CAPITAL PUNISHMENT FOR BLASPHEMY IN THE HADITH OF THE PROPHET: A Perspective through the Common Link Theory

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Abstract

This study aims to investigate the authenticity of the hadith that permits the death penalty for those who insult the Prophet. Through the lens of the Common Link theory, the research seeks to examine this hadith by applying *isnad* criticism. The study employs a qualitative methodology, using a library research approach to analyze and understand the relevant hadiths. Data is collected from various primary hadith collections, which are then analyzed through contextual review and source criticism and compared with the commentaries of hadith scholars and relevant academic literature. The objective of this research is to determine whether the hadith in question is valid as a basis for justifying the death penalty for blasphemy against the Prophet. Ultimately, the findings of this study conclude that the hadith falls into the category of *gharib nisbi*. Furthermore, 'Utsman al-Syaham is identified as a fabricator of this hadith. Regarding his reliability, al-Syaham is a controversial figure whose credibility is debated among scholars and hadith critics. Consequently, this hadith is deemed insufficient to be used as a legitimate basis for implementing the death penalty for insulting the Prophet.

Abstrak

Penelitian ini berupaya untuk menelusuri otentitisitas hadits mengenai kebolehan menghukum mati penghina Nabi. Melalui lensa teori *Common Link.* Penelitian ini berusaha memeriksa hadis tersebut dengan kritik *isnad*. Penelitian ini menggunakan metodologi kualitatif dengan pendekatan *library research* untuk menganalisis dan memahami hadis-hadis terkait. Data dikumpulkan dari berbagai kitab hadis primer, kemudian dianalisis melalui tinjauan kontekstual dan kritik sumber, serta dibandingkan dengan komentar para ulama dan literatur akademis yang relevan. Penelitian ini bertujuan untuk mengetahui apakah hadis tersebut layak digunakan sebagai dasar untuk membenarkan tindakan hukum mati bagi penghina Nabi. Pada akhirnya, hasil penelitian ini menyimpulkan bahwa hadits ini tergolong ke dalam *gharib nisbi*. Adapun 'Utsman al-Syaham adalah fabrikator hadits. Dari aspek ketsiqahan, al-Syaham tergolong ke dalam sosok yang diperdebatkan kekredibelannya di tengah para ulama dan kritikus hadits. Oleh karena itu, hadits ini tidak cukup untuk dapat dijadikan hujjah dalam menghukum mati penghina Nabi.

Kata kunci: Penistaan, Hukuman Mati, *Common Link*, Kritik *Isnad*

Introduction

The punishment for blasphemy, particularly capital punishment, is not explicitly prescribed in the Quran but is referenced in various Hadiths. These hadiths are subject to interpretation, leading to a spectrum of scholarly opinions. Some scholars argue that severe punishments, including death, are justified to protect the sanctity of Islam and maintain social order (Ahmed & Brasted, 2021). Others advocate for a more lenient approach, emphasizing forgiveness and the

context in which the alleged blasphemy occurred. The application of capital punishment for blasphemy finds its roots in interpretations of specific hadiths attributed to the Prophet Muhammad, which prescribe severe consequences for those who commit acts deemed blasphemous (Akbar, 2019).

In one of the hadiths, the Prophet seemed to agree to the killing of his insults. The hadith describes a Jewish woman who loved to demean the Prophet Muhammad. Several times her blind master warned her. However, the woman was still nagging. Feeling disturbed, her master stabbed her to death. When it was reported to the Prophet Muhammad, the Prophet said the hadith above, which means "testify all of you! indeed her blood is in vain" (Baihaqi, n.d.). Consequently, anyone who knowingly insults the Prophet Muhammad may be killed. The question is, is that true? Does Muhammad support capital punishment for his insults?

Joseph Schacht's seminal work, *The Origins of Muhammadan Jurisprudence* (1950), critiques the traditional Sunni Islamic methods of hadith transmission concerning legal formation. Schacht, influenced by Ignaz Goldziher, asserts that many hadiths attributed to the Prophet Muhammad emerged long after his lifetime, predominantly during the mid-2nd century. He argues that the *isnad* (chain of transmission) system, originally simple, became complex by this period, with transmitters often projecting their hadiths to earlier, more authoritative figures to bolster legitimacy. This projection, rooted in political and scholarly rivalries, intensified following the Umayyad era's decline, notably affecting the authority of Medinan scholars. Schacht's analysis challenges the authenticity of numerous hadiths and underscores the geopolitical and doctrinal complexities influencing their transmission and legal implications within early Islamic jurisprudence.

The Common Link of Schacht method, developed by Joseph

Schacht and expanded upon by scholars like G.H.A. Juynboll, is a critical approach to analyzing the *isnad*s (chains of narrators) of hadith. It proposes that hadith authorities deliberately circulated traditions without sufficient supporting *isnad*s. The key steps involve: 1) identifying common links or shared narrators across different hadith *isnad*s, seen as potential indicators of fabrication; 2) detailed analysis of the reliability and credibility of individual narrators; 3) studying networks and relationships between narrators to uncover potential collaborations; 4) examining textual variants of hadiths for signs of alteration; and 5) critically evaluating the evidence presented in support of hadith transmission (Juynboll, 1983; Schacht, 1950). While influential, this method has faced criticism and alternative interpretations from other scholars in the field of hadith studies.

However, In Joseph Schacht's analysis, the authenticity of certain hadiths, including those discussing the permissibility of capital punishment for blasphemy, may be questionable. Schacht, a prominent scholar in Islamic legal history, argued that many hadiths might have been developed or modified over time to support specific legal or theological positions rather than being direct transmissions from the Prophet Muhammad (Schacht, 1950). Therefore, the author aims to investigate the authenticity of these hadiths using the common link approach (Akbar et al., 2023). Using the common link theory in the study of hadith authenticity offers several advantages, particularly in understanding the origins and reliability of narrations within Islamic tradition. Moreover, the author will offer commentary on the critique of the *sanad* (chain of transmission) in Islamic literature perspective and examine the various versions of these hadith. This addition aims to enrich the analysis by providing a deeper understanding of the authenticity and variations of this hadith.

In previous research, Kasumawati Devi argued that Joseph

Schacht initially unearthed the common link theory and subsequently refined it with contributions from Juynbol (Devi, 2017). Furthermore, Atabik's investigation posited that the common link theory enriches the methodology of the sanad examination (Atabik, 2015). Dzurrotul Arifah's study affirmed that a common link serves to discern the primary speaker's source in certain hadith, a concept akin to Juynboll's source critical method (Arifah, 2019). Rahmadi Suwarno, in his research, asserted that the common link theory furnishes a more definitive account of hadith transmission history compared to established *'ulum al-hadits* (Suwarno, 2018). Synthesizing these insights, the author concludes the absence of any study applying the common link theory to hadiths concerning the death penalty for insulting the Prophet.

This research utilizes a qualitative methodology and library research to analyze hadiths concerning the death penalty for blasphemy against the Prophet Muhammad. By applying the common link theory, this research traces the chains of narration to assess their authenticity and reliability. Its approach includes collecting and examining hadith texts and reviewing scholarly commentaries. The study involves a detailed examination of the authenticity of these hadiths by critically analyzing their chains of transmission (*isnad*) and the content across various versions. It will assess the reliability of the narrators and the consistency to determine their legitimacy within Islamic jurisprudence. Through this analysis, the research aims to ascertain whether these hadiths can be credibly upheld as valid evidence to support the enforcement of capital punishment for insulting the Prophet.

The Application of the Common Link Approach

In this section, the author will employ common link theory to analyze the authenticity of the hadith regarding the death penalty for blasphemers. As has been explained common link (CL) is the central

figure who first fabricated hadith and made a series of *isnad* distributions in subsequent generations until it finally reached the hadith collector (*mukharrij*). To strengthen the authenticity of the hadith, CL needs to project it to a higher and more authoritative previous generation.

First, the author will do *takhrij al-hadits* searching for similarities of hadith *ala isyhadu anna damaha hadar*. Regarding the hadith about the death penalty for insulting the prophet recorded by several hadith collectors as follows:

a. Sunan Abi Daud (Sijistani, n.d.)

o Transmitter lane:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – Isma'il b. Ja'far al-Mudani – 'Abbad b. Musa al-Khuttali

b. Sunan al-Nasa'i (Nasa'i, 1994)

o Transmitter Lane:

Ibn 'Abbas – 'Ikrimah – 'Uthman al-Syahham – Isra'il – Isma'il b. Ja'far – 'Abbad b. Musa – 'Utsman b. 'Abdillah

c. Sunan al-Baihaqi (Baihaqi, n.d.)

o Transmitter Lane I:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – al-Harits b. Manshur – 'Ali b. Ibrahim – Abu Ja'far ar-Razzaz – Abu al-Husain b. Bisyran.

o Transmitter Lane II:

ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Abu 'Ashim – Muhammad b. Yunus – Ahmad b. 'Ubaid – 'Ali b. Ahmad b. 'Abdan

d. Mu'jam al-Thabrani (Thabrani, n.d.)

o Transmitter Lane:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – Isma'il b. Ja'far al-Mudani – 'Abbad b. Musa al-Khutaliy – al-Hasan b. 'Alawaih al-Qaththan.

e. Sunan al-Daruquthni (Daruquthni, 2001)

o Transmitter Lane I:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – 'Ubaidullah b. Musa – Muhammad b. 'Utsman b. Karamah – 'Umar b. Ahmad b. 'Ali al-Qaththan – Abu Ja'far Muhammad ibn Abi Saminah – 'Abdullah b. Muhammad b. 'Abd al-'Aziz

o Transmitter Lane II:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – Isma'il b. Ja'far al-Mudaniy – 'Abbad b. Musa – Abu Daud – Muhammad b. Yahya b. Mirdas – 'Ali b. al-Hasan b. al-'Abd

o Transmitter Lane III:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – 'Ubaidullah b. Musa – Abu Ja'far Muhammad b. Abi Saminah – Abu al-Qasim 'Abdullah b. Muhammad b. Mani'

o Transmitter Lane IV:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – Isma'il – 'Abbad b. Musa – Abu Daud – Muhammad b. Yahya b. Mirdas

f. Mustadrak al-Naisaburi (Naisaburi, 1998)

o Transmitter Lane:

Ibn 'Abbas – 'Ikrimah – 'Utsman al-Syahham – Isra'il – Abu Mansur al-Harits b. Mansur – Wasith – Muhammad b. 'Isa ibn As-Sakan – 'Ali b. Hamsyadz al-'Adl.

Based on the data above, it can be explained that the hadith above was collected by six collectors namely, Abu Dawud; al-Nasa'i; al-Baihaqi; al-Thabrani; al-Daruqutni; dan al-Naisaburi. The explanation of *isnad* lane, namely: 1) one lane in *Sunan Abu Dawud, Sunan al-Nasa'i, Mu'jam al-Thabrani,* dan *Mustadrak al-Naisaburi*; 2) two lanes in *Sunan al-Baihaqi*; 3) four lanes in *Sunan al-Daruquthni*. In *Sunan al-Daruquthni*, there are the most isnad routes.

Following the initial step, the author proceeds to construct an *isnad* bundle based on the provided data. This *isnad* bundle serves as a methodological tool to trace the originator of the hadith, aiming to identify CL (Common Link) as the source. Subsequently, the author endeavors to trace the authoritative figure projected by CL, thereby elucidating the transmission chain and shedding light on the credibility and reliability of the narration. This meticulous process aligns with established methodologies in hadith scholarship, emphasizing the importance of isnad analysis in evaluating the authenticity and provenance of prophetic traditions. By employing this scholarly approach, the author seeks to ascertain the reliability of the narrations and contribute to a nuanced understanding of their historical and legal significance within Islamic jurisprudence.

Third, based on the narrator's chain bundle through tracing paths based on hadith collectors, then the entire chain spreads conical to a central figure named 'Utsman as-Syahham. Based on Joseph Schacht's explanation (Schacht, 1950), Utsman can be considered as CL because he was the figure who first spread the hadith to two people namely, Isra'il and Abu 'Ashim. From the Isra'il route, it spread increasingly to other narrators and then merged into one hadith collector's canon. On the other track, namely, Abu 'Ashim forms a single strand (single chain up to the hadith collector). So, to strengthen the authenticity of the hadith, 'Utsman as-Syahham projected his hadith onto a previous figure with

a higher level of authority, namely 'Ikrimah. It should be noted that in the explanation of several books of *rijal al-hadits* (hadith transmitters), 'Ikrimah in question is the slave of ibn 'Abbas. So, it is logical if projecting backward is connected to ibn 'Abbas who incidentally was among the Companions and was still a relative of the Prophet (the Prophet Muhammad's cousin). By making efforts to project back, 'Utsman as a CL, further strengthened his level of authority over hadith regarding the death penalty for Prophet blasphemers. Finally, the originator and fabricator of the hadith is 'Utsman al-Syaham.

The Authority of the 'Killing Blasphemer' Hadith

In this section, the author will explain the accuracy of the Hadith in question as a legitimate source (*hujjah*) for justifying the execution of those who blaspheme the Prophet. To support this analysis, the author will address two key features. First, the author will assess the reliability of the transmitters, specifically focusing on those suspected of fabricating the hadith. Second, the author will discuss the variations in the textual versions of the Hadith as found in different collections of hadith compilers (*mukharrij*).

Indeed, it appears unfair and somewhat premature to label Utsman al-Syaham as a fabricator of hadith. This assertion, while supported by the arguments of Schacht and later affirmed by Juynboll, who suggests that the common link typically appears early in the chain when the transmitter's name first disseminates the hadith, warrants careful consideration. Schacht stated:

"The existence of common transmitters enables us to assign a firm date to many traditions and the doctrines

represented by them. This consideration which takes into account the fictitious character of the higher parts of the isnads, must replace the uncritical acceptance at their face value of isnads, as far back as the time of the Companions. We must, of course, always reckon with the possibility that the name of a common transmitter was used by other, anonymous persons so that its occurrence gives only a terminus a quo. This applies particularly to the period of Successors" (Schacht, 1950).

According to their view, the names preceding 'Utsman in the chain are often regarded as figures projected by the common link to bolster the hadith's credibility.

First, 'Utsman al-Syaham al-Adawi, also known as Abu Salamah al-Bashri, is a significant figure in early Islamic hadith transmission (Mubarakfuri, n.d.). He studied under notable figures such as 'Ikrimah, Muslim bin Abi Bakrah, and Abu Raja al-'Ataridi, and transmitted his knowledge to prominent students like Yahya bin Sa'id al-Qaththan and Waki' bin Jarrah (Mazzi, 1983). These associations reflect his influential role in the transmission chain of hadith, linking the early generations of Muslims to subsequent scholars. Scholarly assessments of 'Utsman al-Syaham's reliability are mixed. Critics such as Yahya bin Sa'id al-Qaththan expressed inconsistent views about him, sometimes accepting and sometimes rejecting his narrations, while others like Ahmad ibn Hanbal and Yahya ibn Ma'in considered him trustworthy (Dzahabi, 2001). Al-Nasa'i's evaluations varied from describing him as "not very strong" to "no harm," highlighting the nuanced nature of his credibility. Despite these varied opinions, his narrations are included in significant hadith collections by Imam Muslim, Abu Dawud, and al-Tirmidzi, indicating a general acceptance of his contributions (Mizzi, 1983). This inclusion underscores his important role in the preservation of hadith, even as debates about his reliability.

Second, Upon examining the *takhrij* (source analysis) of the hadith in question, it appears to be of the *gharib muthlaq* type. This classification indicates a hadith that is reported by only one Companion of the Prophet Muhammad, meaning it is transmitted solely through a single chain from the Prophet. However, contrary to this initial assessment, there are other chains (*syawahid*) from different transmitters that narrate this hadith. The author has identified this hadith in three significant Islamic sources:

1. *Al-Mushannaf* by Ibn Abi Syaibah, Hadith number 5437 (Abi Syaiba, 1994).

Transmitter lane: al-Sya'biy – Mughirah ibn Muqsim – Jarir ibn 'Athiyya

2. *Ithaf al-Khairah al-Mahirah bi Zawaid al-Masanid al-'Asyarah* by Ahmad al-Bushiri, Hadith number 3418 (Bushiri, 1999).

Transmitter lane: Abu Ishaq al-Mahdaniy – Abu al-Ahwas – Musaddad

3. *Al-Mathalib al-'Aliyah bi Zawaid al-Masanid al-Tsamaniyah* by Ibn Hajar al-'Asqalani, Hadith number 2030 ('Asqalani, 1998)

Transmitter lane: Abu Ishaq al-Mahdaniy – Abu al-Ahwas – Musaddad.

In Imam Muslim's tradition, *hadits gharib* denotes a narration where there is only one transmitter in its chain of transmission (*isnad*), distinguishing it from other narrations (Hajjaj, 1989). Ibn Shalah's classification categorizes these *hadits gharib* into types based on the reliability of narrators and discrepancies in transmission: if a reliable narrator's account contradicts a more established one, it is considered weak and likely rejected; if it differs from another reliable narrator's, it may be accepted unless there are significant conflicts (ibn Shalah, 1987). The evaluation of narrations with additions, such as inserted

words, varies: Ibn al-Shalah refrains from making definitive judgments, while al-Khatib al-Baghdadi generally accepts such additions if made by reliable narrators, aligning with the majority view of jurists (Baghdadi, 1975). Ibn Katsir notes the acceptance of these additions by jurists but skepticism from many hadith scholars (Ibn Katsir, 2012), while al-Tirmidzi considers them valid if the narrator has strong memorization skills (Mubarakfuri, n.d.). This rigorous scrutiny aims to ascertain the authenticity and reliability of *hadits gharib*. Additionally, *hadits gharib* is subdivided into *gharib muthlaq* and *gharib nisbi*. *Gharib muthlaq* pertains to narrations where the uniqueness lies from the generation of the *Tabi'in* onwards in the chain, excluding the Companions (*Shahabah*), whose reliability is universally acknowledged. Conversely, *gharib nisbi* refers to *gharib* narrations where uniqueness is not about the transmitter's personal identity, but rather specific attributes or circumstances related to them.

In relation to the hadith above, there are two other chains besides the chain of the companion Ibn 'Abbas, namely the chains of al-Sya'bi and Abu Ishaq. Both belong to the generation of the *Tabi'in* (The Successors of Prophet Companions). In the chain of transmission elucidated in the three previous books, none mention to whom al-Sya'bi and Abu Ishaq narrated this hadith. Due to the absence of identification regarding the Companion (*Shahabah*) serving as the transmitter, this chain is classified as a *mursal* narration. *Hadits mursal* is a specific type of hadith narration where the chain of transmission (*isnad*) skips the Companion (*Shahabah*) of the Prophet Muhammad, directly linking the *Tabi'in* (Followers of the Companions) or a later narrator to the Prophet. This omission occurs because the *Shahabah*'s name, who directly heard the hadith from the Prophet, is absent from the chain (Hajjaj, 1989). According to al-Dzahabi, both names are esteemed figures in the field of hadith. Abu Ishaq himself studied under Ibn 'Abbas, potentially receiving hadiths from his teacher.

In contrast, al-Sya'bi, as recorded, was born during the caliphate of Umar ibn al-Khaththab (Dzahabi, 2001). There is no record indicating that he ever met Ibn 'Abbas, thus it can be assumed that al-Sya'bi obtained this hadith not from Ibn 'Abbas, but from an unknown source.

The author discusses the concept of the common link, likening it to the Islamic notion of *gharib nisbi*, which denotes a hadith transmitted by a single narrator in the middle of its *isnad* (chain of transmission), despite initial multiple narrators. The scholarly debate centers on whether such *hadits gharib* can be considered authoritative. Ibrahim al-Nakha'i and Ahmad bin Hanbal both express skepticisms, with Ahmad bin Hanbal cautioning against recording *hadith gharib* due to their perceived weakness, often originating from narrators of dubious reliability (Deraman & Muna, 2007). Critics typically reject narratives traced to lone narrators from the late second century Hijri, citing concerns like *'illah al-tafarrud* (the flaw of singularity). Asad Salim Tayyim contends that while critics generally reject *hadits gharib*, occasional acceptance occurs as an exception rather than normative practice (Monady, 2016). Despite the skepticism of hadith critics regarding the validity of *gharib* hadiths, the author aligns more with al-Khatib al-Baghdadi, Ibn al-Shalah, al-Suyuti, and Ibn Katsir, who follow al-Syafi'i in asserting that the authenticity of a solitary narration depends on the reliability (*tsiqat*) of the narrator (Mahalli & Suyuti, 1986). This perspective is also upheld by al-Bukhari and Muslim, who include hadiths narrated by single narrators in their collections if the method of transmission is correct (Bukhari, 1994; Muslim, 1989).

However, from the author's perspective, extra caution is warranted when dealing with figures who are controversial and debated among hadith critics. Given the mixed evaluations and the nuanced reliability of 'Utsman al-Syaham, the author considers that hadiths transmitted by him, particularly those concerning severe matters such as the execution

of individuals for insulting religious figures, are not robust enough to be used as a definitive basis for such extreme legal and moral judgments. This prudent stance reflects the need for rigorous authentication and a high standard of credibility when dealing with narrations that have significant legal and ethical implications.

Blasphemy in the Hadith: an Academic Inquiry

Schacht argued the formation of Islamic law first occurred in the second or third century of Hijri since in the Prophet's era there was no standard legal determination. It was only after the death of the Prophet, *sunnah* as a living tradition shifted to hadith after the canonization period (Ze'ev, 2003). Emerge a lot of innovative legal practices that never happened during the Prophet era. The central figures who are most responsible for hadith fabrication are *Tabi'in* and *Tabi' al-Tabi'in*, to be precise during the Umayyad to Abbasid rule (Schacht, 1950). The political factor is the motive. For example, when the Umayyad dynasty came to power, the center of the capital which was originally in Medina was shifted to Damascus, Syria. It affected the influence of Medinan clergy at that time, it became dim (Goldziher, 2021). It is why to gain influence, Medinan, Syrian, and Iraqi scholars fought over influence. The climax was when during the Abbasid dynasty, there was a shift of capital which was originally in Syria to Baghdad, Iraq. Iraq, which is famous for its tradition of critical thinking, made the Mu'tazila group reach the peak of its popularity. In contrast with Sunni followers, Ahmad b. Hanbal remained firm with his tradition of thought. It made him imprisoned (Irzak et al., 2020).

In response to the phenomena above, during the Prophet's time, there was no established justice system because there was no *qadhi* (Goldziher, 2009). Hence the assumption that Islam punishes prophet blasphemer with death, comes from hadith narrated by Ibn Abbas. This

hadith is about a blind man who had a slave girl. She had liked to insult the Prophet Muhammad (Baihaqi, n.d.). Several times, the man asked this woman to end her insults. But this was not heeded. At that moment the man took a knife to stab his slave to death. The next day, the news reached the Prophet. The Prophet asked the man to face him. With a shaking body, the blind man came to the Prophet (Thabari, n.d.). After finding the man's story the Prophet said:

<div dir="rtl">ألا اشهدوا أن دمها هدر</div>

"Let testify all of you! indeed her blood is in vain."

Based on this hadith, it is permissible for those who Prophet blasphemer to be killed. Al-Mundziri in *'Awn al-Ma'bud* stated that those who insult the Prophet must be put to death, even if the offender is a Muslim (Ghazali, 2019; Nawafil & Suparwany, 2021; Ze'ev, 2003). Al-Syafi'i explained that those who insult the Prophet must be killed unless they are *kafir dzimmi*. Hanifa argued that it is not obligatory to kill those who insult the Prophet, but their actions are considered acts of great *syirk*. Malik stated those who insult the Prophet from among the Jews and Christians must be killed unless they do *syahada* (Az-Zuhaili, 2016).

However, the Prophet Muhammad was repeatedly criticized and humiliated by his enemies when he was in Mecca, and many times the Prophet also forgave. After *hijrah*, the Medinan Hypocrites denounced the Prophet, but he was also never ordered to execute his detractors. A hypocrite named 'Abdullah b. Ubay b. Salul, who insulted the Prophet until the end of his life, the Prophet still took time to pray for him (Qasimi, 1957; Razi, 2004). There is indeed a report that the Prophet ordered the execution of Ka'ab b. al-Asyraf, a Jewish leader who was extraordinarily hostile to the Prophet through his poems (Alusi, n.d.). However, the context of Ka'b's execution order was that he was considered to have tarnished the peace agreement through the Medina

Charter. The execution of Ka'b broke the chain of hatred so that peaceful relations could be established in the land of Medina. This execution was an intelligence operation because several times the Prophet was threatened with death by the Ka'b group. Thus, orders to execute purely in self-defense, not in the realm of punishment.

The shift of *sunnah* as a living tradition illustrates that blasphemy is indeed a bad matter, but it does not reach the death penalty. Because blasphemy is an area of ethics. Why is this approach significant? Historical evidence shows that the Prophet Muhammad forgave all those who insulted him; he did not order the death penalty for any of his detractors, especially during his time in Mecca. In *Tabi'in* era, the living *sunnah* shifted into textual hadith. Lots of innovative legal practices have sprung up that were never found in the Prophet's era. In its time, a legal system of Islamic law was formed based on one or two practices, regardless of the context behind this phenomenon.

Conclusion

Based on the author's analysis, the study finds that the hadith under review is categorized as *gharib nisbi*. Through the common link approach, 'Utsman al-Syaham is seen as the likely originator or fabricator of this hadith. Furthermore, from the standpoint of Imam Muslim's criteria, the credibility of al-Syaham is debatable, as numerous hadith critics have raised concerns about his reliability. Therefore, the author concludes that this hadith is insufficiently robust to serve as a credible foundation for enforcing the death penalty in cases of blasphemy against the Prophet.

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