Introduction* (London: Palgrave Macmillan UK, 2009), https://doi.org/10.1057/9780230239517.

primary data needed in the research. Among the most common are personal documents, official documents, physical data, and archived research data.[15]

Meanwhile, this article mostly includes inductive and deductive approaches for the data analysis. To understand the definition of inductive and deductive approaches better, it is better to know the differences between these two. Inductive aims to develop a theory while deductive aims to test an already existing theory. From this statement, we can see that inductive reasoning moves from specific to wide generalizations while deductive works the other way around.[16] Inductive approaches are mainly used in analysing the *tarjīh* method used by al-Shafiʻī when facing contradicting hadīth. Deductive approach is used in applying the concept of *tarjīh* onto the contradicting issues that happened in the modern world especially in times of Covid-19.

This article applied document analysis when reading the articles or news regarding the contradictions that circulate during the pandemic of Covid-19. Lastly, this article also used a constant comparative technique in analyzing the news that circulated regarding COVID-19 and whether it has distinguished similarity in the concept of hadīth's contradictions. The constant comparative technique is a process that generates abstract theories and concepts through inductive processes and is used to find differences and consistencies. [17]

METHODS OF SOLVING CONTRADICTION IN HADĪTH

According to Dr Daud Bakar, contradiction occurs when two pieces of evidence of equal strength require the contrary of the other whose respective rulings refer to different circumstances are not in actual contradiction.[18] In solving contradictory hadīth, various scholars had come up with solutions according to certain sects. For example, hadīth scholars come up with 4 approaches in its order which are reconciling (*al-Jamʻu wa al-Tawfiq*), abrogation *(al-Naskh)*, preponderate (*al-Tarjīh*), and suspension (*al-Tawaqquf*).[19]

Meanwhile Hanafi's scholar comes up with also 4 approaches but in a different order, which are abrogation (*Al-Naskh*), preponderate (*al-Tarjīh*), reconciling (*al-Jamʻu*), dropping (*al-Tasāquṭ*)[20]

According to al-Shafiʻī in his book al-Risālah, his methods of solving contradiction in hadīth only consist of 3 approaches which are reconciling (*al-Jamʼu wa al-Tawfiq*), abrogation *(al-Naskh)*, preponderate (*al-Tarjīh*).[21]

[15] "Methods of Data Collection in Quantitative, Qualitative, and Mixed Research," *Sage*, 2020, https://us.sagepub.com/sites/default/files/upm-assets/106363_book_item_106363.pdf.

[16] Raimo Streefkerk, "Inductive vs. Deductive Research Approach: Steps & Examples," *Scribbr*, 2019, https://www.scribbr.com/methodology/inductive-deductive-reasoning/

[17] Ylona Chun Tie, Melanie Birks, and Karen Francis, "Grounded Theory Research: A Design Framework for Novice Researchers," *SAGE Open Medicine* 7, (2019), https://doi.org/10.1177/2050312118822927.

[18] Mohd Daud Bakar, "Conflict of Law and The Methodology of Tarjih: A Study in Islamic Legal Theory", (Thesis submitted for PhD, University of St Andrews, 1993), 108

[19] Sharf al-Quḍāh, "'Ilm *Mukhtalaf* al-Hadith Uṣuluhu wa Qawāʻiduhu" *Majallah Dirasāt al-Jāmiʻah al-Urduniyyah* 28, 2 (2001): 13-14

[20] Sharf al-Quḍāh, Ilm *Mukhtalaf* al-Hadith Uṣuluhu wa Qawāʻiduhu

[21] Al-Syafie, Muhammad bin Idris bin al-Abbas al-Syafie, *al-Risalah*, ed. Ahmad Syakir, (Egypt: Maktabah al-Halabi, 1940), 216

THE USE OF *TARJĪH* IN SOLVING *IKHTILAF AL-HADĪTH* ACCORDING TO IMAM AL-SHAFI'Ī

It had been mentioned before the approaches taken by al-Shafi'ī in resolving contradictory hadīth. For this research, the researcher is going to focus only on the use of *tarjīh*. *Tarjīh* literally means to make preponderate, while the terminology of tarjīh is the act of preferring one particular evidence over the other when they conflict.[22]

In *Ikhtilāf al-Hadith* by al-Shafi'ī, after analyzing the hadīths he put and the way he resolved the contradictions, it can be concluded that he made preponderate based on some criteria[23] which are:

1) Tarjīh due to a large number of narrators

Imam al-Shafi'ī's in his *Ikhtilāf al-Hadīth*, among the hadīths that contradict, are regarding usury (*ribā*), which involves an interest rate in business transactions.[24] For this topic, he first brings forth the narration from Usāmah bin Zayd.

> ʿUbaidullah b. Abū Yazīd heard Ibn ʿAbbās (Allah be pleased with them) as saying: *Usāmah bin Zayd* reported Allah's Apostle (may peace be upon him) as saying: There can be an element of interest in credit (when the payment is not equal).[25]

The text in Arabic was «إِنَّمَا الرّبَا فِي النَّسِيئَةِ». Riba al-Nasiah is a type of usury that results from a sale transaction in which unduly benefits one of the counterparties in the form of extra amount or surplus due to delay of delivert of his side of the transaction. The best to understand *ribā al-nasī'ah* would be a loan with RM1000 principal on which RM1100 is to be paid next year. This practice is now specifically prohibited.[26]

Imam al-Shafi'ī then proceeded to give an example of hadīth that contradicted the hadīth above:

> Ubādah b. al-Ṣāmit (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish if payment is made hand to hand[27]

> Abū Ḥurayra (Allah be pleased with him) reported Allah's Messenger (may peace be upon him) as saying: Gold is to be paid for by gold with equal weight, like for like, and silver is to be paid for by silver with equal weight,

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[22] Mohd Daud Bakar, "Conflict of Law and The Methodology of Tarjih: A Study in Islamic Legal Theory", 92-93

[23] Na'im As'ad al-Safdi, "Al-Imam al-Shafi'ie wa 'Ilm *Mukhtalaf* al-Hadith" Conference of Imam al-Syafie

[24] Na'im As'ad al-Safdi, Al-Imam al-Shafi'ie wa 'Ilm *Mukhtalaf* al-Hadith. 25

[25] Al-Shāfie, Ikhtilāf al-Hadīth, 642. This hadith is also narrated in Sahih Muslim. Muslim ibn al-Ḥajjāj al-Qushayrī, *Saḥīḥ Muslim*, ed. Muḥammad Fu'ād al-Bāqī, (Cairo, Maṭbaʿah ʿĪsā al-Bābī al-Ḥalbī, 1955), Vol 3, 214, Hadith no. 1596

[26] "Riba al-Nasiah" *FiNcyclopedia: The Financial Encyclopedia*, 2020, https://fincyclopedia.net/islamic-finance/r/riba-al-nasiah

[27] Muslim, *Saḥīḥ Muslim*, Vol 3, 211, Hadith no. 1587

like for like. He who made an addition to it or demanded an addition dealt in usury.[28]

Abū Saʿīd al-Khudrī reported Allah's Messenger (may peace be upon him) as saying: Do not sell gold for gold, except like for like, and don't increase something of it upon something; and don't sell silver unless like for like, and don't increase something of it upon something, and do not sell for ready money something to be given later.[29]

ʿUthmān b. ʿAffān reported Allah's Messenger (may peace be upon him) as saying: Do not sell a dinar for two dinars and one dirham for two dirhams.[30]

The hadīths above seems to contradict with all the hadīth below as Imam al-Shafiʿī said that there is an opinion that based on the first hadīth: "There can be an element of interest in credit (when the payment is not equal)" means in the context of two different things. For example, sell gold for silver, dates for wheat, and so on. Thus, this hadīth contradicts with the rest of hadīth in which usury (ribā) can also happen in two mutual things. Rasulullah (PBUH) said "Do not sell gold for gold, except like for like".[31]

In this case, Imam al-Shafiʿī chose (made *tarjīḥ*) on hadīth ʿUbāda b. al-Ṣāmit and the rest of hadīth that in accordance with hadīth ʿUbāda over the first hadīth which is narrated by Usāmah bin Zayd because hadīth that narrated by large number of narrators ('Ubāda, Abū Hurayra, Abū Saʿīd al-Khudrī and 'Uthmān) are more preferable and the narrators also have more distinct characteristic than Usāmah bin Zayd.[32]

2) Tarjīḥ the narration of a companion who precedes in his companionship over the other, and the case of the hadīth being muttaṣil (connected in chain)

Next is the issue of *muḥrim* (those who are in the state of *ihram*) are forbidden to marry[33]. This is based on the hadith:

ʿUthmān b. ʿAffān say that Allah's Messenger (may peace be upon him) had stated: A *muḥrim* must neither marry himself, nor arrange the marriage of another one, nor should he make the proposal of marriage.[34]

Imam al-Shafiʿī said that there are hadīth that contradicts with each other regarding this issue. He put forth several hadīth in his book, among them are:

Al-Shafie narrated from Sufyān, from 'Amrū bin Dinār, from Ibn Shihāb, he said: Yazīd b. al-Aṣamm (Allah be pleased with him) told me that he (the Holy Prophet) married her when he was not a *muḥrim*."[35]

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[28] Muslim, *Saḥīḥ Muslim*, Vol 3, 212, Hadith no. 1588
[29] Muslim, *Saḥīḥ Muslim*, Vol 3, 209, Hadith no. 1584
[30] Muslim, *Saḥīḥ Muslim*, Vol 3, 209, Hadith no. 1585
[31] Al-Shāfie, *Ikhtilāf al-Hadīth*, 642
[32] Al-Shāfie, *Ikhtilāf al-Hadīth*, 642
[33] Al-Shāfie, *Ikhtilāf al-Hadīth*, 641
[34] Muslim, *Saḥīḥ Muslim*, Vol 2, 1031, Hadith no. 1409
[35] Al-Shāfie, *Ikhtilāf al-Hadīth*, 641

> From Saʿīd b. al-Musayyib, he said: the man was mistaken, the Holy Prophet married Maymūnah when he was not a *muhrim*.[36]

The hadīth from Ibn 'Abbās and Yazid bin al-Aṣam seem to contradict each other in which Ibn 'Abbās said that Rasūllullah married in the state of *iḥrām* while Yazīd bin al-Aṣamm married when he was not a *muhrim*. The hadīth of Ibn Abbās:

> Ibn Abbas (Allah be pleased with them) reported that Allah's Apostle (may peace be upon him) married Maymūnah in the state of Ihram.[37]

He further said that there are some relatives of Maymūnah narrated that the Prophet PBUH married her when he was in *ihram*. In order to solve the contradiction that had happened in this issue, al-Shafiʿī chose the hadīth of 'Uthmān as the base hadīth. The reason behind it is that the hadīth that are narrated by Uthman are *muttaṣil* (the narrators are connected in a chain until Rasulullah PBUH), and Uthman is a preceding companion among the other, and the narrators who narrated that the Prophet married Maymūnah in state of *iīrām* did not accompany the Prophet except after the travel. [38]

Then al-Shafiʿī came up with a solution that whenever there are two hadīth that contradict, the hadīth that is *muttaṣil* should be put first. He then added that the hadīth of Uthman is *muttaṣil* thus, the hadīth in accordance with the hadīth of 'Uthman are more authentic in which it proves that Rasulullah married when he was not a *muḥrim*. [39]

3) *Tarjīh due to sound isnad*

Al-Shafiʿī used this method on hadith that talked about the act of raising the hands in the prayer.

> From Zuhri, from Salim b. 'Abdullah b. 'Umar, narrated it on the authority of his father who reported: I saw the Messenger of Allah (may peace be upon him) raising his hands opposite the shoulders at the time of beginning the prayer and when he wants to bow down and after coming back to the position after bowing. but he did not raise them between two prostrations.[40]

This hadīth seems to contradict with some statement that said the act of raising one hand in prayer is only at the beginning of the prayer which they stand with the narration of Yazīd b. Abū Ziyād. But the narration of Yazīd is not supported by any other narration meanwhile the narration of Zuhrī is supported by 11 of the Prophet's companion which among them are Ḥumayd al-Sāʾidi. The hadīth narrated by Zuhri is also supported by the narration of Wa'il bin Hujr. Al-Shafiʿī said that a hadīth that has 13 narrations is sounder than a hadīth that had only one narration. For this reason, he chose the hadīth of Zuhrī rather than the hadīth of Yazīd.[41]

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[36] Al-Shāfie, *Ikhtilāf al-Hadīth*, 641
[37] Muslim, *Saḥīḥ Muslim*, Vol 2, 1032, Hadith no. 1410
[38] Al-Shāfie, Ikhtilāf al-Hadīth, 641
[39] Al-Shāfie, Ikhtilāf al-Hadīth, 641
[40] Al-Shāfie, Ikhtilāf al-Hadīth, 634
[41] Al-Shāfie, Ikhtilāf al-Hadīth,634-635

4) *Tarjīh due to profound evidence from the Qur'an, or Sunnah or the supporting narration from the Companion.*

For this division, we can see from the hadīth related to *al-Isfār* in *fajr*. *Al-Isfar* is that *fajr* becomes illuminated such that there is no doubt in it. They did not hold the view that the meaning of *al-Isfār* is to delay the prayer.[42]

> Rãfi' bin Khadij said: "I heard Allah's Messenger saying: 'Perform Fajr at Al-Isfar, for indeed its reward is greater."[43]

This hadīth seems to contradict with the hadīth below:

> 'Aishah narrated: "Allah's Messenger would pray Ṣubḥ (at such time that) the women would leave (after the prayer)" – Al-Anṣārī (one of the narrators) said - "the women would pass by wrapped in their Mirts and they would not be recognizable due to the darkness." And Quṭaybah said: "covered" (instead of "wrapped.")[44]

From the second hadīth, we know that the Prophet PBUH would always do the prayer of *Fajr* in the dark of dawn which seems to contradict with the first hadīth that urged for performing the prayer of *fajr* in morning light. For this al-Shafi'ī preferred the hadīth of 'Aishah over the hadīth of Rafi' because it is close by what had been commanded in the Qur'an[45]

$$\text{﴿ حَـٰفِظُواْ عَلَى ٱلصَّلَوَٰتِ وَٱلصَّلَوٰةِ ٱلْوُسْطَىٰ وَقُومُواْ لِلَّهِ قَـٰنِتِينَ ۝ ﴾}$$

> Maintain with care the [obligatory] prayers and [in particular] the middle prayer and stand before Allah, devoutly obedient. [Al Baqarah:238]

5) *Tarjīh due to the narrators are closer with the prophet/always accompanying him*

There is a dispute between two hadīth. One hadīth narrated by Ḥafṣah said that the prophet did *Ḥajj al-Qirān* (the act of doing *ḥajj* and *ʿumrah* altogether) meanwhile there are another narration by Jābir bin ʿAbdullāh and ʿĀishah and the others that the Prophet did *Ḥajj Ifrād*. Al-Shafi'ī chose the hadīth narrated by ʿĀishah because she is closer to the Prophet and always accompanying him.[46]

6) *Tarjīh due to the narrator directly involved in the background story of the hadīth*

In the case of observing fast if one is in the state of *junub* even after dawn, there is a contradiction happening in the hadīth between the hadīth narrated by ʿAishah and Abu Hurayrah.

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[42] The commentary by al-Shafʿī, Ahmad and Ishaq on Sunan Tirmidhi. Muhammad Ibn ʿĪsā at-Tirmidhi, *Jāmiʿ At-Tirmidhī*, edited by Aḥmad Muḥammad Syākir, Muḥammad Fuʾād ʿAbd al-Bāqī and Ibrāhīm ʿUṭuwwah ʿIwaḍ (Egypt, Muṣṭafā al-Bābī, 1395H/1975M), Vol 1, 289, Hadith no. 154

[43] At-Tirmidhī, *Jāmiʿ At-Tirmidhī*, Vol 1, 289, Hadith no. 154. The narration is sound (sahih)

[44] At-Tirmidhī, *Jāmiʿ At-Tirmidhī*, Vol 1, 287, Hadith no. 153

[45] Naʾim Asʾad al-Safdi, "Al-Imam al-Shafiʾie wa ʿIlm Mukhtalaf al-Hadith" 324-325

[46] Naʾim Asʾad al-Safdi, "Al-Imam al-Shafiʾie wa ʿIlm Mukhtalaf al-Hadith", 325

> Abū Bakr b. ʿAbd al-Rahmān b. al-Ḥārith b. Hishām reported on the authority of ʿĀishah and Umm Salama, the wives of the Apostle of Allah (may peace be upon him): The Messenger of Allah (may peace be upon him) at times got up in the morning in a state of *junub* on account of having a sexual intercourse (with his wives during night) but not due to sexual dreams in the month of Ramaḍān, and would observe fast.[47]

> Abū Bakr (he is Abū Bakr b. ʿAbd al-Rahmān b. Ḥārith) reported: I heard Abū Hurayra (Allah be pleased with him) narrating that he who is overtaken by dawn in a state of seminal emission should not observe fast.[48]

The first hadīth by 'Āishah and Umm Salamah stated that the Prophet PBUH would observe fasting even when he woke up in the morning in the state of *junub* after a sexual intercourse while the narration by Abū Hurayrah narrating otherwise. In this case, hadīth narrated by 'Āishah and Umm Salamah is more preferred than the hadīth narrated by Abū Hurayrah since 'Aishah and Umm Salama both are the wives of the Prophet PBUH, and they knew better what happened in the household and whether the Prophet observe fasting or not.[49]

ANALYSIS AND DISCUSSION

Relevantizing Tarjīh in Identifying Truth and Falsehood

Al-Shafiʻī had created a strong concept and methodology on how to deal with hadīth that contradicted each other, and we have gone into detail on what are the approaches taken by al-Shafiʻī in solving the contradictions, especially in the method of *tarjīḥ*. This is an approach that we need to relevantize in today's world, especially in this time of Covid-19, where fake news spread like fire.

There might be times when the netizens are confused especially when there are two sets of news that seem to be contradicting each other. To solve the confusion, this is when the *tarjīḥ* approaches come in handy.

Case One: Covid-19 Between Pandemic or Plandemic

Despite all the numbers of positive cases which had been all over the place; in the news, in the government media, in the social media platform and etc, there is also a message circulating among the netizens either in Facebook or repost in blog, which claimed its reliability by mentioning that it came from a professor of Faculty of Food Science and Nutrition in Universiti Malaysia Sabah (UMS).[50]

In the post, he claimed that Covid-19 is not dangerous and not symptomatic like what had been advertised in the media. He further claimed that Covid-19 is just a normal flu and not more than that, thus it is not dangerous and can be eliminated with our own antibody and immunity. There is no need for the netizen to be scared and opt to take the vaccine. All the rage

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[47] Muslim, *Saḥīḥ Muslim*, Vol 2, 780, Hadith no. 1109
[48] Muslim, *Saḥīḥ Muslim*, Vol 2, 780, Hadith no. 1109
[49] Na'im As'ad al-Safdi, "Al-Imam al-Shafi'ie wa 'Ilm Mukhtalaf al-Hadith" 325
[50] "Banyak Perkara Mengenai Pandemik Covid19 – PM Dr Mohd Rosni," *Supyan Hussin's Blog*, accessed\\ May 19, 2020, https://supyanhussin.wordpress.com/2020/05/19/banyak-perkara-mengenai-pandemik-covid19-pm-dr-mohd-rosni/.

about the massive number of deaths, especially in the United State of America, claimed that it only happened to those who already had a history of high-risk disease from the beginning before the Covid-19 came.[51]

From here, we can see a contradicting statement in which the first one, the government keeps updating the number of positive cases and daily number of deaths.[52] Meanwhile, the second statement debunked the first statement by saying that Covid-19 is not real, it is only a plandemic that are planned thoroughly, and the reality are far from what the news had feed us; Covid-19 is not dangerous, and it is not more than just a normal flu.

In solving this contradiction that is deemed confusing, first we need to know the source of both information. The first information which updates the number of positive cases daily on news came from National Crisis Preparedness & Response Centre (CPRC) Ministry of Health Malaysia. It is an authorized government organisation which consists of a plethora of those involved in the health sector.[53] The data regarding Covid-19 will be collected including the total number of deaths, positive cases, including the R naught trend for the infection to spread the contagious diseases[54] which will then be announced at the press conference every evening by the Director General of Health Yb. Tan Sri Dato' Seri Dr Noor Hisham Abdullah.[55] Meanwhile, the second information that claims Covid-19 is only a plandemic (not a natural pandemic but planned) mostly only spread within Facebook or Whatsapp which claimed that it came from an individual who is a professor in Universiti Malaysia Sabah. The source is also not confirmed whether it really came from him, or someone just used his name.

Thus, in solving this contradiction, we can take one of the methods in *tarjīh* approaches which is *tarjīh* due to sound *isnād*. In this case, the first information is more reliable and sounder than the second one due to the reason that there are many authorized people who worked behind CPRC, plus the information was also announced from a respectable and authorized person which is from the Director General of Health himself. Meanwhile, the second information mostly only came from one person which we don't really know his authority to speak regarding the case of Covid-19. The information on the viral message only states his profession as a professor of Faculty of Food Science and Nutrition, which also means that he was not involved directly in the health line, nor is he an expert in the medical sector. The message also did not state the primary source which is the original statement from him.

Case Two: Congregational Prayer in Times of Covid-19

There had been a debate on the issue of congregational prayer in times of Covid-19. Ministry of Religious Affairs has made a statement and standard operating procedure when one wants to perform congregational prayer in times of Covid; among them are building a gap of 1-2 metre in the *ṣāf* (row in prayer), and those in the red zone area (high-rate infection of Covid-

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[51] "Banyak Perkara Mengenai Pandemik Covid19 – PM Dr Mohd Rosni." Supyan Hussin's Blog

[52] "COVID-19 Malaysia Updates," *Covid-19 Malaysia*, accessed October 28, 2021, http://covid-19.moh.gov.my.

[53] "(2) CPRC Kebangsaan - Kementerian Kesihatan Malaysia | Facebook," *Facebook*, accessed January 21, 2021, https://www.facebook.com/CPRCKebangsaanKKM/?_rdc=2&_rdr.

[54] Vanessa Bates Ramirez, "What Is R0? Gauging Contagious Infections," *Healthline*, 2021, https://www.healthline.com/health/r-nought-reproduction-number.

[55] "Noor Hisham Abdullah," *Wikipedia*, January 15, 2021, https://en.wikipedia.org/w/index.php?title=Noor_Hisham_Abdullah&oldid=1000605079.

19) are to be exempted from daily congregational prayer at the mosque until further notice from the authority. Friday prayer was also adjourned to the public and opened only to selected people.[56] This sparks a rage within some communities as they said this is a *bidʿah* (innovation) that had never been taught in Islam before.[57] *Bidʿah*, in Islam, is any innovation that has no roots in the traditional practice (Sunnah) of the Muslim community.[58]

There is yet another confusion and issues arose, due to contradiction in this case, on the permissibility of building a gap within the *ṣāf* (row in prayer) and adjourning the Friday prayer. This contradiction also tackles the issues of *bidʿah* (innovation) in prayer. For this contradiction, we can take the approach of *tarjīḥ* due to avid evidence from the Qur'an, Sunnah, or the supporting narration from the companion. When we read through the website of Mufti of Federal Territory in Irsyad al-Fatwa Series 480: *The Saf Arrangement for The Prayer of The Deceased During an Epidemic*, it is said that the original ruling for closing and filling the *ṣāf* (row in prayer) for the prayer is *sunnah*. It is one of *sunnah hai'ah*, thus resulting in a non-compulsory act of worship in prayer.[59]

> "Straighten your rows as the straightening of rows is essential for a perfect
> and correct prayer."[60]

It was further added that the original ruling was only *makrūh* (offensive act) to have a gap in the *ṣāf* (row in prayer), however if there is a necessity for it, it is no longer *makrūh* (offensive act) nor *ḥarām* (forbidden). This is based on the legal Islamic maxim[61]

$$\text{الضَّرُورَاتُ تُبِيحُ الْمَحْظُورَاتِ}$$

"A necessity is in the place of exigent matters, in general, or specific level."

And another maxim in the method of *qawāʿid al-fiqhiyyah* also states that when there is a need, a *makrūh* (offensive act) will change to *mubāḥ* (neutral) or even *mustaḥāb* (recommended).[62]

$$\text{الكراهة تندفع مع وجود الحاجة}$$

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[56] "Jumlah Jemaah Solat Jumaat Di Zon Hijau, Kuning Diperluaskan," *Sinar Harian*, November 5, 2021, https://www.sinarharian.com.my/article/108624/BERITA/Nasional/Jumlah-jemaah-solat-Jumaat-di-zon-hijau-kuning-diperluaskan.

[57] "Soal-Jawab: Penjarakan Dalam Solat Adalah Bidaah, Penguasa Menanggung Dosa," *Hizbut Tahrir Malaysia*, June 24, 2020, https://mykhilafah.com/soal-jawab-penjarakan-dalam-solat-adalah-bidaah-penguasa-menanggung-dosa/.

[58] "Bid'ah," *Britannica*, accessed January 21, 2021, https://www.britannica.com/topic/bidah.

[59] Umar Mukhtar Mohd Noor, "Irsyad Al-Fatwa Series 480: The Saf Arrangement for The Prayer of The Deceased During an Epidemic," *Mufti of Federal Territory's Office*, April 2, 2020, https://muftiwp.gov.my/en/artikel/irsyad-fatwa/irsyad-fatwa-umum-cat/4406-irsyad-al-fatwa-series-480-the-saf-arrangement-for-the-prayer-of-the-deceased-during-an-epidemic.

[60] *Sahih al-Bukhari*, Kitab al-Adhan, no. 723.

[61] Umar Mukhtar Mohd Noor, "Irsyad Al-Fatwa Series 480: The Saf Arrangement for The Prayer of The Deceased During an Epidemic,"

[62] Faisal Bin Husen Ismail et al., "The Impact of Covid-19 Pandemic to Worship*," International Journal of Academic Research in Business and Social Sciences* 10, no. 11 (November 12, 2020): Pages 244-258, https://doi.org/10.6007/IJARBSS/v10-i11/8081.

"Makrūh acts eliminated when there is a need."

And for the case of adjourning the Friday prayer, although it is known that Friday prayer is obligatory to all Muslims, for Allah had said:

﴿يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا نُودِىَ لِلصَّلَوٰةِ مِن يَوۡمِ ٱلۡجُمُعَةِ فَٱسۡعَوۡاْ إِلَىٰ ذِكۡرِ ٱللَّهِ وَذَرُواْ ٱلۡبَيۡعَۚ ذَٰلِكُمۡ خَيۡرٌ لَّكُمۡ إِن كُنتُمۡ تَعۡلَمُونَ ۝ ﴾

> O you who have believed, when [the *adhān*] is called for the prayer on the day of Jumuʿah [Friday], then proceed to the remembrance of Allah and leave trade. That is better for you, if you only knew. [Al-Jumuʿah:9]

There is also a hadīth from the Prophet that permits the act of adjourning the Friday prayer in case of fear or illness:

> "If anyone hears him who makes the call to prayer and is not prevented from joining the congregation by any excuse—he was asked what an excuse consisted of and replied that it was fear or illness—the prayer he offers will not be accepted from him."[63]

Thus, according to what has been stated in the hadīth, it is permissible to leave the Friday and congregational prayers during a disease outbreak (such as Covid-19), for it is something that should be feared· **The** disease is also contagious that will bring illness to those who were infected with it. Even the majority of the jurists, including the international and national fatwa councils, agree and believe that Friday's prayer is suspended due to the COVID-19 outbreak.[64] The United Arab Emirates' Syarie Fatwa Committee stated that[65]

> It is *ḥarām* or forbidden for anyone infected or suspected to be infected to be in a public place or the mosque to perform the Friday prayer. It is compulsory to take all the precautionary steps.

Ministry of Waqaf and Religious Affairs Kuwait also stated[66]

> The Friday prayer and sermon should be suspended due to the Covid-19 pandemic. This is due to the fact that the assembly of people will increase the risks of infection for the public. It is a proactive, precautionary, and initiative step from the authorities to prevent the pandemic from spreading in the country. Thus, the obligation of the Friday prayer in this country is abrogated; the same applies to the congregational prayer and should be replaced with the Zuhr prayer. Furthermore, the public is restricted from entering mosques to protect them from getting infected with the pandemic.

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[63] Sunan Abū Daud (551) and al-Dāraqutnī (1/420).
[64] Ismail et al., "The Impact of Covid-19 Pandemic to Worship."
[65] Datuk Dr. Zulkifli Mohamad Al-Bakri, *Covid-19 Fiqh: Q&A, Revised Edition* (Putrajaya: Minister's Office in the Prime Minister's Department (Religious Affairs), n.d.), 49, https://covid-19.moh.gov.my/vaksin-covid-19/islam-dan-vaksinasi/hukum-vaksin-covid-19/FIQH_COVID19_KK25052021-EN.pdf
[66] Datuk Dr. Zulkifli Mohamad Al-Bakri, *Covid-19 Fiqh: Q&A, Revised Edition*.

Therefore, the act of making a strict Standard Operation Procedure (S.O.P) by creating a new *ṣāf* (row in prayer) arrangement during prayer in the mosque and the act of adjourning the Friday prayer are not a *bidʿah* (innovation) in Islam as there is avid evidence from the hadīth and guidelines made by the Islamic scholars.

CONCLUSIONS

It is undeniable that there are contradictions between one hadīth and another hadīth, but Islam, since long ago, has formed a solid formula on how to deal with contradiction in hadīth, which are discussed lengthily in Science of *Mukhtalaf al-Hadīth*. Many scholars have taken part in this discussion, and among them is al-Shafiʿī, who wrote a specific book named *Ikhtilāf al-Hadīth*. For the methods of solving contradictions in hadīth, al-Shafiʿī had listed down four ways which are reconciling (*al-jamʿu wa al-tawfiq*), abrogation (*al-naskh*), preponderate (*al-tarjīḥ*) and suspension (*al-tawaqquf*). In this article, the method of *tarjīḥ* was discussed lengthy as the same formula can also be used when facing a plethora of contradicting news in today's era where words travel faster with the help of technology. For instance, in case of conflicting information regarding the validity of COVID-19 as a natural pandemic or something that is planned thoroughly, one can use the method of *tarjīḥ* due to sound isnad, which means by checking which news is more authorized and more reliable from the other. For other cases, such as the issues of congregational prayer in times of COVID-19 that create a dispute within the communities, one can also use the method of *tarjīḥ* due to avid evidence from the Qur'an, or Sunnah or the supporting narration from the companion. The use of the method of *tarjīḥ al-hadīth* in times of Covid-19 especially in identifying contradicting news, proves that Islam is relevant throughout the ages and may offer solutions to arisen issues.

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