

Takhrij Hadith of the Law of Buying and Selling Transactions

Alfy Awal Arrobany¹, Wahyudin Darmalaksana²

¹Department of Religious Studies, Faculty of Usuluddin,
UIN Sunan Gunung Djati Bandung, Indonesia

²Department of Hadith Science, Faculty of Usuluddin,
UIN Sunan Gunung Djati Bandung, Indonesia
alfyawal2@gmail.com; yudi_darma@uinsgd.ac.id

Abstract

This study aims to discuss the hadith about buying and selling. This research uses a qualitative approach by applying descriptive analytical method. The formal object of this research is the takhrij hadith within the scope of hadith science, while the material object of this research is the hadith about buying and selling. The results and discussion show the Hadith of Tirmidhi History No. 1052 concerning the sale and purchase of valid quality so that it is maqbul as the basis for the implementation of Islam in the implementation of buying and selling transactions. This study concludes that the hadith narrated by Tirmidhi No. 1052 has the qualifications maqbul ma'mul bih for the basis of the implementation of buying and selling transactions in Islam, where the seller must act honestly based on goodness and the perpetrators of buying and selling are prohibited from cheating. Hadith narrated by Tirmidhi No. 1052 concerning relevant buying and selling is used as the basis of Islamic law.

Keywords: Hadith; Buy and sell; Syarah; Takhrij

Introduction

Buying and selling is an exchange of goods carried out in a happy manner with the terms and conditions, namely the existence of sellers and buyers of goods being traded, and a contract or consent qabul. (Darmalaksana, 2022a). Economic activities or muamalah cannot be separated from Islamic rules so as not to deviate from the principles of Allah. Muamalah is an Islamic teaching that teaches rules in managing relationships between humans in order to create justice and peace in the togetherness of human life (Darmalaksana, 2022b). Through the muamalah aspect of human life, it can be arranged very well so that there are no disputes in social contact between one party and another in society. Muamalah is one way to carry out interactions between humans, where

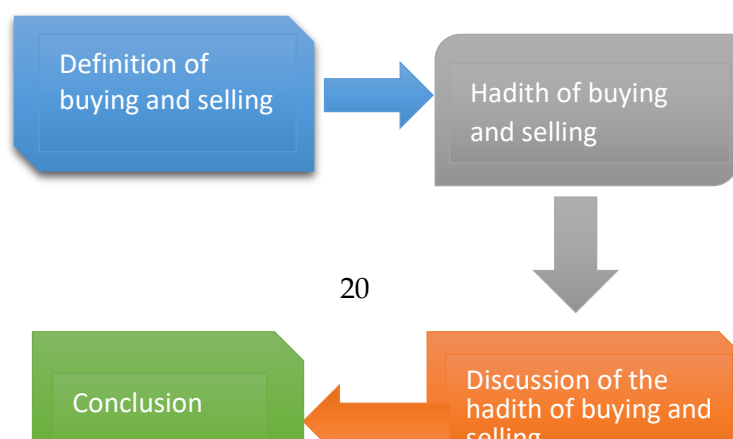
humans are interconnected with each other to meet their needs, both in meeting social, religious, state and economic needs (Darmalaksana, 2022d). Interactions carried out by humans that often occur are buying and selling activities. Therefore, we need to understand in depth about the sale and purchase. Of course, buying and selling is not arbitrary in Islam, those who carry out these activities need to learn so as not to get out of Islamic principles, namely honesty, trust, willingness, and clarity to remind us not to harm others. The implementation of buying and selling according to muamalah fiqh emphasizes that buying and selling is not valid without a contract in the transaction, and there must be an element of pleasure or voluntary in the transaction (Fauzia et al., 2015). This study is interested in discussing the practice of buying and selling according to the hadith.

The results of previous research on buying and selling have been stated by a number of researchers. Among others Susiawati (2017), "Jual Beli dalam Konteks Kekinian," *Ekonomi Islam*. This study discusses buying and selling transactions in the present context, a transaction in which there are pillars and conditions that must be carried out by a seller and a buyer. The purpose of the study is to see the pillars and conditions in online buying and selling transactions that are currently booming. This study uses a descriptive-analytic approach, which is to collect and describe the results of the main problem. The results of this study state that online transactions currently provide convenience in buying and selling products for sellers and consumers. With the many models of buying and selling transactions today, we should be more careful and more careful in conducting buying and selling contracts without reducing the essence of the pillars and conditions of buying and selling in accordance with Islamic law (Susiawati, 2017).

Previous research and current research have similarities and differences. The similarity lies in the research on the topic of buying and selling. The difference is that previous research discusses the Islamic perspective on buying and selling in the present, while the current study discusses buying and selling in the perspective of hadith with takhrij studies.

The frame of mind needs to be developed to answer the question of how the hadith is about buying and selling. The framework chart is below:

Chart 1. Framework



Sale and purchase is an agreement to exchange goods for goods or money for goods, by releasing property rights from one another on the basis of mutual consent. In buying and selling there are pillars and conditions that must be met, so that the sale and purchase can be said to be valid by sharia (Mujiburrohman, 2015). In terms of terminology, there are several definitions of the scholars, among them by Hanafi scholars giving understanding by exchanging property for property in a certain way, or with the meaning of exchanging something desired in a commensurate manner through certain useful ways. Hanafiyah scholars explain that the special meaning in the first understanding is consent and acceptance, or it can also be through giving goods to each other and setting prices between buyers and sellers. Whereas in the second understanding it is explained that the property being traded must be useful for humans, such as selling carcasses, liquor and blood is not justified (Syaifullah, 2014). The concept of buying and selling in Islam can be understood based on the hadith. Hadith is anything that comes from the Prophet Muhammad Saw (Darmalaksana, 2018), both those scattered in the books of hadith and actualized in the community, which is known as the *sunnah* (Soetari, 1994). Many of the prophet's hadiths reveal the meaning of buying and selling, but none of them are found in the prophet's hadith which explicitly explains the order of buying and selling. While buying and selling in most of the prophet's hadiths is actually more oriented to the prohibitions that exist in buying and selling, as in the hadith narrated by Tirmidhi No. 1052. Has told us Qutaibah, has told us Laits from Ibn Shihab from Abu Bakr bin Abdurrahman from Abu Mas'ud al-Ansari said: "The Messenger of Allah - peace and prayer of Allah be upon him- forbade money from buying and selling dogs, wages from adultery and income a shaman." The discussion of hadith about buying and selling is a field of study of hadith science. The science of hadith is the science of hadith (Soetari, 1994). Hadith about buying and selling can be explained through the science of hadith regarding the status, understanding, and practice of hadith (Darmalaksana, 2018). Based on this discussion of hadith science, it can be concluded how to buy and sell according to hadith.

The theoretical foundation is needed for the theoretical foundation in conducting the discussion. The theoretical basis of this research applies the theory of hadith science. In the science of hadith there is the science of *dirayah* hadith (Soetari, 2005), namely science whose material objects are narrations, sanad, and matan hadith. Rawi is the narrator of hadith, sanad is the link of the sanad of hadith narrators, matan is the text of the hadith (Darmalaksana, 2018). The science of hadith determines the requirements for the validity (authenticity) of a hadith, namely: Rawi must be 'adl, which is to have a commendable personality quality and dhabit, which is to have a qualified scientific capacity and tsiqah, which is to have undoubted integrity, namely a combination of 'adl and dhabit; The sanad must be connected (mutashil) in the sense that it cannot be disconnected (munfashil); and Matan should not be awkward (syadz) and there should be no defects ('illat) (Darmalaksana, 2020b). If it fulfills all the requirements of authenticity, then the status of the hadith is called authentic, whereas if it does not meet any of these conditions, the quality of the hadith is called dhaif (Darmalaksana, 2020b). According to the science of hadith, authentic hadith is maqbul (accepted), while daif hadith is mardud (rejected) (Soetari, 2015). However, the daif hadith can be elevated to hasan li ghairihi if there are syahid and muttabi (Soetari, 2015). Syahid is another hadith, while muttabi is another hadith sanad (Mardiana & Darmalaksana, 2020). However, not every maqbul hadith can be practiced (ma'mul bih), in the sense that there are categories of maqbul hadith but cannot be practiced (ghair ma'mul bih) (Soetari, 2015), it depends on the context in terms of situations and conditions.

The main problem of this research is that there are hadiths about buying and selling. The formulation of the research problem is how the hadith about buying and selling. This study aims to discuss the hadith about buying and selling. Theoretically, this research is useful as a review of the science of hadith. Practically, research is useful as knowledge about buying and selling according to hadith.

Research Methods

This study uses a qualitative approach by applying the descriptive-analytical method (UIN Sunan Gunung Djati Bandung, 2020). This type of research data is qualitative data, not numbers (Darmalaksana, 2020a). Sources of data in this study include primary sources and secondary sources. Primary data sources are "Ensiklopedi Hadits Kitab 9 Imam" (Saltanera, 2015). While the secondary data sources are literature related to the topic of this research which is sourced from journal articles, books, and others. Data collection techniques are carried out through library research. Data analysis techniques are taken through the stages of inventory, classification, and interpretation (Darmalaksana, 2022c). In particular, the

descriptive-analytical method in this study was taken from the field of hadith science, especially the takhrij hadith method and the syarah hadith method. Takhrij hadith is the process of taking hadith from the book of hadith to examine its authenticity (Darmalaksana, 2020b). While the hadith syarah is an explanation of the matan (text) to obtain an understanding (Soetari, 2015). Finally, the interpretation at the analysis stage will use logic, both deductive logic and inductive logic, until a conclusion is drawn.

Results and Discussion

1. Research Result

The stages of takhrij hadith require removing the hadith from the book of hadith which is then examined for validity. After tracking the hadith with the keywords "oath and vows" in the Ensiklopedia Hadis Kitab 9 Imam, it was found the Hadith of Tirmidhi No.1052. The editorial text of the hadith is below:

سنن الترمذي ١٠٥٢ : حَدَّثَنَا قُتَيْبَةُ حَدَّثَنَا اللَّيْثُ عَنْ ابْنِ شِهَابٍ عَنْ أَبِي بَكْرٍ بْنِ عَبْدِ الرَّحْمَنِ عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ قَالَ
نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ ثَمَنِ الْكَلْبِ وَمَهْرِ الْبَغِيِّ وَخُلُوانِ الْكَاهِنِ
قَالَ وَفِي الْبَابِ عَنْ رَافِعِ بْنِ خَدِيجٍ وَأَبِي جُحَيْفَةَ وَأَبِي هُرَيْرَةَ وَابْنِ عَبَّاسٍ قَالَ أَبُو عِيْسَى حَدِيثُ أَبِي مَسْعُودٍ
حَدِيثٌ حَسَنٌ صَحِيحٌ

Has told us Qutaibah, has told us Laits from Ibn Shihab from Abu Bakr bin Abdurrahman from Abu Mas'ud al-Ansari said: "The Prophet sallallaahu 'alaihi wa sallam forbade money from buying and selling dogs, wages from adultery and the income of a shaman." Abu Isa at-Tirmidhi said: "Hadith is narrated from Rafi' bin Khadij, Abu Juhaifah, Abu Hurairah and Ibn Abbas." Abu Isa said: "The hadith of Abu Mas'ud is a hasan sahih hadith" (Tirmidzi No. 1052).

The next stage is the assessment of the narrators and the connection of the sanad as shown in the table below:

Table 1. List of Rawi and Sanad

No.	Rawi Sanad	Born/Died		Country	Kunyah	Scholars Comments		Circle
		B	D			-	+	
1	Abu Mas'ud al-Anshari		40H	Kuffah	Abu Mas'ud		Sahabat	Sahabat
2	Abu Bakar bin Abdurrahman			Madinah	Abu Bakar		Al-'Ajli: tsiqah; Ibnu Hibban: mentioned in 'ats tsiqaat'; Ibnu Hajar al-'Asqalani: thiqah expert in jurisprudence, worship expert; Adz-Dzhabi: one of the seven fiqh experts	Tabi'in the middle class

3	Ibnu Syihab	124H	Madinah	Abu Bakar	Ibnu Hajar al'-Asqalani: faqih hafidz mutqin; adz-Dzahabi: a character	Tabi'ut tabi'in the middle class	
4	Laits	175H	Maru	Abu al-Harits	Yahya bin Ma'in: tsiqah; Ahmad bin Hambal: tsiqah; Abu Zur'ah: tsiqah; Muhammad bin sa'd: tsiqah; Ibnu Madini: tsiqah tsabat	Tabi'ut tabi'in the elderly	
5	Qutaibah	240H	Himsh	Abu Raja'	Abu Hatim: tsiqah; an-Nasa'i: tsiqah; Yahya bin Ma'in: tsiqah; Ibnu Hajar al-'Asqalani: tsiqah tsabat	Tabi'ul atba' for the elderly	
6	Muhammad bin 'Isa bin Saurah bin Musa as-Sulami at-Tirmidzi	209 H	279 H	Iran	Abu 'Isa al-Tirmidzi	Muhadits	Mudawwin

Table 1 shows that the Tirmidhi Hadith No. 1052 narrated by 6 (six) narrators. In general, only his death is known. The narrators are located in Medina, Kuffah, Hims and Maru. The scholars gave positive comments.

According to the theory of hadith science, the first narrator means the last sanad and the first sanad means the last narrator (Soetari, 2015). The above hadith includes mutashil (continued) seen from the connection of the sanad. The condition for the connection of the sanad is liqa (meeting) between the teacher and the student (Soetari, 2015). Liqa can be seen from their contemporaries, professions, and being in the same area. Judging from the country, they are in adjacent areas. Teachers and students can be said to be contemporaries even though most of them are not known by their year of birth. According to the theory of hadith science, the narrators of hadith can be assumed to be around 90 years old (Darmalaksana, 2020b). So it is predicted that the narrators in the chain of sanad may meet between teachers and students. The above hadith is not awkward and not flawed. It is not strange in the sense that it does not conflict with the Qur'an, the hadith is stronger and common sense, while it is not defective in the sense that there are no insertions, deletions and changes (Soetari, 2015). Although not in the same lafadz, the content of the hadith narrated by Tirmidzi No. 1052 is also narrated by Ahmad No. 5597, Ahmad No. 2616, Ahmad No. 14393, dan Abu Daud No. 2933 (Saltanera, 2015). In other words, the hadith is syahid and muttabi (Mardiana & Darmalaksana, 2020). Hadith narrated by Tirmidhi No. 1052 quality is valid so that it is categorized as maqbul for the practice of Islam.

2. Discussion

The hadith narrated by Tirmidhi 1052 is *maqbul* in the sense that it is accepted as a proof. Has told us Qutaibah, has told us Laits from Ibn Shihab from Abu Bakr bin Abdurrahman from Abu Mas'ud al-Ansari said: "The Prophet sallallaahu 'alaihi wa sallam forbade money from buying and selling dogs, wages from adultery and the income of a shaman. " (Tirmidhi No. 1052). This hadith confirms that buying and selling has been regulated in Islamic teachings.

Allah has permitted buying and selling and forbids usury strictly and clearly. Then distinguish between buying and selling and usury and stipulating buying and selling to maintain the amount and time limit of the *muamalah*, so that it is more powerful for witnesses (Darmalaksana, 2022a). The perpetrator of usury, will not get the slightest profit from his commerce, because the usury property will be destroyed and destroyed by Allah and on the Day of Resurrection he will be tortured with a very painful torment that is incomparable. Honest traders, will get blessings and great profits from their commerce. Because basically buying and selling is a process carried out between the seller and the buyer with the aim of getting the same benefit. Buying and selling activities must be in accordance with *sharia* so that buying and selling is carried out according to clear and clear rules in accordance with the Qur'an and Sunnah so that later sellers and buyers will benefit in accordance with their rights. That way, no party will be wronged in the slightest because all transactions are carried out on the basis of a clear contract (Suretno, 2018).

The transaction model in buying and selling is growing in the era of advances in information technology. This fact has encouraged Islamic legal thinkers to study it based on classical legal views. Including the need for legal changes in accordance with the times. Today, Islamic banking has developed that facilitates buying and selling transactions based on Islamic law. However, Islamic banking users are still few compared to conventional bank customers. So it is necessary to disseminate information to the wider community about the urgency of Islamic banking. In addition to socialization, it is also necessary to develop Islamic banking so that people can carry out various transactions in buying and selling in accordance with Islamic teachings (Darmalaksana, 2022d).

Hadith narrated by Tirmidhi No. 1052 basically teaches that buying and selling transactions in Islam have a purpose for goodness, namely goodness between the seller and the buyer. Including regulating goods that can be traded and goods that cannot be traded. Because it is intended for good, then between the seller and the buyer there should be no cheating, buying and selling must be based on honesty. On a macro level, buying and selling is a relationship between humans in society. On a micro basis, buying and selling requires a contract so that an agreement arises that does not harm either party. Thus, buying and selling in Islam is not solely for

profit (Susiawati, 2017). Buying and selling in Islam is more directed at creating public welfare. So the hadith narrated by Tirmidhi No. 1052 is not only maqbul, but ma'mul bih for the practice of Islam in buying and selling transactions.

Conclusion

The conclusion of the study shows that the quality of the authenticity of the hadith narrated by Tirmidhi No. 1052 regarding buying and selling is considered valid. The discussion of this study explains that the status of the hadith history of Tirmidhi No. 1052 is maqbulm ma'mul bih to be used as the basis for buying and selling transactions according to Islamic law. This research is expected to have useful implications as a study of hadith on the law of buying and selling and is expected to be a reference as a basis in the implementation of buying and selling transactions in the field of Islamic law. This study has limitations in conducting syarah hadith without including a review of the causes of wurud and in-depth analysis, so this is an opportunity for further research by applying a more comprehensive analysis. This study recommends Islamic economic institutions to develop buying and selling transactions based on Islamic law.

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