

# Application of *Maqasid Al-Syariah* to Preserve Religion and Intellectual on the Prohibition of Spreading and Practicing False Hadis in Malaysia

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## Abstract

Throughout the ages, the issue of false hadis has been the scholar's main priority since it negatively affects Muslims. Hence, efforts have been taken to tackle this issue, in accordance with the *Syariah* objectives which is to protect the interest of Islam and reject harmful influences on to the muslim's life. Hence, the article's purpose is to identify the application of *Syariah* objectives on the prohibition of spreading and practicing false hadis among Muslims in Malaysia, in terms of preserving the religion and the intellectual. The study uses a qualitative method based on library research by analyzing studies and documents to obtain research data related to the topic and were later analyzed using the content analysis method. The result found that the prohibition towards the spreading and practicing false hadis is in line with the *Syariah* objectives through the protection of religion and intellectual, as well as fulfilling the goal of protecting general interest of the Muslims in Malaysia. Thus, the efforts to overcome this issue need to increase to preserve the authenticity of the Prophet's hadis so it can be used as an aid to overcome present challenges.

**Keywords:** *Maqasid al-Syariah*, Preservation of Religion and Intellectual, False Hadis

## Introduction

Hadis of Prophet Muhammad (p.b.h) plays an important role as the source of *Syariah* law and thus it needs its authenticity to be protected and its validity to be maintained from being affected by outside influences that could detriment its nobility. Among these are the emergence of false hadis that started because of political conflict that took place at the end of the reign of Uthman bin Affan and extended to other factors that became the originating point of the distributing in line with the era's situation (Al-Sibaie, 1982).

Therefore, this situation gained an increase in the scholar's attention due to Muslims particularly in Malaysia by practicing these false hadis in their daily life (Dakir, 2014). It is in line with the goal of the *Syariah* itself that aims to protect Islam from any form of harmfulness and its negative implication so that Muslims can fulfil their obligations as Allah's servant as

best as they can. If this development is not handled wisely, it would be a damage to the life of a practicing muslim and disregard the *Syariah* objectives that was entrusted onto humans that is to protect five important elements which are religion, life, intellectual, lineage and property. That is why the scholar collectively prohibit the distribution of false hadis where the distributor is aware of the hadis's falseness, and intents for the listeners to practice said hadis, based on the Prophet's hadis that condemns such actions (Al-Nawawi, 1972).

Meanwhile, with regards to the practice of false hadis, majority of the scholars prohibits the practice of said hadis, continuing from the prohibition to narrate it. This is because, if the narration of false hadis is prohibited, then practicing it is also prohibited since the objective of narrating is to practice the hadis. This prohibition includes all fields of religion like *Aqidah*, *Syariah* and *Akhlaq*. Furthermore, the collectivity of the scholars towards the prohibition of practicing extremely weak hadis, demonstrates that the practice of false hadis, which is even lower in rank, is forbidden and threatened with heavier punishment in the afterlife (Fallatah, 1981).

Thus, this article aims to identify the application of *Syariah* objectives (*maqasid*) on the prohibition of the distributing of false hadis and the practicing of it among the muslim community in Malaysia, within the aspect of preserving religion (*hifz al-Din*) and the intellectual (*hifz al-'Aql*). In addition, this article also aims to study the appropriateness of intervention act taken to overcome this issue as the action to preserve religion and intellectual that is in line with *Syariah* objectives.

### **Research Methodology**

The study uses a qualitative method based on library research by analyzing documents and studies such as articles, journals, books, and empirical studies to obtain research data related to the area of study. Subsequently, the data collected were later analyzed using the content analysis method.

### **Findings and Research Discussion**

For discussing the application of *maqasid al-Syariah* on preserving religion and intellectual towards the prohibition of spreading and practicing false hadis within Muslims in Malaysia, it has been divided into three sections. First, the overview of *maqasid al-Syariah*; second, role of perserving religion and intellectual in the light of Islamic *Syariah* and lastly is the discussion of collection and analyzing the result obtained.

### **Concept and Definition of *Maqasid al-Syariah***

This term is the combination of two words which are "*maqasid*" and "*Syariah*". The word "*maqa>sid*" from the language aspect refers to the meaning and objective that carry the meaning based on reality or real facts (Ramli, t.t). Meanwhile, the word "*Syariah*" means ruleset or law that Allah SWT entrusted onto the humans that encompasses every aspect of human affairs which includes questions of faith (*aqidah*), Islamic law (*syariah*) and human affairs (*muamalat*) (Din et al., 1985). In the aspect of terms, *maqasid al-Syariah* can be defined as goal, rationale, secret and objective behind the establishment of a rule to obtain benefits and reject detriments for the good and harmony of this life and the hereafter (Amir et al., 2019).

The discussion regarding *Maqasid al-Syariah* is to elaborate on the objective and secret of the *syariah* and identify its goal by studying the religion's texts (*nas*), or interpretation (*ta'wil*) from conscientious messages (Shahran, 2018). This term is seen as a discipline of knowledge that explains the method that was extracted from al-Quran and hadis, to be applied in the human lives for all time, that is comprises of five basic necessities (*Al-Dharuriyyat al-Khams*) which are to protect religion, life, intellectual, lineage and property (Al-Ghazali, 1993). In addition, the five aspects are preserved through three level of priorities which are necessities (*dharurriyat*), needs (*hajiyyat*) and luxuries (*tahsiniyyat*) to obtain benefits and reject detriments to humans. This is because, the establishment of rule in Islam aims to bring benefit, goodness and reject the damage for humanity whether in this life or the afterlife (Laldin et al., 2008; Rahman, 2015).

### **Role of Perserving Religion and Intellectual in The Light of Islamic Syariah**

The obligation to preserve religion as mentioned in surah al-'Imran (verse 85) highlights its importance over the duty to protect life, intellectual, dignity and lineage, and properties, based on the principles of *maqasid al-Syariah*. The aspect of preserving religion includes faith (*aqidah*), Islamic law (*Syariah*) and morals (*akhlaq*) which a universal aspect of Islam that is applicable to every human affair. The preservation of religion aspect can be seen through the prohibition on actions that are against the Islamic law like fabrication (*bid'ah*), superstition (*khurafat*), duplication (*syirk*) or anything that will negatively affect a Muslim's testification (*syahadah*) whether through belief, words or actions. In addition, the practical rules like the five principles of Islam, *jihad* and the punishment for apostates (*murtad*), shows the consideration Islam has in the effort to preserve religion inside of every human being (Abd Wahab et al., 2019).

Besides, one of the main *Syariah* objectives in preserving the intellectual and thought is to ensure its role is befitting of this valuable blessing gifted to the humans. The preservation of this aspect can be seen through the prohibition on consuming alcohol and drugs because they are harmful to an irrational mind. Al-Qaradhawi (2001) explains that the word "*aqil*" that was mentioned 49 times in al-Quran clearly indicates the importance of it to understand every creation of Allah SWT whether those that can be seen and those that are unseen.

When seen from the context of *aqidah*, the preservation of '*aqil*' plays the role of elevating a Muslim's belief through thought activities, like how the al-Quran preaches for humans to think and analyze the universe's existence to feel the concreteness of their beliefs (Norafifah, 2018). In addition, when looked from the perspective of civilization, the intellectual is also responsible for improving the human condition for the better. This is because an irrational intellectual obstructs further development and easily susceptible to thoughts that are against the Islamic worldview (Naif, 2017). Thus, the enculturation of knowledge to produce a community that thinks innovatively and creatively, is in line with the basic *Syariah* objectives that recognizes the role of the intellectual.

### **The History of the Entry of False Hadis, The Causes and Sources of Distribution within The Community in Malaysia**

For centuries, the discourse regarding false hadis comes hand in hand with the scholar's concern of it due to the distribution of false hadis that negatively affects *Aqidah*, *Syariah*, *akhlaq*, and daily religious life (Al-Qaradhawi, 2007). Upon seeing its appearance in Malaysia,

the research of Shah (2017) found that the distribution of false hadis in Malaysia stems from the lack of emphasis on hadis education during the early days of Islam in Malaysia. This is because early Islamic literature in Malaysia were mostly about faith (*Aqidah*), sufism (*Tasawwuf*) and jurisprudence (*Fiqh*) from the 17<sup>th</sup> century to the 19<sup>th</sup> century. This situation happened because, at that time, the scholars of the Malay Lands were educated in the Middle East and were influenced by the rapid development of those three fields there. As a result, arabic books that were brought to the Malay Lands and chosen to be taught in official and unofficial education centres contain hadis that were not approved such as the book *Ihya' Ulumuddin* by al-Ghazali.

Furthermore, Dakir (2014) explained that the book authored by the East Asian scholars at that time were either in Arabic or Malay which was also became the reference for the Islamic community even though it contains non-authorized hadis, among which is the book *al-Jawhar al-Mauhub* by Syeikh Ali al-Kelantani. However, as the 19<sup>th</sup> century approaches, the development of hadis knowledge is seen through the education of its discipline whether it is from the aspect of transmission (*riwayah*) or terminology (*dirayah*), but the literature on it was not as developed until the 20<sup>th</sup> century. In addition, Deraman (2009) found that the increasing concern showed by the scholars of the Malay lands towards the need to learn hadis accelerated the development of literature on hadis.

The existence of custom and culture that are against the rules are also as the source of false hadis distribution in Malaysia. The multicultural and integration of customs from different parts of the world that brought the religion of Islam to Malaysia once upon a time, has caused the appearance of practices that are not based on the correct religious texts like the practice of worshipping spirits and attaching a djinn to oneself (Dakir et al., 2015). Added to this, the attitude of Muslim community that adopt certain practices without verifying its truth just because the practice is connected to the religion in a way and is preached by someone of religious character (Shah, 2017).

The spread of false hadis in Malaysia involved not only printed sources such as books, journals, and newspapers, but also electronic sources linked to mass media such as radio broadcasts and television shows. Mustafa & Buyong (2011) explains that broadcasting shows that are Islam-oriented are gaining a lot of interests from the Islamic community in Malaysia and it inspired television stations to produce such shows to fulfil their demands. However, there are show hosts that are not careful in their presentation of hadis-related content that they use non-authorized hadis which complicates the audience's comprehension.

This is proven through the research of Dakir et al (2009) when it is found that several false hadis from various educational fields that have spread through the Malay community were originated from a popular religious show at that time such as "Forum Perdana Hal Ehwal Islam" (JAKIM). To conclude, the source of weak hadis distribution in Malaysia is increasing with the development of Islam in this country, starting from when Islam first appeared here in the 17<sup>th</sup> century until the modernization of Islam in this era of globalization. The summary is tabled as below:

Table 1

*The Distribution's Sources of False Hadis In Malaysia Based on The Stages of Development of Islam*

Num	Stages of development of Islam	Sources of Distribution
1	The beginning of arrival of Islam	Books and Islamic speech in religious events traditionally
2	Progression and modernization of Islam	Contemporary printed and electronic sources

### **The Application of *Maqasid Al-Syariah* In Preserving Religion and Intellectual towards The Prohibition of Spreading and Practicing False Hadis in Malaysia**

As the prohibition of spreading and practicing false hadis among Muslim can be found clearly in hadis, the arguments regarding this matter also applied in the light of *maqasid al-syariah's* perspective by focusing on two of the objectives which are preserving of the religion and intellectual. As for the first objective, the discussion lies based on 3 fields that are *Aqidah*, *Syariah* and *Akhlaq*.

#### **i) Preservation of Religion**

The discussion regarding the effect of false hadis distribution can be categorized into three aspects which are *Aqidah*, *Syariah* and *Akhlaq*. Among the application of preservation of religion (*hifz al-Din*) towards prohibition of spread and practice of false hadis in the community is through these elements:

##### **a) Faith (*'Aqidah*)**

Islam commands its people to choose true faith that is based on the texts of al-Quran and authentic hadis, and it is the main objective of *Syariah* that determines the acceptance of someone's Islam by Allah. However, the practice of false hadis with contents that are against the true faith renders the main objective of *Syariah* unfulfilled. Furthermore, the practice of false hadis taints the authenticity of the religion and cause loss of credibility as the religion that originates from a revelation (Reinhart, 1983). As a result, Islam will eventually be just like other religions that were tainted by unnecessary additions and changes to their original teachings.

In addition, practicing false hadis causes the spread of fabrication (*bid'ah*) elements with regards to someone's belief in Allah. This is because Islam makes it mandatory that the right to submit is only for Allah since He has power over all His creations. However, there are false hadis that deny this right of God and caused duplication (*syirk*) elements to spread throughout the community by giving that right to entities that have no such power. This simultaneously turn the practicing person from the correct and pure faith and their other practices rejected as well as securing a punishment from Allah in the afterlife.

The negative effect from this issue also can be seen through the appearance of a perverse line of thinking from a group that vigorously defends their school of thought (*mazhab*) while harming their rivals with the creation of false hadis. Their aim is to garner support and attention of the general community who are easily influenced when hearing words that are

attributed to the Prophet, even though the hadis narrated did not supported by *sanad*, like how the *Syi'ah* group have elevated Ali b Abi Talib and degraded the other Companions.

Additionally, the practice of false hadis has lower the credibility of the truer texts such as al-Quran and Sunnah. This is because the religion asks us to make these two sources as our life guidance and assures that no one will be lost if they follow them faithfully. Nevertheless, some groups utilize other sources that have weak foundations such as false hadis, causing the credibility of al-Quran and sunnah texts to be disregarded, and thus showcases its weakness as the main guidance in life. This act also taints the authority of the Prophet as the revelation bearer who was trusted to enlighten his people, by assuming that he withheld certain information, and instead of consulting the correct evidence, they instead defaulted to the false hadis.

### **b) Islamic Law (*Syariah*)**

The distribution of false hadis by certain groups is a form of treachery towards syariat that was passed down from Allah and his Prophet. This is because, they assume the syariat is incomplete and require another source to complete it, even though it comes from false hadis. This argument is clearly against al-Quran and Hadis with regards to how complete the teachings of Islam is, and their action opens up opportunity for enemies of Islam to critique Islam as an incomplete religion. Even though there are those amongst these false hadis preachers that do not have negative intentions, but what they do is still wrong because they have distributed something inauthentic for the community to practice.

Furthermore, the act of practicing false hadis influences a person to approve of something that has been forbidden by Allah and vice versa. This action is forbidden by Islam because it is against the concept of complying with the revelation that has been made mandatory on the Muslim. Additionally, the action shows as if the person is smarter than the owner of the revelation because they feel like there is something missing in the present *Syariah* until they need to make changes and fix it themselves.

In the meantime, the value of unity and harmony within Islam is also at risk of being ignored through this practice of false hadis. This is because certain groups are arguing, using false hadis, that separation is a blessing that justifies the differences in idea and approaches within the Muslim community. Otherwise, Islam urges its people to maintain unity to receive blessings and avoid separation because it will bring about failure and loss of credibility, making us vulnerable to our enemies.

Another effect of practicing false hadis is producing muslim's community who are lazy to pray, who looks down on honorable actions and who normalizes sinful actions because they are influenced by the contents of the distributed false hadis (Asri, 2019). This occurs because, there are false hadis that reward those who perform the least with grand rewards that is out of the ordinary, and there are false hadis that preaches to do good in accordance with location and time. These are completely against the judgment of al-Quran towards soemone's position at Allah's side, which is based on their fear of Allah (*taqwa*).

**c) Morals (*Akhlaq*)**

Islam teaches its people to be intellectual towards groups that is honored by Islam such as preachers and scholars. However, there are certain false hadis that critique the expertise of certain scholars due to differences in opinions and thinking. As a result, the followers of the critiqued experts respond with the fabrication of another false hadis until the honor of both scholarly experts are trampled by each others' followers.

It is even worse when a similar incident happens to the Companions that have been acknowledged as having elevated positions in Islam. However, because of conflicting opininons, followers of certain Companions took to creating false hadis to taint the honor of Companions they dislike. This incident was seen as humiliating because it ruins the image of Islam in the eyes of non-Muslims, and they assume muslim's people are the type to bring each other down and cannot appreciate differences in opinion.

Furthermore, the negative effect from this incident is the birth of a group that willingly attributed to the Prophet words he never said, with the hopes that a pure objective will justify their action. Among the objectives often used is to encourage the Islamic community to do good deeds by motivating them with rewards of overwhelming virtue and dissuade them from committing sin by enforcing cruel punishments upon them (Khairi & Adam, 2019). This situation creates a space for opportunistic groups to enforce their personal agenda by using religion as their bait. Hence, this act needs to be contained before it taints the credibility of Islam as a religion among followers of other religions, and the honor of the Muslims will be trampled from this immoral action.

**ii) Preservation of Intellectual**

The *Syariah* objectives demands that the position and honor of the intellectual need to be preserve. When the *'aql* is preserved well as per the rules of Islam, the human agenda will be achieved, and the sinful and immoral actions will stop (Naif, 2017). The *'aql* is important in encouraging humans to think, judge and understand something, which is why Islam forbids actions that cripples the function of the *'aql* and lowers its honor, such as the act of distributing and practicing false hadis. Among the application of preserving the intellectual (*hifz al-'Aql*) towards the prohibition of distributing and practicing of false hadis in the community is through these elements:

**a) The Concept of Thinking (*Ta'qil*) and Understanding (*Tafhim*)**

The use of a logical mind can be practiced by understanding the argument of prohibiting the spread and practice of false hadis in Islam. The reason for this is, for those who practice false hadis, their actions make them vulnerable to wrongful religious practices because it is impossible for the intellectual to accept an argument that uses false information, or fabricated stories. This is the same as facing Allah in the afterlife with that argument, but it will be set aside because it is based on false hadis.

In addition, since the hadis contents are different from the texts that is not from al-Quran and Sunnah, it demonstrates the weakness of the hadis's source which is a revelation from Allah that is inconsistent, when Allah is Almighty and His doings are free from weakness and imperfection. That is why Ibn al-Jauzi (1966) provided a clear guidance in tracking the

fabrication of certain hadis that explains if the hadis does not alligns to the *'aql*, and against the truer texts (*nas*) or unanimously agreed basis, then it is detected as a false hadis.

The practice of false hadis that contains peculiar, irrational and flawed contents, is seen as against the demand to prioritize the intellectual in one's action (Usman, 2018). Furthermore, there are false hadis that contain supernatural, nonsensical and mystical elements that causes the practitioner to set back their thinking and lead them to unhealthy thinking. On top of that, the intellectual is meant to lead humanity towards a better and advanced situation by encouraging healthy competition and the modernizing the quality of life. However, the acceptance of such false hadis has stunted this development by encouranging a person to not continue practicing and stop moving forward.

Besides, Islam also asks us to think rationally and understand the consequence of actions that were taken as a result of that thinking. Otherwise, reckless actions without rational and calm thinking and driven by desires, will only result in negative consequences and unintended outcomes, not to mention sinful and a guarantee of going to hell More dangerously, religious and intellectual groups are also involved in delivering false hadis which makes the community even more susceptible to their influence because they have good faith in their knowledge and capability (Shah, 2017).

#### **b) The Concept of Verifying (*Tabayyun*) and Confirming (*Tathabbut*)**

Islam commands us to think critically and to confirm that every information has its authenticity verified. The act of accepting information at face value as if it is factually accurate, without verifying its authenticity, is an act that denies the role of the intellectual because a healthy mind will argue against dubious sources, confusing information and will question any uncertainties that arise. As a result, the level of acceptance of such information will be more believable and thus able to avoid any misunderstandings should that information are to spread around.

Among the critical elements that need to be practiced in facing the distribution of false hadis is through the concept of *Tabayyun*. Logically, someone who can think rationally will be able to recognize signs in the hadis like the lack of source quotes, unclear narration (*sanad*), and irrational and illogical contents. However, if still uncertain, they should refer to an expert to execute their responsibility and present authentic information to the community. Furthermore, the act of presenting false information is deemed as a serious attack, as seen in the effect caused by such reckless actions (Baru et al., 2017).

In reality, the spreading and practicing of false hadis have stunted the role of a rational intellectual in conducting the verifying process and taking safety measures before distributing information as a form of integrity. Moreover, people who are recklessly spreading false hadis respectively are lacking in sensitivity as the neglect the need to confirm the authenticity of an information before distributing it. Likely, they are influenced by the uniqueness of the hadis's contents that made them more enthusiastic to share and distribute it. The summary regarding the analysis of discussed matter is show in the figure below:



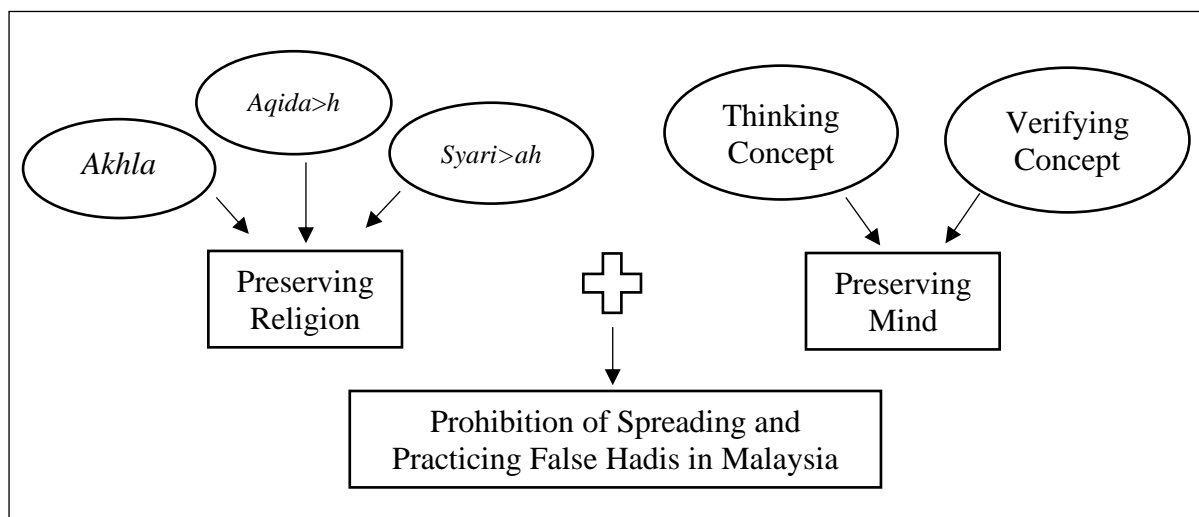


Figure 1. Application of Preserving Religion and Intellectual in *Maqasid Al-Syariah* Towards the Prohibition of Spreading and Practicing False Hadis in Malaysia

### The Relevance of Intervention Efforts on the Distribution of False Hadis and its Practice in Malaysia

Indeed, the needs to a proactive effort in line with the demands of *Syariah* objectives from the aspect of preserving religion and intellectual can be seen through the continuous action taken by scholars through the years in rejecting the impurities resulting from the distribution of false hadis. Their approach is in line with the method highlighted by syarak which is “detriments must be eradicated”, and through the Prophet’s hadis that forbids any harmfulness towards self or others (Al-Suyuti, 1983).

Furthermore, their earnestness is because of the heavy responsibility and obligation towards preserving the authenticity of the Prophet’s hadis and protecting them from elements that will threaten their credibility, such as false hadis. Thus, any mechanism used that can fulfil that obligation is deemed necessary and in line with the jurisprudence maxim which is “the rule of an approach is based on the intent of using it” (Al-Ris, 2016). Furthermore, when seeing the huge detriment brought about by this issue, if it is not prevented, then an approach based on jurisprudence maxis “Prohibition of evasive legal devices” is suitable with the intervention efforts taken (Al-Judai’, 1997).

Historically, among the earlier efforts taken by past scholars was verifying the credibility of hadis presenters by classifying their level of belief and criticism on seniors that uses certain signs to identify a false hadis. Furthermore, the scholars were also involved in book writing and research by collecting hadis receivers that are known as deceivers, or collecting hadis that were categorized as false (Amin, 2011). However, the approach taken in certain eras is limited by opportunity available at that time, and thus there is a need to double the efforts because the issue of distributing false hadis has never really stopped. This occurs because the group of distributors is not limited to the public, and it could even involve various groups that have their own agendas such as political, religious, preaching (*da’wah*), economy and thinking (Al-Siba’ie, 1982).

In the context of distribution of false hadis in Malaysia, the intervention and control efforts have been taken by involved parties like the government, non-governmental organization, private organizations, and individuals. Their efforts include managing administrations, enforcement of law, reinforcement of education and research fields, and using latest technologies to spread awareness about the dangers of false hadis to the community by developing hadis websites and creating mobile applications that focus on hadis knowledge (Afifi, 2022).

In addition, the emphasis on exploring latest technologies like the artificial intelligent and internet of things are seen as in line with the development of modern times to face complex current issues. As Ahmad et al (2019) stated that despite the lack of experts and high costs as well as incomplete necessities are still an issue of concern, but the awareness of needing these technologies in current times are acknowledged because of the important and effective role they have. This is also in line with the method “what is not fully achieved, can’t be leaved mostly” (Al-Sarami, 2008).

### Conclusion

Undeniably, false hadis brings only damage to the muslim community entirely as the prohibition against its spread and practice in the Muslim community strongly related to the *Syariah* objectives. The bad impact can be seen through the denial of preserving religion objective including three aspects on the *Aqidah*, *Syariah* and *Akhlaq* which also give the harmful effect to the righteous intellectual role, in addition to the existence of specific texts regarding its forbiddance.

Therefore, the understading *Maqasid al-Syariah* in the context of *hifz al-Din* and *hifz al-‘Aql* is important to give rational justification in deterring the spread of weak hadith within the community in Malaysia, and thus identifying the best step to cater this issue comprehensively. Furthermore, the awareness of this concept will aid in the development of sustainable policies for the government and private organizations to resolve this issue collectively in addition to expedite in the process to spread awareness among the muslim community.

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