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 Muhadithūn with the primary focus on isnād- and rijāl-based Ḥadīth analysis or the epistemological evaluation of Ḥadīth in the hands of the ‘Usāliyyūn 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
nature and the scope of the concept of Sunnah is necessary. This is so because, in both classical and contemporary Islamic scholarship, the Ḥadīth body of knowledge is largely considered to be its only modus of transmission or perpetuation. Additionally, as it will be argued below, the conceptual conflation of the nature and the scope of the concept of Sunnah with that of “authentic” Ḥadīth as defined by ʿulūmu-l-ḥadīth sciences has important implications in how its function, value and significance in the overall Islamic thought came to be determined. According to the classical Islamic scholarship as defined by the Muḥadithūn the concept of Sunnah in terms of its authenticity is defined as comprising of numerous narratives Ḥadīth documenting Prophet Muhammad’s deeds (fiʾl), utterances (qawl), and spoken approval (taqrīr) as embodied in various Ḥadīth compendia considered as “authentic” according to the standards and criteria applied by the classical sciences of Ḥadīth criticism (ʿulūmu-l-ḥadīth). The implications of this definition of the concept of Sunnah, which we here term Ḥadīth-dependent Sunnah, are several. Firstly, it assumes that the epistemological scope of Sunnah is epistemologically dependent upon and constrained by Ḥadīth, i.e. that its epistemological value is the same as that of each “authentic” Ḥadīth and that Ḥadīth is the sole depository and the sole vehicle of Sunnahic perpetuation. Secondly, it assumes that Sunnah is methodologically dependent upon Ḥadīth. By methodologically dependent on Ḥadīth it is meant that the Sunnah compliance (or otherwise) of certain (legal or theological) practices or principles, is and can only be determined by sifting through numerous narratives reportedly going back to Prophet Muhammad via an authentic chain of narrators (iṣnād). Thirdly, as a corollary to the second premise, coalescing and substituting

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1 The precise meaning of this phrase is given in the main text below.
2 Experts on the transmission of Ḥadīth, their compilation, classification and authenticity/criticism.
3 A sound Ḥadīth and therefore Sunnah, in its “post-Shafiʿi” form (see our discussion in the main text below) consisted of a matn (text) and chain of transmitters (iṣnād), usually but not always going back to the Prophet.
4 Some definitions also include the Prophet’s iṣfah, that is, his features or physical appearance. M.M. Al-Aʾzami, Studies in Ḥadīth Methodology and Literature, Islamic Book Trust, Kuala Lumpur, 2002, p. 6.
the nature and the scope of the concept of Sunnah with that of Hadith 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 Muhadithūn, 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

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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.
evaluation\textsuperscript{11} and lack of standardisation of terminology in classical `ulûmu-
\textit{l-hadith} sciences.\textsuperscript{12} Another approach to evaluating Hadith was from a purely epistemo-
logical vantage point. This practice was adopted by Islamic legal scholars
(\textit{'Usûliyyûn}) as part of their overall approach to Islamic Law as, to borrow
Zysow terminology, “the economy of certainty”.\textsuperscript{13} This method focused
first and foremost on developing criteria relating to the quantitative trans-
mission of knowledge based on probability. Questions such as at what
point in time and at what evidentiary level would human faculty of reason
'accept' transmitted knowledge as either inducing certainty (\textit{yaqin}), thus
yielding immediate knowledge (\textit{daruri}) or amounting to less then that
(\textit{zann}) probable and acquired knowledge) were decisive.\textsuperscript{14} Classification of
Hadith according to this technique ranged from isolated (\textit{ahad}) Hadith
that yielded \textit{zann} knowledge only to that of \textit{mutawatir} or successive Hadith
that, according to the majority of \textit{'Usûliyyûn}, reached \textit{daruri} knowledge.\textsuperscript{15}
The problem with this method in relation to Sunnah is that only very few
Hadith, not amounting to more then a dozen\textsuperscript{16} or according to some
none\textsuperscript{17} can be considered to have fulfilled the criteria of \textit{mutawatir} level of
transmission.

Another approach to evaluation of Hadith developed by the \textit{'Usûliyyûn}
relates more closely to Islamic legal methodology or \textit{'usûlu-l-fiqh}. Professor
M.H. Kamali defines \textit{'usûlu-l-fiqh} as a science “concerned with the sources
of [Islamic] law, their order of priority, and methods by which legal rules

\textsuperscript{11} E.g., evaluating the nature of the character of a person or his memory differed from
one scholar to another, affecting the level of authenticity of the Hadith in question.
\textsuperscript{12} See S. Guenther, ‘Assessing the Sources of Classical Arabic Compilations: The Issues
of Categories and Methodologies’, \textit{Br. J. Middle Eastern Studies}, 32/1 (2005) 75-98. This
also holds true for the epistemological evaluation of Hadith discussed next. See footnote 17.
\textsuperscript{13} A. Zysow, \textit{The Economy of Certainty: An Introduction to the Typology of Islamic Legal
\textsuperscript{14} See \textit{ibid.}
\textsuperscript{15} As in the case of divergences inherent in the \textit{muhaddith}-based methodology there is
range of differences between various schools of thoughts pertaining to their epistemological
value that are in turn based on differences stemming from the very criteria that these meth-
odologies are based on Guenther points.
\textsuperscript{16} W. Hallaq ‘The Authenticity of Prophetic Hadith: a Pseudo Problem’, \textit{Studia Islamica},
1999, pp. 75-90.
\textsuperscript{17} S. Guenther, ‘Assessing the Sources of Classical Arabic Compilations,’ op.cit. Here
again problems with the standardization of terminology resurface as the definition of a
\textit{mutawatir} Hadith reached a consensus some time in the ninth century Hijri. See \textit{ibid.}
may be deduced from the source materials of Sharīah”. Ahmed offers a more elaborate definition of ‘usūlu-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.

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 Qurʾān–Sunnah, Sunnah–Ḥadīth, (and therefore Qurʾān–Ḥadīth) and that of the role of reason vis-à-vis Qurʾān, Sunnah, Ḥadīth and the concept of the consensus of the jurist community (ijmāʿ). As I have shown elsewhere a symbiotic hermeneutical relationship between Qurʾān 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 Qurʾān and its exegesis with that of the Ḥadīth body of literature. Subsequently, once a fixed, textually based and hierarchical ‘usūlu-l-fiqh model was put in place with hermeneutically Ḥadīth-dependent Qurʾān and Sunnah occupying the first two sources followed by the principles of ijmāʿ (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 Qurʾān and Sunnah during the earlier stages of the formative period of Islamic thought were hermeneutically marginalized or considered illegitimate.

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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 ijmāʿ.
22 As in the shift from ethical objectivism in Mutazilah thought to that of ethical subjectivism embodied by classical Ashʿarī Sunni thought.
As I argued elsewhere writing about this epistemologico-methodological shift, Rahman comments that while in earlier times of the Companions the use of *ijtihād* slowly crystallised in consensus, giving rise to *as-sunnah al-maʾrifā* (well-known Sunnah), only to be again abolished and re-formulated in the light of new circumstances, the epistemological value of *ijtihād* was reversed in the post-Shafiʿi period so that *ijtihād* was significantly constrained by the *ijmāʿ* principle. All this contributed to "the conviction becoming absolute that law is justified only if it can be related hermeneutically to Prophetic example, and not if it is presented discursively as emanating from an ongoing juristic tradition." It also inaugurated a paradigm shift in Islamic thought, and that of 'usūlu-l-fiqh sciences in particular, that Calder describes as a transition from a discursive tradition to a hermeneutic tradition (purporting to derive the law exegetically from the Prophetic sources).

Moreover, during the transmission from the pre-classical to classical Islamic thought changes in the manner the notion of the nature and the scope of the Qurʾān and Sunnah were conceptualized took place. By this we mean that the concepts were understood more in ethico-moral and religious rather than legal positivist terms. For example certain actions that had no direct precedent in the 'reified', textually based Qurʾān and Sunnah were considered permissible on the basis of the concept of justice or fairness, contextualizing and considering the broader implications such as the concept of the benefit of the community or alleviating of hardship, i.e. on quasi-natural law considerations. Additionally, the concept of Sunnah was not solely linked to the persona of the Prophet but included the judgments and actions of the first caliphs such as Abu Bakr and 'Umar or even that of the Muslim community (*amal*-based Sunnah in Medina or Sunnah *al-maʾrifā* in Iraq). These hermeneutic and conceptual changes had very important implications pertaining to how certain Qurʾānic and

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25 Ibid., p. 8. He also suggests, in the same sentence, that this process "was a lengthy and complex one".
28 A. Duderija, 'The importance of recognising textual assumptions in the Qurʾānic text in the development of a Qurʾānic hermeneutic and Islamic legal theory', unpublished article.
Sunnahic 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 Ḥadith-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 Ḥadith body of literature came to hermeneutically occupy centre stage. With time the Ḥadith-independent Sunnah formulations of the early schools of thought had to increasingly accommodate and accept this new Ḥadith-centred ‘usūlu-l-fiqh theory.31

3. New Methodology of Sunnah and the Assessment/Evaluation of Ḥadith 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 maṣʿūf (that which is commonly good) and ʿadl (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.
According to this new approach, I first argued that, based on the uniformly acknowledged need of the Qurʾān to be interpreted, i.e. its Deutungsbedürftigkeit, and the subsequent premise that Prophet’s embodiment of the Qurʾānic message as one of its most authoritative (if not the most authoritative) interpreters, this interpretational vacuum was filled by taking recourse to the concept of Sunnah that appears in the Qurʾān in the oft repeated form of ‘Obey Allah and His Messenger’. Sunnah was a well-known pre-Qurʾānic concept existing among Arabs of the region, connoting an authoritative source of knowledge/practice or a normative example to be followed. The usage of the term Sunnah of the Prophet (Sunnah an-Nabi) existed early on most likely at the time of the Prophet himself. Furthermore, I contended that the Qurʾān and Sunnah existed in a conceptually unified and symbiotic hermeneutical relationship. Thus their scope and nature were considered to be the same. Put differently, they were considered as two sides of the same coin. By scope I mean that they accommodated extra-textual sources of knowledge to the same extent and by the term nature I mean that they concern themselves with a number of dimensions of human existence including belief, ethics, law and ritual. As such I also argued that Sunnah consisted of four elements reflecting the nature and the elements of the Qurʾānic discourse, namely: Sunnah aqidiyyah (belief-based Sunnah), Sunnah akhlaqiyyah (ethics-based Sunnah), Sunnah fiqhiyyah (law-based Sunnah) and Sunnah ʿibadiyya/ʿamaliyyah (ritual and/or practiced-based Sunnah).

According to this approach, all of the components of Sunnah, apart from its ʿibadiyya/ʿamaliyya dimension which is in essence in actu and requires no interpretation and which is not dependent on written transmission of knowledge but is practically perpetuated, are hermeneutically...
directly linked to that of the Qur’ān. This, in turn, implies that the Sunnah compliance or otherwise of certain principles, beliefs or actions is entirely dependent on the way Qur’ān is interpreted. Therefore, the most crucial and decisive factor in establishing Sunnah is linked to methodologies pertaining Qur’ānic interpretation, i.e. the questions pertaining to Qur’ānic hermeneutics even if the Qur’ānic literal text itself is silent on the issue under consideration and not an automatic default deferral to Hadīth body of literature as either authenticated by the Muhadithun or ’Usūliyyūn. As such this method restores Sunnah’s conceptual and hermeneutical link with the Qur’ān that was evident in the pre-classical Islamic scholarship. Importantly, this approach to Sunnah/Hadīth dynamic and their role in the overall ‘usūlu-l-fiqh theory is also not constrained with the hierarchical classical ‘usūlu-l-fiqh theory described above as it dislocates and displaces the central role of Hadīth body of literature which, alongside the principle of ijmā’, largely determines the hermeneutic playing field within which Qur’ān and Sunnah could be interpreted.

New interpretational possibilities of Qur’ān and Sunnah could be developed by putting in place new Qur’ānic 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 Qur’āno–Sunnahic interpretation or which are based on the notion of giving hermeneutic primacy to ethico-moral or objective-based (maqasid) approaches to ‘usūlu-l-fiqh theory.35

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

Where do the above insights lead us in relation to the function and the significance of Ḥadīth in Islamic thought and in 'usūlu-l-fiqh in particular? In the second section it was argued that isnad- and rijāl-based approach to evaluation of Ḥadīth authenticity and reliability as espoused by Muhādithūn as well as the epistemological evaluation of Ḥadīth by the Ḥusayyīn do not systematically and sufficiently well solve the conundrums associated with the Deutungsgbedeutigkeit of the Qurān and the nature of the Sunnah–Ḥadīth (and for that matter Sunnah–Qurān and Qurān–Ḥadīth) hermeneutic relationship due to the inherent methodological weaknesses in the underlying premises governing these approaches. Indeed, throughout the entire history of the Islamic thought there have been cases of propounding contradictory or even mutually exclusive views based on unsystematic use of Ḥadīth (and Qurānic verses/āyāt) all claiming to be in accordance with the Qurān and Sunnah or the accusation of the Muslim “Other” of not following the “true” Qurān and Sunnah teachings, especially among the more literally oriented communities of interpretation as, for example, espoused by ‘Ahl-hadith or to lesser extem Hanbali school of thought.36

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

a. acknowledge the hermeneutically symbiotic and inter-dependent relationship between Qurān and Sunnah that existed during the early formative period of Islamic thought;

b. take into account the conceptually and hermeneutically independent relationship between Sunnah and Ḥadīth and by implication that of Qurān and Sunnah that was evident during the early formative period of Islamic thought;

c. recognize that the classical formulation of ‘usūlu-l-fiqh theory did not make the above distinction engendering a largely Ḥadīth-centered Qurān–Sunnahic ‘usūlu-l-fiqh theory;

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 ʿulamāʾ-ḥadīth sciences under the purview of the classically trained Muhadithun (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. *usulul-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
well as that of Ḥadīth, the author maintained that the questions pertaining to Ḥadīth’s authenticity and reliability become of secondary importance in relation to their function and significance and that the questions relating to their hermeneutic position in the broader Qur’āno–Sunnahic hermeneutic structure (that is inclusive of Ḥadīth) and its underlying epistemological and methodological assumptions are much more important and revealing. Thus, this new methodology of assessing and evaluating the hermeneutical value and significance of Ḥadīth call for and highlights a need for a syntheses of ʿulāmu-l-hadīth and ʿusūlu-l-fiqh fields of knowledge.