Islam in World Perspectives Symposium

Universitas Ahmad Dahlan

"Nurturing Young Muslim in The Post-truth Era: Islamic Studies Perspective" Vol 1. No. 1. 2020 http://seminar.uad.ac.id/index.php/iwos | ISSN: 2747-0865



The legal status of mauquf hadith according to Muhammadiyah

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ARTICLE INFO

ABSTRACT

Keywords Mauquf hadith Manhaj tarjih Iitihad tarjihi

Muhammadiyah, through the Tarjih Assembly, has a unique method for doing ijtihad called Manhaj Tarjih. In Manhaj Tarjih, there are the principles on hadith as an explanation of the concept of as-Sunnah al-Maqbulah. The absence of specific details related to the hadith mauquf, caused polemic among the internal Tarjih Assembly and the public in general. Among the polemics is a disagreement between Qarar Muktamar Tarjih with Tim Suara Muhammadiyah regarding the legal status of Friday prayer for women and the gap between the tarjih fatwa and the reality of community practice regarding the position of female prayer imam in congregational prayers. So, the rules of the hadith of mauquf, especially regarding indications of the mauquf hadith that may be marfu status needs to be carried out more in-depth. This research is a literature study with a descriptive approach. This study's primary data are Himpunan Putusan Tarjih, *Manhaj* Tarjih Muhammadiyah, and Tanya Jawab Agama. The data in this study was collected by the documentation method and analyzed with the content analysis method. This study concluded that the Tarjih Assembly in formulating the principles of hadith argument is through ijtihad tarjihi. It showed that Muhammadiyah has historical roots with the idea of classical scholars. Besides, this research also showed that Manhaj Tarjih is deliberately made in general principles to be more flexible in addressing the issues. According to Muhammadiyah, the principles for the mauquf hadith that may contain marfu' status, the detailed explanation refers to the principle stipulated by the classical hadith scholars.

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Introduction

Muhammadiyah, through the Tarjih Assembly, has a unique method for doing ijtihad called *Manhaj Tarjih* (Fauzi, 2019: 24). In *Manhaj Tarjih*, there are the principles on hadith as an explanation of the concept of *as-Sunnah al-Maqbulah* (Rachmadani, 2018). The absence of specific details related to the hadith *mauquf*, caused polemic among the internal Tarjih Assembly and the public.

Among the polemics that occurred were differences regarding the legal status of Friday prayer for women and the female imam's position in the congregation's prayer. Regarding Friday prayers for women, in Muhammadiyah itself, there are three opinions; First, the Decision of the result of Muktamar Tarjih stipulated that women are not obliged to attend Friday prayers based on the hadith of exception to the four groups. Nevertheless, this hadith is considered weak ($d\bar{a}'if$) by some scholars (Pimpinan Pusat Muhammadiyah, 2011: 118). Second, Tarjih fatwa published by Suara Muhammadiyah number 13 of 1987 still allows women to attend Friday prayers based on the hadith on the provision of the number of rakaat prayer for women who attend Friday prayer in the mosque and who are at home (Tim Majelis Tarjih dan Tajdid Pimpinan Pusat Muhammadiyah, 2003: 62). Third, the discourse (Wacana) proposed by Ismail Thaib states that the obligation of Friday prayer applies to both men and women following the verse on the general order of Friday prayer, contained in surah al-Jum'ah verse 9 (Wawan Gunawan & Evie Shofia Inayati (eds.), 2005: 32). As for the female imam's position in congregational prayers, the Assembly of Tarjih in book Tanya Jawab Agama 4 explaining that the provisions of her position are likened to men based on several valid hadiths (Tim Majelis Tarjih dan Tajdid Pimpinan Pusat Muhammadiyah, 2003: 142). However, the reality is that the practice in society - especially Aisyiyah pilgrims - refers precisely to the *mauquf* hadith in the book Tanya Jawab Agama 2, which mentions "in the middle of the *saf*" (Tim Majelis Tarjih dan Tajdid Pimpinan Pusat Muhammadiyah, 2003: 92).

The status of *mauquf* hadith, which is generally classified as weak hadith, as well as the division of *mauquf* type into two, namely pure *mauquf* (*mauquf mujarrad*) and *mauquf* with *marfu'* status (*mauqūf bi ḥukm al-marfū'*) according to Dr. Kasman needs to be detailed in order to reduce the complexity of legal determination in Muhammadiyah (Kasman, 2012: 386). Besides, Syamsul Anwar, in the socialization event on *Manhaj Tarjih* at Musyawarah Nasional XXX in Makassar, also explained that the rules on *mauquf* hadith still need to be done more in-depth research because it affects religious practices, especially the field of worship such as congregational prayers, etc. It shows that the discourse on the rule of *mauquf* hadith in *Manhaj Tarjih* remains open.

Method

The method used is the study of literature with a qualitative approach. This study's primary data are books of *Himpunan Putusan Tarjih, Manhaj Tarjih Muhammadiyah*, and *Tanya Jawab Agama*. The data in this study was collected by the documentation method and analyzed with the content analysis method.

Discussion

The Theory of Mauquf Hadith

Some scholars differ on the classification of the term *mauquf*; whether put into the category of

doi 10.26555/iwos.v1i1.5233

hadith, *khabar*, or *athar*. Al-Karamānī dan aṭ-Ṭayyibī do not classify it as hadith, because the definition of hadith, according to them, is all things that are relied explicitly on the Prophet. In comparison, Khurasan fiqh scholars classify *mauquf* in the definition of athar. From the differences that exist, most hadith scholars' opinion mentions that the three definitions are the same: all things derived from the Prophet, companions, and tabiin, so that the term *mauquf* can be referred to as hadith, *khabar*, or *athar* (Nuruddin 'Itr, 1981: 26 - 29).

Mauquf hadith generally relies on companions. On the other hand, Ibnu Ṣalāḥ mentions that the term *mauquf* is also attached to certain tabiin who have unquestionable moral qualities, such as az-Zuhriī, al-'Aṭā', aṭ-Ṭāwūs ('Ali Husain 'Ali, 2003: 125). Al-Ḥākim defines *mauquf* hadith as the narration of hadith by companions without the break-up of the chain of the *sanad* (Abu 'Abdillah Muhammad bin 'Abdillah al-Hakim an-Naisaburi, 2003: 147). However, the majority of hadith scholars agree with the definition of Ibnu Ṣalāḥ, namely the multiplication of words, deeds and determination to the generation of companion, either individuals or groups; either with a continuous *sanad* chain (*mauqūf mauṣūl*) or not (*mauqūf gairu mauṣūl*) (Abu 'Amr 'Usman bin 'Abdirrahman bin 'Usman, 1326: 18). From that definition then appeared the term pure *mauquf* (*mauqūf mujarrad*) and *mauquf* with *marfu*' status (*mauqūf bi ḥukm al-marfū*').

Pure *mauquf* (*mauqūf mujarrad*) is a hadith purely derived from the words, deeds, and determination attributed to the Prophet companions. The authority of this type of *mauquf* is related to the authority of the opinion of companions (*qaul/mazhab al-ṣaḥabī*). Regarding the authority of this companion opinion (*qaul/mazhab al-ṣaḥabī*), Wahbah az-Zuhaili tried to compromise between the opinions of scholars who considered it to be used as an argument and scholars who considered it unable. The position and priority of the companions of the Prophet are agreed. The existence of the evidence of the Quran and hadith about their priorities shows that the Prophet's companions are at a noble level. However, the companions' noble level will never reach the degree of the Messenger of Allah in terms of authority. Everything that comes from companions is considered to be *simā'* and can be attributed as hadith if there is an indication of continuity to the Prophet (*musnad*), whereas other than that can only be referred to as pure ijtihad of the companions (Wahbah az-Zuhaili, 1986: 857).

The pure ijtihad of the companions cannot be a stand-alone sharia proof. The position of the companion as mujtahid contains the possibility of wrong in his ijtihad. Therefore, ijtihad done by a companion is not proof for other companions. If there has been an agreement ($ijm\bar{a}$) and not found a single companion who disagrees, then it is mandatory for them and the generations after him to take that opinion as proof. While ijtihad done by the companions who do not have a deal or agreement in it, according to asy-Shaukānī can not be made a proof under the pretext that God's proof revealed to all people is only the Quran and the Sunnah of His Prophet. Thus the authority

of companion opinion (qaul/mazhab al-ṣaḥabī) lies in the force of its legal status indicated by agreement ($ijm\bar{a}$).

The authority of pure *mauquf* (*mauqūf mujarrad*) may rise due to the following conditions; First, the number of *mauquf* hadiths that are considered more potent than the *marfū'* hadith containing *'illah* (defects). Second, there are *mauquf* hadiths with *marfū'* status whose specific criteria. Third, *mauquf* hadith can be *syawāhid* for a weak *marfū'* hadith based on the condition that the two hadiths are derived from one *mukharrij*. Fourth, *mauquf* hadith that has occurred agreement among companions is believed to be proof. Fifth, the opinion of the companion who is not disputed by any other companions and does not contradict the Quran and hadith can be used as proof (Abu al-Hasan Mustafa bin Isma'il as-Sulaimani, 2006: 208).

Mauquf with marfu' status is a hadith that comes from a companion, but continued to the Prophet, or in other words, *mauquf* in the word but *marfu*' in status. This type of *mauquf* authority is likened to *marfu*' hadith, with the condition, there must be several criteria that must be met, namely: in terms of the form of narration and the content of the matan.

In the book *Fawātiḥ ar-Raḥamūt* it is mentioned that the form of the word narration used by companions has seven levels. Among the seven levels, some are categorized as *mauquf* hadith while others are included as *mauquf* hadith with *marfū'* status (Muhibbullah bin 'Abd asy-Syakur al-Bahari, 2002: 200). The companion narration level included in *mauquf* hadith with *marfū'* status, among; first, words in the form of legal explanations in the form of passive such as *umirnā*, *ḥurrima*, and so on. It gives rise to two opinions; 1) the source of the command rested to the Prophet; 2) the order contains the possibility of being sourced from other than the Prophet. A second opinion can be mapped to three points; a) legal sources contain the possibility of coming from other than the Messenger of Allah such as the Quran, *ijmā'*, a group of leaders, *qiyas* or the results of legal istinbat, b) the existence of possibility that companions do wrong in doing ijtihad, so that it considers not order as a command, c) the form is understood to be something that is not derived from the Prophet (Abu al-Hasan Mustafa bin Isma'il as-Sulaimani, 2006: 121 - 124).

Of these differences, the majority of hadith scholars take on the first opinion. The basis of the argument is that clearly, the hadith's commandments and prohibitions are derived from the Prophet, especially when it comes to *syara'*. This argument also refutes the second opinion.

Second, the sentence "*minnassunnatī kadhā*" with the explanation of the majority of scholars that the intention of the word is based on the Prophet's tradition.

Third, the sentences *kunnā naf'al kadhā/ kunnā naqūlu kadhā/ kunnā narā kadhā/ kunnā lā narā ba'san kadhā*, and so on. The sentences in the third level are considered *mauquf* because it was a companion agreement at the time. However, if there are indications that the deeds, words, or determination of the companions was carried out while the Prophet was still alive as indicated



by the sentence *kunnā lā narā ba'san kadhā wa Rasulullah fīnā/ 'alā 'ahdi ar-Rasul/ fī ḥayātih*, and so on, it can be considered as *marfū*' ('Abd al-Karim bin 'Abdillah & Muhammad bin 'Abdillah, 1426: 205).

In terms of matan hadith, *mauquf* considered as hadith *marfū*' if the matan hadith contains several things; First, companion's explanation of something that is not included in the realm of reason (ra'yu) and ijtihad as occult things (the beginning of the creation of beings, the slander of the end times, the events of the apocalypse, the depiction of the heaven of hell, and so on), and also related to the meaning of the textual. It is because it is included in the discussion, which is *tauqīfī*. Second, the companion's explanation of the background of the revelation of a verse, because they are a group that witnessed the revelation. When it comes to explaining the meaning (interpretation) that belongs to the domain of reason (ra'yu) and ijtihad, it is considered *mauquf* ('Abdullah bin Yusuf al-Juda'i, 2003 : 36). Companion's explanation of the *tauqīfī* issue and the background of the revelation of a verse of the Quran is considered *marfū*' because the companion does not take his narration from the stories of *Israiliyyat*. It is because the stories of Israiliyyat can not be proof in Islam (Abu al-Hasan Mustafa bin Isma'il as-Sulaimani, 2006: 129 - 136).

The Consistency of Decisions and Fatwas of the Tarjih Assembly Against Tarjih Rules

Muhammadiyah has three forms of Tarjih products, namely; Decision (*Putusan*), Fatwa (*Fatwa*), and Discourse (*Wacana*). The difference between the three products is found in the process's mechanism and the strength of the results of ijtihad. Tarjih decision is determined through a formal mechanism (*Musyawarah Nasional*), and it is binding on Muhammadiyah members, while tarjih fatwa is formulated outside the formal mechanism and is non-binding. Meanwhile, *Wacana Tarjih* is a discourse conducted through a non-formal mechanism that is open to discussion. Decisions and Fatwas have similarities as a form of official opinion of the results of collective ijtihad, while discourse as a result of individual opinions (Syamsul Anwar, 2005: 27 - 44).

The collective ijtihad is an ijtihad pattern used by the Tarjih Assembly. Ijtihad like this, according to Azhar Basyir, is more emphasized than individual ijtihad. The collective ijtihad system involving various experts in each scientific field has more comprehensive ijtihad results and greater legal force than individual ijtihad. The harmony of opinion among the members of Tarjih becomes an important thing; it aims to reduce the complexity of ijtihad products that can confuse society (Ahmad Nur Fuad, 2015: 149).

Regarding the rules about *mauquf* hadith's authority, Muhammadiyah stipulates that pure *mauquf* can not be used as an argument (rule number 1). In contrast, *mauquf* hadith with *marfū*' status is agreed that it can be an argument (rule number 2). The rise of the status of the pure *mauquf* to *mauquf* with *marfū*' status can be known through indications that show the Prophet's

original determination (rule number 3). About companion's interpretation of *musytarak* sentences in one of its meanings, Muhammadiyah accepted it as an argument (rule number 10). While the interpretation of companions of the *zāhir* sentence to other meanings, it is not accepted as an argument (rule number 11) (Pimpinan Pusat Muhammadiyah, 2011: 302). In the principles of *Manhaj Tarjih* there is an addition in the form of acceptance of companion agreements (Asjmuni Abdurrahman, 2012: 13).

The strict rules of *Manhaj Tarjih* in the matter of faith do not apply to the issue of worship. In the realm of worship, a hadith that can be used as a legal basis is *as-Sunnah as-Sahihah* in the concept of hadith scholars, i.e., include *ḥasan li dhātihi* and *ḥasan lighairihi* (Kasman, 2012: 391). It can be understood that Muhammadiyah accepts *āḥād hadith* as proof that specializes in the general evidence of the Quran, except in the faith.

When related to the legal status of Friday prayer, the Tarjih Assembly, in its decision, uses the hadith of Abu Dawud from Tariq ibn Syihab which excludes four groups (slaves, women, children, and the sick) from the obligation of Friday prayers. The opinion that the hadith cited by the Tarjih Assembly is weak hadith encourages the team of *Suara Muhamadiyah* magazine to display a hadith that indicates that women are allowed to attend Friday prayers. In the explanation of the team of *Suara Muhammadiyah*, the *mauquf* hadith is not used as independent evidence, but rather as a *qarinah* strengthened by other supporting evidence. The supporting argument is the *marfū'* hadith about the presence of women in the Prophet's time who attended Friday prayers, as al-Albani mentioned in his book, *al-Ajwibah an-Nafi'ah* (Tim Majelis Tarjih dan Tajdid Pimpinan Pusat Muhammadiyah, 2003: 62).

Hadith on the exclusion of four groups from the obligation of Friday prayers used in the Tarjih Decision is narrated by Abu Dawud from the Tariq bin Syihab. This Hadith has *mutābi' tām, syāhid lafzhī*, and *syāhid ma'nawī*. *Mutābi' tām* issued by al-Baihaqi, *syāhid lafzhī* from Abu Musa issued by al-Hakim and al-Baihaqi, while *syāhid ma'nawī* issued by some *mukharrij*, among them; from Jabir issued by ad-Daruquthni, Muhammad bin Ka'ab by Ibnu Abi Syaibah, rajulun bani Wa'il by asy-Syafii and al-Baihaqi, and so on.

The results of research on hadith in the tarjih decision showed that the hadith is narrated in the form of *mursal* (companions), while the hadith used as a supporter is a weak hadith with varying levels of weakness. As for the opinion of an-Nawawi who said that sanad Tariq bin Syihab could be made an argument because although mursal hadith but it has qualified al-Bukhari and Muslims, it is denied by al-Khatabi. Al-Khatabi mentioned that al-Bukhari only doing *ta'liq* al-'Abbas bin 'Abd al-'Azim, so the hadith's chain of narrators is only qualified Muslims. Al-Khatabi also added that the acceptance of *mursal sahabi* hadith as an argument is when it is determined the Prophet's existence of *sima'* (Jami' Huquq at-Ta'liq wa an-Naql Mahfuzah, 1972: 358).



The popularity of the hadith on the exclusion of the four groups and the opinion of an-Nawawi that corroborates the hadith, seems to be the reason for the Tarjih Assembly to use it as proof. So that at this stage, the Tarjih Assembly has applied the rule of *Manhaj Tarjih* consistently, namely accepting the weak hadith as proof when going through many lines, and there are indications that it is from the Prophet. Besides, it is also not contrary to the Quran and valid hadith (Pimpinan Pusat Muhammadiyah, 2011: 303). However, on the other hand, Tarjih Assembly is not following the rules of *Manhaj Tarjih*, in the form of the acceptance of mursal sahabi argument is if there are indications that show continuity to the Prophet as said by Al-Khatabi in his comments. The conclusion is that the hadith is also understood as takhsis from the Quran's general evidence (QS. Al-Jumuah: 9) related to worship.

The hadith on the permissible women to follow the Friday prayers used in the Fatwa by the team of *Suara Muhammadiyah* narrated by Ibn Abi Shaybah from 'Abdullah bin Mas'ud. This Hadith has *mutabi*' qasir issued by 'Abd ar-Razzaq, al-Baihaqi, and Ibnu al-Ja'd. In addition, the narration also has several supporting hadiths from al-Hasan al-Basri issued by Ibnu Abi Syaibah. The result shows that the hadith is *mauquf* that can not be used argument. However, *mursal* hadith (tabiin) from al-Hasan, who mention the existence of the *muhajirin* women perform Friday prayers with the Prophet, indicating that the words of Ibn Mas'ud have source from the Prophet Saw. Acts of companions that occurred while the Prophet was still alive, in the rule of *mauquf* hadith to the category of *mauquf* with marfu' status (*mauquf bi hukm al-marfu'*). The fatwa from the team of *Suara Muhammadiyah* in 1987 can be said according to the rules of *Manhaj Tarjih* in the form of *mauquf* hadith, which is considered *marfu'* can be made an argument.

The hadith on the female imam's position in the middle of the *saf* pilgrims used in the fatwa in the book of *Tanya Jawab Agama 2* narrated by Ibn Hazm from the 'Aisha. This Hadith has *mutābi' tām, mutābi' qaṣīr*, and *syāhid ma'nawī*. *Mutābi' tām*, issued by al-Baihaqi, *mutābi' qaṣīr* by 'Abd ar-Razzaq, ad-Daruqutni, Ibnu Sa'ad, al-Baihaqi, al-Hakim, Ibnu Abi Syaibah and Muhammad bin al-Hasan with diverse sentences. As for *syāhid ma'nawī* from Ummu Salamah issued by 'Abd ar-Razzaq, asy-Syafii, and Ibnu Abi Syaibah, from Ibnu 'Abbas by 'Abd ar-Razzaq, and from Asma' by al-Baihaqi.

The results showed that the hadith was assessed as *mauquf* hadith with *marfu*' status. The popularity of the narration path, the indications derived from the Prophet, and the existence of the agreement of companions raise the degree of weak hadith to *hasan lighairih* hadith, which according to the Assembly of Tarjih is including the *maqbul* hadith. So the fatwa that mentions that the provisions of female pilgrims are likened to men, in this case, can not be said to be consistent with the rules of *Manhaj Tarjih* related to the authority of *mauquf* hadith with *marfu*' status.

Mauquf Hadith in Manhaj Tarjih

As a description of the sunnah concept in the principle of Muhammadiyah movement, namely *as-Sunnah al-Maqbulah*, Tarjih Assembly formulated the hadith rules that can be used as a legal basis or argument. Efforts to formulate hadith rules at the event *Muktamar Khususi* between 1929 – 1940, according to Kasman, is referred to as *ijtihad tarjihi*. It shows that the determination of hadith authority in *Manhaj Tarjih* has classical scholars' roots of thought.

On *mauquf* hadith, Tarjih Assembly has formulated authority rules in the book *Himpunan Putusan Tarjih* and *Manhaj Tarjih* Muhammadiyah. In the book *Himpunan Putusan Tarjih*, the rule is contained in number 1 (*mauquf* mujarrad), number 2 (on *mauquf* hadith with *marfū*' status can be an argument), number 3 (indications that can make *mauquf* hadith has *marfū*' status), number 10 (companion's understanding of the *musytarak* word) and number 11 (companion's understanding of the *musytarak* word) and number 11 (*manhaj Tarjih* Muhammadiyah, the rule is contained in point 6, namely the acceptance of companion agreement (*ijma' sahabah*) (Asjmuni Abdurrahman, 2012: 13).

The rule on *mauquf* hadith with *marfū*' status can be an argument (at number 2), in this case, Muhammadiyah following the opinion of the majority of scholars who argue that it can be used as an argument. However, the explanation of indications that can make *mauquf* hadith has *marfū*' status (the rule number 3) is not explained in detail but to the extent that one example of narration is contained in the hadith of Ummu 'Atiyyah (*umirna*).

The rule of acceptance of companion's explanation of one of the meanings of word *musytarak* (number 10) is understood following the opinion of the majority of hadith scholars who mention that the explanation of companions related to the meaning of textual including criteria *mauquf* hadith with *marfu*' status, so that it can be used as an argument. While the rules do not accept the explanation of companions over the word zahir with other meanings (number 11) was described in the main points of *Manhaj Tarjih* as the rule that applies specifically in the realm of faith. It is because Muhammadiyah only accepts mutawatir evidence in the matter of faith (*'aqidah*). Practicing the meaning of *zhahir* than the interpretation of companions is understood as a form of guard against mutawatir evidence.

About the rules of the acceptance of companion agreement (*ijma' sahabi*), Asjmuni Abdurrahman said that Muhammadiyah was influenced by Hambali school's opinion who doubted the agreement (*ijma'*) after generations of the companions. So Muhammadiyah in *Manhaj Tarjih* only recognizes the agreement that occurred among companions. However, regarding this rule, nothing details on the type of agreement; whether the agreement of all companions about the legal status of an issue (*ijma' sarih*) or including the opinion of a companion who is not disputed by other companions (*ijma' sukuti*).



From these explanations, it can be understood that the purpose of the rule of pure *mauquf* hadith can not be used as an argument is the words or deeds of companions who are not indicated to be *marfu'*, does not include explanations related to the meaning of textual, and does not occur agreement (Kasman, 2012: 100). In other words, Muhammadiyah is one of the groups that does not make *qaul sahabah* (companions opinion) as an argument because it includes pure ijtihad done by companions. It is following the attitude of Muhammadiyah, which confirms that the source of Islam is the Quran and *as-Sunnah al-Maqbulah*.

The complexity of the legal status among Muhammadiyah internals and society in general, primarily related to the issue of Friday prayer for women and the position of the female imam in the middle of the *saf*, among the causes is the absence of details on indications *mauquf* hadith can have marfu' status on rule number 3. It is as Kasman mentioned in his research. Regarding *Manhaj Tarjih*, Syamsul Anwar said that Muhammadiyah is building its principles (usul). The absence of details of tarjih rules is intended so that when changes occur, Muhammadiyah is not bound and easy to change (https://youtu.be/pusattarjihmuhammadiyah, accessed 23 Juli 2020). Therefore, ijtihad's pattern in the formulation of tarjih rules shows that Muhammadiyah has quite strong roots in classical scholars' thought. The indication of *mauquf* hadith, which has the status of *marfu'* in *Manhaj Tarjih* is understood as determined most strongly by the hadith scholars.

Conclussion

From the explanation of the rules of the authority of *mauquf* hadith in *Manhaj Tarjih* along with the reality contained in the decisions and fatwas can be concluded that the rules of the authority of *mauquf* hadith in Muhammadiyah formulated through *ijtihad tarjihi*, that is to take among some opinions of scholars who are considered to have strong evidence and argument / *rajih*. It indicates that the determination of the rule has the roots of thought with classical scholars. There is no detailed rule about indications of *mauquf* hadith that has *marfu'* status shows that the Tarjih Assembly is consistent with its *Manhaj Tarjih*, which is extensive and general. The indication of *mauquf* hadith, which has the status of *marfu'* in *Manhaj Tarjih* is understood as determined most strongly by the hadith scholars.

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