

## **The Reality and Challenges of Authoritative Regulation on Hadith Publication in Malaysia and Indonesia**

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<https://doi.org/10.22452/usuluddin.vol51no4>

### ***Abstract***

*Dissemination of inauthentic hadith in publications, ill-intent understanding of hadith text and its exploitations for personal or group interests are some of the contemporary issues faced by Malaysia and Indonesia. This article focuses on the reality and challenges of authoritative regulation on hadith publication in both countries to tackle afro mention issues. This phenomenological study uses interviews, observations and document analysis as data collection methods. This study discovered that regulation mechanism is implemented in Malaysia in the form of guidelines issued by federal authorities. These guidelines, however, are not backed up by stern and clear enforcement by the government. At the state level, there are enactments gazetted but they are too broad in their interpretation and more to the context of maintaining hadith chastity from contemptuous acts. On the other hand, Indonesia at the federal level, does not have any specific and systematic methods to regulate the text of hadith and, at the moment, only depends on available general mechanisms especially the one applied in higher education institutions. The study concludes, in order to preserve hadith corpus from a faulty utilization and abusive application, both governments should pay more attention in introducing new laws as well as strengthening existing mechanism related to hadith text in this archipelago.*

**Keywords:** *Authoritative, regulation, enforcement, hadith, Malaysia, Indonesia, comparative.*

## **Introduction**

The development of hadith publication in the Malay Archipelago began a little bit late compared to other types of publication, such as in the field of fiqh and tasawuf.<sup>1</sup> Initially, hadith literature was published together inductively with other publications. Only after the 18th century, hadith literature was published separately and exclusively from other disciplines of knowledge.<sup>2</sup> After the 20th century, scholars and publishers started to escalate the number of hadith publications. This phenomenon is a direct impression of multiple factors such as an advancement of printing technology, a wave of al-Azhar and Mecca graduates who came back home to spread hadith sciences,<sup>3</sup> the emergence of hadith scholars and experts in higher education institutions<sup>4</sup> and the rise of people passion and awareness towards hadith knowledge.<sup>5</sup>

Despite this encouraging development, unregulated hadith publication has resulted in negative consequences such as the dissemination of weak and fabricated hadith<sup>6</sup> and its manipulation as the means of indoctrination for extremist and terrorist groups.<sup>7</sup> For a very long time, many teaching and preaching efforts have been taken by various entities to improve awareness on these matters. These initiatives have, however, shown little effect because the issues still persist in the community. Therefore, the authorities have

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<sup>1</sup> Abdul Wahid, H. R., "Perkembangan Kajian Hadis di Indonesia: Studi Tokoh dan Organisasi Masyarakat Islam," *al-Bayan Journal of al-Quran & al-Hadith* 4 (2006), 63. See also Zabidi, A. Z., "Faktor Dorongan Proses Penerbitan Terjemahan Kitab al-Manar wa al-Munif fi al-Sahih wa al-Da'if ke Bahasa Melayu," *BITARA International Journal of Civilizational Studies and Human Sciences* 1.4 (2018), 96.

<sup>2</sup> Abdur-Rahman et al., "Historical Review of Classical Hadith Literature in Malay Peninsula," *International Journal of Basic & Applied Sciences* 11.2 (2011), 1-6.

<sup>3</sup> Abdur-Rahman et al., "Historical Review," 1-6.

<sup>4</sup> Syifana & Pratama, "Perkembangan Kajian Hadis di Indonesia pada Abad 20-21 M.," *El-Furqania* 7 (2021), 96-97.

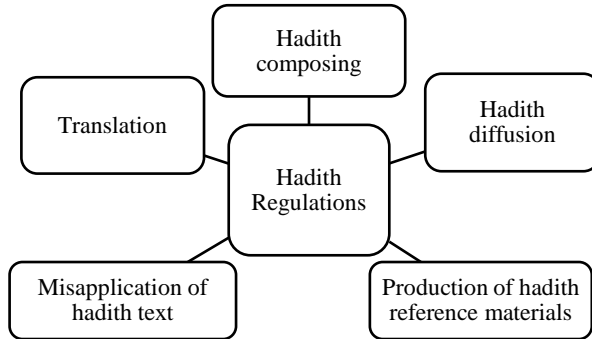
<sup>5</sup> Zabidi, "Faktor Dorongan," 106.

<sup>6</sup> Abdul Wahid, "Perkembangan Kajian," 67. See Syifana & Pratama, "Perkembangan Kajian," 106.

<sup>7</sup> Ahmed, H. & Stuar, H., *Hizb Ut-Tahrir: Ideology and Strategy* (London: The Centre for Social Cohesion, 2009), 3 & 17. Malik, M., Zul Kepli, M. Y., "ISIS in Malaysia: Understanding Their Logics," *Islamiyyat* 40.1 (2008), 17. Shah, F. A., "Penyelewengan Makna Teks Hadith oleh Kumpulan Ektremis untuk Mewajarkan Tindakan Terroris: Satu Analisis," *al-Bayan Journal of al-Quran and al-Hadith* 16 (2018), 164.

taken a regulatory and enforcement approach to ensure hadith publication is free from all these mismanagements and mistreatments.

Figure 1: Regulatory Aspects of Hadith Texts



**Methodology**

By applying qualitative method as a research design, this study adopted analysis documents, interviews and observation as data acquiring techniques. Document analysis is a systematic way of evaluating documents. It was applied on numbers guideline such as *Garis Panduan Penulisan dan Penerbitan Hadith* by Ministry of Home Affair (MOHA), acts like *Akta Mesin Cetak 1986 (AMCP 1986)* and *Undang-undang Serah Simpan Karya Cetak dan Karya Rekam 1990*. Meeting minutes and academic writings are also being analysed in this study. A semi-structured interview is carried out with a couple of individuals directly involved in the religious publication industry in Malaysia and Indonesia. All the data then were analyzed by thematic and comparison analysis. Thematic analysis is the process of identifying patterns and themes in qualitative data.<sup>8</sup> Comparative analysis, on the other hand, focuses on the explanation of similarities and differences in order to gain a better understanding of the causal processes involved in the production of an event, feature or relationship.<sup>9</sup> Thus, by applying

<sup>8</sup> Ibrahim, F., Alavi, K & Hassan, N., *Penulisan Tesis Kajian Kualitatif dan Kuantitatif* (Bangi: Penerbit UKM, 2020), 77.

<sup>9</sup> Pickvance, C., *The Four Various of Comparative Analysis, in Conference on Small & Large and comparative solutions* (Canterbury, UK: University of Kent, 2005), 2.

comparative method, this study analyses the hadith regulatory instrument implemented by Malaysian and Indonesian authorities.

### **Reality of Hadith Publication in Malaysia**

Acceleration of hadith publication in Malaysia has contributed massively to the socialization of hadith knowledge to the people, thus helping them purify their worshipping practices to be in accordance with the requirement of Syariah. However, there are some arising issues from this development.

### **Utilization of The Weakest and Fabricated Hadith**

This anomaly was based on hard facts from the probing of hadith quality in classical or contemporary publications. A study by Deraman et. Al found unauthoritative hadith in classical Java treatise such as Bahr al-Madhi by Syeikh Mohamed Idris al-Marbawi, Pedoman Hadith Junjungan Rasulullah s.a.w and Sabda Utusan Illahi by Mustafa Abdul Rahman.<sup>10</sup> In research conducted in the same manner, Abidin discovered 12 weak hadith and two incorrect hadith, the status of which was not specified by the translator in work done on Fath al-Mu'in translation. Harun also cited the research of Ahmad Lutfi Abdullah on the book Durrah al-Nasihin written by Uthman Bin Hasan al-Khubawi, who stated that the text contained some hadiths that were extremely flimsy and untrue.<sup>11</sup> In addition, Zarif concluded that Sheikh Wan Ali Kutan's work, al-Jawhar al-Mawhub wa Munabbihat al-Qulub, has several instances of weak and fabricated hadith.<sup>12</sup> In their analysis of the book Hidayat Al-Mukhtar, which Sheikh Wan Hasan al-Fathani

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<sup>10</sup> Deraman, F., Suliaman, I. H & Shah, F. A., *Pengajian Hadith di Malaysia Tokoh-Karya- Institusi* (Kuala Lumpur: Akademi Pengajian Islam Universiti Malaya, 2010), 16-17.

<sup>11</sup> Abidin, H. Z., "Penulisan Hadith dalam Karya Terjemahan: Kajian Terhadap Terjemahan Hadith dalam Kitab Fath al-Mu'in" (Phd Thesis, Universiti Malaya, 2014), 217.

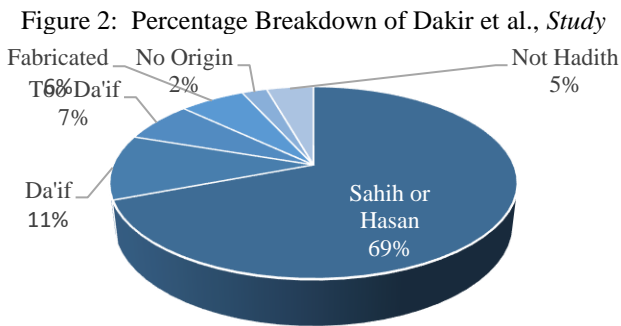
<sup>12</sup> Zarif, M.M., "Penulisan Karya Hadis Nusantara Abad Ke-19: Antara Syeikh Nawawi Banten dan Syeikh Wan Ali Kutan al-Kalantani," in *Sunnah Nabi: Realiti dan Cabaran Semasa*, ed. Fauzi Deraman, Ishak Suliaman & Faisal Ahmad Shah (Akademi Pengajian Islam, Universiti Malaya, 2011), 366.

compiled, Shahrulail and Ali determined that the book contains 12 fake hadiths and four hadiths that are of insufficient quality.<sup>13</sup>

Bringing attention to a more recent publication, in 2009 Dakir et al., studied 300 famous hadith collected from several collections of Friday sermons, texts published by the Islamic religious departments of the states, Java books, Islamic magazines, and public reading materials such as motivational books found that 32 of them were da'if hadith, 20 too da'if, 18 false hadiths, and seven hadiths whose origins are not found.<sup>14</sup> The results of their research demonstrate, in a roundabout way, the phenomenon of the use of renowned but inaccurate hadith in publications, which can potentially deceive readers who cannot execute the hadith authentication procedure.

Table 1: Hadith Classifications of Dakir et.al., Study

Classificatin	Number of Hadith	Percentage %
<b>Sahih &amp; Hasan</b>	201	67 %
<b>Da'if</b>	32	10.6 %
<b>Too Da'if</b>	20	6.6 %
<b>Palsu</b>	18	6 %
<b>No Origin</b>	7	2.3 %
<b>Not Hadith</b>	13	4.3 %
<b>Untraceable Hadith</b>	9	3 %
<b>Total</b>	300	100 %



<sup>13</sup> Shahrulail, M. A. & Ali, M. A. M., “Kualiti Hadith dalam Kitab Hidayat al-Mukhtar Serta Implikasi Terhadap Penyampaian Dakwah Kepada Masyarakat,” *Jurnal Mau'izah* 1 (2018), 47.

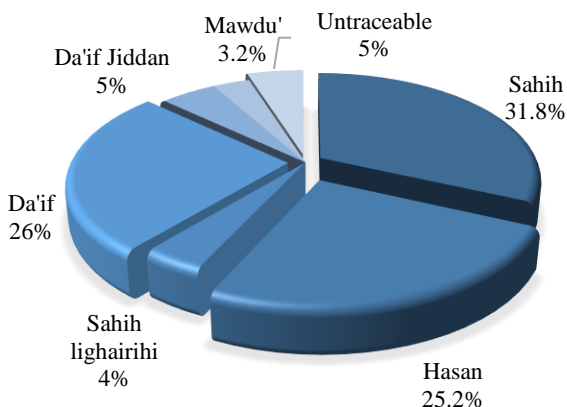
<sup>14</sup> Dakir, J. et al., “Hadith Masyhur dalam Masyarakat Melayu: Takhrij dan Analisis,” *Jurnal Usuluddin* 29 (2009), 123-142.

Meanwhile, research that focused on the authenticity of hadith in 10 books of the motivational genre and was conducted by Asmori et. al. in 2017 concluded that out of 123 hadith, 32 of them are weak hadith, six hadith are too weak, and four fake hadith were detected.<sup>15</sup> The study's findings are outlined in further detail in the tables and figures presented below:

Table 2: Hadith Classifications of Faiz et al., Study

Classification	Number of Hadith	Percentage %
Sahih	39	31.8 %
Hasan	31	25.2 %
Sahih lighairihi	5	4 %
Da'if	32	26 %
Too Da'if	6	4.9 %
Fabricated	4	3.2 %
Untraceable	6	4.9 %
<b>Total</b>	<b>123</b>	<b>100 %</b>

Figure 3: Percentage Breakdown of Faiz et. al., Study

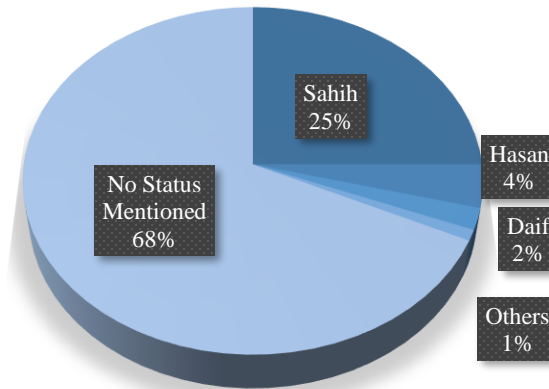


In the most current study, conducted in 2020 by the Hadith Regulatory Unit, Ministry of Home Affairs (MOHA), it was discovered that out of 465 hadith from 11 religious' publications from 2018 forward, only six, or 2 per cent, are weak hadith.

<sup>15</sup> Asmori, M. F. F., Nazri, M. A. & Hussin, H, "Hadith-hadith dalam Buku Motivasi Kajian Sanad dan Matan," *al-Banjari* 16.2 (2017), 117-135.

However, the fact that there are 292 hadiths, which account for 63 per cent of the total, is not indicated their status by the author is a far more concerning issue. It is suspected that these hadiths fall into the weak hadith category, including severe weak and even fraudulent hadith. The proportion of hadith divisions that were evaluated is displayed in the following figure:

Figure 4: Percentage Breakdown of Hadith Classification by MOHA



These studies demonstrate that non-authentic hadith has been used in book publication in Malaysia in both classical and contemporary works.

### **Unsystematic Hadith Writing**

From the perspective of hadith knowledge, writing a hadith text without systematic styles is not an offence. As a matter of fact, no known hadith experts designate a particular literary style to hadith writings. It is permitted as long as the text of the hadith is correctly written without tashif or tahrif. However, in present situations, such as the proliferation of false and weak hadith, the development of a systematic technique of composing hadith texts to give readers vital information that can be used in the process of hadith authentication is needed.

According to Garis Panduan Penulisan dan Penerbitan Teks Hadith (GPPPTH) issued by Lajnah Tahqiq Hadith, Kementerian

Dalam Negeri (MOHA), a written hadith must include the followings:<sup>16</sup>

1. Arabic hadith text,
2. Malay translation,
3. hadith narrator,
4. name of kitab,
5. name of title and sub-title,
6. hadith number,
7. hadith classification,
8. name of first narrator,
9. hadith reference information.

A review of hadith publications in Malaysia found that there are inconsistencies in hadith writing methods, such as stating hadith with sanad and mukharrij, mukharrij without sanad, sanad without mukharrij, without both sanad and mukharrij and mentioning a hadith only by saying 'in hadith of the Prophet'.<sup>17</sup> According to Latif and Hamid's examination of Tuan Minal's book 'Aqidah Al-Najin, the author used the word "sabda Nabi" without providing any status or source information. Some writers presented a hadith solely on the basis of its interpretation or meaning. Some works just cut the narration of the hadith material to what is necessary for discussion.<sup>18</sup> In contrast, others entirely neglect the Arabic text and only provide the translation of the hadith.<sup>19</sup> This is supported by statistics from the Hadith Regulatory Unit at the Ministry of Home Affairs (MOHA) on 11 commercial books, which revealed inconsistencies in the way hadith were written. Of the 465 hadith reviewed, 260 (55.9%) did not include the original hadith

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<sup>16</sup> Ministry of Home Affairs (MOHA), *Garis Panduan Penulisan dan Penerbitan Teks Hadith*, (Putrajaya: MOHA, 2018), 7-15.

<sup>17</sup> Fachrul, L. & Dakir, J., "Methodology Of Writing Hadith in The Works of Muhammad Nawawi al-Bantani," *Journal of Applied Sciences Research* 8.4 (2017), 2188-2191. See Simbolon, P., "Metodologi Penulisan Hadith dalam Tafsir Bahasa Melayu: Kajian Perbandingan antara Tafsir al-Mishbah dan Tafsir Pedoman Muttaqin" (Master Dissertation, Universiti Malaya, 2013).

<sup>18</sup> Latif, F. & Hamid, A. F., "Tradisi Penulisan Hadith dalam Karya Ulama' Melayu: Kajian Terhadap Kitab 'Aqidah Al-Najin," *Jurnal Usuludin* (2009), 91-109.

<sup>19</sup> Ahmad, K., "Analisis Bentuk-bentuk Matan Hadith dalam Kitab Jawi Nusantara: Penentu Arah dalam Takhrij Hadith," (Proceeding in Seminar Takhrij Hadith Nusantara, Universiti Malaya, 2009), 7-12.



text, 292 (63%) did not mention the hadith's status at all, and 26 (5.6%) did not identify its source. The procedure of authenticating a hadith is made more difficult by this absence of information.

Table 3: List of books inspected by MOHA

No.	Book Title	Author	Publisher	Genre	Year
1.	Dunia Diuji Syurga Dinikmati	Halim Din	PTS Publishing House Sdn. Bhd	Motivasi	2019
2.	Maaf Tuhan, Kami Sedang Sibuk	Ahmad Rifa'I Rif'an	Al-Hidayah House OF Publishers Sdn. Bhd	Motivasi	2018
3.	Penawar Hati	Abdul Ghani Jabal Maraqy	Jabal Maraqy Sdn. Bhd	Motivasi	2019
4.	Pedoman Buat Umat	Habib Ali Zaenal Abidin, Nur Mohamad Adli Rosli	PTS Publishing House Sdn. Bhd	Motivasi	2019
5.	Segalanya Tentang Cinta	Dr. Syaidatun Nazirah Abu Zahrin, PM Dr. Aminudin Basir, PM Dr. Fazilah Idris	PTS Publishing House Sdn. Bhd	Motivasi	2020
6.	200 Tips Berhibur Gaya Rasulullah	Muhamad Hisyamuddin Yahya	PTS Publishing House Sdn. Bhd	Motivasi	2019
7.	Syarah Hadith 40 (terjemahan)	Al-Nawawi-Dr Mustofa al-Bugha (komentator)	Pustaka Salam	Pelbagai	2016
8.	Kemunculan Dajjal Mengikut al-Quran dan Hadis Rasulullah	Sadhli Nuruddin Mohamed	Pustaka Ilmuwan	Fitnah akhir zaman	2019
9.	Ratib al-Hadad	Muhadir Md Joll	Galeri Ilmu Sdn Bhd	Zikir	2019
10.	Panduan Lengkap Ibadah Wanita	Abdul Syukur	Al-Hidayah House OF Publishers Sdn. Bhd	Fiqh	2018

11.	Koleksi 100 Solat-solat Sunat	Ahmad bin Hj Ibrahim	Al-Hidayah House OF Publishers Sdn. Bhd	Fiqh	2019
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### Errors in Hadith Translation

In the Malaysian context, the translation of hadith texts from Arabic into Malay is critical, given society's high dependence on it. Incomplete or inaccurate translation can cause the reader to misunderstand the hadith and result in religious practices that stray from the proper path. According to Rosli et al., a high aesthetic components and a broad covering of content in religious writings such as the Qur'an and the Bible provide significant problems to translators in assuring the right selection of methodologies and theories in their translation process.<sup>20</sup> This clearly shows that the translation process is not easy, as there are huge lexical gaps in translating Arabic texts into other languages that could potentially lead to untranslatability.

A case study done by Sapar in 2013 on 60 students from three public educational institutions in Malaysia translating 180 Arabic texts from three books showed translation errors among students, such as technical, language, and discourse marker errors. Sapar concluded these error factors are due to weakness in understanding Arabic texts, weakness in using standard Malay in writing, weakness in translating Arabic terms, limited scientific background in the field to be translated, weakness in understanding concepts and theories of translation, weakness in mastering translation strategies and processes and lack of experience and guidance in the field of translation. Sapar's findings prove the complexity of the translation process, especially if done by those who are not skilled.<sup>21</sup> According to Shah, there are nine conditions and criteria translators need to have, including identifying Islamic terms and their clues, knowing the Arabic language and grammar rules, saraf and balaghah, and having an extensive Arabic vocabulary. He also touched on factors contributing to translation

<sup>20</sup> Rosli, M., Abdullah, N. & Abd. Rahman, L., "Terjemahan Teks Keagamaan: Tinjauan dari Sudut Konsep Kebolehterjemahan," *Journal of Social Science and Humanity* 17.4 (2020), 87.

<sup>21</sup> Sapar, A.A., "Analisis Kesilapan Penterjemahan Teks Bahasa Arab Ke Bahasa Melayu: Satu Kajian Kes" (Master Dissertation, Universiti Malaya, 2003).

errors, such as the translator's reliance on the meaning in terms of language by referring to the mu'jam language instead of the ulama's interpretation or hadith commentary books, reliance on translated books without referring to the original book and translating literally.<sup>22</sup>

Several studies on the authentication of hadith translation have been done by researchers, such as Shah's study on the translation of Riyad al-Solihin published by JAKIM. As a result, he identified several translation errors involving addition, subtraction, modification of translation from a source language to the target language, and technical errors such as making the author's text a hadith text and giving different translations of the exact hadith text. The table below shows some examples of such offences;

Table 4: Category and Example of Errors in Riyad al-Salihin Translation

No.	Category	Example
1.	Mistranslation	1. Word وَيَحْكُ translated as “malangnya” despite the fact that it is a term with a grief or anger-related connotation
		2. Word تَخَلَّفَ translated to “turut serta” while the exact translation is "not participating".
		3. Word أَمْسِكْ translated to “memiliki” while "saving" is more appropriate.
2.	Inaccurate Literal Translation	1. Word الصدمة الأولى translated to “peringkat mula-mula di pertembungan”. More understandable translation is “pada waktu pertama kali ditimpa”.
3.	Hadith Terms Interpretation (Takwil)	1. Word دابة العظيمة translated to “singa/lion” whereas it is not translated in that sense in the books of syarah hadith.

In addition to Shah, Halif et al., also analyzed the translation of Abu Bakr Palestine (d.1998M) on the work of Misbah al-Dhalam wa Bahjah al-Anam. As a result of a random analysis of

<sup>22</sup> Shah, F. A., “Terjemahan Hadith Nabi S.A.W ke dalam Bahasa Melayu: Analisis terhadap kitab Riyad al-Salihin Terbitan JAKIM,” *al-Bayan: Journal of al-Quran and al-Hadith* 9 (2011), 74-76.

several hadiths in this book, the researcher found that the translation is difficult to understand because it is carried out directly from the matan and uses the classical Malay Java style. Due to that, they suggested that improvements be made to the works of this classical hadith translation with an injection of new breath to make it remain relevant throughout the ages.<sup>23</sup>

Abidin's study on the translation of Fath Mu'in's, found that out of 103 hadith translations in this work, where 47 of them met the translation requirements outlined by translation scholars, while the remaining 56 contained some translation and technical errors. Among them are; imperfect translations of the hadith text either at the beginning of the matan, in the middle or at the end. In addition, there is a mixture of the book's author's text with the translation of hadith and a non-uniform translation of the same hadith material.<sup>24</sup>

### **Dependence on Indonesian Translation**

The dependence of the Muslim community in Malaysia on Indonesian-translated hadith books is an undeniable reality. Especially when the local market has not been able to meet the sudden demand for reading materials, the impact of public awareness on the science of hadith.<sup>25</sup> A relatively active translation culture also drives this factor parallel with a growing market on the other side.<sup>26</sup> However, the slightly different language style between Malaysian and Indonesian Malay causes discomfort and indirectly affects reading fluency. However, this difference is insignificant because both take the Johor-Riau dialect as their official basis.<sup>27</sup>

The results of interviews with informants involved in the commercial publishing industry found that book companies in Malaysia use Indonesian translation as the main reference.<sup>28</sup> They

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<sup>23</sup> Abdul Halif, A. L., Deraman, F. & Mohd Noor, M. M., "Terjemahan Hadis-hadis ke dalam Bahasa Melayu: Analisis Kitab Misbah al-Dzalam," (Proceeding in Seminar Antarabangsa Sunnah Nabawiyah: Realiti dan Cabaran Semasa, Universiti Malaya, 2011), 341-352.

<sup>24</sup> Abidin, "Penulisan Hadith," 223-227.

<sup>25</sup> Zabidi, "Faktor Dorongan," 106.

<sup>26</sup> Helmi, "Nilai Ekonomi Industri Buku Terjemahan", *PTS*, accessed December 8, 2021, <https://pts.com.my/berita/nilai-ekonomi-industri-buku-terjemahan>.

<sup>27</sup> Khairi, M. R., "Perkembangan Terjemahan Buku Agama ke Bahasa Indonesia dan Bahasa Malaysia" *Kitab Hadith Blog*, accessed December 5, 2021, <https://kitabhadith.wordpress.com/category/kitab-hadith/>.

<sup>28</sup> Mohd Farid Onn, online interview with author, November 23, 2021.

also bought the copyrights of translations of religious books from translators from Indonesia to be republished here.<sup>29</sup> However, Makhtar pointed out that some Indonesian translations are sometimes not as accurate as expected like translating the word ‘usfan (عسفان) to Isfahan (اصفهان).<sup>30</sup>

### **Reality of Hadith Publication in Indonesia**

As discussed earlier, by the 20th century, the publication of hadith materials in Indonesia began to experience a very encouraging development driven by the rapid development of technology. Books and books of hadith undergo a process of digitization that facilitates the reader's access to them. Nevertheless, some negative impacts emerge from these positive developments.<sup>31</sup>

### **Dissemination of Da'if and False Hadiths**

According to Abdul Wahid, the spread of weak and false hadith occurs at the speaker's table and in scholarly writings even though the work of hadith and knowledge has begun to spread in society.<sup>32</sup> This phenomenon may be due to the dropout of the development of hadith science in Indonesia compared to other sciences, so the awareness of hadith authentication is relatively weak in society.<sup>33</sup> The following are some examples of non-authentic hadith that were spread as collected by Wahid:

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<sup>29</sup> Muhammad Hafiz Daud, online interview with author, March 26, 2021.

<sup>30</sup> Muhamad Luqman Makhtar, online interview with author November 18 2021.

"Usfan" (عُسفان) is the name of valley in Saudi Arabia. Situated 84 kilometres away from Mecca in the direction of Medina. If travelling from Mecca to Medina, Wadi Usfan is situated between the provinces of Hudaibiyah and Faidah. However, if travelling from Medina to Mecca, this valley is situated in the vicinity of Al-Musaijjid, Badr, Al-Muraisi, and Khulaish. A hadith reported by Ahmad has this statement:

(عن ابن عباس قال : لما مر رسول الله صلى الله عليه وسلم بوادي عسفان حين حج)

Isfahan (اصفهان) on the other hand, is a city in western Iran. It is situated on the Zayandeh River's north bank. Due of its great architectural values in the Islamic world, it was designated as a UNESCO world historic site in 1979 and has a population of 1,961,260. See <https://www.britannica.com/place/Esfahan>.

<sup>31</sup> Syifana & Pratama, "Perkembangan Kajian," 106.

<sup>32</sup> Abdul Wahid, "Perkembangan Kajian," 67-68. See also Abdul Wahid, H R., "Masa Depan Perkembangan Kajian Hadis di Nusantara," (Proceeding in Hadith Nabawi in Malay Archipelago: History and Progress Conference, KUIS, Selangor, 2017), 2.

<sup>33</sup> Azra, A., *Kecenderungan Kajian Islam di Indonesia: Studi Tentang Kajian Doktor Program Pascasarjana IAIN Syarif Hidayatullah* (Jakarta: tp, 1997), 23-24.

Table 5: Examples of Fabricated Hadith Spread in Indonesian Society

No.	Fabricated Hadith
1	Bagian awal dari bulan Ramadan rahmat, bagian pertengahan keampunan, dan bagian akhir kebebasan dari api neraka.
2	Tidurnya orang yang berpuasa ibadah.
3	Awal yang diciptakan Allah Nur Nabimu hai Jabir.
4	Dulu aku perbendaharaan yang tersembunyi maka Aku ingin dikenal maka Aku jadikanlah makhluk maka dengan Aku mereka mengenal Aku.
5	Barangsiapa merayakan maulidku, maka beri syafaat baginya pada hari kiamat. Dan barangsiapa berinfaq satu dirham untuk maulidku maka seolah-olah ia telah berinfaq satu gunung dari emas fi sabilillah.
6	Tuntutlah ilmu dari ayunan sampai liang lahad.
7	Tuntutlah ilmu sekalipun di negeri Cina.

More worryingly, Sayadi’s research found that al-Qur’an Hadith textbooks in Madrasah Ibtidaiyah and Tsanawiyah contain a number of weak, very weak and also false hadiths.<sup>34</sup> Table 6 details his findings:

Table 6: Detail of Hadith in the Book Pelajaran al-Qur’an Hadis

Hadith Category							Total
Sahih	Hasan	Daif	Too Daif	Fabricated	Unknown Status	Speech of the Companions	
23	1	2	6	5	1	1	39

The development of information and information technology has fueled the phenomenon of hoaxes in Indonesia.<sup>35</sup> In fact, according to Chumairoh, it is one of the direct effects of the development of social media.<sup>36</sup> Hoax means a piece of news that is untrue, unsourced or has no basis used to deceive others. The

<sup>34</sup> Sayadi, W., “Hadith Daif dan Palsu dalam Buku Pelajaran al-Qur’an Hadis di Madrasah,” *Jurnal Analisa* 19.2 (2012), 227-241.

<sup>35</sup> Faqih, M. N., “Mengidentifikasi Berita Hoaks Melalui Metode Kritik Hadits,” (Proceedings in Seminar Ilmu Hadis: Urgensi Studi Hadis di Indonesia pada Era Millenial, Sekolah Tinggi Dirosah Islamiyah Imam Syafi’i (STDIIS), 2019), 155.

<sup>36</sup> Chumairoh, H., “Ancaman Berita Bohong di Tengah Pandemi Covid-19,” *Vox Populi* 3.1 (2020), 25.

Ministry of Communications and Informatics (KOMINFO) recorded that from 2016 to 2018, there were 800 thousand hoaxes scattered on social media. In the Indonesian context, the spread of false hadiths wrapped in hoaxes has become a phenomenon that has been detected.<sup>37</sup>

### **Understanding of Hadith Texts Literally or Contextually Without Limitations**

In line with the rapid advancement of information and communication technology, the freedom to convey the teachings of hadith by anyone in the online media cannot be curbed. This matter, in one sense, can be seen positively because it further enriches the study of hadith. However, from the aspect of the quality of understanding of the hadith, it shows the opposite. This is because the phenomenon of interpreting a hadith textually-literally without referring to the methods of understanding the hadith outlined by scholars was found.<sup>38</sup> On the opposite side, another challenge arises in society which is the excessive use of contextual understanding toward hadith.<sup>39</sup>

### **Inaccuracies in the Methods of Quoting and Writing Hadith Texts**

A review of books and scholarly articles on Islam published in Indonesia found that the hadiths were quoted from secondary sources rather than primary ones. It is also found that the authors do not include the number of books and chapters or volumes and pages when publishing a hadith but only refer it to the narration of al-Bukhari or Muslim. This phenomenon is a manifestation of the backwardness and dropout of the development of hadith knowledge in the region.<sup>40</sup>

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<sup>37</sup> Syifana & Pratama, "Perkembangan Kajian," 106.

<sup>38</sup> Anggoro, T., "Perkembangan Pemahaman Hadis di Indonesia: Analisis Pergeseran dan Tawaran di Masa Kini," *Diya al-Afkar* 7.1 (2019), 160.

<sup>39</sup> Abdul Wahid, "Masa Depan," 8.

<sup>40</sup> Abdul Wahid, "Perkembangan Kajian," 68. See also Yaqub, A. M., "Kajian Hadith di Indonesia, Institusi Formal dan Tidak Formal," in *Takhrij Hadith di Nusantara: Keperluan Masa Kini*, ed. Faisal Ahmad Shah, Fauzi Deraman & Ishak Suliaman (Akademi Pengajian Islam Universiti Malaya, 2011), 50-51.

## **Results and Discussions**

### **Regulation Mechanism of Hadith Publication in Malaysia and Indonesia**

With a series of issues and problems in the publication of hadith texts in Malaysia, cabinet meeting on 22 December 2015 has agreed and decided that a body that plans and implements a mechanism for filtering and reviewing hadith texts is established under the Ministry of Home Affairs (MOHA). This body is known as the Lajnah Tahqiq Hadith (LTH)/Hadith Review and Evaluation Committee. From the Ministry of Home Affairs (MOHA)'s perspective, regulating hadith texts is implemented in line with their vision, mission, core and function on security and public order. In terms of membership, LTH is comprised of seven (7) hadith experts from various backgrounds. The nomination is done by considering the candidates proposed by the state mufti offices in Malaysia and nominations from the Ministry of Home Affairs (MOHA) itself.<sup>41</sup>

In carrying out its responsibilities and roles, LTH is subject to the terms of reference set by the Lembaga Pengawalan dan Pelesenan Percetakan Al-Quran (LPPPQ), MOHA, as follows:<sup>42</sup>

1. develop guidelines for the publication and writing of hadith in Malaysia.
2. make censorship of hadith maudu '(false) in the publication.
3. reviewing errors in writing material and translation of hadith in print and electronic media publications.
4. creating a hadith database as a reference centre.
5. recommend LPPPQ to obtain results on publications containing hadiths.

In 2018, LTH published a guideline called the Guidelines for the Writing and Publication of Hadith Texts (GPPPTH) to regulate the publication of hadith in Malaysia. These guidelines are divided into four themes: Method of Quoting Hadith from Original Reference Sources, Method of Quoting Da'if and False Hadith,

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<sup>41</sup> Ministry of Home Affairs (MOHA), *Minit Mesyuarat Lembaga Pengawalan dan Pelesenan Percetakan Teks al-Quran* (LPPPQ), 86.2 (2016), 10-11.

<sup>42</sup> Ministry of Home Affairs (MOHA), *Kertas Perjawatan Unit Kawalan Hadith, Bahagian PQ*, KDN (Putrajaya: MOHA, 2016), 2.



Method of Writing Hadith and Hadith Reference and Method of Transliteration Writing. The hadith translation guide is also briefly touched on. These guidelines are provided as a guide to all parties, from entrepreneurs, manufacturers, printers, publishers, sellers, writers and to the public involved in writing and publishing hadith texts.

Table 7: The Content of Garis Panduan Penulisan Dan Penerbitan Teks Hadith (GPPPTH), MOHA

No.	Content
1	Introduction
2	Objective
3	Definition
4	Method of Quoting Hadith from Original Reference Sources
5	Method of Quoting Hadith Da'if dan Palsu (Mawdu') in Publication
6	Methods of Writing Hadith and References in Publication
7	Methods of Transliteration Writing

With the cooperation of officials in the Hadith Regulatory Unit, Ministry of Home Affairs and the Penolong Pegawai Hal Ehwal Islam (PPHEI) in the states, LTH monitors books in the market to review the level of compliance with the Garis Panduan Penulisan Dan Penerbitan Teks Hadith (GPPPTH). To implement it, the state PPHEI are instructed to check two books a month from certain publishers in their respective states, fill in the Review Form provided and send the report to the officers in the Hadith Regulatory Unit at the headquarters to further action.

As a result, in 2020, a total of 11 religious books published in 2018 and above were reviewed. This review found that 6 (2%) of the 465 hadiths were hadiths of weak status. However, what is more worrying is that there are 292 hadiths (63%) whose status is not stated by the author. This turned out to be against the guidelines set by LTH in GPPPTH. This also makes it difficult for the reader to trace the status of the hadith. In fact, there is a possibility that the hadith whose status is not explained is included in the category of hadith da'if, very da'if or false. Details on these findings can be referred in figure 3 above.

Apart from the Ministry of Home Affairs (MOHA), among other government agencies that regulate religious texts in Malaysia is the Jabatan Kemajuan Islam Malaysia (JAKIM). It aligns with its function to plan the development and progress of Islamic affairs in

the country. Among the regulatory mechanisms are the Guidelines for the Censorship of Islamic Publications. This guideline lists matters that are prohibited from being published, such as matters that affect the sanctity of Islam, ridicule and question the authority of the main sources of Islamic law, namely the Qur'an, Sunnah, Ijma' and Qiyas, as well as materials that contain elements of Isra'iliyyat, superstition and superstitious culture.<sup>43</sup> These guidelines are clearly designed as a basic reference to determine the suitability of the content of a publication, writing or printing so as not to deviate and contaminate the teachings of Islam in Malaysia.

Focusing on the content of hadith, in 2008 JAKIM has collaborated with Abdul Sukor in publishing a paper entitled *Hadith Mawdu': Sejarah Dan Cara-Cara Mengenalinya*. It is a guideline that guides the reader to know the techniques of recognising false hadith as well as treatises that collect false hadith.<sup>44</sup> From the aspect of writing and publication, JAKIM has published *Guidelines for Writing Research Journals* which outlines eight details that must be met when writing a hadith text, namely; the name of the author of the book referred to, the year the book was published, the name of the book (written in italics), chapter, hadith number, publisher name, number of volumes and the page number.<sup>45</sup> Compared to GPPPTH by MOHA, these guidelines can be considered too brief.

The preparation of standard hadith references can also be considered as one of the regulatory mechanisms as it drives the use of accurate hadith texts. In this regard, JAKIM has published several hadith text references such as *Mastika Hadith Rasulullah S.A.W*, *Bulugh al-Maram: Terjemahan dan Huraian*, *Terjemahan Riyad al-Salihin dan Terjemahan Sahih al-Bukhari*.<sup>46</sup> JAKIM also provides hadith references in digital form through the Smart Hadith application and the myHadith website. Given that the translation of hadith texts from Arabic to Malay is of great importance in the context of readers in Malaysia who generally rely on translation to

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<sup>43</sup> Jabatan Kemajuan Islam Malaysia (JAKIM), *Garis Panduan Penapisan Kandungan Bahan-bahan Penyiaran Berunsur Islam* (Putrajaya: JAKIM, 2015).

<sup>44</sup> Abdul Sukor, A. H., *Hadith Mawdu': Sejarah dan Cara-cara Mengenalinya* (Putrajaya: JAKIM, 2008).

<sup>45</sup> Jabatan Kemajuan Islam Malaysia (JAKIM), *Garis Panduan Penulisan Jurnal Penyelidikan* (Putrajaya: JAKIM, t.t).

<sup>46</sup> Deraman, F., Sulieman, I. H. & Shah, F. A., *Pengajian Hadith di Malaysia: Tokoh, Karya, Institusi* (Kuala Lumpur: Jabatan al-Quran dan al-Hadith Akademi Pengajian Islam Universiti Malaya, 2011), 163-187.

understand hadith texts, the government, through the Office of the Minister of Religion in the Prime Minister's Department in 2021 published a complete translation of Sahih al- Bukhari.<sup>47</sup> Translated manuscripts can be considered one of the means of regulating hadith, especially in ensuring the translation quality.

In Malaysia, other than central government, state governments also have their own regulation mechanism. Regulation at the state level even seems more serious and credible because it takes the form of law enforcement. An example can be seen in the enactment of section 8, Syariah Criminal Offenses (Federal Territories) Act 1997, which gazetted a fine not exceeding five thousand ringgit or imprisonment for a term not exceeding three years or both against those convicted of ridiculing, insulting, mocking or causing contempt for Qur'anic verses and hadith. Meanwhile, at the state level, the Selangor state government, for example, has enforced the Selangor Syariah Criminal Enactment on those who ridicule, insult, ridicule or cause the verses of the Qur'an and hadith to be looked down upon with a fine not exceeding five thousand ringgit or imprisonment for a term not more than three years or both if convicted.<sup>48</sup> According to Mustafa, the offence of disseminating false hadith can be prosecuted under this act and enactment.<sup>49</sup>

The National Library of Malaysia has been provided with the Akta Penyerahan Bahan Perpustakaan 1986 (Act 331) to document local and foreign publications covering the process of

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<sup>47</sup> Zulkifli Mohamad al-Bakri, "Terjemahan Sahih al-Bukhari, Tafsir al-Qur'an al-Bayan dan Terjemahan al-Quran versi al-Bayan adalah hadiah buat seluruh umat Islam di Malaysia," *Twitter*, accessed September 7, 2021, [https://twitter.com/drzul\\_albakri/status/1432198300451545088](https://twitter.com/drzul_albakri/status/1432198300451545088).

<sup>48</sup> With exception of the state of Kelantan, all states in Malaysia listed the act of 'mocking the verses of the Quran and hadith' as a Shariah criminal offense in their respective acts/enactments/ordinances. The states are Sabah (Sec. 53), Penang (Sec. 8), Perlis (Sec. 37), Sarawak (Sec. 8), Perak (Sec. 15), Johor (Sec. 8), Selangor (Sec. 9), Negeri Sembilan (Sec. 49), Kedah (Sec. 8), Terengganu (Sec. 9), Federal Territories (Sec. 8), Pahang (Sec. 12) and Melaka (Sec. 61). See Jusidin, N.R. & Kusrin, Z.M., "The Propagation of Doctrine of Deviant Religious Teachings in The Cyber Net," *Al-Qanatiir International Journal of Islamic Studies* 10.1 (2018).

<sup>49</sup> Mustapha, O, "Sebar Hadis Palsu Ibarat Pendustaan Terhadap Nabi- KP JAKIM," *mStar*, accessed January 4, 2022, <https://www.mstar.com.my/lokal/semasa/2012/02/28/sebar-hadis-palsu-ibarat-pendustaan-terhadap-nabi--kp-jakim>.

cataloguing, classification and indexing.<sup>50</sup> Under this act, publishers of printed library materials must submit five copies of their publications to the Director-General of the National Library of Malaysia within one month from the publication time. Failure to do so shall be punished by a fine not exceeding three thousand ringgits. From another perspective, this act can generally be considered as one of the forms of regulation and enforcement of printed materials that also cover the text of hadith even though it has different objectives.

Table 8: Malaysian Hadith Governing Authorities

No.	Content
1	Introduction
2	Objective
3	Definition
4	Method of Quoting Hadith from Original Reference Sources
5	Method of Quoting Hadith Da'if dan Palsu (Mawdu') in Publication
6	Methods of Writing Hadith and References in Publication
7	Methods of Transliteration Writing

As mentioned earlier, just like Malaysia, Indonesia also faces critical issues and challenges in publishing hadith texts such as the spread of inauthentic hadith, the exploitation of hadith as hoaxes, the unsystematic writing of hadith, and the misunderstanding of hadith texts. Over time, these issues have developed into a cancer that is impeding the growth of hadith knowledge and literature.

At the national level, studies show that the Indonesian government has enforced no hadith regulatory initiatives as of the time this study is conducted. In interviews with Indonesian informants, they admitted that there is no mechanism pertaining hadith publication imposed by Indonesian government here.<sup>51</sup> According to Ropi, this is because there is no clear provision in the constitution of the Republic of Indonesia on how the government plays a role in religious affairs.<sup>52</sup>

<sup>50</sup> Abd Rahman, A. R., Nadzar, F. M. & Sahrani, R., "Pengabstrakan dan Pengindeksan di Malaysia: Satu Tinjauan," *Jurnal Informika* 2 (2013), 82.

<sup>51</sup> Muchtim Humaidi, online interview with author, September 28, 2021; Ashajj, online interview with author, September 30, 2021; Artawijaya, online interview with author October 1, 2021; Sodikin, Online interview with author, November 24, 2021.

<sup>52</sup> According to Ropi. I, this is indicated by the absence of an official religion of the state in the constitution. In addition, the restricted structure of religious freedom in the constitution is also an evident to the government's ambiguity in religious affairs when

In 1946 the government established the Ministry of Religion to carry out its function as an advisor to the government on policies related to Islam and its community. During his tenure as the ministry's first minister, Muhammad Rasjidi expanded the ministry's functions and jurisdiction by taking over administrative matters previously controlled by the Ministry of Home Affairs, Ministry of Justice and Ministry of Education, such as Islamic marriage, sharia courts, mosque operation, hajj affairs, duties. Islamic High Court and administration of religious education in public schools. As a result of the empowerment of this institution, various Islamic laws were enacted, such as UU No. 22/1946. 22/1946, which directly touches on Islamic marriage law. As a result of the empowerment of this body, in 1960, the Ministry of Religion was given another significant jurisdiction, namely, to inspect and regulate religious publications in Indonesia and to monitor the entry of religious publications into the country.

As a result, according to Bush by 2005 there were at least 78 Perdas (Peraturan Daerah/Regional Regulation) or Sharia laws in 470 districts and municipalities throughout Indonesia.<sup>53</sup> The table below summarizes the typology of these regulations:

Table 9: Types and Number of Religious Rules (Ropi, 2017)

No.	Type of Rule	No	Total
1.	Keharmonian Agama		
	i. Rumah Ibadat	5	
	ii. Garis Panduan Pendakwah Asing	7	
	iii. Garis Panduan Pendakwah Agama	11	39

it only touches on freedom to embrace and practice religion only contrasted to the Universal Declaration of Human Rights 1948 (UDHR 1948) which broadly covers freedom to change religion or belief, to manifest his religion and beliefs in teaching, practice, worship and observance. The ambiguity in interpreting and understanding religion-related articles is also an indication of this. For example, does the principle of the *Ketuhanan Yang Maha Esa* point to the framework of the preservation of religious freedom or vice versa? Further details on this matter are not found in the constitution. However, according to Ropi, this limitation does not mean that it does not have any affect on the overall basis of government policy on religious affairs, in fact it has paved the way for government involvement in religious affairs more effectively as can be seen in re-amendment of the constitution. See Ropi. I., *Religion and Regulation in Indonesia* (Palgrave Macmillan, 2017), 79-83.

<sup>53</sup> Bush, R., "Regional Sharia Regulations in Indonesia: Anomaly or Symptom?" in *Expressing Islam: Religious Life and Politics in Indonesia*, ed. Greg Fealy & Sally White (Singapore: Institute of Southeast Asian Studies, 2008), 176.

	iv. Garis Panduan Mengekalkan Keharmonian Agama	16	
2.	Pengharaman		
	i. Mazhab dan doktrin agama yang bercangah dengan aliran arus perdana	31	50
	ii. Buku/bahan bercetak/monograf/symbol/komik/gambar	14	
	iii. Perkahwinan rentas agama	4	
3.	Larangan kepada orang Cina dan <i>Aliran Kepercayaan</i>	20	20
	<b>Total</b>		110

However, examining all the regulations, including statutes, decrees, joint decrees, instructions, and circulars discussed above, it is found that the Indonesian government enforces no specific laws or regulations related to hadith texts.

Even so, on the aspect of regulating printed materials gazetting Law No. 4/1990 Serah Simpan Karya Cetak dan Karya Rekam can be accepted as a regulation mechanism of religious texts.<sup>54</sup> This law obliges every publisher; recording companies; Indonesian citizens whose works were published or recorded abroad; persons or business entities who submit printed works and/or recordings of Indonesia from abroad, and government agencies to submit two copies of their printed works and/or recorded works to the National Library. As a result of the submission of this copy, the library monitors and records every book publication in Indonesia in the Bibliografi Nasional Indonesia (BNI), Katalog Dalam Terbitan (KDT) and Daftar Karya Cetak dan Karya Rekam Indonesia. Failure to surrender can result in the perpetrator being fined Rp 5,000,000 (five million rupiahs) or imprisoned for six months. Among the functions of this law is to record and index published works as a source of reference for the community and then become a national collection that can reflect the nation's thinking.<sup>55</sup>

According to Kesuma, internet users in Indonesia have reached a total of 196.7 million users. The response to this technology is encouraging because it is the easiest way to access,

<sup>54</sup> Istiarni, A., *Khazanah Penerbitan Buku Islam di Indonesia* (UIN Sunan Kalijaga, 2016), 1-20.

<sup>55</sup> Nola, L. F., "Pelaksanaan UU No. 4 Tahun 1990 Tentang Serah Simpan Karya Cetak Dan Karya Rekam: Analisis Yuridis Kewenangan dan Koordinasi Antara Perpustakaan Daerah dengan Pihak Terkait," *Negara Hukum* 2.2 (2011), 240.

obtain and disseminate information. At the same time, the dissemination of information involving the elements of hoaxes is actively taking place.<sup>56</sup> Accordingly, of the eight initiatives undertaken by the Indonesian government to curb this hoax phenomenon, one of them is the introduction and enforcement of a special law called Law No.11 of 2016 on Informasi dan Transaksi Elektronik (ITE).<sup>57</sup> This law mentions:

Whoever publishes a news story or issues a notice, which can cause damage to the community, while he can suspect that the news or notice is a lie, is punishable by imprisonment for a maximum of three years.

This law can be extended to the context of hadith regulation, particularly involving the spread of false hadith in the virtual world.

Regulation of hadith texts by authoritative bodies can prevent the spread of unauthentic hadith in publications.<sup>58</sup> Thus, through the Ministry of Home Affairs (MOHA), the Malaysian government has established Lajnah Tahqiq Hadith (LTH), which oversees the publication of hadith texts here. While its establishment was a visionary initiative, it was not without constraints and challenges. Most importantly, this Lajnah is not underpinned and supported by any particular act in its operation to affect the implementation and effectiveness of its regulatory mechanisms. Some publishers and authors ignore the guidelines provided because there are no legal implications for non-compliance. To make matters worse, the survey showed that 11 out of 30 respondents (36.6%) representing the publishing industry were not aware of the existence of this Lajnah, while nine respondents (30%) were unaware of its function and role in regulating hadith texts. It turns out to be a disadvantage considering

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<sup>56</sup> Kesuma, D.A., "Analisis Metode Kritik Hadits dan Pandangan Hukum Indonesia Terhadap Berita Hoax," *Akselerasi: Jurnal Ilmiah Nasional* 3.2 (2021), 56.

<sup>57</sup> Amiruddin, M., "Hoax dalam Perspektif Hukum Islam dan Undang-undang RI No, 19 Th 2016 Tentang Informasi dan Transaksi Elektronik (Studi di Facebook, Whats App, Twitter, Instagram)," (Master Dissertation, IAIN Tulungagung, 2011), 2-3.

<sup>58</sup> Abdul Sukor, A. H., *Hadith Mawdu': Sejarah dan Cara-cara Mengenalinya* (Putrajaya: JAKIM, 2008), 12.

that as a government agency, promotional activities should not be an issue as no-cost constraints are faced. In fact, many government machinery options can be mobilized for promotional purposes. Looking at the programs and activities carried out by Lajnah, two shortcomings can be improved, namely (a) focusing more on the review, filtering and preparation of hadith databases, not knowledge spreading activities, (b) targeting the correct participants that are the authors and the publishers. These two issues need to be improved to ensure the effectiveness of hadith regulation in the country.

Garis Panduan Penulisan dan Penerbitan Teks Hadith (GPPPTH) is a document that offers direction for the composition of hadith-related material, including references and translations. However, when questioned, some of the interviewees said they were unaware of the existence of these standards in their entirety. It is corroborated by a poll that was carried out by researchers, which indicated that 15 out of 30 respondents (50 percent) representing the sector are not sure or do not grasp it well, and that 9 respondents (30 percent) confessed that they needed professional assistance to apply it. These findings suggest that these guidelines are not only designed without taking into account the capabilities of their readers, but also inadequately introduced to those individuals whom they are intended to serve.

Jabatan Kemajuan Islam Malaysia (JAKIM) is the leading Islamic religious authority in Malaysia. Its tasks include the planning, administration, and management of the central secretariat of Islamic religious affairs. In the realm of hadith, JAKIM has launched a number of initiatives, some of which include the publication of the book *Mastika Hadith*, the translation of the books *Riyad al-Salihin* and *Sahih al-Bukhari* into Malay, and the development of websites, portals, and hadith applications.<sup>59</sup> JAKIM, like as LTH at the moment, does not have the jurisdiction to allow enforcement action to be taken against erroneous textual interpretations of hadith. They are solely responsible for helping to legislate and codify Islamic rules and regulations; it is not their job

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<sup>59</sup> Abdul Aziz, W. M., "Sumbangan dalam Perkembangan al-Quran dan Hadith di Nusantara: Tumpuan dan Peranan JAKIM Terhadap Penghasilan Karya", in *Khazanah al-Qur'an dan al-Hadith Nusantara*, ed. Mustafa Abdullah, Fauzi Deraman & Faisal Ahmad Shah (Kuala Lumpur: Akademi Pengajian Islam University of Malaya, 2009), 36-38.



to actually enforce these laws and regulations.<sup>60</sup> Because of this, it is abundantly obvious that JAKIM, despite being the primary agency for Islamic religious affairs in the nation, is nevertheless constrained in terms of the law and can only fulfil its role as an agent of knowledge and da'wah.

At the beginning of September 2021, the former Minister of Religion in the Department of the Prime Minister made the announcement that a complete translation of Sahih al-Bukhari will soon be published.<sup>61</sup> Its purpose is to serve as a comprehensive and authoritative reference. In order for the Malaysian government to reap the benefits of this publication, it should mandate that this manuscript be used as the only standard translation reference recognised by the publication, and it should also provide an alternative to the translation of Indonesian hadith, which is currently being often used in a significant capacity by the publishing industry in Malaysia.

Laws such as the Akta Mesin Cetak dan Penerbitan 1984 (AMCP 1984), sub seksyen 8A, fasal (1), Akta Kesalahan Jenayah Syariah (Wilayah-Wilayah Persekutuan) 1997 dan Enakmen Jenayah Syariah Negeri Selangor 1995, all of which have been mentioned previously, show that the Malaysian government is determined to protect the sanctity and position of religious texts. However, a glance at the details of this law reveals that its scope is somewhat limited to the aspect of maintaining one's dignity rather than specific rules on the offence of writing and publishing hadith texts as contained in the Akta Percetakan Teks al-Quran 1986 (APTQ 1986). This is something that is revealed when one takes a closer look at the details of this law (APTQ 1986). In addition, it is not possible to determine whether Damin's (personal communication, 12 December, 2019) interpretation of the phrases "false news" mentioned in AMCP 1984 as a "fabricated hadith" is an acceptable interpretation in legal terms.<sup>62</sup> Furthermore, no individual has been prosecuted as of yet under this act. If Damin's interpretation is accepted, then other acts such as the Akta Fitnah

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<sup>60</sup> Idris, M, "Peranan JAKIM dan Cabaran Masa Depan," *Berita Harian Online*, accessed December 15, 2021 <https://www.bharian.com.my/rencana/muka10/2018/06/438093/peranan-jakim-dan-cabaran-masa-depan>.

<sup>61</sup> Zulkifli "Terjemahan Sahih al-Bukhari."

<sup>62</sup> Damin, K, online interview with author, December 12, 2019.

1957, Akta Hasutan 1948 (disemak 1969), Kanun Keseksaan membabitkan jenayah fitnah, Akta Komunikasi dan Multimedia 1998 dan Akta Kesalahan Keselamatan (Langkah-langkah Pencegahan Khas) (SOSMA) 2012 can also be utilised to control the dissemination of false news in the form of fabricated hadith.<sup>63</sup>

Akta Penyerahan Bahan Perpustakaan 1986 (Akta 331) is another tool the government has at its disposal to control hadith publishing. Although the preservation, categorization, and indexing of publications is the primary goal of this act, it may serve as a foundation and support system for the hadith publication if it is established and put into place. However, the legislation has to be enhanced in terms of its administration and enforcement because, according to Mahmudah et al., some publishers find the quantity of copies required to be supplied to be cumbersome.<sup>64</sup>

In Indonesian context, more than two hundred Islamic-related rules including laws, decisions, directives, and circulars were enacted by the Indonesian government between 1965 and 2005. These regulations ranged from law to decision to directive to circular. It's interesting to note that none of these regulations pertain to the supervision and control of hadith literature. As of the time this article was written, the Indonesian government does not appear to have established even a single system to control hadith manuscripts.

Law No. 4/1990 Serah Simpan Karya Cetak dan Karya Rekam was issued by the government in 1990. Nola and Istiarni claim that this law was not well accepted, especially by small publishers.<sup>65</sup> This is a result of a number of things, including publishers that do not wish to pay the submission fee and publishers who are unaware of this rule.<sup>66</sup> This legislation's ineffective enforcement is another reason why it cannot be put into practise. As

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<sup>63</sup> Sualman, I, "Hukuman Lebih Tegas untuk Penyebar Berita Palsu," *Berita Harian Online*, accessed December 5, 2021 <https://www.bharian.com.my/berita/nasional/2018/02/389823/hukuman-lebih-tegas-untuk-penyebar-berita-palsu>.

<sup>64</sup> Mahmudah, A. R., Zen, Z. & Hariyadi, U. B. R., "Undang-undang Deposit di Indonesia dan Malaysia: Perbandingan dan Penerapannya," *Jurnal Ikatan Pustakawan Indonesia* 2.1 (2017), 17.

<sup>65</sup> Nola, et al., "Pelaksanaan UU No. 4 Tahun 1990." 263. See also Istiarni, "Khazanah Penerbitan," 25-26.

<sup>66</sup> Mahmudah, Zen & Hariyadi, "Undang-undang Deposit," 17. See Nola et al., "Pelaksanaan UU No. 4 Tahun 1990," 256 & 260.

of the time of this writing, no one has been punished for breaking the law, hence its enforcement is poor. It appears that this regulation serves primarily as a tool for the general gathering and indexing of publications, including hadith and works on religion. According to Istiarni, the law can serve as a watchdog that regulates the publication of contentious books that propagate deviant notions in society, but it is apparent from its goal that it was not intended to oversee the publication of religious publications.<sup>67</sup>

The dissemination of incorrect hadith, whether by writing or speaking, may be equated to the dissemination of false news. This is due to the fact that hadith, when regarded from one perspective, is the news that was passed down from the Prophet Muhammad SAW and his companions to later generations. Undang-Undang No. 11/20016 Informasi dan Transaksi Elektronik (ITE) has the potential to be a mechanism to regulate hadith texts in Indonesia because it directly involves the spread of false news (hoaxes), particularly in digital and electronic mediums. As mentioned previously, if ITE can accept the interpretation of false news as fabricated hadith, then it has the potential to be a mechanism to regulate hadith texts in Indonesia.

Table 10: Malaysia and Indonesia's Hadith Text Regulation Comparison

		Malaysia	Indonesia
No.	Scope	Regulatory Mechanisms	
1.	Specific Regulation	Garis Panduan Penulisan dan Penerbitan Teks Hadith. Garis Panduan Penapisan Bahan-bahan Penerbitan Berunsur Islam. Hadith Mawdu': Sejarah Dan Cara-Cara Mengenalinya. Garis Panduan Penulisan Jurnal Pendidikan.	Not Available
2.	Unspecific Regulation	Akta Mesin Cetak dan Penerbitan (AMCP 1984). Akta/Enakmen/Ordinan Jenayah Syariah Negeri-negeri.	Undang-undang No. 4/1990 Serah Simpan Karya Cetak dan Karya Rekam.

<sup>67</sup> Nola, et al., "Pelaksanaan UU No. 4," 257. See Mahmudah et al., "Undang-undang Deposit," 16. See also Istiarni, "Khazanah Penerbitan," 25.

		<p>Akta Penyerahan Bahan Perpustakaan 1986 (Akta 331).                  Akta Fitnah 1957                  Akta Hasutan 1948 (semakan 1969), Kanun Keseksaan membabitkan jenayah fitnah.                  Akta Komunikasi dan Multimedia 1998.                  Akta Kesalahan Keselamatan (Langkah-langkah Pencegahan Khas) (SOSMA 2012)                  Bahan rujukan:                  Mastika Hadith Rasulullah S.A.W                  Bulugh al-Maram: Terjemahan dan Huraian                  Terjemahan Riyad al-Salihin                  Terjemahan Sahih al-Bukhari                  Aplikasi Smart Hadith                  Portal myHadith</p>	<p>Undang-Undang No. 11/20016 Informasi dan Transaksi Elektronik (ITE). Semakan dan penapisan hadith oleh institusi pengajian tinggi dan persatuan hadith.</p>
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### Conclusion

It is possible to draw the following conclusion from what has been discussed thus far: Malaysia possesses a variety of regulatory systems and numerous key entities of both the federal and state governments that are responsible for the enforcement of hadith texts. However, these processes have some gaps and limitations that need to be addressed in order to make the regulating process more efficient. The establishment of this mechanism clearly gives a solid foundation upon which to build a more robust platform to improve the regulation of hadith texts in the nation.

In the Indonesian context, there has been no movement from the government to regulate hadith text, despite the fact that there are some rather challenging hadith issues arises. For the time being, the primary strategy for addressing and resolving these problems continues to be the application of knowledge and da'wah. Institutions of higher learning and groups dedicated to the study of hadith have so far been the ones to make efforts to control hadith texts.<sup>68</sup> These efforts have taken the shape of the modification and

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<sup>68</sup> There are 4 types of hadith research in higher learning institutions: First, on the aspects of sanad and matan. The goal from such research is to examine the quality of a hadith

censoring of hadith in academic curriculum and publications.<sup>69</sup> In light of the fact that Indonesia is the nation with the largest Muslim population on the planet, it is perhaps absolutely imperative for the country to establish its own hadith regulation and enforcement mechanisms. It is feasible to use the Malaysian model as an example of its progression, despite the fact that it is itself still in its infancy and contains several deficiencies.

In a nutshell, both nations faced a daunting reality and challenges in preserving the dignity and sanctity of hadith texts. With more stringent and transparent law enforcement, current situation may be improved.

### **Compliance with ethical standards**

#### **Conflict of interest**

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

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whether it is sahih, hasan or daif. Second, research on the books of hadith written by either conventionalist scholars, or reformist. Third, hadith research related to fiqh al-hadith. This study is an effort understand a hadith comprehensively by involving the origin and the historical context of a hadith; And fourth, research about hadith reception by a group or community of people. See Anggoro, "Perkembangan Pemahaman," 159.

<sup>69</sup> Muchtim Humaidi, online interview with author, September 28, 2021.

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