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Ali Mustafa Yaqub's Criticism Method of Hadith in Determining Islamic Law: Analysis of Performing Hajj with Unlawfully Obtained Wealth

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Abstract : This study aims to examine Ali Mustafa Yaqub's approach to critiquing hadith in the formation of Islamic jurisprudence, particularly focusing on the modern issue of performing hajj with unlawfully gained wealth. Employing a qualitative methodology, the research utilizes Yaqub's hadith criticism framework to explore this issue. Findings from the discourse and analysis illustrate that Yaqub's method offers profound insights into the complexity of Islamic legal matters, particularly concerning Hajj with unlawful fund, by underscoring the significance of sanad quality and its legal implications. The study concludes that Yaqub's analytical methodology in examining the legality of Hajj with unlawful wealth comprises three primary elements: sanad as well as matan critique, and hadith interpretation. In critiquing the sanad, Yaqub not only relies on personal judgment but also consults experts in hadith studies and authoritative texts. Additionally, he conducts comparisons of scholars' opinions to evaluate narrator reliability. In matan critique, he not only considers linguistic conformity and Quranic alignment but also conducts editorial analysis and contextualizes it. Moreover, in interpreting the hadith, he demonstrates a deep understanding of the prohibition of using unlawfully obtained funds for performing Hajj, despite the hadith's weak classification. Yaqub effectively presents his argument against using prohibited funds for Hajj within Islamic principles. Furthermore, the research underscores the importance of a comprehensive approach in addressing contemporary challenges in Islamic law.

Keywords: Ali Mustafa Yaqub; Hadith Criticism Method; Hajj with Unlawful Funds.

Abstrak : Penelitian ini bertujuan untuk menganalisis metode kritik hadis yang diterapkan oleh Ali Mustafa Yaqub dalam menetapkan hukum Islam, dengan fokus pada isu kontemporer pergi haji dengan uang haram. Penelitian ini menggunakan pendekatan kualitatif dengan metode kritik hadis yang dikembangkan oleh Ali Mustafa Yaqub untuk menyelidiki isu pergi haji dengan uang haram. Hasil pembahasan dan penelitian menunjukkan bahwa metode kritik hadis yang diterapkan oleh Ali Mustafa Yaqub memberikan wawasan mendalam terhadap kompleksitas isu hukum Islam, khususnya terkait pergi haji dengan uang haram, dengan menyoroti pentingnya kualitas sanad dan implikasi hukumnya. Penelitian ini menyimpulkan bahwa Metodologi yang digunakan oleh Ali Mustafa Yaqub dalam menganalisis hukum pergi haji dengan uang haram melibatkan tiga aspek utama yaitu: kritik sanad, kritik matan, dan pemahaman hadis. Dalam melakukan kritik sanad, ia tidak hanya bergantung pada pendapatnya sendiri, tetapi juga merujuk pada para pakar di bidang hadis serta kitab-kitab yang dianggap mu'tabar. Selain itu, ia juga melakukan komparasi antara pendapat para ulama untuk menilai kualitas

rawi. Dalam kritik matan, ia tidak hanya memperhatikan kesesuaian teks hadis dengan kaidah bahasa dan Al-Qur'an, tetapi juga melakukan analisis redaksional dan menghubungkannya dengan konteks saat ini. Selanjutnya, dalam pemahaman hadis, ia memiliki pemahaman yang mendalam tentang tidak dibenarkannya menggunakan uang hasil perbuatan haram untuk beribadah haji, meskipun hadis yang berkaitan dengan hal tersebut memiliki nilai dha'if. Ali Mustafa Yaqub berhasil menyampaikan argumennya dengan tegas yang menggambarkan penggunaan uang haram dalam konteks ibadah haji bertentangan dengan prinsip-prinsip Islam. Selain itu penelitian ini menekankan pentingnya pendekatan holistik dalam menghadapi tantangan hukum Islam kontemporer.

Kata Kunci: Ali Mustafa Yaqub; Haji dengan Uang Haram; Metode Kritik Hadis.

INTRODUCTION

Hadith, an essential component of Islamic jurisprudence and religious doctrine, has long been integral to Islamic scholarship and the perspectives of Muslims worldwide (Yusuf, 2015). Serving as supplementary elucidations to the Quran, hadith provide detailed information about the words, actions, decrees, and traits of Prophet Muhammad (Thahan, 2010). According to the majority of Muslims, it is commonly acknowledged that hadiths are essential for understanding Allah's revelations (Amin, 2009). The conviction stems from the belief that the Prophet Muhammad exemplified the teachings of the Quran, acting as a visible demonstration of Islamic precepts in daily life (Qardhawi, 1999). Given its significance within Islam, the validity and authority of hadiths are of utmost importance and a focal point in understanding the Islamic faith (Nurudin, 2015). To safeguard against the proliferation of erroneous hadiths, various critical methods have been developed to ensure the validity and reliability of hadith narratives that serve as guiding principles for Muslims (Alamsyah, 2013).

Ali Mustafa Yaqub, one of the contemporary Hadith experts, has endeavoured to develop a way of hadith criticism that combines traditional scholarly method with a contemporary critical approach (Sholehudin, 2018). For instance, the contemporary issue of undertaking Hajj with unlawfully acquired funds, as highlighted in this study, underscores the imperative of applying hadith criticism methods within an increasingly intricate social and economic milieu (Idwal, 2018). In the age of globalization and modern finance, questions regarding the legitimacy of funding sources for the Hajj pilgrimage have gained prominence and warrant comprehensive examination (Farid, 2018). Hajj constitutes one of Islam's fundamental pillars and is deemed obligatory for financially capable Muslims (Saputra, 2016). However, when funds suspected to be derived from illicit sources are used to fulfill this obligation, profound inquiries arise concerning the legitimacy of the Hajj pilgrimage (Idwal, 2018). In this regard, Yaqub's method of hadith criticism emerges as a valuable instrument for addressing contemporary Islamic legal conundrums. This study aims to examine and evaluate the methodology employed by Yaqub, particularly in its application to evaluating hadiths pertaining to Hajj funding of questionable legality. It is expected that gaining a more profound understanding of this method will greatly improve the comprehension of Islamic jurisprudence in the present-day context.

In the realm of hadith criticism, the term "criticism" doesn't inherently imply negativity (Wasman, 2021). In this context, criticism doesn't entail correction or revision of the hadith (Afwadzi, 2017), but rather involves a rational and objective evaluation of the hadith and its narrators. This falls under the scope of "constructive criticism," which entails assessing both the merits and shortcomings of the hadith in an impartial and equitable manner. According to hadith experts, the criticism of hadith isn't aimed at assessing the Prophet's words for flaws or falsehood (Afwadzi, 2017). as it's established that the Prophet was safeguarded from mistakes or deemed *ma'sum* (Sulaiman, 2017). However, such

criticism is directed at evaluating the tools containing information about him, including assessing the integrity of the informants. Informants who transmit hadith texts across generations and document historical events are considered primary sources, while various types of books recording events mentioned in hadith serve as secondary sources (Abbas, 2004). In the tradition of hadith criticism, each informant must undergo individual scrutiny (Muhid, 2019). If it's proven that an informant is unreliable or has received negative evaluations from credible figures in the field of *al-jarh wa al-ta'dil* (criticism and praise), then the hadith reported by them is also considered to be unreliable (Taufiqurrahman, 2019). However, this scrutiny of informants excludes those who were the Companion of the Prophet (*Sahabah*), a principle upheld by Sunnis (Afwadzi, 2017).

The field of hadith criticism isn't a recent field of study but rather a longstanding scholarly discipline within Islam (Wasman, 2021), thus there exists substantial literature on this subject. Several previous researchers have explored hadith criticism methods, such as M. Rizki Syahrul Ramadhan's study (2020), titled "*Metode Kritik Hadis Ali Mustafa Yaqub antara Teori dan Aplikasi*," (Ali Mustafa Yaqub's Hadith Criticism Method between Theory and Application)" published in *Nabawi: Journal of Hadith Studies*. This study examines the implementation of Ali Mustafa Yaqub's hadith criticism in his works, utilizing a descriptive method with analysis to delineate two aspects of method application: the flow and inclination of Yaqub's references in problematic hadiths. The study concludes that Yaqub not only conducts quality analysis through *sanad* criticism but also through *matan* criticism, utilizing parameters like linguistic coherence, alignment with Quranic or authentic hadiths, historical facts in *sirah nabawi* (prophetic biography), and logical reasoning. Yaqub's reference inclinations predominantly gravitate towards books containing commentary on problematic hadiths, with authors like Al-Albani, Ibn Hibban, Al-Suyuthi, Al-Sakhawi, Ibn Hibban, and Al-Minawi (Ramadhan, 2020).

Moreover, Idwal's research (2018), titled "The Use of Unlawful Money for Performing Hajj (*Penggunaan Uang Haram untuk Ibadah Haji*)," published in *Al-Intaj: Jurnal Ekonomi dan Perbankan Syari'ah*, delves into the significance of Hajj and illicit funds, the juristic opinions regarding the permissibility of performing Hajj with unlawful money, the reasons behind differences in opinion among jurists, and an analysis of their arguments. The study concludes that engaging in unlawful (*haram*) practices to achieve lawful (*halal*) goals will have adverse effects on individuals, their families, and society at large (Idwal, 2018).

Previous research and the current study exhibit both similarities and differences. They concur on the importance of hadith criticism as a tool for assessing the authenticity and relevance of specific hadiths within Islamic legal frameworks. Both earlier studies, represented by M. Rizki Syahrul Ramadhan's (2020) and Idwal's (2018) works, along with the present investigation, view the critique of hadith as crucial for understanding religious matters. However, they diverge in their focal points. Previous research primarily explored the broad application of Ali Mustafa Yaqub's methodology for hadith criticism, while the current study specifically examines hadiths related to Hajj with unlawfully obtained funds. Recognising these similarities and distinctions, integrating insights from both approaches can yield a more comprehensive and contextually nuanced understanding of Islamic law in addressing this complex issue.

This article seeks to analyse Yaqub's developed method for critiquing hadiths and its influence on shaping Islamic legal principles, particularly concerning Hajj with illicit funds. Through a detailed examination of hadith criticism, this study provides deeper insights into the handling of hadiths pertaining to the performance of Hajj with unlawfully acquired

wealth from a hadith criticism perspective, potentially impacting interpretations of pertinent aspects of Islamic law. Furthermore, this article sheds light on the perspectives of local hadith scholars regarding contemporary Islamic issues, as well as their relevance in comprehending and interpreting Islamic law within evolving contexts.

METHOD

This study adopts a qualitative approach utilising the hadith criticism methodology developed by Yaqub to examine the issue of Hajj funded by unlawful means (Subadi, 2006). Hadith criticism constitutes a scholarly method employed in hadith research (Soleh & Iskandar, 2020), involving the analysis and evaluation of the authenticity, integrity, and reliability of the hadith and its narrators (*rawi*) (Damanik, 2017). The primary objective is to distinguish genuine hadiths from those that are weak or fabricated. Hadith criticism encompasses various techniques, including scrutiny of the chain of narrators (*isnad*), evaluation of the content of the text (*matan*), historical criticism, and examination of hadith sources (Imtyas, 2021). The data collected for this research is qualitative in nature and comprises both primary and secondary sources. Yaqub's book "Problematic Hadiths" (*Hadis-Hadis Bermasalah*) (Yaqub, 2003a) serves as the primary source of primary data, while scholarly journal articles provide secondary data for a comprehensive understanding of the issue. Data collection techniques entail a literature review, including the identification and critical analysis of hadiths relevant to Hajj with illicit funds.

Qualitative analysis was conducted by meticulously evaluating the chain of narration (*sanad*) and the content of the hadiths (*matan*) (Imtyas, 2020). When it comes to judging hadith *sanad*, Ali Mustafa Yaqub takes a unique approach. Instead of drawing his own conclusions (Harahap, 2023), he relies on the opinions of hadith experts by reading trustworthy sources like Imam Bukhari, Imam Muslim, al-Baihaqi, and as-Suyuti (Istianah, 2018). Furthermore, Yaqub conducts a thorough analysis by evaluating both the chain of narrators (*sanad* criticism) (Zaelani, 2019) and the content of the hadith (*matan* criticism). This analysis includes assessing linguistic coherence, conformity with Quranic or authentic hadiths, historical accuracy in the biography of the Prophet (*sirah nabawi*), and logical reasoning (Ramadhan, 2020; Yaqub, 1995, 2003a). Overall, the hadith criticism methodology in conjunction with the qualitative approach offers a thorough research framework that enables an in-depth examination of the Islamic perspective on ethical and legal issues (Hajam & Sumantri, 2023).

RESULTS AND DISCUSSION

Ali Mustafa Yaqub and the Hadith Criticism Methodology Concept

Ali Mustafa Yaqub, a distinguished religious leader and scholar in Indonesia, was born on March 2, 1952, in Kemiri Village, Subah District, Batang Regency, Central Java (Khotimah, 2023). His father, Mustafa Yaqub, founded the Darus Salam Kemiri Islamic Boarding School (Karim & Mohammad, 2020; Nurdin, 2016), while his mother, Zulaikha, actively participated in teaching activities at the school (Anggraeni & Suhartinah, 2018). Raised in a profoundly religious environment, Yaqub aspired to become a cleric who would preach and positively contribute to the Muslim community (Ramadhan, 2020).

Yaqub received his early education by attending Sekolah Rakyat (SR/People's School) and Madrasah Tsanawiyah (MTs) (Adriansyah, 2019). He furthered his studies at several

Islamic boarding schools, including Seblak Jombang Islamic Boarding School (1966–1969) and Tebuireng Jombang Islamic Boarding School (1969–1971) (Arifin, 20219). At Tebuireng Islamic Boarding School, he received guidance from notable kiai (Islamic scholars), enabling him to master various fields of knowledge such as Arabic, Tafsir, Hadith, and Ushul Fiqh (Yaqub, 2003b). He pursued higher education at the Sharia Faculty of Hasyim Asy'ari University in Jombang from 1972 to 1975 (Nurdin, 2016). He then continued his undergraduate studies (S1) at Muhammad bin Saud Islamic University in Riyadh, majoring in Sharia from 1976 to 1980 (Aisyah, 2017). Additionally, he obtained a Master degree from King Saud University in Riyadh in 1985, specialising in Tafsir and Hadith (Wahid, 2019). Under the supervision of Prof. Dr. Muhammad Hasan Hitou at Nizam University of Hyderabad, India, he completed his doctoral studies in 2005 and received his doctorate in 2008 (Efendi, 2009), with a focus on Islamic law (Yaqub, 2000).

Yaqub, renowned for his simplicity and diligence, served as a scholarly role model throughout his life (Irfan, 2016). People also recognized him as a prolific writer, contributing not only books but also articles to prominent newspapers like Kompas and Republika. Additionally, he frequently appeared as a guest on television shows and programmes (Ramadhan, 2020). Despite his passing in 2016, Yaqub left behind a lasting legacy, including the educational institution Darussunnah Islamic Boarding School, his written works, and groundbreaking ideas in the study of hadith in Indonesia. Many continue to revere him as a contemporary expert in hadith, and his influence in the academic realm endures (Nurdin, 2016).

Writing serves as a paramount avenue for articulating thoughts, ideas, and even discoveries. Through this medium, writers enjoy the liberty to express their insights, dissect encountered problems, and share knowledge (Lazulfa, 2019). Assessing one's expertise often involves scrutinising their written output, as the depth and breadth of their work reflect their level of knowledge and proficiency (Heriyudanta, 2021). Moreover, written works underscore the creative ability that is required from scholars, particularly those at the pinnacle of academic attainment. It's worth noting that the enduring relevance of an author's written legacy can persist long after their passing, with articles remaining valuable resources for generations to come (Noorjannah, 2014).

Yaqub, a prominent figure overseeing an Islamic boarding school in Indonesia, exemplifies prolific productivity in scholarly endeavours (Fatihunnada, 2022). He has authored a multitude of books, translations, anthologies, collaborative works, edited volumes, provided forewords, and produced original compositions (Nurdin, 2016). These works stem from various scholarly activities such as presentations, workshops, short courses, symposiums, and scientific discussions, as well as engagements with print media, magazines, and social platforms. During his tenure at the Darus Sunnah International Institute for Hadith Studies Indonesia-Malaysia, Yaqub underscored the significance of nurturing writing endeavours, emphasising the imperative of leaving behind written legacies. He asserted, *"Don't depart this world without penning at least one scholarly work. Let writing be your enduring legacy"* (Nurdin, 2016). For Yaqub, writing transcends temporal limitations, serving as a timeless repository of knowledge accessible to future generations. As he aptly summarised in verse, *"Written works endure eternally, while the writer rests beneath the ground"* (Nurdin, 2016).

Yaqub's expertise in hadith sciences is underscored by an extensive body of work covering diverse topics (Basri, 2022). His publications span a broad spectrum, encompassing discussions on creed, worship, jurisprudence, transactions, Islamic law,

principles of jurisprudence, upbringing, history, prophetic methods of preaching, Quranic interpretation, Islamic economics, religious poetry, social issues, and national identity (Miski, 2016). His works, which have been published by various reputable publishers, including Pustaka Firdaus Jakarta, are the culmination of seminars, media contributions, and instructional activities. Noteworthy among his contributions are elucidations on Islamic jurisprudence, the Prophet Muhammad's guidance for Quranic readers and memorizers, studies on Imam Bukhari and critical methodologies in hadith sciences, the historical development of Nabawi hadith and its compilation process, among a plethora of other subjects addressed in Indonesian and Arabic publications. Collectively, Yaqub's oeuvre reflects his substantive contribution to the advancement of Islamic thought and scholarship (Ramadhan, 2020).

Yaqub, a distinguished Islamic scholar, has left a substantial legacy of scholarly works spanning various fields. His contributions can be categorised into several key areas, starting with hadith and hadith sciences. Notable works in this domain include *"Imam Bukhari and Critical Methodology in Hadith Science"* (1991), which provides a critical evaluation of the methodology used in hadith science, and *"Nabawi Hadith and the History of Its Codification"* (1994), which explores the historical background and process of codifying prophetic hadith. Additionally, works such as *"Criticism of Hadith"* (1995), *"False Hadiths Regarding Ramadan"* (2003), and *"Problematic Hadiths"* (2003) have significantly contributed to understanding specific hadiths critically. Furthermore, Yaqub has examined a range of subjects pertaining to hadith and hadith sciences in works like *"MM. Azami Defender of the Existence of Hadith"* (2002), *"Understanding Hadith"* (2014), *"Al-Thuruq al-Sahihah li Fahmi al-Sunnah al-Nabawiyyah"* (2014), and *"Hadith and Methods of Criticism."* (no year mentioned).

Yaqub has also made significant contributions to the field of Islamic jurisprudence. He translated and reviewed Prof. Dr. Muhammad Abdul Fattah al-Bayanuni's *"Understanding the Essence of Islamic Law"* (1986) and delivered an academic speech during his appointment as a Professor in Hadith Science at IIQ Jakarta, which took place on Thursday, December 3, 1998, focusing on *"The Role of Hadith Science in the Evolution of Islamic Law"* (1998). These works provide profound insights into Islamic law's principles and the role of the hadith sciences in its formation. Other notable works in this area include *"Ummah Harmony in the Perspective of the Al-Quran and Hadith"* (2000), *"Interfaith Marriage in the Perspective of the Al-Quran and Hadith"* (2005), and *"Halal and Haram Criteria for Food, Medicine, and Cosmetic Devices in the Perspective of the Al-Quran and Hadith"* (2009).

Yaqub's contributions extend to the field of Islamic history, as evidenced by works like *"History and Methods of the Prophet's Da'wah"* (1997), which delves into the history and methodology of Prophet Muhammad's preaching. Additionally, *"Islam in America"* (2009) comprises a collection of journeys and lectures during Ramadan 1429–2008 AD across 15 cities in the United States and Canada, organised by ICMI North America. This book is notable for its simultaneous writing in four languages (Nurdin, 2016). Furthermore, works like *"Memorising the Qur'an in the United States"* (2014), *"Stories from Morocco"* (2012), and *"Islam: History, Development, and Influence"* offer insights into Islam's experiences within diverse cultural and geographical contexts.

Moreover, Yaqub has addressed contemporary issues and Islamic politics with depth and relevance. Works such as *"Islam Masa Kini (Today's Islam)"* (2001) and *"Contemporary Fatwas"* (2002) shed light on Islam's condition amidst changing times, while *"Beware of Hajj Provocateurs"* (2009) discusses challenges faced by Hajj pilgrims. Other works, such as *"Islam between War and Peace"* (2009) and *"Toleransi Antar Umat Beragama (Interreligious*

Tolerance)" (2008), explore the dynamics of war and peace in Islam as well as the importance of religious tolerance. Despite not having an official launch, works such as *"Islam is Not Only for Muslims"* (2016) and *"There is Terror in Mecca"* (2016) promise to make valuable contributions to understanding contemporary issues. Furthermore, *"Ijtihad, Terrorism, and Liberalism"* (2012) and *"Religion and Politics: An Islamic Perspective"* explore the intricate relationship between religion and politics in Islam and the challenges it faces, such as terrorism and liberalism.

Yaqub has made significant contributions to various topics through a multitude of works. Among them are *"Islamic Guidance for Individuals and Society"* (translated from Shaykh Mohammad Jameel Zino's book, Saudi Arabia, 1418 AH), *"Pengajian Ramadhan Kiai Duladi (Kiai Duladi's Religious Learning During Ramadhan)"* (Jakarta: 2003), *"Imam Perempuan (Female Imams)"* (Jakarta: 2006), *"Haji Pengabdian Setan (Hajj Servant of Satan)"* (Jakarta: 2006), *"Fatwa Imam Besar Masjid Istiqlal (Fatwa of the Grand Imam of the Istiqlal Mosque)"* (two editions, regular and larger luxury, Jakarta: 2007), *"Ada Bawal Kok Pilih Tiram (Bawal over Tiram)"*, A Poem on Sharia Economics (Jakarta: 2008), *"Qiblah: Between Buildings and the Direction of the Kaaba"* (published in Arabic and Indonesian in 2010), *"Al-Qiblah 'ala Dhau'i al-Kitab wa al-Sunnah"* (2010), *"25 Minutes Together with Obama"* (Istiqlal Mosque, 2010), *"Qiblah According to Al-Qur'an and Hadith: Criticism of MUI Fatwa No. 5/2010"* (published in 2011), *"Ramadhan with Ali Mustafa Yaqub"* (published in 2011), *"Eating is Never Full"* (2012), *"Ma'ayir al-Halal wa al-Haram fi al-Ath'imah wa al-Asyribah wa al-Adwiyah wa al-Mustahdharat al-Tajmiliyyah 'ala Dhau'i al-Kitab wa al-Sunnah"* (2010), *"Isbat Ramadhan wa Syawwal wal Zulhijjah 'ala Dhau'i al-Kitab wa al-Sunnah"* (2013), *"Isbat Ramadan, Shawwal, and Zulhijjah According to the Bible and Sunnah"* (published in 2013), *"Setan Berkalung Sorban (Satan with a Turban)"* (published in 2014), *"Al-Wahabiyyah wa Nahdhah al-Ulama; Ittifaq fi Ushul la Ihktilaf"* (2015), and *"Expansion of Mas'a, Jamarat, and Mabit Outside Mina: Basic Syar'i Study"* written with Team (Nurdin, 2016).

Yaqub's approach to critiquing hadith typically involves analysing both the sanad (chain of narrators) and the *matan* (content) of the hadith. He draws insights from the *takhrij* hadith methodology, as outlined by Mahmud Thahhan. When assessing the *sanad*, he upholds the *ijtihad* (independent reasoning) practiced by Muslim scholars in the past. The criteria used to determine the status of a hadith, whether it is *shahih* (genuine), *hasan* (good), or *da'if* (weak), include ensuring a continuous sanad lineage to the Prophet and assessing the narrator's credibility. Yaqub distinguishes a credible narrator, or *tsiqah*, by integrity and a consistent track record. Moreover, it is essential for a narrator to have a dependable memory that is free from forgetfulness or frequent errors. Yaqub emphasises the importance of scrutinising the *sanad's* credibility before reaching conclusions about a hadith's authenticity or weakness, adhering to established standards prevalent among earlier hadith scholars. Notably, Yaqub refrains from making unilateral judgements, preferring instead to draw upon the insights of renowned experts in the field, as found in reputable sources (*mu'tabar*) like Imam Bukhari, Imam Muslim, al-Baihaqi, and as-Suyuti, among others (Istianah, 2018).

Yaqub's approach to scrutinising hadith sanads involves citing or consulting the perspectives of past and contemporary scholars. This practice reflects a cautious methodology that he developed during his scholarly journey, particularly during his time at an Islamic boarding school (Dhofier, 2019; Yaqub, 2003a). However, it's important to note that Yaqub doesn't merely rely on *taqlid* (imitation) but often engages in independent *ijtihad* (judgement) to assess the quality of hadith. Nonetheless, he takes into account the

opinions of *ulama* (religious scholars) regarding the *jarh* (discrediting) and *ta'dil* (accreditation) of the hadith narrators under scrutiny (Adhari et al., 2021). In cases where there are differing opinions among scholars regarding a narrator's reliability, Yaqub endeavours to compare and contrast the perspectives of stricter (*mutasyaddid*), moderate (*mutawassith*), and more lenient (*mustasahhil*) scholars (Ramadhan, 2020; Yaqub, 2003a).

Yaqub's criticism goes beyond *sanad* criticism and includes *matan* criticism as well. He looks at how well it fits with the Quran, authentic hadith, historical facts in the Prophet's biography (*sirah nabawi*), and common sense, also known as *sunnatullah* (Ramadhan, 2020; Yaqub, 2003a). His approach to *matan* analysis surpasses traditional methods, encompassing editorial scrutiny and contextual relevance. Yaqub often elucidates hadiths on contemporary societal debates, such as the number of tarawih prayers or fasting individuals' sleep as an act of worship (Istianah, 2018; Yaqub, 2003a). This analytical perspective hints at a socio-historical approach, evident in its thematic relevance to contemporary societal issues.

Yaqub's primary approach to comprehending hadith is through textual analysis, resorting to contextual interpretation when textual methods are insufficient (Khotimah, 2023). Consequently, scholars have labelled his approach as hermeneutic, emphasising the importance of contextual comprehension (Ramadhan, 2020). However, this contextual understanding introduces challenges as it involves subjective interpretation, characterised as a rational thought process and an individual construct (Ramadhan, 2020). As a result, *ijtihad* outcomes remain susceptible to criticism and evaluation. To mitigate errors in contextual interpretation, Yaqub adopts a method that considers various external factors beyond the hadith text, including the circumstances surrounding the hadith's emergence, its temporal and geographical context, sociocultural influences, and causal relationships within the sentence (Nurdin, 2016; Yaqub, 2003a).

This strategy acknowledges the non-absolute nature of hadith understanding, acknowledging the potential for diverse interpretations. Yaqub seeks to mitigate errors in contextual interpretation by considering factors beyond the literal text of the hadith, including its historical context, temporal and spatial setting, causal relationships within sentences, and the broader social context. This approach reflects a mature and scholarly method for comprehending and scrutinising hadith texts.

Performing Hajj with an unlawful gained wealth

Yaqub raised a significant question regarding the permissibility of financing one's Hajj with funds obtained through unlawful means (Nada, 2019). This enquiry highlights the ethical and legal dilemmas individuals often grapple with regarding the financing of their pilgrimage to Mecca. While Yaqub abstained from providing a direct answer, he delved into a discussion exploring the varied perspectives and analyses of different scholars regarding the use of ill-gotten wealth for performing Hajj (Yaqub, 2003a). He clarified those scholars typically present divergent viewpoints on this issue, reflecting the inherent complexity of such matters (Yaqub, 2003a).

Within this framework, Yaqub screened the perspectives of scholars well-versed in Fiqh (Islamic Jurisprudence). Scholars in this field generally argue that the validity of one's Hajj depends on adhering to the specific requirements and fundamental principles outlined in Islamic law (Fahham, 2015). This viewpoint holds that an individual's pilgrimage is legally valid if they fulfill all the necessary formalities and obligations of Hajj (Djalaluddin, 2016). The emphasis here lies on complying with legal formalities and established regulations. Therefore, by following these regulations throughout the Hajj pilgrimage, individuals fulfil their obligations, with the ultimate decision regarding the acceptance of the pilgrimage lying solely with Allah (Sarwat, 2019). Essentially, the acceptance or rejection of the pilgrimage is within Allah's purview, and scholars refrain from making judgements or pronouncements on the matter (Yaqub, 2003a).

On the other hand, scholars inclined towards ethics and Sufism argue that using unlawfully acquired funds for Hajj renders the pilgrimage invalid, with Allah Swt not accepting it (Ramadi, 2022). They cite hadith as evidence to support this viewpoint. Examples of such hadith include:

مَنْ حَجَّ بِمَالٍ حَرَامٍ فَقَالَ لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ قَالَ اللَّهُ عَزَّ وَجَلَّ لَهُ: لَا لَبَّيْكَ وَلَا سَعْدِيكَ وَحَجَّكَ مَرْدُودٌ عَلَيْكَ . (Al-Albani, 1992)

Whoever performs hajj using prohibited assets, when he recites his talbiah, it will be said to him: "Your call is unanswered, there is no happiness for you and your hajj is rejected"

Yaqub then elucidated the *rawi* (narrator) and *sanad* (chain of transmission) of the relevant hadith. This particular hadith, as indicated before, was narrated by Imam Ibn Mardawaih in his work "*Tsalatsah Majalis min al-Amali*" (Mardawaih, 1990), Imam al-Ashbihani in "*al-Tarhib*" (Al-Ashbihani, 1993), and Imam Ibn al-Jauzi in "*Mutsir al-Gharam al-Sakin*" (Al-Jauzi, 1995). Yaqub offered an explanation of the *sanad*, which consists of al-Dujain bin Thabit al-Yarbu'i, Aslam (a former companion of Umar bin al-Khattab), Umar bin al-Khattab, and Prophet Muhammad (Yaqub, 2003a). This illustrates the transmission of information from the Prophet through successive generations, with the reliability of each transmitter in the chain being scrutinized. Through explaining the *rawi* and *sanad* of this hadith, Yaqub aims to provide context and validate the reliability of this hadith within Islamic tradition. The evaluation of *rawi* and *sanad* is important in determining the authenticity and perpetuity of information in the Islamic hadith tradition.

Moreover, Yaqub presented additional examples of hadith that convey similar themes to the preceding one. This second hadith offers a more detailed depiction of the repercussions of using unlawfully acquired funds to journey to the *Baitullah* (House of Allah) or perform Hajj. The second hadith is notably lengthy, and its rendition is as follows:

مَنْ أَمَّ هَذَا النَّبَيْتِ مِنَ الْكُسْبِ الْحَرَامِ شَخَّصَ فِي غَيْرِ طَاعَةِ اللَّهِ، فَإِذَا أَهْلَ وَوَضَعَ رِجْلَهُ فِي الْعَرِزِ أَوْ الرِّكَابِ وَاتَّبَعَتْ بِهِ رَاحِلَتُهُ قَالَ: لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، تَادَاهُ مَنَادٌ مِنَ السَّمَاءِ: لَا لَبَّيْكَ وَلَا سَعْدِيكَ كَسْبُكَ حَرَامٌ وَرِزَاكَ حَرَامٌ، فَارْجِعْ مَأْزُورًا غَيْرَ مَأْجُورٍ وَأَبْشِرْ بِمَا يَسُوءُكَ. وَإِذَا خَرَجَ الرَّجُلُ حَاجًّا بِمَالٍ حَلَالٍ، وَوَضَعَ رِجْلَهُ فِي الرِّكَابِ وَاتَّبَعَتْ بِهِ رَاحِلَتُهُ قَالَ: لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، بَكَ، قَدْ أَجَبْتُكَ رَاحِلَتُكَ حَلَالًا وَثِيَابَكَ . مِنَ السَّمَاءِ: لَبَّيْكَ وَسَعْدِيكَ. تَادَاهُ مَنَادٌ . حَلَالٌ وَأَبْشِرْ بِمَا يَسُرُّكَ. غَيْرَ مَأْزُورٍ ، وَرِزَاكَ حَلَالٌ فَارْجِعْ مَأْجُورًا غَيْرَ . (Al-Bazzar, 2009)

Whoever embarks upon the pilgrimage to this sacred house (Baitullah) using earnings from illicit sources has indeed disobeyed Allah. Even if they don the ihram garments and step into the vehicle, when the vehicle departs and they say, 'I am coming, O Allah,' a voice will echo from the heavens, saying, 'Your arrival holds no significance, nor will it bring you any blessings. Your wealth is

tainted, your additions are tainted, and even your mode of transportation is tainted. Return home burdened with your transgressions, devoid of any reward. Find contentment in what will trouble you.' Conversely, should someone set out for Hajj with lawful earnings, placing their feet in the vehicle and bidding, 'I am coming, O Allah,' a voice from the heavens will call out, 'I accept your arrival, and may fortune smile upon you. Your conveyance is lawful, your garments are lawful, and your provisions are likewise lawful. Thus, return home adorned with rewards, free from sin. Revel in the blessings that will bring you joy.

This passage contrasts two scenarios: one depicting a pilgrimage funded by earnings from impermissible businesses, and the other illustrating a pilgrimage funded by legal means. In the former case, Allah rejects an individual's arrival and pilgrimage using unlawfully acquired funds, as indicated by a divine response (Kisworo, 2017). On the other hand, Allah accepts and blesses a person's pilgrimage using lawful funds, as signalled by praise and good tidings from the divine realm. This hadith conveys a poignant message, emphasising the significance of lawful sources of income for undertaking the Hajj pilgrimage and emphasising that Allah would not accept actions financed by illicit means (Yaqub, 2003a).

The second hadith mentioned by Yaqub was transmitted by Imam al-Bazzar in his Musnad. Its chain of transmission (*sanad*) is as follows: Sulaiman bin Dawud, as transmitted by Yahya bin Ibn Kathir, who received it from Abu Salamah, who heard it from Abu Hurairah, who directly learned it from the Prophet (Yaqub, 2003a).

Subsequently, Yaqub expounded on the evaluation of these two hadiths using the hadith criticism method. He disclosed that the initial hadith narrated by Imam Ibn Mardawaih was deemed weak (*dha'if*) due to concerns regarding the reliability of the narrator, al-Dujain bin Thabit al-Yarbu'i. Scholars such as Imam al-Dzahabi asserted that al-Dujain bin Thabit al-Yarbu'i cannot be relied upon for evidence, rendering the hadith unreliable. Imam Yahya bin Ma'in remarked that al-Dujain bin Thabit al-Yarbu'i's hadiths hold no value whatsoever, while Imam Abu Hatim and Imam Abu Zur'ah classified him as weak in hadith. Al-Nasa'i went as far as to state that al-Dujain bin Thabit al-Yarbu'i is not reliable. Meanwhile, Imam al-Daruquthni and others considered him an unreliable narrator due to his perceived lack of credibility. This is the assessment made by critics of the hadith regarding al-Dujain bin Thabit al-Yarbu'i.

On the other hand, the second hadith narrated by Imam al-Bazzar is considered to be extremely weak (very *dha'if*). The flaw of this hadith lies in the narrator, Sulaiman bin Dawud, who is deemed lacking in credibility and even labelled a transmitter of erroneous or immoral hadiths by Imam al-Bukhari. *Munkar* hadiths are those narrated by individuals who engage in immoral or malevolent behavior. Consequently, this hadith is rejected and cannot serve as evidence or guidance in matters of religion.

Yaqub emphasised the importance of exercising caution when accepting hadith, as well as the need for a thorough examination of the *sanad* (chain of transmitters) to verify the authenticity of the hadith. His statement also emphasises that scholars' evaluation of hadith narrators and *sanads* (ulama) significantly influences the determination of a hadith's reliability or weakness as a legal source in Islamic jurisprudence.

In his comprehensive analysis, Yaqub clarified the concepts of "*halal* (lawful) money" and "*haram* (unlawful) money" within the context of Islamic Law terminology (Suratmaputra, 2017). He explained that Islamic law terminology doesn't directly address "*halal* money" or "*haram* money," because these terms refer to the legality of human actions (*fi'l al-mukallaf*) rather than objects themselves. Thus, Yaqub clarified that "*haram* money"

should be understood as funds obtained through means or activities prohibited in Islam (Ilyas, 2016). Similarly, "halal money" refers to funds acquired through lawful means.

It's crucial to recognise that the assessment of a hadith varies among scholars specialising in *fiqh*, *hadith*, and Sufism (Arafat, 2017) Sufism scholars regard a hadith, such as a dream featuring Prophet Muhammad, as valid and usable evidence, even if it is considered weak (Suyuti, 2023). Despite their weakened status, these hadiths are deemed highly practical and dependable sources of reference (Kudhori, 2018). Yaqub cautioned against misinterpreting the hadith, warning of the danger of assuming that performing Hajj with haram money is permissible due to the hadith's lack of strong verification. However, he emphasised that fundamentally, using funds or possessions acquired through prohibited means, including for Hajj, is impermissible (Yaqub, 2003a).

Yaqub highlighted that this principle finds emphasis in the Quran, such as in Surah al-Nisa/4:29, which admonishes believers against unlawfully consuming the wealth of others (Malik, 2021). Consequently, he stressed the significance of comprehending Islamic legal principles concerning property acquisition and endeavouring to ensure that the assets utilised are lawful. In Surah al-Nisa/4: 29, Allah said:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ

O believers! Do not devour one another's wealth illegally.

The term "eating (devour)" in this passage is interpreted as the act of using wealth, a concept emphasised due to its common occurrence.

Yaqub explained that an individual acquiring property through unlawful means or endeavours has no rightful claim to it. Conversely, they are obligated to return such property to its legitimate owner. For example, if someone commits theft, they must return the stolen money to its rightful owner. Similarly, funds obtained through other illicit activities grant no rightful claim to the individual and are not permissible for use, including for Hajj pilgrimage (Yaqub, 2003a).

Yaqub further asserted that this interpretation finds support not only in Quranic verses but also in authentic hadiths. One of the hadiths deemed authentic was narrated by Imam al-Tirmidhi, wherein the Prophet conveyed:

إِنَّ اللَّهَ لَا يَقْبَلُ صَلَاةَ مَنْ غَيْرِ طَهُورٍ وَلَا صَدَقَةً مِنْ غُلُولٍ

Salat will not be accepted without purification, nor Charity from Ghulul.

Hence, Yaqub emphasized that despite the weak status of the hadith regarding performing Hajj with unjustly acquired funds, this does not grant permission to undertake Hajj using money obtained through illicit means. According to the Quran and other hadiths, such an act of worship is prohibited and will not be accepted by God.

Thus far, I've sought to outline Yaqub's methodology in analyzing the legality of performing Hajj with unlawfully acquired wealth, covering three main aspects: critiquing the chain of transmitters (*sanad*), critiquing the text (*matan*), and comprehending the hadith used by Yaqub to assess the permissibility of performing Hajj with unlawfully obtained funds.

Critique of the chain of transmitters (sanad)

Ali Mustafa Yaqub upholds the tradition of *ijtihad* established by previous hadith scholars (Istianah, 2018; Khotimah, 2023; Nurdin, 2016). However, he brings a distinct characteristic to *sanad* criticism by refraining from drawing his own conclusions and instead relying on the expertise of scholars in the field of hadith through consulting and exploring respected works (Cholidah, 2011). He also cites or refers to the opinions of both past and contemporary scholars (Ramadhan, 2020). While he occasionally conducts independent *ijtihad* to assess the quality of a hadith, he does so while considering the opinions of scholars regarding the *jarh* (disparagement) and *ta'dil* (commendation) of the narrators under scrutiny. When different scholars disagree about how reliable a narrator is, he tries to compare their opinions, which are categorised into three groups: *mutasyaddid* (stricter), *mutawassit* (moderate), and *mutasahhil* (more lenient) (Nurdin, 2016; Ramadhan, 2020).

Matan criticism

Ali Mustafa Yaqub not only conducts quality assessments through *sanad* criticism, but also scrutinizes the content (*matan*) for its alignment with linguistic principles, Quranic teachings, authenticated hadiths, historical accuracies in the Prophetic biography, and logical consistency with divine laws (Ramadhan, 2020; Yaqub, 2003a). Yaqub's evaluation goes beyond identifying *'illat* (an obscure defect that impairs the authenticity of a *hadith*, although it appears to not have any such defect) or *syadz* (*syadz* occurs when a *thiqah* contradicts an even more reliable narrator) within the hadith; it includes editorial analysis and contextual relevance (Istianah, 2018). Researchers have observed Yaqub employing a hermeneutic approach in his interpretation of hadiths (Khotimah, 2023; Ramadhan, 2020), taking into account external factors such as the circumstances surrounding the narration, its temporal and geographical context, socio-cultural elements, and linguistic coherence (Nurdin, 2016; Yaqub, 2003a).

Comprehending hadith

Ali Mustafa Yaqub cautioned against the potential misunderstanding of a hadith regarding the permissibility of performing Hajj with unlawfully obtained money due to its weak authenticity. Yaqub emphasises that, fundamentally, it is impermissible to utilise wealth or goods acquired through prohibited means, including for the purpose of performing Hajj. This principle finds reinforcement in the Quran, particularly in Surah al-Nisa/4:29, which prohibits believers from consuming unlawfully acquired wealth (Malik, 2021). Both the Quran and authentic hadiths prohibit such acts of worship, and Allah will not accept them (Suratmaputra, 2017).

CONCLUSION

Ali Mustafa Yaqub employs a methodology for examining the legality of performing Hajj with unlawfully obtained wealth, which involves three primary aspects: *sanad* criticism, *matan* criticism, and understanding hadith. In scrutinizing the *sanad*, he not only relies on his own judgment but also consults experts in the field of hadith and authoritative texts. Additionally, he conducts comparative analyses of scholars' opinions to evaluate the credibility of narrators. In *matan* criticism, he not only assesses the hadith text's linguistic coherence and Quranic alignment but also conducts editorial scrutiny and relates it to contemporary contexts. In addition to understanding hadith, he shows a deep

understanding of Islamic law's concepts of "halal" and "haram" wealth. He stresses that using money that was obtained illegally for Hajj is not allowed, even though the related hadith is not very reliable. The aim of this research is to enhance society's comprehension of Islamic law by providing a more profound and nuanced understanding. Acknowledging the limitations posed by the weak hadith utilised, these are mitigated through robust arguments. As a recommendation, further research could strengthen the findings by considering hadiths of higher authenticity.

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