

# Evolution in the Canonical Sunni Ḥadith Body of Literature and the Concept of an Authentic Ḥadith During the Formative Period of Islamic Thought as Based on Recent Western Scholarship

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## Abstract

The aim of this article is to trace the development of the Ḥadith body of literature and the concept of an authentic Ḥadith as defined by the classical Islamic sciences (*‘ulum-ul-ḥadith*) during the formative years of Islamic thought as based primarily on Western scholarship sources. The first part of the article will describe the semantico-contextual changes in the meaning of the term Ḥadith during the period under examination. The second part will present a brief chronological analysis of the development of the canonical Ḥadith literature and the concept of an authentic Ḥadith during the first four generations of Muslims. The progress of development of Ḥadith literature will, in particular, be traced in relation to the development of the concept of an authentic Ḥadith, as defined by the classical Ḥadith sciences.

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## Keywords

Ḥadith body of literature, Ḥadith development, Sunnah

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<sup>1</sup> In this article, the terms ‘formative’ and ‘pre-classical period of Islamic thought’ as well as ‘post-formative’ and ‘classical period’ will be used interchangeably. The formative period is here defined as post fourth generation of Muslims period or approximately the first 250 years of the Islamic calendar. The classical period is defined as being from the middle of the 3rd century Hijra to the middle of the 19th century Roman calendar. For more on the definition of the formative period of Islamic thought, see M.W. Watt, *Formative Period of Islamic Thought* (Oxford: Oneworld, 2002 (re-print)) pp. 1-4.

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<sup>2</sup> The term ‘Recent’ in the article title refers primarily to works written during the 20th and 21st centuries.

## 1. Introduction

Based on the principal of the Qur'ān's *Deutungsbeduerftigkeit*, that is, its need for interpretation,<sup>3</sup> the theory of the hermeneutic and exegetical necessity for Sunnah, or the Prophet's embodiment of the Qur'ānic message, arose early in Islamic thought. Since the definition and understanding of the concept of Sunnah, according to classical Islamic scholarship, considers the canonical Ḥadith body of literature as its exclusive vehicle of transmission and embodiment, a particular hermeneutic between the Qur'ānic, Sunnahic and Ḥadithic bodies of knowledge emerged during the post-formative period of Islamic thought, which resulted in an increasingly Ḥadith-dependent Qur'āno-Sunnahic hermeneutic.<sup>4</sup> Thus, the Ḥadith body of literature became one of the most important sources in sciences pertaining to Qur'ānic interpretation (*tafsīr*) as well as in Islamic jurisprudence (*fiqh*) and legal theory (*uṣūl-ul-fiqh*).

The author has argued elsewhere,<sup>5</sup> however, that, during the period of the first four generations of Muslims, the concept of Sunnah remained epistemologically *independent* of the Ḥadith body of literature and that the evaluation of the Sunnah compliance (or otherwise) of a certain practice or belief remained methodologically and hermeneutically *independent* of that of the Ḥadith corpus.

Being primarily based on Western scholarship produced in this and the previous century, the aim of this article is to provide a brief chronological overview of the development and growth of Ḥadith literature and the concept of an 'authentic Ḥadith' as defined by classical Ḥadith sciences during the first four generations of Muslims in order to establish at which point in time the concept of Sunnah became epistemologically and methodologically dependent upon the Ḥadith body of literature as implied by its classical definition. In other words, the aim of this article is to outline a brief chronological analysis of the development of the concept of

<sup>3</sup> Literally, the need for imbibing the Qur'ān with meaning or giving it meaning.

<sup>4</sup> The author discusses this hermeneutical relationship in more detail in A. Duderija, "Toward a Methodology of the concept of Sunnah", *ALQ*, 20/3, 2007, pp. 269-281; and A. Duderija, "A Paradigm Shift in Assessing/Evaluating the Value and Significance of Ḥadith in Islamic Thought: From *ulum-ul isnād/rijal* to *uṣūl-ul-fiqh*", *ALQ*, 23/2, pp. 195-206.

<sup>5</sup> A. Duderija, "The Evolution in the concept of Sunnah during the first four generations of Muslims in relation to the development of the concept of an authentic Ḥadith as based on recent Western scholarship", unpublished article.

Ḥadith-dependent Sunnah in order to answer the question as to *how long* the concept of Sunnah remained distinct from its classical definition by presenting a chronological analysis of the development of Ḥadith literature and the concept of an authentic Ḥadith as defined by the classical Islamic scholarship. Prior to doing this, a brief discussion on the classical definition of Sunnah is presented and the implication it has for the role and status of Ḥadith vis-à-vis the Sunnah and the Qurʾān.

## 2. The Classical Concept of the Definition of the Concept of Sunnah and its Implications for the Nature of the Qurʾān-Sunnah—Ḥadith Hermeneutic

According to classical Islamic scholarship as defined by the *muhaddithūn*,<sup>6</sup> the concept of Sunnah in terms of its authenticity<sup>7</sup> is defined as comprising numerous narratives documenting Prophet Muhammad's deeds (*fi'l*), utterances (*qawl*) and spoken approval (*taqrīr*)<sup>8</sup> as embodied in various Ḥadith compendia considered as 'authentic' or canonical according to the standards and criteria applied by the classical sciences of Ḥadith criticism (*ʿulum-ul-ḥadith*).<sup>9</sup>

This definition of the concept of Sunnah, which we here term Ḥadith-dependent Sunnah, holds several implications. Firstly, it assumes that the epistemological scope of Sunnah is epistemologically dependent upon and constrained by that of the Ḥadith body of literature, i.e. that its epistemological value is the same as that of each 'authentic' Ḥadith and that Ḥadith is the sole depository and vehicle of perpetuation of Sunnah. Secondly, it assumes that Sunnah is methodologically dependent upon Ḥadith. By methodologically dependent on Ḥadith it is meant that Sunnah compliance (or otherwise) of certain (legal, ethical, moral, doctrinal or theological) practices or principles is, and can only be, determined by sifting through numerous narratives reportedly going back to Prophet

<sup>6</sup> Experts on the transmission of Ḥadith, their compiling, classification and authenticity.

<sup>7</sup> On the difference between *muhaddithūn*'s and *ʿuṣūliyyūn*'s definition of or approach to Sunnah, see pp. 7-8 in this article.

<sup>8</sup> Some definitions also include the Prophet's *ṣifāt*, that is, his features or physical appearance. M.M. Al-Aʿzami, *Studies in Ḥadith Methodology and Literature* (Kuala Lumpur: Islamic Book Trust) 2002, p. 6.

<sup>9</sup> H.A.R. Gibb and J.H. Kramers, *The Concise Encyclopaedia of Islam* (Leiden: Brill) 2001, pp. 552-554.

1 Muhammad via an authentic chain of narrators (*isnād*). Thirdly, as a cor-  
 2 ollary to the second premise, coalescing and substituting the nature and  
 3 scope of the concept of Sunnah with that of a Ḥadith body of literature  
 4 breaks the symbiotic and organic relationship between the concept of  
 5 the Qurʾān and Sunnah as it existed during the first four generations of  
 6 Muslims,<sup>10</sup> making the Qurʾān increasingly more hermeneutically depen-  
 7 dent upon the Ḥadith compendia. Fourthly, as a result of the above, the  
 8 Sunnah's organic and symbiotic relationship with the Qurʾān, termed by  
 9 Graham as the 'Prophetic-Revelatory event',<sup>11</sup> was severed, and the Qurʾān's  
 10 hermeneutic dependence upon a Ḥadith body of knowledge entrenched.  
 11 Fifthly, Ḥadith's function and purpose, as will be demonstrated below,  
 12 became increasingly legalistic.

### 13 3. Semantico-Contextual Changes in the Meaning of the Term 14 Ḥadith

15 Ansari has pointed out several difficulties one comes across when studying  
 16 the terminology used during the early period of Islamic thought. One of  
 17 these problems is the fact that there is a "comparative lack of fixity in tech-  
 18 nical connotations of terms in use"<sup>12</sup> which resulted in a gradual change in  
 19 their connotations over a period of time. An important trait in these  
 20 semantic changes in terminology is their increasing 'technical' or what the  
 21 present author would describe as 'legalistic'<sup>13</sup> connotations. Additionally,  
 22 and importantly, these terms had a multiplicity of meanings even when  
 23 employed by the *same* author in the *same* work.<sup>14</sup>

24 Another important principle for the purposes of this study that Ansari  
 25 has identified, with reference to the changes in meaning of certain words and  
 26 concepts, is the notion of a significant time-gap between the usage of the  
 27 conceptual and technical/legalistic aspects of terminology. Put differently,

28 <sup>10</sup> As shall be demonstrated below.

29 <sup>11</sup> W.A. Graham, *Divine Word and Prophetic Word in Early Islam: A Reconsideration of*  
 30 *the Sources, with Special References to the Divine Saying or Ḥadith Qudsi* (Hague, 1977).

31 <sup>12</sup> Z.I. Ansari, "Islamic Juristic Terminology before Shafi'i: A Semantical Analysis with  
 32 Special Reference to Kufa", *Arabica*, xix, 1972, p. 279.

33 <sup>13</sup> Legalistic in the sense of their being used in literature on Islamic jurisprudence  
 34 (*fiqh*) and legal theory (*'uṣūl ul-fiqh*). For differences between *fiqh* and *'uṣūl ul-fiqh*, see,  
 35 e.g. H. Kamali, *The Principles of Islamic Jurisprudence*, Introduction (Cambridge:  
 36 Cambridge University Press) 1991.

37 <sup>14</sup> Ansari, *Islamic Terminology*, p. 270.

words prior to acquiring 'standard technical phraseology' had other meanings and were used in other contexts.<sup>15</sup> A similar view is advocated by Calder who, when describing the development of early Muslim jurisprudence, maintains that "the transition from a discursive tradition to a hermeneutic tradition (purporting to derive the law exegetically from Prophetic sources) was a lengthy process".<sup>16</sup>

In addition, the primacy of oral-based authorising tradition during the earliest development of Islamic Law is another principle one needs to be cognizant of when attempting to understand the nature and function of Ḥadīth.<sup>17</sup> During the formative period of Islamic thought, the oral nature of transmission and authentication of knowledge, as well as oral-based interpretative strategies of the primary sources, were considered more authentic and were more prevalent than written-based ones. In this context Souaiaia avers that:

In the practices of scholars and jurists closest to the time of the Prophet, there seems to be an overwhelming attraction to *isnād*-based *oral* reports and momentous lack of interest in the published literature, a phenomenon that can be documented for at least one hundred years after the recording (*tadwīn*) era.<sup>18</sup>

He also convincingly argues that the processes of formulation, preservation and transmission of religious and legal knowledge was "fully and exclusively oral".<sup>19</sup> The above distinctions are of fundamental importance to this study from the point of view of understanding the evolution of the concept of an authentic Ḥadīth vis-à-vis the concept of Sunnah and its function as a source of Islamic law.

We now turn to the examination of the semantico-contextual changes in the meaning of the term Ḥadīth. This term will be analysed by examining

<sup>15</sup> This suggests that their definition was imprecise and ambiguous probably because these terms as concepts were quite broad and abstract in nature and were associated with ethico-moral values rather than with specified edified rules/laws or dogma. I have argued this in: Duderija, *The Evolution in the Concept of Sunnah*.

<sup>16</sup> N. Calder, *Studies in Early Muslim Jurisprudence* (Oxford: Clarendon Press) 1993, p. 8.

<sup>17</sup> A. Souaiaia, "On the Sources of Islamic Law and Practices", *J. Law Religion*, 20, 2004, pp. 123-147. cf. S. Guenther, "Assessing the Sources of Classical Arabic Compilations: The Issues of Categories and Methodologies", *Br.J. Middle Eastern Studies*, 32/1, 2005, pp. 75-98.

<sup>18</sup> *Ibid.*, p. 131. cf. A. Souaiaia, *The Function of Orality in Islamic Law and Practices: Verbalising Meaning*, Edwin Meller Press, 2006.

<sup>19</sup> Souaiaia, *The Function of Orality*, p. 94.

1 its etymological (pre-Qur'anic) meaning(s), Qur'anic meaning(s) and  
2 post-Qur'anic usage(s).

### 3 3.1. *Etymological, Qur'anic and Post-Qur'anic Meanings of the Term Ḥadith*

4 The etymological meaning of the word Ḥadith, according to Al-Azami, is  
5 usually translated as 'communication', 'story' or 'conversation'; religious  
6 or secular, historical or recent. If used as an adjective, it means 'new'.<sup>20</sup> As  
7 such, the term Ḥadith itself implies an oral process/concept. The word  
8 Ḥadith was also used for the Qur'ān as a Revelation as shown by the fol-  
9 lowing example found in Goldziher: "Abd Allah b. Mas'ud says: The most  
10 beautiful Ḥadith is the book of Allah, and the best guidance is that of  
11 Muhammed."<sup>21</sup> That the Qur'ān also describes itself as a Ḥadith is com-  
12 monly known.<sup>22</sup> Other Qur'anic connotations include tiding, talk, dis-  
13 course, tale and story.<sup>23</sup> Post-Qur'anicly, the term Ḥadith was increasingly  
14 used in the sense given to it by the collectors of Ḥadith as being the  
15 Prophet's utterance, action, tacit approval or description of his *ṣifāt* (fea-  
16 tures), meaning his physical appearance. The *ṣifāt* of the Prophet, how-  
17 ever, is not part of the definition used by legal experts or *fuqahā'*.<sup>24</sup>

18 By the mid-second century, Ḥadith was almost exclusively identified  
19 with the narratives from the Prophet.<sup>25</sup> According to Ansari, this was  
20 largely due to the effects of a broader process occurring in the background  
21 applying to the overall formation of technical terminology as function of  
22 the development of Islamic jurisprudence. The major mechanism behind  
23 this process manifested itself in the increased semantic linkage of certain  
24 words (such as Sunnah and Ḥadith) in a particular context. As a result,  
25 the context merged with and became almost indistinguishable from the  
26 meaning itself.<sup>26</sup> What this theory tells us is that the word Ḥadith was so

27 <sup>20</sup> M. al-Azami, *Studies*, p. 3; For a detailed treatment of the semantics of Ḥadith and  
28 its various meanings, see I. Ahmed, *The significance of Sunnah and Hadith and their Early*  
29 *Documentation*, Edinburgh University, Ph.D. Thesis, 1974, Ch. 2.

30 <sup>21</sup> I. Goldziher, *Muslim Studies*, trans. Barber and Stern (London: George Allen &  
31 Unwin, Ltd., 1971) Vol. 2, p. 18.

32 <sup>22</sup> See e.g., Qur'ān 39:23; 68:44; 6:68, 20:9.

33 <sup>23</sup> See H.E. Kassis, *A Concordance of the Qur'ān* (Berkeley: University of California Press,  
34 1983) p. 514.

35 <sup>24</sup> Al-Azami, *Studies*, p. 6.

36 <sup>25</sup> Ansari, 'Islamic Terminology', p. 258.

37 <sup>26</sup> This applies to other words used in jurisprudence such as *'ilm*, *ijmā'*, *ra'y*, etc. *Ibid.*  
38 Semantic changes of words as function of time in the context of Qur'ān have been

frequently used in the context of the Prophet's Sunnah that these two merged completely becoming semantico-contextually identical.

#### 4. Sunnah as Epistemologico-Methodologically Dependent on Ḥadīth: A Chronological Analysis

Our attention now turns to the evolution of 'Ḥadīth-dependent Sunnah' as implied by the classical definition of Sunnah. This part of the article investigates, from a chronological point of view, the development of the Ḥadīth body of literature in its canonised form and the concept of an 'authentic Ḥadīth' as defined by classical Islamic scholarship. The task of this section is also to examine if the concept of an authentic Ḥadīth can be considered to be conceptually representative of the pre-classical concept of Sunnah as well as to have an *a priori* normative legal value as some schools of thought within the Islamic tradition assert.<sup>27</sup>

In order to answer these questions, a brief discussion as to what constitutes an authentic Ḥadīth according to classical Islamic Ḥadīth sciences follows and how the canonical Ḥadīth body of literature depicts the persona of Prophet Muhammad.

A sound Ḥadīth, in its 'post-Shafi' classical form consisted of a *matn* (text) and chain of transmitters (*isnād*), usually but not always going back to the Prophet.<sup>28</sup> *Muḥaddithūn*<sup>29</sup> have formulated an impressively elaborate and complex hierarchy of Ḥadīth authenticity but *not* of their epistemological worth, which was the task of the Islamic legal theorists (*uṣūliyyūn*) who were primarily concerned with issues pertaining to legal theory and its methodology. The evaluation of the *soundness* of a Ḥadīth,<sup>30</sup>

expeditiously studied by T. Izutsu in *God and Man in the Qur'ān: a Semantical Analysis of Qur'ānic Weltanschauung* (Toronto: McGill University Press, 1964).

<sup>27</sup> See, for one example, A. Duderija, *Neo-Traditional Salafis as True Custodians of Sunnah: A Critical Analysis of the Neo-Traditional Salafī Methodology (manhaj) of Sunnah and its Underlying Epistemologico-methodological Assumptions in the Light of Most Recent Scholarship on Muslim Tradition*, unpublished Honours thesis, University of Western Australia, 2004.

<sup>28</sup> For an overview of 'ulum-ul-ḥadīth sciences, see, e.g., H.M. Kamali, *Ḥadīth Methodology-Authenticity, Compilation, Classification and Criticism of Ḥadīth* (Kuala Lumpur, Malaysia: Ilmiah Publ., 2002).

<sup>29</sup> People involved in the collection, transmission, compilation, authentication, and criticism of Ḥadīth.

<sup>30</sup> Which were categorised as *ṣaḥīḥ* (sound), *ḥasan* (good), *ḍa'īf* (weak) and other intermediate values. For more on the classification of Ḥadīth, see work cited in footnote 25.

1 a task of the *muḥaddithūn*, were based upon the ‘*adālah*’/uprightness of the  
 2 narrators founded on certain criteria such as his/her memory and character  
 3 *regardless* of their epistemological value.

4 The epistemological study of Ḥadith concerned with the number of  
 5 individual chains of narrations (*isnād*) ranging from *aḥad* to *mutawātir*  
 6 Ḥadith were a part of the *fuqahā*’s larger concern relating to legal meth-  
 7 odology (‘*uṣūl-ul-fiqh*’). The *mutawātir* Ḥadith are those narrations, which  
 8 have been transmitted by such a large number of people that, according  
 9 to great majority of ‘*uṣūliyyūn*, they yield certain or immediate (*ḍarūri*)  
 10 knowledge.<sup>31</sup> It must be noted, however, that there is no consensus on  
 11 either the criteria pertaining to assessment of uprightness of narrators  
 12 (‘*ilm-ul-rijal*’), or on how many *isnād* constitute and render a narration  
 13 *mutawātir*.<sup>32</sup> There are indeed very few *mutawātir* Ḥadith, including those  
 14 that (could) relate to law.<sup>33</sup>

15 *Aḥad* Ḥadith, on the other hand, are those narrations, which do not  
 16 fulfil the *mutawātir* criteria and by default do not yield certain knowledge  
 17 (*yaqīn*) as stipulated by the majority of Muslim jurists,<sup>34</sup> but only *zann* or  
 18 uncertainty and are thus legally not binding and cannot be considered as  
 19 part of ‘*aqīdah*’ or Islamic creed. However, *muḥaddithūn* belonging to ‘*abl-*  
 20 *ul-hadith*’ movement, unlike the jurists/*fuqahā*’ belonging to a particular  
 21 school of thought, such as for example the most widely spread Ḥanafī  
 22 *madhhab*, claim that even *aḥad* Ḥadith are legally binding and are part of  
 23 the ‘*aqīdah*’.<sup>35</sup> These differences often result in polemics between the so-  
 24 called Khalafī and Salafī adherents.<sup>36</sup> The *aḥad* narrations, according to

25 <sup>31</sup> W. Hallaq, “The Authenticity of Prophetic Ḥadith: a Pseudo Problem”, *Studia*  
 26 *Islamica*, 1999, pp. 75-90, 79.

27 <sup>32</sup> The numbers given are 4, 12, 20, 40, 70 or as large as 313. *Ibid.*, Also A. Zysow,  
 28 *The Economy of Certainty: An Introduction to the Typology of Islamic Legal Theory*,  
 29 Harvard University (Ph.D. Dissertation), 1984, pp. 11-31. In Ḥanafism an intermediate  
 30 epistemological value by the name of *mashhur* or well-known Ḥadith exists. *Ibid.*,  
 31 pp. 24-32.

32 <sup>33</sup> See Kamali, *Ḥadith Methodology*, pp. 241-249; also Hallaq, “The Authenticity”, *op.cit.*

33 <sup>34</sup> A. Zysow, *The Economy of Certainty: An Introduction to the Typology of Islamic*  
 34 *Legal Theory*, Harvard University (Ph.D. Dissertation) 1984.

35 <sup>35</sup> See, e.g., N. Al-Abanee, *The Principals of Salafī Methodology* (Toronto: TROID) 2003,  
 36 pp. 33-36.

37 <sup>36</sup> From a neo-Traditional Salafī point of view, see *Ibid.*, pp. 63-68. Khalafīs are jurists  
 38 who have remained faithful to their Qur’āno-Sunnahic hermeneutic school of thought  
 39 rather than follow the ‘*abl-ul-hadith*’ methodology as espoused by the Salaf. One of the  
 40 differences between the two ‘camps’ is the validity and epistemological value of *aḥad*

Hallaq, form the large bulk of the canonical Ḥadith literature.<sup>37</sup> The ‘amal, or practise-based, Ḥadith independent aspect<sup>38</sup> of the Sunnah like other non-written constituents of Sunnah, as I have argued elsewhere,<sup>39</sup> have a *mutawātir* value.<sup>40</sup>

The canonical collections of Sunni<sup>41</sup> Ḥadith literature, the so-called ‘*ahl-ul-kut ūb-is-sitta*, consist of thousands of individual reports considered as being the most authentic indicators of and therefore embodying Sunnah of the Prophet.<sup>42</sup> As a whole, this body of literature presents a picture of the Prophet as issuing orders or advising the contemporary Muslim community on a vast number of issues concerning Islamic dogma, law, theology, ethics and morality, even to the extent of laying down rules concerning the most private spheres of an individual’s life. Those who uphold the *a priori* literal, Ḥadith-dependent Sunnah value of these narrations consider thus nearly all aspects of the Prophet’s behaviour as having a normative precedent to be blindly imitated in a spacio-temporal vacuum by ‘pious’ Muslims. This conceptualisation of Sunnah is at odds, as I have argued elsewhere,<sup>43</sup> with the very nature of the Qur’ānic-Sunnahic character that prevailed during the first three or even four generations of Muslims. Does this concept of Sunnah as being Ḥadith-dependent reflect the extent, importance and nature of Ḥadith at the time of the first four

Ḥadith in law and theology. Apart from these differences in Qur’āno-Sunnahic methodology the Khalaf maintain that *aḥad* Ḥadith do not have any *a priori* value in the realms of belief (*‘aqidah*) while the Salaf consider *aḥad* narrations *a priori* epistemologically valid in terms of their jurisprudential and doctrinal values.

<sup>37</sup> W. Hallaq, “The Authenticity”, *op.cit.*

<sup>38</sup> Elsewhere I have argued that the concept of Sunnah consists of four distinct aspects: Sunnah ‘*amaliyah*, Sunnah *fiqhīyah*, Sunnah *akḥlaqīyah*, and Sunnah ‘*aqidiyah*.. See footnote 4.

<sup>39</sup> A. Duderija, “The Evolution in the concept of Sunnah during the first four generations of Muslims in relation to the development of the concept of an authentic Ḥadith as based on recent western scholarship”, unpublished article.

<sup>40</sup> G.H.A Juynboll, *The Authenticity of the Tradition Literature: Discussions in Modern Egypt* (Leiden: Brill, 1969) p. 11.

<sup>41</sup> The Shi’ah Muslims have their own canonical Ḥadith corpus of literature whose authenticity is on the same, if not less authentic, level. For a brief evaluation of Shi’ah Ḥadith compendia and Shi’ism in general, see I. Goldziher, *Introduction to Islamic Law and Theology*, trans. A. and R. Hamori (Princeton: Princeton University Press) pp. 174-229.

<sup>42</sup> With various levels of authenticity ranging from *ḍa’if* (weak) to *ṣaḥīḥ* (most authentic). The most authentic collections in Sunni Islam are those of Al-Bukhari (d. 256 Islamic/261 Muslim calendar).

<sup>43</sup> See footnote 5.

1 generations of Muslims prior to the period when the classical definition  
2 of Sunnah established itself? The next section addresses this question.

### 3 4.1. *Ḥadith at the Time of the Prophet: Extent, Nature and Importance*

4 According to Schoeler, it is difficult to determine accurately the extent to  
5 which early transmission of tradition was oral or written in nature.<sup>44</sup> How-  
6 ever, Souaiaia has recently convincingly argued that orality has from the  
7 very genesis of Islamic thought been the primary medium for preserving  
8 authentic transmission of knowledge.<sup>45</sup> The transmitted knowledge (either  
9 oral or written) consisted of short solitary report(s), which referred:

10 ... zu einem bestimmten historischen Faktum oder Verlauf gewesen ist[sind] und nicht  
11 (wie in anderen Kulturbereichen) die umfangreichere Darstellung grosserer Zusammen-  
12 menhaenge unter bestimmten Gesichtspunkten.<sup>46</sup>

13 These solitary reports were firstly transmitted orally and later put in writ-  
14 ing in the form of small, somewhat more comprehensive, collections.<sup>47</sup>  
15 Hallaq's view that the number of Ḥadith up to the end of the first century  
16 were "insufficient to constitute the basis of a substantial doctrine of posi-  
17 tive law",<sup>48</sup> can be used as one approximate measurement of the extent of  
18 the written material during the first century of Hijrah.

19 We argued elsewhere that the *practical, non-written* embodiment of  
20 Prophetic actions, such as the ritual prayer, were adopted by the Muslim  
21 community in Medina and could be perpetuated from one generation to  
22 another simply by means of copying and repeating of actions (that is  
23 without relying on written-based sources).<sup>49</sup> This is how most Muslims

24 <sup>44</sup> See G. Scholer, "Die Frage der schriftlichen oder der muendlichen Ueberlieferung der  
25 Wissenschaften im fruehen Islam" in: *Der Islam*, Bd. 62 (1985), pp. 201-230. For more  
26 on this subject in general, see G. Schoeler, *Character und Authentie der muslimischen*  
27 *Ueberlieferung ueber das Leben Muhammeds* (Berlin: Walter de Gruyter, 1996), especially  
28 pp. 166-171. Also F.M. Donner, *Narratives of Islamic Origins: The Beginnings of Islamic*  
29 *Historical Writing* (Princeton: Darwin Press, 1998). For the most recent summary of the  
30 studies pertaining to this issues, see Guenther, "Assessment of the Sources", *op.cit.*

31 <sup>45</sup> Souaiaia, *The Function of Orality*, *op.cit.*

32 <sup>46</sup> A. Noth, "Der Character der ersten grossen Sammlungen von Nachrichten zur frue-  
33 hen Kalifenzeit", in *Der Islam*, Bd. 47, 1971, p. 198.

34 <sup>47</sup> *Ibid.*, p. 199.

35 <sup>48</sup> W. Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge  
36 University Press, 2005) p. 69.

37 <sup>49</sup> See work in footnote 5.

have learnt to perform their prayer even to this day.<sup>50</sup> The *practical* perpetuation of Sunnah was, however, not the only way the Sunnah was transmitted. Elsewhere I also argued that other non-*amal*-based constituents of Sunnah, namely ethico-religious (Sunnah *akhlaqīyah*), principal or value-based Sunnah<sup>51</sup> (e.g. *Sunnāt al-‘adīla* or *jarāt as-sunnah*), and reason-compliant Sunnah could also be formulated, preserved and transmitted purely orally and independent of any written documentation.<sup>52</sup> However, this does not mean that no written documentation of Sunnahic precepts and practices existed. The Prophet, as an ultimate authority and spiritual figure with the highest prestige among his devout followers, was always at the centre of attention in the Muslim community of Medina. The *general body* of written literature *as a whole* concerning the Prophet, such as the *sira*,<sup>53</sup> *maghazi*<sup>54</sup> and Ḥadīth texts demonstrates that those close to him were eager to spend as much time in the Prophet’s company observing his actions, asking for his advice and, in their absence from the Prophet, wishing to find out what he did and said often in an *ad hoc* manner.<sup>55</sup> Thus, it would be reasonable to argue that some written form(s) of proto-Ḥadīth<sup>56</sup> existed in the earliest days of the Muslim community, including the Prophet’s time itself.<sup>57</sup>

Indeed, the works of Abbott, Sezgin and Al-Azami have argued with some success that, against those authorities who questioned the existence and writing down of Ḥadīth during the earliest time of the Muslim

<sup>50</sup> Learning how to perform the prayer based entirely on *ahādīth* presents us with numerous difficulties, as there are a number of contradicting pieces of evidence as to the performance of individual elements of the Prophet’s prayer or some of them are not mentioned. See, e.g., Bukhari’s *Ṣaḥīḥ* chapters on characteristics of *as-salat*. M. Al-Bukhari, *Saḥīḥ al-Bukhari*, trans. M.M. Khan, 9 vol., Lahore, 1979.

<sup>51</sup> Based on the objective nature of ethical value.

<sup>52</sup> A. Duderija, “The role of Sunna and its evolution in the development of early Islamic jurisprudence”, article under review.

<sup>53</sup> Usually translated as biography of Prophet’s life.

<sup>54</sup> Pertaining to military operations in which the Prophet was involved.

<sup>55</sup> See I. Goldziher, *Muslim Studies*, Trans. Barber & Stern (London: George Allen & Unwin Ltd., 1971) Vol. 2, p. 18.

<sup>56</sup> By the term ‘proto-Ḥadīth’ I mean a form of a written narrative about Prophet Muhammad that did not fulfil the latter established Ḥadīth criticism criteria such as (continuous) a chain of narrators. C.F. Guenther, *Assessing the Sources*, *op.cit.*

<sup>57</sup> N. Abbott, *Studies in Arabic Literary Papyri*, Vol. 2, *Qur’ānic Commentary and Tradition*, University of Chicago Oriental Institute Publ., Vol. 76 (Chicago: The University of Chicago Press, 1967) pp. 5-33.

1 community,<sup>58</sup> the process of writing down proto-Ḥadīth started during the  
 2 Prophet's own time.<sup>59</sup> Regardless of the value of the work of these scholars,<sup>60</sup>  
 3 Goldziher's following remarks express the reasonableness of existence of  
 4 written recordings of Prophetic activity while the Prophet was alive:

5       There is nothing against the assumption that the Companions and disciples wished to  
 6       keep Prophet's sayings and rulings from being forgotten by reducing them in writing"  
 7       and that "it can be assumed that the writing down of Ḥadīth was a very ancient  
 8       method of preserving it."<sup>61</sup>

9       At the time of the Prophet, writing down the Ḥadīth, however, was rather  
 10       a random and individualised undertaking.<sup>62</sup> The number of Ḥadīth must  
 11       have been rather limited, for Rahman writes, "the only need for which it  
 12       [Ḥadīth] would be used was the guidance in the actual practice of the  
 13       Muslims and this need was fulfilled by the Prophet himself."<sup>63</sup> Similarly  
 14       the *actual nature* and *concept* of Prophetic *authority* as a whole, in fact, was  
 15       not conducive to proliferation of Ḥadīth. In this context, Rahman points  
 16       out that:

17       ... the overall picture of Prophetic biography—if we look behind the colouring sup-  
 18       plied by the Medieval legal mass-has tendency to suggest the impression of the prophet  
 19       as a pan-legist neatly regulating the fine details of human life from administration to  
 20       those of ritual purity. The evidence, in fact, strongly suggests that the Prophet was  
 21       primarily a moral reformer of mankind and that, apart from occasional decisions,

22       <sup>58</sup> As argued by J. Schacht in *Origins of Muhammedan Jurisprudence* (Oxford: Clarendon  
 23       Press, 1950) and *Introduction to Islamic Law* (Oxford: Clarendon Press, 1964).

24       <sup>59</sup> N. Abbott, *Studies in Arabic Literary Papyri II*, *op.cit.* F. Sezgin, *Die Geschichte des*  
 25       *arabischen Schriftentums* (Leiden, 1967), Vol. I, part dealing with Ḥadīth; M. Al-Azami,  
 26       *Studies in Early Ḥadīth Literature* (Beirut: Al-Maktab al-Islami, 1968). The methods and  
 27       the conclusions of these scholars have been challenged by a number of other scholars who  
 28       belong to the so-called 'Wansborouch' school of thought. See further, H. Berg, *The*  
 29       *Development of Exegesis in Early Islam* (Curzon, 2000); H. Berg (Ed.) *Method and Theory in*  
 30       *the Study of Islamic Origins* (Brill: Leiden, 2003).

31       <sup>60</sup> For a useful summary on the debates over the value and usefulness of the works of  
 32       these scholars, see H. Berg (Ed.), *Method and Theory in the Study of Islamic Origins* (Leiden:  
 33       Brill, 2003).

34       <sup>61</sup> Goldziher, *Muhamedan Studies*, p. 22.

35       <sup>62</sup> Abbott, *Studies in Arabic Literary Papyri*, *op.cit.*

36       <sup>63</sup> F. Rahman, 'The Living Sunnah and *al-Sunnah wa-l-Jamā'ah*' in: *Ḥadīth and*  
 37       *Sunnah—Ideals and Realities: Selected Essays* (Kuala Lumpur: Islamic Book Trust, 1996)  
 38       p. 150.

which had the character of ad hoc cases; he seldom resorted to general legislation as a means of furthering the Islamic cause.<sup>64</sup>

In addition, given the circumstances of the Prophet's mission, a large body of written documentation was not warranted. In this context Rahman avers:

... that the Prophet, who was, until his death, engaged in a grim moral and political struggle against the Makkans and the Arabs and in organising his community-state, could hardly have found time to lay down rules for the minutiae of life...

It was only on major policy decisions with regards to religion and state and on moral principles that the Prophet took formal action but even then the advice of his major Companions was sought and given publicly and privately.<sup>65</sup>

At this point in time, and for most of the first two centuries of the Islamic calendar, the nature of the concepts of the Sunnah and Qur'an were essentially seen as a coherent whole existing in a unitary, symbiotic, hermeneutic relationship that Graham called the 'Prophetic-Revelatory event'.<sup>66</sup> Furthermore, the *overall life and circumstances* under which Prophetic embodiment of the Qur'anic message manifested itself, as reflected in the Qur'anic content itself, suggests that many Qur'ano-Sunnahic principles were also socio-culturally and situationally embedded and are to be understood in terms of general ethico-religious principles rather than in a literal all-comprehensive manner.<sup>67</sup> In other words, the Sunnah was conceptualised in values or objective-based parameters rather than an all-embracing source of positive law.<sup>68</sup> It is because of these factors that there was no urgency and need felt for a large-scale written documentation of Prophetic words or deeds at this period of time in Muslim history.

<sup>64</sup> *Ibid.*, p. 136.

<sup>65</sup> *Ibid.*, p. 137; For the most up-to-date summary on the nature and extent of written/oral transmission of the earliest traditional material, see H. Berg, *Method and Theory in the Study of Islamic Origins*, (Leiden: Brill, 2003). Also works by G. Schoeller as cited in footnote 41.

<sup>66</sup> W.A. Graham, *Divine Word and Prophetic Word in Early Islam*, p. 12. Duderija, "The Evolution in the concept of Sunnah", pp. 13-18; Duderija, "Neo-Traditional Salafis as true custodians of Sunnah", pp. 33-37.

<sup>67</sup> See A. Duderija, "The Importance of recognizing Qur'anic assumptions as evident in its text in Developing a Qur'anic Hermeneutic and Islamic Legal Theory", under review.

<sup>68</sup> This is how, in many cases, Ḥadīth literature depicts the Prophet. For more on this see A. Duderija, *The Role of Sunnah in Early Islamic Jurisprudence*, article under review.

1 4.2. *Ḥadith at the Time of the Companions and Earliest Successors*

2 With the death of the Prophet, Ḥadith attained a semi-formal status.<sup>69</sup>  
 3 The main purpose of Ḥadith, as mode of Sunnahic transmission, was,  
 4 according to Rahman, for practical reasons “as something, which could be  
 5 generated and be elaborated into the practice of the community”.<sup>70</sup> Its  
 6 random writing down marked the development of Ḥadith during this  
 7 period of time in simple notebooks usually referred to as *ṣaḥīfah/ṣuḥuf*.<sup>71</sup>  
 8 Nonetheless, judging by their own involvement in making decisions based  
 9 upon them, the importance given to Ḥadith at the time of the Caliphs  
 10 was not great. Juynboll asserts that:

11 It is safe to say that Abu Bakr, the first caliph, cannot be identified with Ḥadith in any  
 12 extensive way. This may show that during his reign examples set by the prophet or his  
 13 followers did not play a decisive role in Abu Bakr’s decision making. With regards to  
 14 second Caliph’s [Umar] use of word Sunnah ‘the term is usually use to mean: the nor-  
 15 mative behaviour of a good Muslim in the widest sense of the word’ [rather than a  
 16 Ḥadith].<sup>72</sup> In case of the Uthman’s [third Caliph] view of Ḥadith in conducting of  
 17 community’s affairs Uthman seems to have relied solely on his judgement.<sup>73</sup>

18 From all the different sources<sup>74</sup> on which the juristic decisions of Ibn  
 19 Abbas’s (d. 68) disciples such as Ata b. Abi Rabah were based, only a small  
 20 number of Prophetic Ḥadith were used.<sup>75</sup>

21 By the same token, the importance given to Ḥadith during the entire  
 22 period of the Umayyad Caliphate (ending in 132 AH/750 CE) was ‘a

23 <sup>69</sup> 70-80 A.H.—all the dates are based on works by Sezgin, *op.cit.*; Al-Azami *Early*  
 24 *Ḥadith* and S.C. Lucas, *Constructive Critics, Ḥadith Literature, and the Articulation of*  
 25 *Sunni Islam—The Legacy of the Generation of Ibn Sa’d, Ibn Ma’in, and Ibn Ḥanbal* (Leiden:  
 26 Brill, 2004) pp. 331-369.

27 <sup>70</sup> Rahman, *Living Sunna*, p. 150.

28 <sup>71</sup> F. Sezgin, *Die Geschichte des arabischen Schriftentums* (Leiden, 1967) Vol. 1, p. 55.  
 29 Sezgin gives a number of *ṣaḥīfah/ṣuḥuf* written by Companions including those of Amr b.  
 30 Al-As (b. 7 BH, d. 65), Gundab (d. 60 AH), Al-Hazragi (b. 16 BH, d. 78 AH) and others  
 31 from this period, pp. 84-86.

32 <sup>72</sup> Juynboll, *Muslim Tradition*, p. 26.

33 <sup>73</sup> *Ibid.*, p. 28. For more on this, see *ibid.*, pp. 25-30.

34 <sup>74</sup> According to Motzki, other sources included the Qur’ān, his teacher’s teachings (which  
 35 played a dominant role), the decisions taken by Caliph Umar and other Companions; H.  
 36 Motzki, *Die Anfaenge der islamischen Jurisprudenz* (Deutsche Morgenlaendische Gesellschaft,  
 37 Franz Steiner Verlag, 1991) p. 257.

38 <sup>75</sup> *Ibid.*

marginal phenomenon'.<sup>76</sup> The early religious epistles<sup>77</sup> studied by Van Ess<sup>78</sup> and Cook,<sup>79</sup> suggest that the term Sunnah "has nothing to do with Ḥadith" and that in them Ḥadith are rarely, if at all, cited but that this "lack of Ḥadith did not betray any hostility towards the notion of Sunnah".<sup>80</sup> Again, these statements must be understood in the context that the understanding of the word Sunnah at that time, as we demonstrated earlier, was ethico-religious in nature,<sup>81</sup> permitting a large scope for exercising of one's own judgement so that Ḥadith was "interpreted by the rulers [of that time] and the judges freely according to the situation at hand."<sup>82</sup>

An indication that practice-based, non-written Sunnah was considered superior to that of Ḥadith is found in the chapter of Iyad's book entitled *On What Has Been Related from the First Community and the Men of Knowledge Regarding the obligation of Going Back to the Practice ('amal) of the People of Medina, and Its Being a Conclusive Proof (hujja) in Their Opinion, even if it is Contrary to Ḥadith* (al-athar).<sup>83</sup>

Elsewhere Iyad notes that Umar Ibn al-Khattab [second caliph] once said on the *mimbar* (pulpit), "By Allah, I will make things difficult for any man who relates a Ḥadith which is contrary to '*amal*."<sup>84</sup> Another factor which leads us to conclude that Ḥadith literature did not enjoy a great deal of importance in legal matters, and that it was quite restricted in scope in the first century, is the fact that the nature of legal literature from that period deals overwhelmingly with issues that the Qur'an addresses *directly* such as inheritance, marriage and divorce, injury and compensation, rather than those aspects of the Prophet's life that were not directly

<sup>76</sup> Crone and Hinds, *God's Caliph*, p. 73.

<sup>77</sup> The actual dating of epistles is disputed as opinions differ regarding their authenticity. If they cannot be dated back to the 1st century Hijrah, as Cook suggests (see fn 252), it is reasonable to suggest that they are the product of the writings from the 2nd century Hijrah.

<sup>78</sup> J. Van Ess, *Zwischen Hadith und Theologie* (Berlin, 1975); *Anfaenge Muslimischer Theologie* (Broschert: F. Steiner Verlag, 1977). For Cook, see the next footnote.

<sup>79</sup> The list of them can be found in M. Cook, *Early Muslim Dogma: A Critical Source Study* (Cambridge: Cambridge University Press, 1981) pp. 6-7.

<sup>80</sup> *Ibid.*, pp. 16-18.

<sup>81</sup> *cf.* Cook, *Early Muslim*, bottom p. 17 and top of p. 18.

<sup>82</sup> *Ibid.*, p. 150.

<sup>83</sup> Cited in Y. Dutton, *The Origins of Islamic Law—The Qur'an: the Muwatta and Madinian 'Amal* (Routledge, Curzon, 2002) p. 43.

<sup>84</sup> *Ibid.*

1 alluded to by the Qur'an.<sup>85</sup> J. van Ess' examination of first century Muslim  
2 literature led him to conclude that the use of Ḥadith and their impor-  
3 tance in these works was practically non-existent.<sup>86</sup>

4 The earliest indications that Ḥadith literature was spreading are the sto-  
5 ries about the *faḍā'il* (merit) of the Companions which are likely to have  
6 originated during the caliphate of Abu Bakr, that is during the first two  
7 years after the Prophet's death giving rise to what can be termed as politi-  
8 cally motivated Sunnah.<sup>87</sup> Another genre of early Ḥadith literature is the  
9 *awā'il*/anecdotes of the *quṣṣās* (preachers) originating at about 40 AH.<sup>88</sup>  
10 The subject matter of these Ḥadith/stories predominantly dealt with edifi-  
11 cation of the Prophet and the first generation Muslims termed *tarhīb wa*  
12 *targhīb*. Another early genre of written literature to emerge was that of  
13 rudimentary *tafsīr* which was, however, not recorded during the Prophet's  
14 time.<sup>89</sup> The *ḥalāl-ḥarām* genre of Ḥadith (i.e. those which have a legal  
15 value) "must have been extremely limited in scope and were mainly the  
16 products of individual judgement on the part of the first legal minds Islam  
17 produced."<sup>90</sup>

18 In terms of *isnād* development, the second element in the 'authentic  
19 Ḥadith' equation, is only towards the end of the period under examina-  
20 tion (70 AH) that the first consistent usage of *isnād* was put into practice.<sup>91</sup>  
21 Modes of transmission were both oral and written in nature and included  
22 reading from a Ḥadith book by a teacher to students (*samā'a*), reading by

23 <sup>85</sup> M. Al-Azmi, *On Schacht's Origins of Muhammadan Jurisprudence* (Riyadh: King Saud  
24 University, 1985) pp. 24-25.

25 <sup>86</sup> J. van Ess, *Hadith und Theologie*, p. 122.

26 <sup>87</sup> See author's article "*Abādīth and Early Muslim Community Politics*" at <http://www.understanding-islam.com/related/text.asp?type=rarticle&raid=332>

27 <sup>88</sup> Juynboll, *Muslim Tradition*, p. 11.

28 <sup>89</sup> Souaiaia, *The Function of Orality*, p. 41.

29 <sup>90</sup> *Ibid.*, p. 17.

30 <sup>91</sup> Al-Zuhri (50/60-120 AH) is accredited with this title; see Juynboll, *Muslim Tradition*,  
31 p. 18; cf. Lucas, *Constructive Critics*, who when talking about the period under examination  
32 asserts the following: There is very little evidence of Ḥadith being written at this point,  
33 and the employment of *isnāds* would have been utterly unnecessary for the simple reason  
34 that it would have been east for each *tabī'i* (Successor) to recall whether their *ṣaḥabī*  
35 teachers had heard their prophetic reports from the Prophet himself or from another  
36 *ṣaḥabī*, pp. 340-341; cf. Guenther, 'Assessing the Sources', *op.cit.* On origins of *isnād*, see  
37 G.H.A. Juynboll, 'Some Notes on Islam's First *Fuqahā'* Distilled from Early Ḥadith  
38 Literature', *Studies on the Origins and Uses of Islamic Ḥadith* (Ashgate: Variorum, 1996)  
39 pp. 287-314, 290-292.  
40

students from books to teachers (*ard/qirā'a*) and written correspondence (*wasīyah*).<sup>92</sup> Towards the end of this period, coinciding with the establishment of regional schools of thought and regional Sunnah, most of the Ḥadīth were regional in character, having regional *isnāds* based on the Companion's *interpretation* of Prophetic Sunnah.<sup>93</sup> The *isnād* of Ḥadīth stopped at the level of the Companions (or Successors) supporting the broader principle of the schools' general concept that Companions were in the best position to internalise and be living proponents of Prophetic Sunnah.<sup>94</sup> This was reflected in their overall Sunnahic hermeneutic we referred to elsewhere as *as-sunnah al-mā'rufa* and/or regional Sunnah.<sup>95</sup>

#### 4.3. *Ḥadīth at the Time of Successors and Early Successors: Successors up until 130 AH*

The previous discussion led us to conclude that most of the Companions and early Successors had died before the importance of 'standardised Ḥadīth' came into being and that '*amal* and oral-based Sunnah still enjoyed more credence than Ḥadīth. The end of the first and beginning of the second century saw a significant growth of Ḥadīth as a result of the *talab ul-'ilm/rihla* phenomenon<sup>96</sup> so that Ḥadīth acquired more currency.<sup>97</sup> As argued elsewhere, two broad mechanisms were responsible for this development. Firstly, the general perception among some influential and reputable Successors that the expanding Muslim empire would become organically detached from the Qur'anic and Sunnahic teachings was becoming widespread. Secondly, a change in political fortunes and subsequent rise of the Abbasid dynasty (132 AH), which used the argument of being custodians of the Prophet's Sunnah through his uncle's cousin Abbas to justify and legitimise their political power, along with partisan tensions that emerged within the nascent Muslim community fighting for religious

<sup>92</sup> Al-Azmi, *Studies*, pp. 24-31; Sezgin, *Die Geschichte*, pp. 55-84. Souaiaia, however, has questioned that the given terminology implies written transmission arguing that they all implied oral transmission. Souaiaia, *The Function of Orality*, *op.cit.*

<sup>93</sup> Juynboll, *Muslim Tradition*, pp. 39-66.

<sup>94</sup> *Ibid.*

<sup>95</sup> Duderija, "The evolution in the concept of Sunnah", pp. 24-27.

<sup>96</sup> Journeys undertaken by pious Muslims who wanted to preserve Prophet's words and put them in writing. On the extent of such journeys and how they contributed to the development of the early Islamic written tradition, see Abbott, *Studies*, pp. 40-57.

<sup>97</sup> Crone and Hinds suggest that this happened late in the Umayyad or early Abbasid period, *God's Caliph*, pp. 83-84; cf. Lucas, *Constructive Critics*, p. 348.

1 legitimacy, created an ever greater impetus for a more systematic collec-  
 2 tion of, and searching for, Sunnah in *any* form.<sup>98</sup> These two trends resulted  
 3 firstly in the practice-based Sunnah being increasingly clad in the mantle  
 4 of written-based Sunnah, and secondly in the development of more strin-  
 5 gent mechanisms to establish its authenticity of written—especially in  
 6 terms of the mode of its transmission, i.e. *'ulum-ul-isnād*.

7 At this time, the largely *regional* character of the Ḥadīth body of litera-  
 8 ture, due to increased inter-regional contact, now became 'mixed', that is,  
 9 it consisted of local/regional and inter-regional Ḥadīth.<sup>99</sup> It is at this point  
 10 in time that the scattered Ḥadīth were now increasingly gathered together  
 11 and compiled into books.<sup>100</sup> Modes of Ḥadīth transmission, apart from  
 12 those already in operation,<sup>101</sup> included *munawalah* (handing book to a stu-  
 13 dent without *samā'a* or *qirā'a*), *ijazah* (giving permission to teach Ḥadīth  
 14 contained in a book) and *wasīyah* (entrusting a book for transmission).<sup>102</sup>

15 Nonetheless, while the importance of Ḥadīth was slowly gaining more  
 16 ground, the transmission, compilation and normalization of Ḥadīth was  
 17 still not widespread at this point in time. For example, the first public  
 18 statement containing a prophetic Ḥadīth (without an *isnād*) for govern-  
 19 mental purposes was only instituted at the time of Caliph Al-Mahdi in the  
 20 year 159 AH/776 CE.<sup>103</sup> Moreover, Motzki argues in the context of the role  
 21 and importance of Ḥadīth as sources of legal doctrine in Mecca during the  
 22 period under examination that: "*Propheten-ahādīth spielten als Rechtsquellen*  
 23 *nur eine bescheidene Rolle*".<sup>104</sup> Furthermore, most of the Ḥadīth during this

24 <sup>98</sup> Duderija, 'The Evolution in the concept of Sunnah', p. 31. Abbott has identified a  
 25 number of other specific factors which favoured the recording of Ḥadīth including the  
 26 socio-economic ambitions of the non-Arabs attained by their involvement in religious  
 27 sciences, the threat and fear of heresy and religious innovation (*bid'ah*) creeping into the  
 28 tradition, the firm establishment of family *isnād*, the expansion of journeys (*rihlah*, *talab*)  
 29 aimed for collection of reports and of the profession of the *warraq* (bookseller/publisher,  
 30 the increase in student population and the progressive lengthening of *isnād*. Abbott, *Stu-*  
 31 *dies*, p. 56.

32 <sup>99</sup> Sezgin, *Die Geschichte*, p. 55.

33 <sup>100</sup> *Ibid.* This stage of development of writing down of Ḥadīth is usually referred to as  
 34 *tadwīn ul-hadīth*.

35 <sup>101</sup> See pp. 16-17 in this article.

36 <sup>102</sup> Al-Azmi, *Studies*, pp. 24-31; Sezgin, *Die Geschichte*, pp. 55-84.

37 <sup>103</sup> Crone and Hinds, *God's Caliph*, p. 83ff.

38 <sup>104</sup> Motzki, *Die Anfänge*, p. 258.

period were still going back to the Companions and Successors rather than to the Prophet himself and had incomplete chains of transmission.<sup>105</sup>

Whilst it is difficult to accurately generalise the usage of *isnād* in all major centres of learning, the following assertion by Motzki made in the context of the status of *isnād* usage in the Meccan School of jurisprudence during the first two centuries of Hijrah is likely to be indicative of the level of *isnād* development in general:

... im 1. Jahrhundert [war] die Angabe eines *isnād* eher Ausnahme als die Regel [und] dass sich seit dem Beginn des 2. Jahrhunderts aber der Gebrauch des *isnād* mehr und mehr durchsetzte. Das ist nur als eine Tendenz zu verstehen.<sup>106</sup>

Mathnee, in the context of critiquing Rahman's living Sunnah that extended right up to the Shafi'i period, considers this living Sunnah to have been used in an arbitrary fashion without reference to a particular authority and that it was susceptible to continuous change. He maintains furthermore that the Sunnah could refer either to a practice or tradition or combination of both and with multiple equivalent authorities.<sup>107</sup>

#### 4.4. *Ḥadīth at the Time of Successors up to and including Shafi'i (130-200 AH): Extent, Nature and Importance*

Above we have briefly noted the reasons for increased 'Ḥadīthification' of the concept of Sunnah.<sup>108</sup> We refer to these as the forces of *traditionalisation* that were responsible for the paradigm shift in the way in which not only the concept of Sunnah came to be understood but also the entire subsequent Islamic thought. The process of *traditionalisation* is defined here as those social, political and jurisprudential mechanisms that throughout the second century of Hijrah contributed to:

1. the gradual shift in formulation, preservation and transmission of knowledge from the oral to the written mode in general and, as a corollary, the continued growth and proliferation of Ḥadīth;

<sup>105</sup> Rahman, *Living Sunna*, p. 151; cf. Motzki, *Die Anfänge*, pp. 215-216.

<sup>106</sup> Motzki, *Die Anfänge*, p. 215.

<sup>107</sup> M.S. Mathnee, *Critical Reading of Fazrul Rahman's Islamic Methodology in History*, M.A. Thesis, University of Cape Town, 2005, p. 12.

<sup>108</sup> See p. 18.

- 1 2. the increased perceived importance given to Ḥadith at the cost of the
- 2 ethico-moral and 'amal-based concept of Sunnah;
- 3 3. the absorption of practical and oral-based Sunnah into Ḥadith;
- 4 4. the increased application of Ḥadith in Qur'ānic and Sunnahic sci-
- 5 ences such as *tafsīr*, *'uṣūl-ul-ḥaqīqah* and *'uṣūl-as-sunnah* including theol-
- 6 ogy and *'aqīdah*; and
- 7 5. the development of *hierarchical, literal* legal hermeneutic models that
- 8 were entirely textually based (i.e. based on the Qur'ān and Ḥadith)
- 9 and the marginalisation of non-textually based epistemologico-
- 10 methodological tools of Sunnah (and Qur'ān) such as notions about
- 11 of *ra'y* and *ijtihād*.

12 However, this process of traditionalisation during the first half of the sec-  
 13 ond century of Hijrah still did not appear to be dominant. For example,  
 14 according to Motzki who analysed the content of Abdarrazaq's (d. 211 AH)  
 15 *Musannaf* which contains materials from Ibn Abbas (d. 68 AH) and his  
 16 disciples, only 14% of Ibn Juraij's (d. 150 AH) text collections were based  
 17 on Prophetic *ahādīth*, not all of which were considered binding but only  
 18 those which were seen to be in accordance with the established Meccan  
 19 tradition.<sup>109</sup> In this context he argues that:

20 Propheten *ahādīth* haben [daher] auch in der ersten Haelfte des 2. Jahrhunderts im  
 21 mekkanischen *Fiqh* nur eine untergeordnete Rolle gespielt.<sup>110</sup>

22 It is also worth mentioning that of those 14%, less than one half of the  
 23 Ḥadith going back to the Prophet had a complete *isnād* and for those  
 24 *ahādīth* whose chain of narrators stopped at the level of the Companions  
 25 had even a lesser number of complete *isnād*.<sup>111</sup>

26 It is during the last half of the second century that the above-stated tra-  
 27 ditionalisation forces started to be felt more markedly. Therefore, this  
 28 period can be rightfully described as a period of transition between  
 29 regional non-Ḥadith-dependent concept of Sunnah and emerging con-  
 30 cept of Ḥadith-based Sunnah. What was the attitude of major authorities  
 31 on law towards this phenomenon, especially with regard to Ḥadith-based  
 32 Sunnah proliferation?

33 <sup>109</sup> Motzki, *Die Anfänge*, p. 259.

34 <sup>110</sup> *Ibid.*

35 <sup>111</sup> *Ibid.*

When talking about the same period under examination in terms of Ḥadith-*independent* Sunnah, the opinion of Abu Yusuf was quoted as to his attitude with regard to the problem of ever-expanding Ḥadith literature. This methodology is also repeated in another passage found in Abu Yusuf's work *al-Radd 'alā Siyar al-Awza'i* in which he states:

Ḥadith multiplies so much so that some Ḥadith are traced back through chains of transmission are not well known to legal experts, nor do they conform to Qur'an and Sunnah. Beware of solitary Ḥadith and keep close to the collective spirit of Ḥadith.<sup>112</sup>

The use of words well-known is highly significant here because it suggests that the well-known Sunnah was still conceptually different from Ḥadith and was used as a *methodological tool*, along with the Qur'an, to divorce Sunnah from Ḥadith.

Having examined the use of Ḥadith in Malik's *Muwatta*, al-Shaibani's *Kitab al-Siyar* and writings of Awza'i Rahman makes an important conclusion in saying that:

Awza'i regards the Ḥadith of the Prophet as being endowed with fundamental obligatoriness but the Sunnah or the living practice<sup>113</sup> is of same importance to him. His appeals to the practice of the Community or its leaders are to judge from the extinct materials, the most regular feature of his legal argumentation. Malik adduces Ḥadith (not necessarily Prophetic Ḥadith) to vindicate the Medinise Sunnah but regards Sunnah in terms of actual importance, as being superior to the Ḥadith.<sup>114</sup> As for Abu Yusuf and Shaybani, very few of whose legal Ḥadith go back to the Prophet at all, they interpret the Ḥadith with [a] freedom . . . The Iraqi school recognize the supreme importance of Ḥadith but the Ḥadith, according to it, must be *situationally* interpreted in order that law may be deduced from it.<sup>115</sup>

<sup>112</sup> Cited in Rahman, *Living Sunna*, p. 153.

<sup>113</sup> We use the expression practical *'amal*-based Sunnah as per Malik.

<sup>114</sup> This opinion is shared by Dutton who quotes a number of instances in Malik's *Muwatta* which validate this assertion, e.g. Abu Yusuf said (to Malik) "you do the *adban* with *tarji*, but you have no Ḥadith from the prophet about this. Malik turned to him and said, *Subhana Allah!* I have never seen anything more amazing than this! The call to the prayer has been done [here] every day five times a day in front of witnesses, and sons have inherited it from their fathers since the time of Messenger of Allah, may Allah bless him and grant him peace. Does this need 'so-and-so from so-and-so'? This is more accurate in our opinion than Ḥadith.", Dutton, *The Origins*, p. 43, also pp. 41-52 .

<sup>115</sup> Rahman, 'Living Sunna', pp. 155-156.

1 Sadeghi makes a similar assertion by asserting that “for Abu Ḥanifa and  
2 Al-Shaybani not only were the Ḥadith not a primary source of law in  
3 practice but that they were also possibly not always binding in theory  
4 either.”<sup>116</sup>

5 The importance given to what can be termed *situational* interpretation  
6 of Ḥadith in the light of the Qur’an and well-known Sunnah was due to  
7 the formulation and projection of many theologico-politically sectarian  
8 and moralo-legal Ḥadith to that on to the Prophet himself<sup>117</sup> that were  
9 taking place at the time. Many of these reports found their way into the  
10 Sahih Ḥadith books such as those compiled by Bukhari (d. 256 AD) and  
11 Muslim (d. 261 AH).<sup>118</sup> Also it is at this time that *Musnād* Ḥadith books  
12 came into existence. *Musnād* books contain Ḥadith which have uninter-  
13 rupted chains of transmission up to the level of the Companions and are  
14 ordered according to the Companions’ names. As such, they were not col-  
15 lected with an aim of being used as tools for jurisprudentic purposes, as in  
16 the case of Bukhari and Muslim.<sup>119</sup>

17 As we have seen from the above, this methodology of non-literal inter-  
18 pretation and conceptual differentiation of Sunnah and Ḥadith was still  
19 evident throughout most of the second century. Rather than accepting  
20 Ḥadith, even ‘authentic Ḥadith’, in an *a priori* fashion, the concept of *as-*  
21 *sunnah al-ma’rufa* was used, as a filter to distinguish between Ḥadith,  
22 which could potentially embody Sunnah, and those, which did not.

23 With regard to the development of *isnād*, it is during the third decade  
24 of the second century that birth of the ‘classical’ sciences of criticism of  
25 informants (*rijal*) started.<sup>120</sup> In additional, it should be pointed out that  
26 the bulk of Ḥadith put into wider circulation took place at the level of  
27 Successors’ Successors early during the second century and, according to  
28 Juynboll, no *foolproof* method in terms of discerning authentic from inau-  
29 thentic Ḥadith at the *isnād* level of Companions can be developed since  
30 the majority of Companions died prior to *isnād* science being systemati-

31 <sup>116</sup> B. Sadeghi, *The Structure of Reasoning in Post-Formative Islamic Jurisprudence: Continuity*  
32 *and Change in Post-Formative Positive Law* (Princeton, Ph.D. thesis, 2004) p. 139.

33 <sup>117</sup> For a description of this projection of *isnād* from level of successors and companions  
34 to that of Prophet, see Juynboll, *Muslim Tradition*, pp. 16-17, 19, 32, 42, 53, 70, 82.

35 <sup>118</sup> See F. Rahman, *Islamic Methodology in History*, Central Institute for Islamic Research,  
36 Lahore, 1965.

37 <sup>119</sup> Cf. Lucas, *Constructive Critics*, p. 358.

38 <sup>120</sup> Juynboll, *Muslim Tradition*, p. 20.

cally used<sup>121</sup> and because of the fact that Companions cannot be considered responsible for their being included in *isnāds*.<sup>122</sup>

#### 4.5. *Ḥadīth at the Time of Shafī'i, Ahmed Ibn Ḥanbal and Beyond*

The increase in volume and importance<sup>123</sup> of Ḥadīth in the theological and legal interpretation of the Qur'ān and Sunnah induced in the coming generations a frame-of mind in which it was expected that “ever new Ḥadīth should continue to come into existence in new situations to face novel problems—social, moral, religious.”<sup>124</sup> The champion and proponent of this Ḥadīth-based Qur'ānico-Sunnahic hermeneutic was Shafī'i.

Shafī'i's insistence on Sunnah being only in a written form with an authentic *isnād* going (in most cases) back to the Prophet diminished the value of the *ijtihād-ijmā'* element inherent in the concept of '*amal*'- and oral-based Sunnah,<sup>125</sup> and its overall importance in evolution of legal

<sup>121</sup> *Ibid.*, p. 74. cf. Hallaq, *The Origins and Evolution*, p. 41.

<sup>122</sup> Juynboll, 'Some Notes on Islam's first *Fuqahā'*, p. 296.

<sup>123</sup> In Duderija, 'The Evolution in the Concept of Sunnah' I present a summary of the reasons why Ḥadīth-based Sunnah was gaining an upper hand over the earlier regional/ *Sunnah al-mā'rūfah* or '*amal*'-based Sunnah. I argue: “The ‘epistemological promise’, of having access to the actual *words* of the Prophet himself in a documented form was much more attractive and ‘logical’ than the regional concept of Sunnah. One could argue that it was considered superior to it for several reasons by many of those who accepted its epistemologico-methodological premises. Firstly, the oral and then written in nature of proliferating ‘Sunnah’ was more tangible than one based on a vague behaviourally practical concept. Secondly, written-based Sunnah was more voluminous as it was collected across all regions of the Muslim empire rather than being limited to just one. Thirdly, it was more specific and dealt with a broader subject matter than a practice-based Sunnah, which was often based on the spirit of Qur'ān and Sunnah and was more difficult to verify. Fourthly, most of the reports were claimed to be going back to the Prophet, while the immediate source of practice-based Sunnah were the Successors and the practice of the community at the time. Fifthly, the practice of the regional community as a source of Sunnah was sometimes problematic because *not all* community practices were Sunnah-based so that scepticism about *all* of the community practices started to slowly creep in. Lastly, rather than relying on the general practice of the entire community, many of whom were ignorant of the complexities pertaining to the value and preservation of Sunnah, one was presented with a chain of several transmitters, many of whom were held in high esteem and were said to have had an unbroken ‘link’ to the Prophet himself and, as such, qualified as Sunnah's custodians.”, pp. 32-33.

<sup>124</sup> Rahman, 'Living Sunna', p. 159.

<sup>125</sup> The regional or '*amal*'-based Sunnah, according to Rahman, constantly re-defined and re-crystallised based as it was on two methodological tools: *ijtihād-qiyyās* (personal

1 hermeneutic development, and substituted it with that of Ḥadith-based  
2 one.<sup>126</sup> Noticing this conceptual shift in Sunnah, Rahman asserts that:

3       Whereas Sunnah was largely and primarily a practical phenomenon, geared as it was  
4       to *behavioural* norms, Ḥadith became the vehicle not only of legal norms but of  
5       religious beliefs and principles as well.<sup>127</sup>

6 In other words, the largely '*amal*-based, ethico-religious or value-objective-  
7 based and non-written-dependent concept of Sunnah that existed at the  
8 time of the first three generations of Muslims now became increasingly  
9 viewed as being qualitatively and quantitatively identical to specific, edi-  
10 fied and static view of the Sunnah as reflected in proliferating Ḥadith.  
11 This process was, however, not entirely complete. Shafi'i *madhhab* indeed  
12 differed from the '*ahl-ul-hadith* movement (as well as Ḥanafī and Maliki  
13 *madhhab*) spear-headed by Ahmed ibn Ḥanbal on several hermeneutic  
14 principles so that the former was described as semi-traditionalist whilst  
15 latter was referred to as traditionalist.<sup>128</sup> Maliki and Ḥanafī *madhhab* were  
16 usually referred to as rationalist.<sup>129</sup>

17 Ibn Ḥanbal, the major proponent of '*ahl-ul-ḥadith* movement's purely  
18 Ḥadith-based Sunnahic hermeneutic restricted the scope of non-textual  
19 and non-literal interpretations of the Sunnah (and the Qur'an) which still  
20 featured to some extent in Shafi'i thought even further. His approach to  
21 the concept of Sunnah is clearly demonstrated in his treatise *Tabagat-ul-*  
22 *Ḥanaabilah*<sup>130</sup> in which he states:

23       And the Sunnah with us are the *aathaar*<sup>131</sup> (narrations) of the Prophet" (*wa-s-sunnatu*  
24       '*indana atharu resulillah*). Moreover, in terms of epistemologico-methodological value

25 opinion thought to be in accordance with the broad, general concept of regional Sunnah  
26 termed *as-sunnah al-ma'rufa*) and *ijmā'* whose ultimate anchoring point was the Prophet,  
27 p. 140.

28 <sup>126</sup> *Ibid.*, p. 180.

29 <sup>127</sup> *Ibid.*, p. 160.

30 <sup>128</sup> Ch. Melchert, *The Formation of the Sunni Schools of Law in the 9th-10th centuries*  
31 (Leiden: Brill, 1997) p. 69. Also see Ch. 1 in his work on the relationship between '*ahl-ul-*  
32 *ḥadith* and '*ahl-ur-ra'y*.

33 <sup>129</sup> *Ibid.*

34 <sup>130</sup> This treatise is found in or attributed to A. Ibn Ḥanbal, *The Foundations of the*  
35 *Sunnah*, trans. A. Ibn M. Rafiq, Salafi Publ., 2003.

36 <sup>131</sup> *Athar* is usually a synonym for Ḥadith, generally going back to the Prophet but also  
37 to the time of the Companion, see Ansari, *Islamic Terminology*, p. 256.

and interpretational tool of Ḥadith, Ḥanbal maintains that: “the Sunnah (i.e. athar/ Ḥadith) explains and clarifies the Qurʾān (*wa-s-sunnetu*<sup>132</sup> *tufassiru-l-qurʾaan*)... there is no analogical reasoning in the Sunnah and the examples are not to be made for it” (*wa laisa fi-s-sunneti qiyyas, wa la tudbrebu laha al-amthal*).

Nor is it [Sunnah] grasped and comprehended by the intellects or the desires (*wa la tudreke bi-l-ʿuquli wa la-l ahwa*).<sup>133</sup>

Thus, Sunnah was epistemologically and methodologically self-identified with Ḥadith/athar and was considered as supreme commentary upon the already earlier discussed *deutungsbeduerfigkeit* of the Qurʾān.<sup>134</sup>

This period also witnessed for the first time the ordering of Ḥadith books solely according to *legal subjects* going back to the Prophet, such as Bukhari’s and Muslim’s *Ṣaḥīḥayn* (pl. of *Ṣaḥīḥ*). The criticism of Ḥadith literature, however, has since continued<sup>135</sup> so that the science of *ʿulum-ul-ḥadith* saw its efflorescence in the works of later authorities such as Al-Baghdadi (d. 463 AH), Al-Salah (d. 643 AH) and Al-Nawawi (d. 676 AH). It may therefore not come as a surprise to note that the most authentic Ḥadith compendia, such as those of Bukhari and Muslim, contain Ḥadith that were subsequently identified as weak (*ḍaʿīf*) or which did not fulfill some of the pre-requisites of authenticity for a *Ṣaḥīḥ* Ḥadith.<sup>136</sup>

The major juristic works of this time still did not exhibit the purely Ḥadith-based Sunnah hermeneutic. Indeed, Calder argues that all of the early Ḥanafi texts on law (based on the writings of Abu Ḥanifa, Abu Yusuf and Shaybani) *Kitab-ul-ʿAsl* or *Mabsūṭ* “displays a minimum quantity of Prophetic Ḥadith.”<sup>137</sup> Additionally, “a real systematic interest in the hermeneutic argument based on appeal to Prophetic Ḥadith can hardly be demonstrated for the Ḥanafi tradition prior to the corpus of works ascribed to Al-Tahtawi (d. 321 AH).”<sup>138</sup>

<sup>132</sup> The word ‘Sunnah’ is used here rather than Ḥadith but given the previous statement it is to be understood in the sense of *Athar/Ḥadith*.

<sup>133</sup> As cited in Ibn Ḥanbal, *The Sunnah*, pp. 11-12.

<sup>134</sup> See page one.

<sup>135</sup> Yusuf al-Qaradawi, one of the most distinguished, contemporary, traditional scholars has called for an ambitious initiative to compile an encyclopaedia of all aspects of *ʿulum-ul-ḥadith* in order to isolate genuine from ingenuous Ḥadith based on the works of previous and modern scholars and provide new commentaries so as to clarify the facts, elucidate the complexities and false attributions, Kamali, *Ḥadith Methodology*, pp. 308-311.

<sup>136</sup> *Ibid.*, p. 288.

<sup>137</sup> Calder, *Origins*, p. 55.

<sup>138</sup> *Ibid.*, p. 146.

1 Calder's analysis of Sahnun's (160-240 AH) *Mudawwana*, a juristic work  
2 from the Maliki school of law, also lead him to the following conclusion:

3 Of material or literary forms which suggest that the law is hermeneutically derived  
4 from the Prophetic Ḥadith there are only hints throughout the *Mudawwana*. . . Pro-  
5 phetic Ḥadith are relatively few and it is difficult to accept that there was a wide-  
6 spread recognition of the authority of Prophetic Ḥadith for legal purposes.<sup>139</sup>

7 The same author based on the study of Muzan's (d. 264 AH) *Mukhtasar*,  
8 a Shafi'i school of law juristic composition, asserts that the author "refers  
9 to Ḥadith but rarely in full and never gives an *isnād*."<sup>140</sup>

10 Lucas in this context asserts that "prior to the mid-third century the  
11 majority of the material found in the sunnan books was not prophetic  
12 reports and consisted instead of *sahabi* and *tabi'i athar*. . ."<sup>141</sup>

### 13 5. Conclusion

14 This article attempts to present a brief chronological analysis of the devel-  
15 opment of the Sunni Ḥadith literature and the concept of an authentic  
16 Ḥadith. The article has focused in particular on the question as to what  
17 extent the classical definition of the concept of Sunnah can be seen to  
18 embody the concept of Sunnah as it was understood during the formative  
19 period of Islamic thought. Relevant, recent Western scholarship found in  
20 literature was used in order to shed light on this issue. In this context, the  
21 extent, importance and nature of Ḥadith literature as well as the develop-  
22 mental stages of an authentic Ḥadith, during the first four generations of  
23 Muslims, have been investigated. The findings presented herein suggest  
24 that the writing of Prophetic reports probably took place even during  
25 the Prophet's time, although the conditions for its widespread writing,  
26 transmission and proliferation were not favourable, not only in relation  
27 to circumstances surrounding the Prophet's life but also on the basis of  
28 cultural preferences for oral transmission of knowledge. This led Juynboll  
29 to assert that the volume of Ḥadith literature remained very small during

30 <sup>139</sup> *Ibid.*, pp. 12, 18. In relation to this work, Wheeler quotes Sahnun who maintains  
31 that only those reports were adopted and supported by practice (*amal*) are considered by  
32 the Medinese as authoritative, Wheeler, p. 31.

33 <sup>140</sup> *Ibid.*, p. 92.

34 <sup>141</sup> Lucas, *Constructive Critics*, p. 368.

the first century.<sup>142</sup> Moreover, its importance during this period of time as source of law against the regional concepts of Sunnah was negligible. A marked growth in the corpus of Ḥadith literature, although still not in its 'authentic form', took place from the middle of the second century. It was during this period of transition that an epistemologico-methodological shift in the concept of Sunnah was becoming ever more prominent. Consequently, this resulted in its more frequent semantic association with Ḥadith.

However, as Souaiaia demonstrated in relation to Islamic inheritance laws during the formative period of Islamic thought, spanning the first two and one half centuries or so, traditions from the Prophet in form of Ḥadith as defined by classical *'ulum-ul-ḥadith* sciences could not alone produce an adequate framing of inheritance laws.<sup>143</sup> As such, even towards the end of the second century, Sunnah and Ḥadith were seen as conceptually different terms. Due to his effort to bring more uniformity into the largely divergent legal theories in various regions of the Muslim empire, Shafi'i was the first second-century-born jurist to narrow down the concept of Sunnah to that of an 'authentic Ḥadith' usually going back to the Prophet. This conceptual alteration in Sunnah provided by Shafi'i was brought to its logical extreme, accepted and further consolidated by Ahmed ibn Ḥanbal.

It is his literal, decontextualised, reason-condemning *bilā kaifa* ('without asking how') approach to 'authentic Ḥadith' as sole repository, conveyer and ultimate interpretational tool of Sunnah that is implied by the *muhaddithūn*'s classical definition of the concept of Sunnah which did not correspond to the way the concept of Sunnah was understood by the first four generations of Muslims but is still prevalent in the majority mainstream Muslim community.

<sup>142</sup> Juynboll, *Muslim Tradition*, pp. 11-23, 73.

<sup>143</sup> Souaiaia, *The Function of Orality*, *op.cit.*