

A Paradigm Shift in Assessing /Evaluating the Value and Significance of Ḥadīth in Islamic Thought: From *'ulūmu-l-isnād/rijāl* to *'usūlu-l-fiqh*

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Abstract

This article proposes a new method for assessing and evaluating the function and value of Ḥadīth literature in Islamic thought, especially in relation to *'usūlu-l-fiqh* sciences. It argues that the classical Islamic scholarships embodied either by methodologies developed by the *Muḥadithūn* with the primary focus on *isnād*- and *rijāl*-based Ḥadīth analysis or the epistemological evaluation of Ḥadīth in the hands of the *'Usūliyyūn* is inadequate in developing a systematic methodology that would be able to ultimately resolve the current impasse on the questions of Sunnah compliance of otherwise vast (Sunni and Shi'a) Ḥadīth bodies of knowledge. Instead, it argues that the ultimate assessment, evaluation and definitive 'value' or significance of Ḥadīth literature, especially in the areas of law theory, jurisprudence but also theology, rests upon the broader questions concerning issues pertaining to what the author refers to as Qur'āno-Sunnahic hermeneutics. The article draws upon a published article on the new methodology of the nature and the scope of the concept of Sunnah developed by the same author elsewhere in which a direct hermeneutic relationship between Ḥadīth and the symbiotic nature of the Qur'āno-Sunnahic hermeneutic relationship is established in order to argue that the questions of Ḥadīth authenticity and reliability take a secondary role in their overall assessment and evaluation, especially in *'usūlu-l-fiqh* theory. Instead (hermeneutic or exegetical) Ḥadīth value, significance and role is primarily determined in relation to its position with regards to the delineating features and the epistemological and methodological assumptions of a particular Qur'āno-Sunnahic hermeneutic model.

Keywords

Ḥadīth, *'usūlu-l-fiqh* theory

1. The Classical Concept of the Definition of the Concept of Sunnah

Prior to entering the discussion of the assessment and evaluation of Ḥadīth in Islamic thought, a brief description of the classical definition of the

1 nature and the scope of the concept of Sunnah is necessary. This is so
 2 because, in both classical and contemporary Islamic scholarship, the
 3 Ḥadīth body of knowledge is largely considered to be its only modus
 4 of transmission or perpetuation. Additionally, as it will be argued below,
 5 the conceptual conflation of the nature and the scope of the concept of
 6 Sunnah¹ with that of “authentic” Ḥadīth as defined by ‘*ulūmu-l-ḥadīth*
 7 sciences has important implications in how its function, value and signifi-
 8 cance in the overall Islamic thought came to be determined. According
 9 to the classical Islamic scholarship as defined by the *Muḥadīthūn*² the con-
 10 cept of Sunnah in terms of its authenticity³ is defined as comprising of
 11 numerous *narratives* or Ḥadīth documenting Prophet Muhammad’s deeds
 12 (*fi’l*), utterances (*qawl*), and spoken approval⁴ (*taqrīr*) as embodied in
 13 various Ḥadīth compendia considered as “authentic” according to the
 14 standards and criteria applied by the classical sciences of Ḥadīth criticism
 15 (‘*ulūmu-l-ḥadīth*).⁵

16 The implications of this definition of the concept of Sunnah, which we
 17 here term Ḥadīth-dependent Sunnah, are several. Firstly, it assumes that
 18 the epistemological scope of Sunnah is epistemologically dependent upon
 19 and constrained by Ḥadīth, i.e. that its epistemological value is the same as
 20 that of each “authentic” Ḥadīth and that Ḥadīth is the sole depository and
 21 the sole vehicle of Sunnahic perpetuation. Secondly, it assumes that Sun-
 22 nah is methodologically dependent upon Ḥadīth. By methodologically
 23 dependent on Ḥadīth it is meant that the Sunnah compliance (or other-
 24 wise) of certain (legal or theological) practices or principles, is and can only
 25 be determined by sifting through numerous narratives reportedly going
 26 back to Prophet Muhammad via an authentic chain of narrators (*isnād*).
 27 Thirdly, as a corollary to the second premise, coalescing and substituting

28 ¹ The precise meaning of this phrase is given in the main text below.

29 ² Experts on the transmission of Ḥadīth, their compilation, classification and authenticity/
 30 criticism.

31 ³ A sound Ḥadīth and therefore Sunnah, in its “post-Shafi’i” form (see our discussion in
 32 the main text below) consisted of a *matn* (text) and chain of transmitters (*isnād*), usually
 33 but not always going back to the Prophet.

34 ⁴ Some definitions also include the Prophet’s *sifat*, that is, his features or physical appear-
 35 ance. M.M. Al-A’zami, *Studies in Ḥadīth Methodology and Literature*, Islamic Book Trust,
 36 Kuala Lumpur, 2002, p. 6.

37 ⁵ H.A.R. Gibb and J.H. Kramers, *The Concise Encyclopedia of Islam*, Brill, Leiden, 2001,
 38 pp. 552-554. For an overview of ‘*ulūmu-l-ḥadīth* sciences, see, e.g., H.M. Kamali, *Ḥadīth*
 39 *Methodology-Authenticity, Compilation, Classification and Criticism of Ḥadīth*, Ilmiah Publ.,
 40 KL, Malaysia, 2002.

the nature and the scope of the concept of Sunnah with that of Ḥadīth breaks the symbiotic and organic relationship between the concept of Qur'ān and Sunnah as it existed during the first four generations of Muslim⁶ making the Qur'ān increasingly more hermeneutically dependent upon the Ḥadīth compendia. Fourthly, as result of the above, Sunnah's organic and symbiotic relationship with the Qur'ān, termed by Graham the "Prophetic-Revelatory event", was severed and Qur'ān's hermeneutic dependence upon Ḥadīth body of knowledge entrenched. Fifthly, Sunnah's nature, function and purpose, rather than being conceptualised primarily in ethico-religious terms became increasingly legalistic.⁷

2. Ḥadīth Assessment and Evaluation in Classical Islamic Thought

The assessment and evaluation of a particular Ḥadīth in relation to the normative fountainheads of the Islamic Worldview, namely Qur'ān and Sunnah, according to both classical and contemporary Islamic scholarship, has been approached via three avenues. One method was developed by the specialists in Ḥadīth's authenticity/criticism, transmission, compilation and classification, namely the *Muḥadithūn*, have predominantly focused on assessing Ḥadīth authenticity and reliability by probing their *isnād* (chain of transmission) which, in essence, largely amounts to concerning themselves with the reliability of the *rijāl* (lit. men) that are responsible for its transition.⁸ To a lesser extent they also examined Ḥadīth's body of text or *matn*.⁹ Based on this approach Ḥadīth's overall authenticity/reliability was evaluated and their subsequent classification ranging from authentic to unreliable was developed. The main problem with this approach is not only the paucity of material from the first century of Islamic thought that fuels the ongoing debates among Muslim and non-Muslim scholars alike on the historical authenticity of the *isnād* as a means of establishing Ḥadīth authenticity¹⁰ but also the subjective nature of the criteria used in Ḥadīth

⁶ As shall be argued below.

⁷ See A. Duderija, 'The evolution in the canonical Sunni Ḥadīth body of literature and the concept of an authentic Ḥadīth during the formative period of Islamic thought as based on recent Western scholarship', unpublished article.

⁸ This included things such as when and where they lived, their piety/overall character, memory etc. For an excellent overview of this see Kamali, *Ḥadīth Methodology, op.cit.*

⁹ *Ibid.*

¹⁰ H. Berg, *The Development of Exegesis in Early Islam*, Curzon, 2000, or *ibid.* (ed.), *Method and Theory in the Study of Islamic Origins*, Brill, Leiden, 2003.

1 evaluation¹¹ and lack of standardisation of terminology in classical ‘*ulūmu-*
2 *l-ḥadīth* sciences.¹²

3 Another approach to evaluating Ḥadīth was from a purely epistemo-
4 logical vantage point. This practice was adopted by Islamic legal scholars
5 (‘*Usūliyyūn*) as part of their overall approach to Islamic Law as, to borrow
6 Zysow terminology, “the economy of certainty”.¹³ This method focused
7 first and foremost on developing criteria relating to the quantitative trans-
8 mission of knowledge based on probability. Questions such as at what
9 point in time and at what evidentiary level would human faculty of reason
10 ‘accept’ transmitted knowledge as either inducing certainty (*yaqīn*), thus
11 yielding immediate knowledge (*darurī*) or amounting to less than that
12 (*zann*/probable and acquired knowledge) were decisive.¹⁴ Classification of
13 Ḥadīth according to this technique ranged from isolated (*ahad*) Ḥadīth
14 that yielded *zann* knowledge only to that of *mutawatir* or successive Ḥadīth
15 that, according to the majority of ‘*Usūliyyūn*, reached *darurī* knowledge.¹⁵
16 The problem with this method in relation to Sunnah is that only very few
17 Ḥadīth, not amounting to more than a dozen¹⁶ or according to some
18 none¹⁷ can be considered to have fulfilled the criteria of *mutawatir* level of
19 transmission.

20 Another approach to evaluation of Ḥadīth developed by the ‘*Usūliyyūn*
21 relates more closely to Islamic legal methodology or ‘*usūlu-l-fiqh*. Professor
22 M.H. Kamali defines ‘*usūlu-l-fiqh* as a science “concerned with the sources
23 of [Islamic] law, their order of priority, and methods by which legal rules

24 ¹¹ E.g., evaluating the nature of the character of a person or his memory differed from
25 one scholar to another, affecting the level of authenticity of the Ḥadīth in question.

26 ¹² See S. Guenther, ‘Assessing the Sources of Classical Arabic Compilations: The Issues
27 of Categories and Methodologies’, *Br. J. Middle Eastern Studies*, 32/1 (2005) 75-98. This
28 also holds true for the epistemological evaluation of Ḥadīth discussed next. See footnote 17.

29 ¹³ A. Zysow, *The Economy of Certainty: An Introduction to the Typology of Islamic Legal*
30 *Theory*, Harvard University (Ph.D. Dissertation), 1984.

31 ¹⁴ See *ibid.*

32 ¹⁵ As in the case of divergences inherent in the *muhaddith*-based methodology there is
33 range of differences between various schools of thoughts pertaining to their epistemological
34 value that are in turn based on differences stemming from the very criteria that these meth-
35 odologies are based on Guenther points.

36 ¹⁶ W. Hallaq ‘The Authenticity of Prophetic Ḥadīth: a Pseudo Problem’, *Studia Islamica*,
37 1999, pp. 75-90.

38 ¹⁷ S. Guenther, ‘Assessing the Sources of Classical Arabic Compilations,’ *op.cit.* Here
39 again problems with the standardization of terminology resurface as the definition of a
40 *mutawatir* Ḥadīth reached a consensus some time in the ninth century Hijri. See *ibid.*

may be deduced from the source materials of Shar'iah".¹⁸ Ahmed offers a more elaborate definition of *'usulu-l-fiqh* as consisting of three components: (1) a theory of practical legal determinations (*ahkām*) which are considered the fruits of legal thinking; (2) the sources of the law, both textual and extra-textual; (3) principles of legal reasoning that link the sources of the law to practical legal determinations.¹⁹

For the purposes of this article, it is important to point out that the textual and extra-textual sources, methods and their priorities and the principles of legal reasoning that link the sources of the law to practical legal determinations have undergone significant changes in particular during the pre-classical period before they became more or less fixed in the later classical scholarship. The first modifications relate to the conceptual and hermeneutic relationship between Qur'an–Sunnah, Sunnah–Ḥadīth, (and therefore Qur'an–Ḥadīth) and that of the role of reason vis-à-vis Qur'an, Sunnah, Ḥadīth and the concept of the consensus of the jurist community (*ijmā'*). As I have shown elsewhere a symbiotic hermeneutical relationship between Qur'an and Sunnah was severed once the nature and the concept of Sunnah was epistemologically and methodologically conflated with that of Ḥadīth thus hermeneutically constraining the Qur'an and its exegesis with that of the Ḥadīth body of literature.²⁰ Subsequently, once a fixed, textually based and hierarchical *'usulu-l-fiqh* model was put in place with hermeneutically Ḥadīth-dependent Qur'an and Sunnah occupying the first two sources followed by the principles of *ijmā'* (the consensus of scholars), the non-textual sources such as pure reason or the objectively based nature of ethical value that had considerable presence in the very conceptualization of the concepts of Qur'an and Sunnah during the earlier stages of the formative period of Islamic thought were hermeneutically marginalized²¹ or considered illegitimate.²²

¹⁸ M.H. Kamali, 'Methodological Issues in Islamic Jurisprudence', *ALQ*, 11/1 (1996) pp. 3-33, p. 3.

¹⁹ A. Ahmad, *The Structural Interrelations of Theory and Practice in Islamic Law: A Study of Takhrij al-Furu' ala al-'Usul Literature*, Ph.D. Thesis, Harvard University, 2005, p. 31.

²⁰ See A. Duderija, 'The evolution in the canonical Sunni Ḥadīth body of literature'.

²¹ As in the case of pure reason functioning in its derivative analogical form of *qiyās* which, in terms sources priority/hierarchy occupied the fourth position being placed after the principle of *ijmā'*.

²² As in the shift from ethical objectivism in Mutazilah thought to that of ethical subjectivism embodied by classical Ash'ari Sunni thought.

1 As I argued elsewhere writing about this epistemologico-methodological
 2 shift, Rahman comments that while in earlier times of the Companions
 3 the use of *ijtihād* slowly crystallised in consensus, giving rise to *as-sunnah*
 4 *al-mā'rifa* (well-known Sunnah), only to be again abolished and re-formulated
 5 in the light of new circumstances, the epistemological value of *ijtihād* was
 6 reversed in the post-Shaf'i period so that *ijtihād* was significantly constrained
 7 by the *ijmā'* principle.²³ All this contributed to “the conviction becom[ing]
 8 absolute that law is justified only if it can be related hermeneutically to
 9 Prophetic example, and not if it is presented discursively as emanating
 10 from an ongoing juristic tradition.”²⁴ It also inaugurated a paradigm shift in
 11 Islamic thought, and that of *'usūlu-l-fiqh* sciences in particular, that Calder
 12 describes as a transition from a discursive tradition to a hermeneutic tradi-
 13 tion (purporting to derive the law exegetically from the Prophetic sources).²⁵
 14 Moreover, during the transmission from the pre-classical to classical
 15 Islamic thought changes in the manner the notion of the nature and the
 16 scope of the Qur'ān and Sunnah were conceptualized took place. By this
 17 we mean that the concepts were understood more in ethico-moral and
 18 religious rather than legal positivist terms. For example certain actions that
 19 had no direct precedent in the 'reified', textually based Qur'ān and Sunnah
 20 were considered permissible on the basis of the concept of justice or fair-
 21 ness, contextualizing and considering the broader implications such as the
 22 concept of the benefit of the community or alleviating of hardship, i.e. on
 23 quasi- natural law considerations.²⁶ Additionally, the concept of Sunnah
 24 was not solely linked to the persona of the Prophet but included the judg-
 25 ments and actions of the first caliphs such as Abu Bakr and 'Umar or
 26 even that of the Muslim community ('amal-based Sunnah in Medina or
 27 Sunnah *al-mā'rifa* in Iraq).²⁷ These hermeneutic and conceptual changes
 28 had very important implications pertaining to how certain Qur'ānic²⁸ and

29 ²³ Rahman, 'Living Sunna', pp. 145-146. cf. A. Duderija, 'The Evolution'.

30 ²⁴ Calder, *The Origins*, p. 19.

31 ²⁵ *Ibid.*, p. 8. He also suggests, in the same sentence, that this process “was a lengthy and
 32 complex one”.

33 ²⁶ A.M. Emon, 'Towards a Natural Law Theory in Islamic Law: Muslim Juristic Debates
 34 on Reason as a Source of Obligation', *JINEL*, Vol. 3/1, 2003, pp. 1-51. cf. A. Duderija,
 35 'The Evolution', *op.cit.*

36 ²⁷ W. Hallaq, *The Origins and Evolution of Islamic Law*, Cambridge University Press,
 37 Cambridge, 2005. cf. A. Duderija, 'The Evolution', *op. cit.*

38 ²⁸ A. Duderija, 'The importance of recognising textual assumptions in the Qur'ānic text
 39 in the development of a Qur'ānic hermeneutic and Islamic legal theory', unpublished article.

Sunnah²⁹ teachings were conceptualized, interpreted or derived. For example, since pre-classical concept of Sunnah, apart from its *'amal* component, was primarily conceived in form of abstract ethico-moral and/or theological terms, was reason inclusive and was conceptualised in terms of the broader Qur'anic objectives and purposes (*maqasid*), it permitted a wider interpretational playing field/framework than that based on classical definition of Ḥadīth -dependent Sunnah outlined above.³⁰

With the hermeneutic and conceptual delinking of Qur'ān and Sunnah, the development of the methodologically, epistemologically and hermeneutically dependent concept of the scope and the nature of Sunnah and the above-described hierarchy of sources of classical *'usūlu-l-fiqh* theory, the Ḥadīth body of literature came to hermeneutically occupy centre stage. With time the Ḥadīth-independent Sunnah formulations of the early schools of thought had to increasingly accommodate and accept this new Ḥadīth-centred *'usūlu-l-fiqh* theory.³¹

3. New Methodology of Sunnah and the Assessment/Evaluation of Ḥadīth Hermeneutic Value and Significance

As argued above, during the pre-classical period of Islamic thought the Qur'ān and Sunnah discourse was considered to be organically intertwined or symbiotically interdependent as these two sources were conceptualized as a single, coherent hermeneutic unity. Furthermore, they were not textually fixed and were often understood as more abstract ethico-religious concepts whose purpose was to facilitate the benefit of the community and alleviation of hardship based on principles of ethically objective values such as *ma'ruf* (that which is commonly good) and *'adl* (justice). Based on these considerations, I have elsewhere proposed a new methodology of Sunnah that is in agreement with this overall approach to conceptualising and interpreting Qur'ān and Sunnah.

²⁹ A. Duderija, 'Toward a New Methodology', *op. cit.*

³⁰ See *ibid.*

³¹ With some exceptions such as Al-Ghalazi's, Shatibi's and Tusi's theories which advocated a *maqasid* or objective or purpose-based *'usūlu-l-fiqh* theory. These development, however, happened centuries after the main foundations of the classical *'usūlu -l-fiqh* theory was formulated and as such affected it only marginally. See A. Duderija, 'The Evolution', *op.cit.*

1 According to this new approach, I first argued that, based on the uni-
 2 formly acknowledged need of the Qur'ān to be interpreted, i.e. its *Deutungs-*
 3 *beduerftigkeit*, and the subsequent premise that Prophet's embodiment of
 4 the Qur'ānic message as one of its most authoritative (if not the most
 5 authoritative) interpreters, this interpretational vacuum was filled by tak-
 6 ing recourse to the concept of Sunnah that appears in the Qur'ān in the oft
 7 repeated form of 'Obey Allah and His Messenger'. Sunnah was a well-
 8 known pre-Qur'ānic concept existing among Arabs of the region, connot-
 9 ing an authoritative source of knowledge/practice or a normative example
 10 to be followed.³² The usage of the term Sunnah of the Prophet (*Sunnah*
 11 *an-Nabi*) existed early on most likely at the time of the Prophet himself.³³

12 Furthermore, I contended that the Qur'ān and Sunnah existed in a con-
 13 ceptually unified and symbiotic hermeneutical relationship. Thus their
 14 scope and nature were considered to be the same. Put differently, they were
 15 considered as two sides of the same coin. By scope I mean that they accom-
 16 modated extra-textual sources of knowledge to the same extent and by the
 17 term nature I mean that they concern themselves with a number of dimen-
 18 sions of human existence including belief, ethics, law and ritual. As such I
 19 also argued that Sunnah consisted of four elements reflecting the nature
 20 and the elements of the Qur'ānic discourse, namely: Sunnah *aqidiyyah*
 21 (belief-based Sunnah), Sunnah *akhlaqiyyah* (ethics-based Sunnah), Sun-
 22 nah *fiqhiyyah* (law-based Sunnah) and Sunnah *'ibadiyyal'amaliyyah*³⁴ (rit-
 23 ual and/or practiced-based Sunnah).

24 According to this approach, all of the components of Sunnah, apart
 25 from its *'ibadiyyal'amaliyya* dimension which is in essence *in actu* and
 26 requires no interpretation and which is not dependent on written trans-
 27 mission of knowledge but is practically perpetuated, are hermeneutically

28 ³² Like many other key words in Islamic thought (*ijtihād, ra'y, bid'ah* or *ḥadīth*), the
 29 word Sunnah underwent a number of semantic changes. See Ansari, Z.I., 'Islamic Juristic
 30 Terminology before Shaf'i: A Semantical Analysis with Special Reference to Kufā', *Arabica*,
 31 xix, 1972.

32 ³³ *Ibid.*, pp. 263-264.

33 ³⁴ The difference between Sunnah *'ibadiyyah* and Sunnah *'amaliyyah* is that the former
 34 deals with practices relating to Islamic rituals such as *salat, hajj, adhan*, or circumcision
 35 whilst that of Sunnah *'amaliyya* is broader and includes the early Muslim community's
 36 embodiment of these practices as well as civil/communal transactions considered to be in
 37 accordance with the spirit and the essence of the Prophet's Sunnah. For more on this
 38 dimension of *'amal*, see Dutton, *Yasin. The Origins of Islamic Law—The Qur'ān, the*
 39 *Muwatta and Madinian 'Amal*, Routledge, Curzon, 2002.

directly linked to that of the Qurʾān. This, in turn, implies that the Sunnah compliance or otherwise of certain principles, beliefs or actions is entirely dependent on the way Qurʾān is interpreted. Therefore, the most crucial and decisive factor in establishing Sunnah is linked to methodologies pertaining Qurʾānic interpretation, i.e. the questions pertaining to Qurʾānic hermeneutics even if the Qurʾānic *literal text* itself is silent on the issue under consideration and not *an automatic default deferral* to Ḥadīth body of literature as either authenticated by the *Muḥadīthūn* or *ʿUsūliyyūn*. As such this method restores Sunnah's conceptual and hermeneutical link with the Qurʾān that was evident in the pre-classical Islamic scholarship. Importantly, this approach to Sunnah/Ḥadīth dynamic and their role in the overall *ʿusūlu-l-fiqh* theory is also not constrained with the hierarchical classical *ʿusūlu-l-fiqh* theory described above as it dislocates and displaces the central role of Ḥadīth body of literature which, alongside the principle of *ijmāʿ*, largely determines the hermeneutic playing field within which Qurʾān and Sunnah could be interpreted.

New interpretational possibilities of Qurʾān and Sunnah could be developed by putting in place new Qurʾānic hermeneutic models that, for example, give more scope to non-textual sources such as reason or which are based on objective-based nature of ethical value or which permit a more contextual-based approaches to Qurʾāno–Sunnahic interpretation or which are based on the notion of giving hermeneutic primacy to ethico-moral or objective-based (*maqasid*) approaches to *ʿusūlu-l-fiqh* theory.³⁵

³⁵ Indeed such models have already been developed by a number of Muslim scholars. See, e.g., Kh. Abou Eld-Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, Oxford, 2003; A. Wadud, *Qurʾān and Woman: Rereading the Sacred Text from a Woman's Perspective*, 2nd edn., Oxford, 1999; A. Saeed, *Interpreting the Qurʾān—Towards a Contemporary Approach*, Routledge, 2006; H.N. Abu Zayd, *Re-thinking the Qurʾān—Towards a Humanistic Hermeneutic*, Humanities University Press, 2004; F. Rahman, *Islam and Modernity: The Transformation of an Intellectual Tradition*, Chicago, 1982; H. Hanafi, *Islam in the Modern World*, Vol. II, Cairo, 2000; A. Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qurʾān*, Austin, 2002. However, they did not pay sufficient attention to the question of working out a more systematic relationship between Qurʾān–Sunnah–Ḥadīth bodies of knowledge and in particular in hermeneutically and conceptually delinking Sunnah from Ḥadīth bodies of knowledge thus largely still operate within the classical *ʿusūlu-l-fiqh* theory.

1 **4. New Criteria in Establishing the Function and Value of Ḥadīth in**
 2 **Islamic Thought**

3 Where do the above insights lead us in relation to the function and the
 4 significance of Ḥadīth in Islamic thought and in *'usūlu-l-fiqh* in particular?
 5 In the second section it was argued that *isnad*- and *rijāl*-based approach to
 6 evaluation of Ḥadīth authenticity and reliability as espoused by *Muḥadithūn*
 7 as well as the epistemological evaluation of Ḥadīth by the *'Usūliyyūn* do
 8 not systematically and sufficiently well solve the conundrums associated
 9 with the *Deutungsbedeutigkeit* of the Qur'ān and the nature of the Sunnah–
 10 Ḥadīth (and for that matter Sunnah–Qur'ān and Qur'ān–Ḥadīth) herme-
 11 neutic relationship due to the inherent methodological weaknesses in the
 12 underlying premises governing these approaches. Indeed, throughout the
 13 entire history of the Islamic thought there have been cases of propounding
 14 contradictory or even mutually exclusive views based on unsystematic use
 15 of Ḥadīth (and Qur'ānic verses/*āyāt*) all claiming to be in accordance with
 16 the Qur'ān and Sunnah or the accusation of the Muslim “Other” of not
 17 following the “true” Qur'ān and Sunnah teachings, especially among the
 18 more literally oriented communities of interpretation as, for example,
 19 espoused by *'Ahl-ḥadīth* or to lesser extent Hanbali school of thought.³⁶

20 Based on the newly proposed methodology outlined in the third sec-
 21 tion, it becomes clear that the function and the significance of Ḥadīth
 22 body of literature in Islamic thought, and in *'usūlu-l-fiqh* disciplines in
 23 particular, needs to be established on new criteria that:

- 24 a. acknowledge the hermeneutically symbiotic and inter-dependent
 25 relationship between Qur'ān and Sunnah that existed during the
 26 early formative period of Islamic thought;
 27 b. take into account the conceptually and hermeneutically *independent*
 28 relationship between Sunnah and Ḥadīth and by implication that of
 29 Qur'ān and Sunnah that was evident during the early formative
 30 period of Islamic thought;
 31 c. recognize that the classical formulation of *'usūlu-l-fiqh* theory did not
 32 make the above distinction engendering a largely Ḥadīth-centered
 33 Qur'āno–Sunnahic *'usūlu-l-fiqh* theory;

34 ³⁶ See Y. Wahyudi, *The Slogan “Back to the Qur'ān and Sunnah”—A Comparative Study of*
 35 *the Responses of Hasan Hanafi, Muhammad Abid Al-Jabiri and Nurcholish Madjid*. Ph.D.
 36 Thesis, McGill University, Canada, 2002.

- d. acknowledge that in the final analysis, contemporary debates on the assessment and evaluation of the function and the significance of Ḥadīth body of knowledge in Islamic thought are not to remain solely within the theoretico-epistemological framework of the classical *'ulūmu-l-ḥadīth* sciences under the purview of the classically trained *Muḥadīthūn* (or the western Muslim and non-Muslim scholars operating within the same) but that these scholarly discourses need to be closely linked to the questions relating to the development of Qur'ānic (or more precisely Qur'āno–Sunnahic) hermeneutic models, i.e. *'usūlu-l-fiqh* sciences. In this context the most fruitful assessment and evaluation of the value and the significance of each Ḥadīth will not solely be conceptualized *a priori* in terms of its authenticity/reliability or its epistemological value but how its message/text fits into an overall broader hierarchically structured Qur'āno–Sunnahic hermeneutic model. So the crucial question or questions, in this context, *is/are* not just whether or not a particular Ḥadīth has an impeccable *isnad* or if it is a *mutawatir* Ḥadīth, but what are the delineating features and underlying methodological and epistemological assumptions governing the interpretational processes of a certain scholar pertaining to conceptualization and interpretation of the nature and the scope of the Qur'ānic and Sunnahic bodies of knowledge who uses this particular Ḥadīth in order to argue a particular point of view and where does, according to his/her hermeneutic, Ḥadīth fit into it.

5. Conclusion

This article argued for a paradigm shift in which the question of the value and significance (rather than just authenticity and reliability) of the Ḥadīth body of knowledge in Islamic thought and in particular in Islamic legal theory. It was further contended that classical methods of assessing and evaluating the role of Ḥadīth in Islamic thought and practice are unable to offer a systematic methodology that would define and delineate a clear role and function of Ḥadīth body of knowledge in relation to Islamic sciences, and particularly those pertaining to Islamic law and Islamic legal theory (but also theology/philosophy/mysticism). Based on a new methodology of conceptualizing the nature and the scope of the Qur'ān and Sunnah discourse and their hermeneutical inter-relationship *vis-à-vis* each other as

1 well as that of Ḥadīth, the author maintained that the questions pertaining
2 to Ḥadīth's authenticity and reliability become of secondary importance in
3 relation to their function and significance and that the questions relating
4 to their hermeneutic position in the broader Qur'āno–Sunnahic herme-
5 neutic structure (that is inclusive of Ḥadīth) and its underlying epistemo-
6 logical and methodological assumptions are much more important and
7 revealing. Thus, this new methodology of assessing and evaluating the her-
8 meneutical value and significance of Ḥadīth call for and highlights a need
9 for a syntheses of *'ulūmu-l-ḥadīth* and *'usūlu-l-fiqh* fields of knowledge.