***AHL AL-HADITH* AND *AHL AR-RA’YI* IN THE FORMATION AND DEVELOPMENT OF ISLAMIC LAW**

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**Abstract**

This study examines the role of Ahl Al-Hadith and Ahl Ar-Ra'yi in forming and developing Islamic law, two groups of thought that emerged in the 2nd century Hijriah with different approaches to interpreting the sources of Islamic law. Through a qualitative descriptive-analytical method, the study explores the methodological contributions of both groups, where Ahl Al-Hadith from Medina emphasizes a textual approach based on hadith. In contrast, Ahl Ar-Ra'yi from Iraq emphasizes logical reasoning (ijtihad). The findings show that despite having different methodologies, both aim to uphold Islamic law according to maqashid al-sharia, with Ahl Al-Hadith giving birth to the Maliki and Hanbali schools of thought and Ahl Ar-Ra'yi introducing the flexible ijtihad method through Abu Hanifah, which Imam Syafi'i then bridged with a balanced approach between texts and ratios. The study concludes that their differences in thought not only enrich the treasury of Islamic law but also provide a mechanism for adaptation to changing times while maintaining the fundamental principles of sharia.

**Kata Kunci:** *Ahl al haditst, Ahl ar Ra’yi, Fiqih Islam*

**Introduction**

In the history of the development of Islamic law, two primary schools of thought significantly influence the methodology of legal exploration (istinbath al-ahkam), namely Ahl Al Hadith and Ahl Ar Ra'yi. These two groups emerged during the Tabi'in period, around the 2nd century Hijriah, as a response to various new problems that had never occurred during the time of the Prophet Muhammad SAW.

Ahl Al-Hadith, centered in Medina, emphasized hadith and atsar (sayings of the Companions) as the primary sources in determining Islamic law. They tend to understand the text (the Qur'an and Hadith) textually and are reluctant to use reason except in dire circumstances. This approach is based on the belief that the revelation and sunnah of the Prophet already cover all aspects of human life.

On the other hand, Ahl ar-ra'yi who developed in Iraq, especially Kufa, prioritized the use of reason and logical reasoning (ijtihad) in understanding and interpreting texts, especially when dealing with problems that do not have explicit evidence. This group believes that Islamic law must be able to adapt to social changes and different local conditions. The differences in approach between these two groups not only influenced the development of Islamic fiqh but also impacted the emergence of various schools of Islamic law that we know today. Imam Malik and Imam Ahmad bin Hanbal, for example, tended more towards the Ahl Al-Hadith method, while Imam Abu Hanifah was known as the main figure of Ahl ar-ra'yi. Imam Syafi'i emerged with an approach that tried to bridge the two schools of thought.[[1]](#footnote-1)

Although these two groups have different methodologies, both adhere to the basic principles of sharia and aim to uphold Islamic law by maqashid al-sharia (the objectives of sharia). The differences of opinion between them enrich the treasury of Islamic legal thought and provide flexibility in dealing with various problems that arise along with the development of the times.

Understanding the methodology and thoughts of Ahl Al-Hadith and Ahl ar-ra'yi becomes very important in the current context. This is not only to understand the historical roots of the development of Islamic law but also to formulate the right approach in responding to contemporary challenges. The balance between adherence to the text and the use of reason in ijtihad is the key to developing Islamic law responsive to changes in the times without losing its fundamental principles.

This paper will examine in more depth the characteristics and contributions of Ahl Al Hadith and Ahl Ar Ra'yi in forming and developing Islamic law. In addition, the relevance of the thoughts of these two groups in the context of the development of Islamic law will also be discussed.

**Method**

This study uses a qualitative approach with a descriptive-analytical research type, which aims to describe the role of Ahl Al-Hadith and Ahl Ar-Ra'yi in the formation and development of Islamic law historically, theoretically, and applicatively. The data used in this study include scientific studies, journals, books, and relevant articles that discuss the contributions of both groups to the development of Islamic law. The analysis is carried out by tracing the differences in methodology used by the two groups and exploring their impact in forming a dynamic and contextual structure of Islamic law.

**Discussion**

1. **Background of *Ahl Al Hadith* and *Ahl Ar Ra'yi***
2. **Ahl Al Hadits**

During the reign of Umar bin Khattab, Islamic power expanded. This caused the companions and tabi'in to spread to various cities to become judges and muftis. The local community also learned from them about religious matters and from them the community studied and understood the Qur'an and hadith. Although the community already had other cultures or traditions that influenced it at that time, the fuqaha could create new influences. Therefore it can be understood that this caused fiqh's development in those areas. First is the environment. Second, the systems or methods used by the fuqaha in revealing the law. Therefore the cities inhabited by the companions were a madrasah that had its characteristics. The majority of the Ahl hadith group lived in Medina thus the characteristics and tendencies of the Ahl hadith can be understood because it was in Medina that the Prophet resided, which caused the community living in Medina to be believed to reflect the ideal type that refers to the sunnah of the Prophet Muhammad SAW.[[2]](#footnote-2)

The differences between these schools of law are caused by geographical factors such as communication difficulties caused by the very distant location of the region, as well as the diversity of local social conditions, customs, and daily practices. So, the differences that arise are not caused by disagreements about principles and methods but rather geographical differences. Ahl al hadith is a group during the Tabi'in era who in the legislation of Islamic law used hadith more dominantly than ra'yi. This group is the opposite of ahl ar-ra'yi. This group developed in Hijaz (Mecca, Medina and Thaif) and obtained fiqh from Zaid bin Tsabit, Aisyah, Abdullah bin Abbas and Abdullah bin Umar. According to scholars, the emergence of this group in the Hijaz region was influenced by several factors, including:

1. a) There was an interest in the methods used by their teachers, especially Abdullah bin Umar who firmly adhered to the hadith.
2. b) The many hadiths they obtained, because many of the companions who lived during the prophet's time lived in Hijaz, especially in Mecca and Medina.
3. c) The lifestyle of the Hijaz people was very exclusive and not as dynamic and heterogeneous as in the Iraq region.
4. d) New problems that required fatwas were very minimal, this was because the population was relatively homogeneous and there was also rarely any unrest like in Iraq.

Among the forms of special privileges that the Ahl Hadith group has are:[[3]](#footnote-3)

1. a) They strongly adhere to the hadith and do not provide stringent criteria for citing hadith because they believe that the narrations originating from the people of Hijaz are siqat.
2. b) They do not like to question or discuss problems that have not yet arisen because it will encourage the use of ra'yi.
3. c) In understanding a text, they are very focused on the apparent meaning of the text and need to discuss further the reasons and wisdom contained in the text.
4. d) They do not use ra'yi except when forced.
5. **Ahl Ar Ra’yi**

In the early period of Islam, the tendency to use Ar Ra'yi as a tool for ijtihad has become a separate phenomenon. This is very understandable considering that one of the main tools for conducting ijtihad is Ar Ra'yi. Linguistically, Ar Ra'yi means opinion and consideration. This word is a masdhar form of wazan fa'lin. It can also mean knowing with conviction of the heart. However, the most common in its original meaning, Al Ra'yi is used to refer to mature considerations of human reason. Therefore, the Arabic tradition calls Zu Ra'yi for people with consideration and mental maturity.

The determination of a law from the Ahl ar-ra'yi group is based on a principle of benefit for humanity, so that the determined rules will not contradict each other but strengthen each other.[[4]](#footnote-4) In Abdul Wahhab Khallaf's book, Al-Ijtihad bi ar Ra'yi, literally Al Ra'yi is contemplation. In addition, Ahmad Hasan argues that Al Ra'yi is used to produce something taken with reason, which also has the same connotation as ijtihad.[[5]](#footnote-5)

From some of these understandings, it is essential in life because Ar Ra'yi is part of the human body, which is the mind itself. For the optimization of reason and ratio to be implemented, reason must be based on the principles that lead it to the level of understanding. These principles, in general, are returned to the characteristic factors of revelation or the characteristics of reason. The imbalance in the principles can cause an effect on the side of inequality in terms of understanding. Furthermore, it will automatically result in inequality in understanding the creator's intentions.[[6]](#footnote-6)

Therefore, reason must be used appropriately to understand the creator's intentions, but it must be based on procedures and tasyri'iyyah principles. Ushul fiqh experts think that in sharia, reason cannot be used as a source of law. In the book on the construction of Islamic law in the modern world,[[7]](#footnote-7) explained that Umar bin Khattab even once said: "You should avoid the holders of reason (in matters of sharia)." Many companions also said that: "Whoever says in sharia based on his reason is astray and misleading". Therefore, it is necessary to understand the types of Ahl ar-ra'yi. Ibn Qayyim Al Jauziyyah divides Al Ra'yi into two types, namely:

* 1. a. Ahl ar-ra'yi al Bathil, is an opinion that is based on lust and should not be practiced or used as evidence in solving problems.
  2. b. Ahl ar-ra'yi al Sahih, is an opinion obtained based on in-depth thinking about the postulates of Sharia'. This kind of ahl ar-ra'yi is called ijtihad.

The Prophet also used Ahl ar-ra'yi in his life. The position of the Prophet Muhammad as an explanatory speaker, of course, is inseparable from various aspects of human life. Therefore, he made specific provisions to make it easier to convey the provisions of Allah SWT, as stated in the words of the Prophet Muhammad: If I order you something about religion, then accept it. And if I order something based on my opinion, then I am a human being (HR. Muslim and Abu Daud). Discussing Ahl ar-ra'yi pioneered by Imam Abu Hanifah, this is inseparable from the manhaj of the companions, likewise with the Ahl hadith madrasah in Medina. The Ahl ar-ra'yi madrasah is also known as the Kufa madrasah. The Ahl ar-ra'yi madrasah is a school of thought that uses a lot of reason in carrying out its ijtihad. It does not mean rejecting hadith. A group of fuqaha think a law not by the provisions of sharia and according to reason cannot be used as a benchmark for determining a law for other issues. This view is taken from the school's followers of Imam Abu Hanifah. The Ahl ar-ra'yi madrasah is also known as the Kufa madrasah. Kufa or Iraq is a region with a more advanced social life, so its legal problems are very complex. Its location is very far from the center of the Prophet's position (Medina) causing the scholars there to tend to use Al Ra'yi in conducting ijtihad.

The Ahl ar-ra'yi group thinks that an Islamic law is prescribed for the benefit of humanity. (Ma'qul Al Nas) in addition to containing a causal relationship that can be known through the intermediary of the illat of the law itself. Therefore, they investigated the causality of the law and its wisdom.

The factors that caused Iraqi scholars to become Ahl ar-ra'yi are:

1. a. Influenced by the viewpoint of their teachers, namely companions such as Abdullah bin Mas'ud who was very well known to be influenced by the perspective of Umar bin Khattab.
2. b. Iraq is a place where many false hadiths occur and are found because that is where the Shia and Khawarij mass bases are. Iraqi fiqh scholars have witnessed the act of forging hadiths. Therefore, Iraqi fiqh scholars are rigorous and careful in accepting a hadith, and the accepted ones are usually truly popular among fiqh scholars.
3. c. The situation and conditions in Iraq differ from those in Hijaz, which tend to use rational analysis when determining a problem.
4. d. Due to different environmental factors. The Persians once ruled Iraq for a long time, this can also affect the relationship between the customs of the Iraqi people, which are entirely unknown in Hijaz. This factor, in turn, also influences the viewpoint of the Imams of the schools of thought in determining a law.

Ahl ar-ra’yi is a term used for a group that in determining fiqh uses more ra’yi or ijtihad sources than hadith. This group emerged more in Iraq, especially in Bashrah and Kufa. According to Muhammad Ali as-Sayis, the emergence of the school of thought was greatly influenced by three factors, namely:

1. a firm attachment to their first teacher, Abdullah bin Mas'ud, whose ijtihad method was greatly influenced by the technique of Umar bin Khattab who often used ra'yi.

2. The minimal acceptance of the Prophet's hadith, this is because they only convey the hadith conveyed by the companions who came to Iraq such as Ibn Mas'ud, Sa'ad bin Abi Waqqas, Ammar bin Yasar, Abu Musa al-Ash'ari and so on. In addition, they also minimized the use of hadith, so encouraging them to use ra'yi was influenced by the strictness of their selection process for hadith by providing challenging criteria. The strict selection they applied influenced the minimal number of hadith that could be accepted as the basis for evidence. The strict selection they carried out was motivated by the emergence of forgers of hadith, the number of which was not small at that time.

3. The emergence of various new problems that require legal legitimacy.

These problems arose due to the rapid development of culture in Iraq at that time, especially those originating from Persia, Greece, Babylon and Rome. When these developing cultures came into contact with Islamic teachings, a legal solution had to be sought. The lack of hadith that they obtained led them to use ra'yi.

1. **The Influence of Ahl Hadith and Ahl Ar-Ra’yi on Islamic Law**
   1. The influence of the Ahl ar-ra’yi madrasah on Islamic law (Usul fiqh and Fiqh)

The difference in legal istinbath between Ahl ar-ra’yi and Ahl hadith certainly affects the determination of the law on a problem. The influence of Ahl ar-ra’yi on Islamic law, in this case Usul fiqh and fiqh, for example in the use of istihsan.[[8]](#footnote-8) Abu Hanifah was too forward in determining an Islamic law. An example of a case like the one below.

* + 1. a. In the Hanafi school of thought, if someone donates a piece of agricultural land, the person who donated the land is included in the irrigation rights and the right to make water channels on the land. This is determined based on Istihsan. Based on qiyas jali (its illat is clear), these rights are not obtained because they are likened to buying and selling.
    2. b. Hanafi jurists state that the remaining drink of wild birds, such as vultures, crows, eagles, and hawks, is pure based on istihsan and impure based on qiyas. The analogy aspect is that it is the remaining drink of animals whose meat is forbidden to eat, such as the remaining drink of wild animals such as tigers, leopards, lions, and wolves. The law on the remaining food of animals follows the law on their meat. Meanwhile, in terms of istihsan, it is a type of wild bird, even though its meat is forbidden, only its saliva comes out and its meat does not mix with the rest of its drink because it drinks with its beak even though it is a sacred bone. If it is a wild animal, it drinks with its tongue mixed with its saliva. Because of this, the remaining drink from the animal is considered unclean so it is haram and cannot be eaten.
  1. The influence of the Ahl Hadith madrasah on Islamic law (Usul Fiqh and Fiqh)

Madrasah ahl hadithst holds the study of hadith and collects it, but it becomes an indirect cause of the emergence of false hadiths. The reason is that the leaders of Ahl hadith do not solve problems that do not have a text (hadith), so some people who do not mind create false hadiths to strengthen their opinions. However, such things do not affect fiqh because the scholars of Ahl hadithst are cautious about which hadiths are authentic and which are not genuine (fake).

Socio-cultural factors influencing Ahl hadith strongly adhere to the traditions that exist and develop in Medina society. This is illustrated by rejecting the narration of hadiths attributed to the Prophet Muhammad SAW, which he considered not authentic because it contradicts the customs and traditions of the Medina community. He also criticized the narration of hadiths that are contrary to the text of the Qur'an. For example, he rejected hadiths that explain washing seven times the traces of dog licks, the existence of khiyar majlis,[[9]](#footnote-9) In conducting ijtihad, Imam Malik used a lot of hadith compared to Imam Hanafi. This is because the city of Medina was the residence of Imam Malik and the Prophet Muhammad. So, it is unsurprising that many hadiths were circulating in the Medina community. Imam Malik himself has a famous hadith book called the al-Muwatta book.

The difference between Ahl ar-ra’yi and Ahl hadith is the way of accepting and responding to a hadith. Some argue with a hadith, some do not. Some consider the hadith strong and good, others consider it weak. Differences like this also cause the laws they determine to differ. The Ahl fiqh hijaz determines Islamic law by understanding the hadiths according to their texts without analyzing the law and its principles. If they find that what they know from the text is not by the will of the mind, then they do not care about it and say it is the text. They do not use rational analysis except in times of emergency. In this way they have narrowed the field of ijtihad and indirectly closed the door of ijtihad among Muslims.

1. **Characteristics of Ahl Al-Hadith and Ahl Ar-Ra'yi**

The characteristic of ahl al-hadith is that they do not like to use ra'yi and hate questions about hypothetical problems because their legal sources are limited. They adhere to hadith, even if hadith, by relaxing its requirements and prioritizing its use over rays. In adhering to hadith, they tend to stick to its textual meaning. Meanwhile, the characteristic of ahl ar-ra'yi is that they make many deductions on hypothetical problems (posing many issues and finding their laws, then making deductions from them). The expression they often use in making deductions is 'what do you think if this happens?' Because of this expression, ahl al-hadith nicknamed them as a group that always asks "what do you think?". The Hijaz region is an area that is inhabited by the majority of the 'episteme' of ahl al-hadith. In contrast, Iraq and areas far from the Hijaz are areas that are fertile with ahl ar-ra'yi.[[10]](#footnote-10)

* + - 1. The figures of the ahl al-hadith from among the companions include:

1. Bilal bin Rabah;
2. Abd al-Rahman bin Awf;
3. Ubayr bin Awam;
4. Abu Hurayrah, Anas bin Malik;
5. Urwah bin Zubayr;
6. Abu Bakr bin ‘Abd al-Rahman;
7. Ubaydillah bin ‘Abdullah;
8. Kharijah bin Zayd;
9. Al-Qasim bin Muhammad;
10. Sulayman bin Yasar.
11. The figures of ahl al-ra'y from among the companions, include:
12. Umar b. al-Khattab;
13. Uthman bin Affan;
14. Mu‘adh bin Jabal;
15. Ali bin Abi Talib;
16. Abdullah bin Mas‘ud;
17. Ibn ‘Abbas;
18. Ibn ‘Umar;
19. Aishah;
20. Zayd bin Thabit.

The theoretical framework for understanding hadith between ahl al-hadith and ahl ar-ra'yi is that there are three opinions that can be referred to to analyze this matter.[[11]](#footnote-11) First, the opinion holds that there is no significant difference between the sunnah (teachings) on the one hand and the literal wording of the hadith. The literal wording of the Prophet's hadith is the same as the sunnah (the ideal form of the Prophet's example), so there is no other understanding than the understanding made explicit by the literal wording of the hadith. Second, the opinion that holds that the literal wording of the Prophet's hadith is a 'report' about the Prophet's sunnah. Therefore, some must be understood textually (worship issues), but some are open to being understood contextually (muamalah issues). Third, the opinion that states that the Prophet's sunnah reflected itself in the form of hadith must be understood as an ideal form of the Prophet's historical example, which is likely to have local, temporal, or universal content primarily if it is associated with the diverse roles and positions of the Prophet. The implementation of the Prophet's example is not limited to the people who were at the same time as the Prophet. Therefore, universal and temporal values ​​need to be explored. The above opinion can be concluded that the theoretical framework of ahl al-hadith in understanding hadith refers more to the first opinion, namely the literal wording of the Prophet's hadith is the same as the sunnah (the ideal exemplary form of the Prophet) so that there is no other understanding other than the understanding that is made explicit by the literal wording of the hadith. Meanwhile, the framework of knowledge of ahl al-ra'y can be concluded to fall into the second view, namely the view that states its relation to the wording of hadith, some of which must be understood textually (worship issues) and some others that open up opportunities to be understood contextually (muamalah matters).

1. **Categorization of Ulama**

Instilling a Sharia law, Malik bin Anas made a benchmark first, to Nash, (Kitabullah and sunnah mutawatir), Zahir nash, Dalil nash (mafhum mukhalafah), Amalan (deeds of the Ahl of Medina), Khabar ahad, Ijma', Fatwa Salah a friend, Qiyas, Istihsan, Saddu Zara'i, Mura'ah Al Khilaf (respecting differences opinion), Isthishab, Masalib murlah, and Sharia before Islam. Among these standards, which were not adopted by other mujtahids were:

1. 1. Like Abu Hanifah, Imam Malik made harsh conditions for accepting a hadith. Imam Malik can receive the Sunday news even if it is contrary to the qiyas or exemplary deeds of the narrator as long as the sanad is authentic or hasan.
2. 2. Imam Malik views the deeds of Ahl hadith as evidence that can be used as evidence. That he prioritized it over qiyas and Sunday news, this is because, according to him, the deeds of the people of Medina occupy the history of many people or congregations.
3. 3. Imam Malik views that qaulu shahabi (the fatwa of a friend) takes precedence over qiyas and cannot only be used as proof. This applies to qaulu shahabi whose sanad is valid, the friend is well known among the friends, and the fatwa delivered does not conflict with the sunnah of the Prophet Muhammad. which is valid.
4. 4. Maslahah Al Murlah is a characteristic that is thought to bring benefits to the people. However, the Qur'an is not firm in accepting or rejecting the problem of Al Murlah. So Murlah is interpreted as regardless.

The hadith experts, for example Imam Malik and his colleagues, adhered to the hadiths that were considered substantial by the Medina jurisprudence experts without any dispute as well as abandoning the Sunday hadith which was deemed to be contrary to the practice of Medina jurisprudence.[[12]](#footnote-12) several scholars narrated that Imam Malik once said: "I will not give a fatwa or narrate a hadith so that seventy scholars confirm and acknowledge it." This means that seventy scholars witnessed all matters that Imam Malik gave a fatwa to other people, and they determined and agreed that he was indeed an expert in the matter on which he was fatwa.

**Conclusion**

Ahl Al-Hadith and Ahl Al-Ra'yi are two fundamental schools of thought in developing Islamic law with different characteristics and methodologies. Ahl Al-Hadith focuses on deriving law from the texts of the Qur'an and hadith, with the main factors being highly dependent on hadith, prioritizing the validity of sanad, and being careful in ijtihad. Their approach tends to be static, often waiting for new texts before making legal decisions. In contrast, Ahl Al-Ra'yi prioritizes using reason and logic in determining law. They are more open to qiyas and rational methods, viewing that not all problems can be solved only with texts. This group is considered more dynamic, able to adapt to changing times, and often criticizes Ahl Al-Hadith as a rigid group. Both schools of thought have significantly contributed to forming Islamic legal schools of thought. Ahl Al-Hadith gave birth to schools such as Maliki and Hanbali which are strong in the tradition of hadith. At the same time, Ahl Al-Ra'yi, primarily through Abu Hanifah, introduced a broader ijtihad method with the Hanafi school known to be flexible. In the context of the development of contemporary Islamic law, figures such as Imam Syafi'i attempted to bridge the two schools by developing a balanced ijtihad method between texts and reason. In the modern era, Islamic law faces the challenges of globalization and social change that require an adaptive approach. Despite their differences, these two schools complement each other in forming a comprehensive Islamic legal system, attempting to adapt to the development of the times without losing the essence of sharia.

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