Sectarian tensions, Islamophobia, and decolonization: comparing Jasser Auda's and Jonathan Brown's analysis of the Hadiths concerning Aisha's marital age

Muhamad Rofiq Muzakkir
Universitas Muhammadiyah Yogyakarta
E-mail: muhammadrofiq@umy.ac.id

Siti Sarah Muwahidah
The University of Edinburgh
E-mail: sarah.muwahidah@ed.ac.uk

Royan Utsany
Universitas 'Aisyiyah Yogyakarta
E-mail: royanutsany@unisayogya.ac.id

Rohmansyah
Universitas Muhammadiyah Yogyakarta
E-mail: rohmansyah@umy.ac.id

Abstract

The ongoing debate surrounding the hadiths on Aisha's age of marriage has given rise to two main positions among Muslim scholars, namely: the rejectors, those who reject the hadiths' validity and propose the view that Aisha got married at an older age, and the defenders, those who defend them as valid hadiths and accept that Aisha consummated her marriage at the early age of nine years old. In this study, we examine this issue through the opposing arguments offered by two contemporary Muslim scholars: Jasser Auda, who represents the view of hadith rejectors, and Jonathan Brown, who represents those who accept the validity of the hadiths. These two scholars have been chosen to represent these two standpoints mainly because of their novel and distinctive theoretical contributions to the ongoing debate. Entangled in this debate is the issue of whether pre-modern reality can be assessed by using modern norms. We employ critical analysis on the epistemological and methodological aspects surrounding the two scholars' interpretations of the hadiths of Aisha's age of marriage. We argue that three significant features distinguish Auda and Brown's dispositions. These are: first, their different conceptions of the interplay between politics, knowledge, and memory; second, their differing epistemological approaches to hadith science; and third, their opposing assumptions about the universality of modern norms.

Debat berkelanjutan seputar usia pernikahan Aisyah dalam hadis telah menghasilkan dua pandangan utama di kalangan para sarjana Muslim, yaitu: pihak yang menolak, yaitu mereka yang menggugat kesahihan hadis dan mengajukan pandangan bahwa Aisyah sebenarnya menikah pada usia yang lebih tua, dan pihak yang membela, yaitu mereka yang mempertahankan hadis-hadis ini sebagai riwayat yang sahih dan menerima pandangan bahwa Aisyah mulai tinggal bersama Nabi pada usia dini, yaitu sembilan tahun. Dalam penelitian ini, kami mengeksplorasi masalah ini melalui argumen-argumen yang berseberangan yang ditawarkan oleh dua sarjana Muslim kontemporer, yaitu: Jasser Auda, yang mewakili pandangan penolak hadis, dan Jonathan Brown, yang mewakili mereka yang menerima keabsahan hadis tersebut. Kedua sarjana ini dipilih karena kontribusi teoretis mereka yang baru dan khas dalam debat yang berlangsung. Tersangkut dalam debat ini adalah permasalahan apakah realitas pra-modern dapat dinilai dengan menggunakan norma-norma modern. Kami

menggunakan analisis kritis terhadap aspek-aspek epistemologis dan metodologis yang melingkupi penafsiran kedua ulama tersebut terhadap hadis-hadis tentang usia pernikahan Aisyah. Kami berargumen bahwa ada tiga hal mendasar yang membedakan pandangan Auda dan Brown, yaitu: pertama, perbedaan konsepsi mereka tentang hubungan antara politik, pengetahuan, dan ingatan; kedua, pendekatan epistemologis mereka terhadap ilmu hadis; dan ketiga, asumsi mereka yang berseberangan tentang universalitas norma-norma modern.

Keywords: *Aisha*; *Marriage*; *Hadith*; *Methodology*; *Modernity*

Introduction

Among the issues often used to discredit Islam is the question of Aisha's early age at the time of her marriage. In the hadiths, it is reported that the Prophet married Aisha at the age of six or seven and consummated the marriage when she was nine. This type of hadith has recently become one of the foundational texts for the discrediting of Islam by Islamophobes. Negative views of the Prophet Muhammad, and by extension of all Muslims, continues to be amplified in various forums. Both educated and uneducated people in the West similarly use this material to depict Islam as a misogynist religion.

The issue of Aisha's age of marriage has consequently become a source of discomfort for Muslims in the Western world.[1] According to Kecia Ali, the controversy about this issue initially mainly played out between Muslims and non-Muslims (especially Islamophobes). However, it then shifted to an intra-Muslim debate between those Muslims who accepted, and those who rejected the hadiths regarding Aisha's age. A number of Muslim scholars have been trying to find ways to deal with the hadiths. In general, the attitudes of modern scholars can be categorized into two groups: first, *the defenders*: those who affirm that the Prophet married

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[1]Kecia Ali, *Sexual Ethics and Islam: Feminist Reflections on Qur'an, Hadith, and Jurisprudence*, London, England: Oneworld Publications, 2006, 135-150.

Aisha at a young age, and believe that the hadiths are authentic; second, *the rejectors*: those who reject the validity of the hadiths and put forward the view that Aisha married at an older age than the hadiths report. This research will examine these two trends from the perspective of two prominent Muslim scholars, namely Jasser Auda and Jonathan Brown. Each scholar has different interpretations of the hadiths surrounding Aisha's age. Brown argues for their validity, while Auda is more inclined to negate their authenticity. Hence, mapping and analyzing the views of these two scholars will help us understand the major trends within Muslim scholarship today, particularly in highlighting two distinctive and competing methodologies in understanding the hadiths of the Prophet.

This article examines the interpretation of the two scholars regarding the Prophet's hadiths about Aisha's marriage, particularly the underlying paradigms and assumptions that shape their respective understandings, and their different approaches to the understanding of Islamic tradition and modernity. This study is different from previous research which tended to put the hadiths themselves, or scholars' views of them, at the center of their scrutiny.[2] This article focuses more on analyzing the views of modern scholars.[3] Therefore, instead of examining the normative aspects of early marriage, the validity of the hadith, or how Muslims should understand it, we examine opposing discourses offered by two modern Islamic thinkers.

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[2]Mohd Al Adib Samuri et al., "Hadith of Aisha's Marriage to Prophet Muhammad: An Islamic Discourse on Child Marriage," *International Journal of Islamic Thought* Volume 6, number 10 (2022): 93–105, https://doi.org/10.24035/ijit.21.2022.229; Maisarah et al., "Minimum Marriage Age: Study of Fiqh of Four Madhabs," *Britain International of Humanities and Social Sciences (BIoHS) Journal* Volume 1, Number 2 (2019): 149–58, https://doi.org/10.33258/biohs.v1i2.46.

[3]Similar research examining modern scholars' approach on the issue is that of Kecia Ali. However, she just portrays an overview of existing opinions without sufficient elaboration and unpacking the methodological aspects of the debate. See, Kecia Ali, *The Lives of Muhammad*, Cambridge, Massachusetts: Harvard University Press, 2014, particularly chapter five on "Mother of the Faithful".

In this article, we argue that the position of Muslim scholars on the hadiths is determined by three factors, namely: first, their understanding of the interplay between politics and knowledge; second, their epistemological methods in discerning the Prophetic tradition (hadith); third, the paradigms they apply to the apparent universality of modern norms.

Variation of *sanad* and *matn* [4]

The hadiths regarding Aisha's marriage to the Prophet at an early age have different content (*matn)* and are recounted by different chains of narrators (*sanad)*. The event was reported authoritatively in the texts of al-Bukhari, Muslim, Ahmad, Abu Dawud, Ibn Majah, al-San'ani, Ibn Abi Shaibah, al-Nasai, al-Darimi, and al-Mawsili. The following are some representations of that variety:[5]

Muslim reported from Aisha that: *Allah's messenger, PBUH, married her when she was seven years old, and she was taken to his house as a bride when she was nine, and her dolls were with her, and when he (the Prophet) died she was eighteen years old.* Saḥiḥ Muslim, number 1442.

Bukhari reported from Aisha that: *the Prophet, PBUH, married her when she was six years old, and he consummated his marriage when she was nine years old. Hisham said: I have been informed that Aisha remained with the Prophet, PBUH, for nine years (i.e., till his death).* Saḥiḥ al-Bukhārī, number 5134.

Bukhari reported that Abu Bakar ibn Abi Shaibah reported from Aisha, she said that: *the Prophet of Allah, PBUH, married me in the month of Shawwal*

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[4]Efforts to reconstruct the variation of *sanad* and *matn* still need to be made. Such an effort is beyond this current work. Here are some previous attempts to portray different versions of *sanad* and *matn* regarding the Aisha's marriage: Fahd ibn Muhammad al-Ghufaylī, *al-Sanā al-Wahhāj fī Sinn 'Āisha 'inda al-Zawāj*, Riyāḍ: Dār al-Ṣamī'ī, 2011, 61-90; Muḥammad ibn 'Alī al-Miṭrī, "حديث زواج النبي بعائشة وهي بنت ست سنين" www.alukah.net, September 28, 2017, https://www.alukah.net/sharia/0/121047/.

[5]All of the translations in this paper follow the translation from sunnah.com, with slight adjustments from us.

and consummated in Shawwal. Therefore, which of his wives is luckier than me? Ṣaḥiḥ al-Bukhārī, number 1990.

Bukhari reported from Aisha that: *I used to play with the dolls in the presence of the Prophet, and my female friends also used to play with me. When Allah's Messenger, PBUH, used to enter (my dwelling place), they used to hide, but the Prophet would call them to join and play with me.* Ṣaḥiḥ al- Bukhārī, 6130.

This last hadith does not mention Aisha's age at the time of her marriage, but describes the situation after the marriage, where she still liked to play with dolls after officially becoming the Prophet's wife. The implication is that Aisha was still a child when the Prophet married her.

To sum up, the hadiths on Aisha's age of marriage have two variations: some state that she was six years old, while others report that she was seven. All sources agree, however, that the Prophet consummated their marriage when she was nine years old. Hadith scholars have attempted to reconcile these two opposing traditions. Ibn Hajr reconciles these by holding a view that Aisha married the Prophet before the age of seven, at the end of her sixth year.[6] Al-Nawawi opines that Aisha got married when she was six years and a few months old. Ibn Qayyim al-Jauziyyah held the same viewpoint.[7]

Based on the hadiths mentioned above and how the pre-modern ulama's understood them, we have the following information about Aisha's marital age. Aisha was born in the fourth or fifth year following the prophethood.[8] The majority of historians believe that this marriage occurred three years before the *hijrah*.[9] A few historians believe this marriage took place two years before the *hijrah*.[10] There are also two perspectives on when Aisha

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[6]Abu Umar Yusuf Ibn Abd al-Barr, *al-Istī'āb fi Ma'rifa al-Aṣḥāb*, ed. 'Ali Muhammad al-Bijawi, 1992; Beirut: Dār al-Jayl, n.d.), 1881-2; Ahmad ibn 'Ali Ibn Ḥajar al-'Asqalani, *al-Iṣābah fi Tamyīz al-Ṣaḥaba*, Beirut: Dār al-Kutub 'al-'Ilmiah, 1995, VIII: 232.

[7]al-Ghufayli, *al-Sanā al-Wahhāj*, 56.

[8]Ibn Hajr al-'Asqalani, *al-Iṣāba*, VIII: 231.

[9]Ibn Hajr al-'Asqalani, *al-Iṣāba*, VIII: 232

[10]Ibn Abd al-Barr, *al-Istī'āb*, 1881.

began residing in the same house as the Prophet: whether this was between the first or second year of *hijrah*.[11]

So, according to the hadiths and the interpretations applied by traditional scholarship, the chronology of Aisha's life until the Prophet's death could be ordered as follows: she was born in the fourth or fifth year of prophethood. The Prophet married Aisha in the eleventh year of prophethood, when she was six or seven years old. Their marriage was consummated in the month of Shawwal in the first or second Hijri year and Aisha was nine years old at this time. The Prophet passed away in the 23rd year of prophethood or the eleventh year of hijrah, when Aisha was eighteen years old.

Jasser Auda's methodological view

Auda's view about the hadiths concerning Aisha's age of marriage is informed by his general methodological approach to understanding the Prophet's hadiths. We identify three critical approaches that he deployed in interpreting the hadiths about Aisha's marriage. First, he argues that one should take the socio-political context into account when interpreting a hadith. Auda believes the hadiths regarding Aisha's age reflect the vested interests of successive ruling dynasties, who successfully infiltrated the process of hadith transmission. Second, employing *matn* criticism, he asserts that a critical sense of history is needed to reassess the *sanad* of these widely accepted hadiths and that scholars need to evaluate these hadith within the context of Qu'ranic verses that refer to the age of female puberty. Finally, he evaluates the hadith based on traditional *sanad* criticism through which he finds that a narrator of the hadith is unreliable.

First, Auda argues that to understand a hadith, one must consider the socio-political context in which it was circulated among its transmitters

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[11]Ibn Abd al-Barr, *al-Istiʾāb*, 1881-2; Ibn Hajr, *al-Iṣāba*, VIII: 232

and the time when it was compiled. Determining the validity of a hadith by merely scrutinizing a *sanad* is not sufficient. He maintains, instead, "special attention should be given to the political and social biases within their respective generations".[12] Auda argues that the political situation during the early period of Islam influenced the formation of Islamic orthodoxy and the curation of dominant narratives about the Prophet. Many hadith narratives were required either to affirm, or at least not to contradict, the political interests of regional rulers. As a result, hadith collectors (*mukharrij*s) rejected, wittingly or unwittingly, hadiths that were detrimental to contemporary rulers. Therefore, according to Auda, in order to understand a hadith, it is not enough merely to look at its *sanad* and content in line with the traditional methods of hadith analysis. It is crucial also to pay attention to any political affiliations of the narrator.

Hadith readers in the contemporary period need to continually raise questions about the political agenda behind the transmission of a given hadith, especially if its *matn* is problematic.[13] Auda asserts that major corrections in the field of hadith studies are required in order to address the challenges of understanding three types of hadiths in particular. These are: hadiths that are infiltrated by the political interests of the authorities, those that demean women, and those that contain *isrāʾīliyyāt*.[14]

Auda further maintains that there is proven evidence of intervention by political authorities in editing the *sanad* and *matn* of hadiths. Actions like this are explicitly recorded in the book of *Tabaqāt* (which contains the biographies of hadith narrators). For example, Auda highlights a narrative

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[12]Jasser Auda, "Maqasid Methodology for Re-Envisioning Islamic Higher Education," *Journal of Contemporary Maqasid Studies*, Volume 1, Number 1 (2022): 39, https://doi.org/10.52100/jcms.v1i1.58

[13]Auda, "Maqasid Methodology"...

[14]Jasser Auda, *al-Manhajiyya al-Maqāṣidiyya, Naḥwa Iʿāda Ṣiyāgha Muʿāṣira li al-Ijtihād al-Muʿāṣir*, Dār al-Maqāṣid, 2021, 162; "Maqasid Methodology,"..., 40.

by Ḥasan al-Basri to his student, Yunus ibn 'Ubaid, regarding his own modifications to earlier narratives about Ali Ibn Abi Talib: "Everything I say directly that the Prophet said is at the authority of Ali Ibn Abi Talib, but I am in an era where I cannot mention Ali's name, may Allah be pleased with him."[15]

Auda is clear that the hadith narration pertaining to Ali Ibn Abi Talib and the Ahl al-Bayt (the Prophet's Family) has been - on numerous occasions - either edited, or omitted entirely from the hadith books.[16] Information about the hadiths has been greatly distorted by the censorship of the ruling dynasties, both Umayyad and Abbasid.[17] Crucially, he argues that the hadiths concerning Aisha's marriage to the Prophet at the age of nine, were forgeries, constructed to further the interests of the ruling Umayyad Dynasty and legitimize its enslavement of young children. Auda adds that it is regrettable that Imam Bukhari felt obliged to accept this hadith in defense of the corrupt behavior of the Umayyad dynasty's leaders.[18]

Second, to refute the hadiths about the Prophet marrying Aisha when she was six years old and having intercourse with her when she was nine years old, Auda uses the concept of "*matn criticism*," positing the notion that a hadith can only be considered valid after its *matn* has been tested first. Auda explained that *matn* criticism should be undertaken with reference to at least three benchmarks: general principles of the Quran,

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[15]Cited from Auda, "Maqasid Methodology"..., 40

[16]Jasser Auda, "Jasser Auda: Maqasid Approach to Hadith Narrations- from 8th Class: -IPSA -Cape Town Jan 2019," www.youtube.com, accessed January 22, 2023, https://www.youtube.com/watch?v=0emJc71WO9w&t=2s

[17]Auda, *al-Manhajiyyah al-Maqāṣidiyyah*..., 163-4.

[18]Oral information was heard by Rofiq, one of the authors of this article, conveyed by Auda in IIITT's summer school in 2018 in Virginia. See also, Muhamad Rofiq Muzakkir, *Dekolonisasi: Metodologi Kritis Dalam Studi Humaniora Dan Studi Islam*, Yogyakarta: Yayasan Bentala, 2022, 220-33. Initially, this was also Auda's argument in his facebook debate between him and Brown. It still can be read in the Brown's account. Jonathan Brown, "Re: Aisha's age", August 10, 2018. https://www.facebook.com/jonathanacbrown.

other prophetic hadiths, and the general context of Islamic history. Arguing for the importance of historical information as a criterion for the evaluation of the validity of hadiths, Auda asserts that having a proper sense of history is critical in order to assess "the acceptability of narrators and narrations."[19] A record of the narrators (*sanad*) should not be regarded as politically neutral since in some cases, it will have been manipulated to reflect past political or dynastic interests.

Auda is of the view that any hadith interpretation should not contradict the Quran and should be evaluated in the context of the verses of the Quran.[20] He calls this method "revelation-centrism (*markaziyyah al-waḥy*)", which is an approach to hadith analysis that has the Quran at its center. Auda also refers to this method by another term, namely *haymana al-Qur'ān 'alā riwāyāt al-sunna* (hegemony of the Quran over the narratives of the Sunna). Hermeneutically, Auda posits, the Quran is higher than the hadiths and therefore must be approached as the determining criterion for the acceptability of any of the Prophet's hadiths.

Auda maintains that generally speaking, the hadiths about Aisha's marriage have been approached only from the perspective of their *sanad*, even though they clearly contradict a particular verse in the Quran, namely verse sixth from surah al-Nisa: "*wabtalū al-yatāmā ḥattā iẓā balaghū al-nikāḥ* (and test the orphans until they are old enough to marry)". In this verse, according to Auda, it is clearly stipulated that children can only marry when they have entered the *bulūgh* (maturity) phase. Therefore, he continues, it is impossible for the Prophet, who is a role model for his ummah, to violate the provision in this verse. It is also equally improbable to believe

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[19]Auda, "Maqasid Methodology"..., 40.

[20]Jasser Auda, "Maqasid Approach to Hadith Narrations,"; "Aisha's Critique of Authentic Hadith Content," د. جاسر عودة, March 1, 2017, https://www.jasserauda.net/portal/aishas-critique-authentic-hadith-content/?lang=en&highlight=Aisha+marriage&highlight=Aisha%20marriage; *al-Manhajiyyah al-Maqāṣidiyyah*, 162.

that nine years old was the legal age of marriage at the time of the Prophet. He further argues that we have no evidence that fourteen centuries ago nine-year-old girls were considered psychologically and physiologically mature enough to be capable of sexual intercourse.[21]

Auda continues to apply his *matn* criticism method, comparing the hadiths about Aisha's marriage and examining where these contradict several other hadiths. Auda compares the hadiths about Aisha's marriage with the hadith which states that Aisha witnessed the migration of her father, Abū Bakr, to Ḥabashah, which occurred in the fourth year after the prophethood began.[22] Also, the hadiths at hand contradict the narrative that Aisha participated in the Battle of Uhud. If one follows the traditional calculation, then she must have been only nine years old when she joined the battle. Furthermore, according to him, there is also a narrative that states that before marrying the Prophet, Aisha was engaged to Jubair ibn Mut'im ibn 'Adi. Logically speaking, according to Jasser, it would have been impossible for this engagement to take place when Aisha was not yet 6 years old.[23]

Adopting the *matn* criticism approach, Auda argues that the hadiths about Aisha's marriage at the age of nine also contradict the report of Ibn Ishaq, the historian whom hadith scholars reject because of his alleged *tashayyu'* (Shiite tendency). Ibn Ishaq states that Aisha was the nineteenth person who converted to Islam in the first year of prophethood.[24] In this year, even 'Umar ibn Khattab had not converted to Islam yet. This would

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[21]Jasser Auda, "Aisha Married Mohammad at Age 16, Not 9", د. جاسر عودة, November 1, 2016, https://www.jasserauda.net/aisha-married-mohammad-at-age-16-not-9/?lang=en&highlight=Aisha

[22]Jasser Auda, *Reclaiming the Mosque: The Role of Women in Islam's House of Worship*. Swansea, United Kingdom: Claritas Books, 2017, 35-9; Jasser Auda, "How Old Was Aisha When She Married the Prophet (S)?," د. جاسر عودة, March 1, 2017, https://www.jasserauda.net/old-aisha-married-prophet-s/?lang=en.

[23]Auda, *Reclaiming the Mosque...*, 35-9.

[24]Auda, *Reclaiming the Mosque...*, 35-9; Auda, "How Old Was Aisha"...

indicate that Aisha was already a teenager when the Prophet married her in the second year after the migration, or the fifteenth year of the prophethood. It further implies that Aisha was already born when the Prophet Muhammad began his mission as a messenger of God.[25]

Third, Auda also employs *sanad* criticism to evaluate the history of Aisha a's early marriage. From the *sanad* perspective, the hadiths about the Prophet marrying Aisha when she was six or seven years old are also problematic. In the *sanad*, there is a narrator named Hisham bin 'Urwah whom Auda deems trustworthy early on in life, but whose later work (after he migrated to Kufa and got closer to the rulers there) is regarded as unreliable. Auda claims that Hisham suffers from amnesia: he cannot remember what he did or said. He is also referred to as a *mudallis* (a narrator who likes to hide the deficiencies of a hadith) by some hadith critics. Auda regrets the fact that al-Bukhari endorsed the hadiths narrated by Hisham, accepting them largely because of Hisham's status as the son of the famous *tābi'ī* scholar 'Urwah ibn Zubayr, a student of Aisha herself.[26]

Finally, Auda ensures that his methodology in viewing and assessing the hadiths about Aisha's marriage was purely based on the shariah paradigm, and the traditional fiqh framework. He explicitly rejects the possibility that his opinions are influenced by modern Western sensibilities, arguing:

> "I have to add that my view is not based on a bias to any particular western or eastern 'culture,' legal or social, but is purely based on the understanding (*dirayah*) of the narrations and the rules of *fiqh* of marriage in Islam and its higher objectives (*maqasid*). If marriage is about achieving the objectives of 'mutual love and mercy,' as the Quran asserts (30:21), how can marrying a 6- or 9-year-old girl achieve mutual love and mercy?"[27]

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[25]Auda, *Reclaiming the Mosque...*, 35-9; Auda, "How Old Was Aisha"...

[26]Auda, "How Old Was Aisha"...; Muzakkir, *Dekolonisasi: Metodologi Kritis...*, 220-33.

[27]Auda, *Reclaiming the Mosque...*, 39; Jasser Auda, "How Old Was Aisha"...

Jonathan Brown's methodological view

Three aspects shape Brown's views on this issue: first, his views on the hermeneutic relationship between the Quran and the hadiths, especially his skepticism of criticism of *matn*; second, his method in criticizing the hadith *sanad*; and third, his decolonial critiques on the universality of modern Western norms.

Firstly, criticizing the proponents of *matn* criticism, who advocate evaluating hadiths in accordance with their relationship to the Qur'anic verses, Brown proposes a distinctive view of the positions and relations of the two. While it is true that ontologically the Quran is more authoritative than the hadiths, he argues that hermeneutically the hadiths are superior.[28] It is impossible for Muslims to understand the Quran without the help of hadiths. For this reason, efforts to evaluate hadiths with reference to the Quran are not always appropriate. The Quran demands that the hadiths outline its broad legal rules, not the other way around, where the hadiths require the Quran to serve as a hermeneutically evaluative framework.

The main issue that Brown criticizes is the Qur'an-based *matn* hadith critique, put forward by figures such as Auda. Brown argues that there are no objective criteria for determining the extent to which a hadith entirely contradicts the Quran. Evaluation of the two so far has only relied on the subjectivity of scholars. In fact, according to Brown, often people who claim a hadith has contradicted the Quran are not aware of their own subjective bias in understanding the hadith and the verses of the Quran itself. Therefore, he argues, rather than quickly claiming contradictions, a Muslim scholar should first try to reconcile the varying contents (*jam'*) of similar hadiths, especially if a rejected hadith has a reputable chain of

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[28]Oral information, which was heard by Rofiq, one of the authors of this article, conveyed by Brown in IIITT's summer school in 2018 in Virginia. See Muzakkir, *Dekolonisasi: Metodologi Kritis...*, 220-33.

narrators (*sanad ṣaḥiḥ*) based on the criteria of leading hadith scholars.[29]

Secondly, Brown makes a methodological objection to the criticism of *sanad* submitted by Auda and his ilk. He argues that the objectors' analyses of the hadiths on Aisha's marriage have been very partial and that they have not attempted to reconstruct the entirety of the *sanad*. The hadiths about the age of Aisha's marriage were, in fact, narrated by many *mukharrijs* through many chains and different *matns*, making it impossible for them to have been falsified.[30]

He argues that critics of Aisha's marriage hadith, such as Auda, ignore this fact. They tend to focus only on one *sanad*, especially on the narrator Hisham ibn 'Urwah. According to Brown, even if Hisham's report is neglected, this hadith still has many other chains. The disappearance of Hisham's report does not necessarily undermine other reports that Aisha married the Prophet at the age of nine. It is true if we dismiss Hisham's narration, said Brown, we then have no supporting reports from the reputable collection Ṣaḥīḥ al-Bukhārī. However, there are other narratives from other collections, *e.g.,* 'Abd al-Razzaq al-San'ani (compiler of the book of *al-Musannaf*), Muslim, al-Nasai, Ibn Majah, and al-Mawsili (compiler of the book *Musnad al-Mawṣili*), which have not been transmitted through Hisham ibn 'Urwah.[31] In fact, of all the existing *sanads*, the most robust chain belongs to al-San'ani's version, which contains fewer narrators and

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[29]Jonathan A.C. Brown, "The Rules of Matn Criticism: There Are No Rules," *Islamic Law and Society* Volume 19, Number 4 (2012): 356–96, https://doi.org/10.1163/156851912x639923.

[30]Jonathan Brown, "Re: Aisha's age",; see also, Brown, "Age of Hazrat Aisha," https://www.youtube.com/watch?v=NxIXLFWmQ8I&t=973s

[31]It should also be noted that 'Urwah, Aisha's niece from her sister Asma, is not the only narrator of hadiths about Aisha's marriage. Besides himself, other narrators also received this news from Aisha directly, namely: al-Aswad ibn Yazid, Ibn Abi Malikah, Abu 'Ubaidah, dan Abu Salamah ibn 'Abd al-Rahman. See, 'Ala Ibrahim 'Abd al-Rahim, "Sinn Umm al-Mu'minīn 'Āishah 'inda Zawāj al-Nabiy Ṣallallāhu 'alaihi al-Salām," accessed January 21, 2023, https://salafcenter.org/wp-content/uploads/2020/09/سن–أم–المؤمنين عائشة–عند–زواج–النبي–صلى–الله–عليه–وسلم–بها.pdf., 2.

which scholars of hadith call the *silsilah dhahabiyyah* or gold chain. The narrators of this *sanad* are Ma'mar, al-Zuhri, 'Urwah, and Aisha herself.[32] Brown said that even if this hadith is analyzed by the rigorous hadith authentication methods used by Western scholars, as exemplified by Harald Motzki's version of the *isnad* cum *matan*, its validity can still be proven.[33]

Thirdly, Brown argues that those who object to these hadiths, including Auda, fail to recognize their own intrinsic biases and do not acknowledge that they have adopted an anachronistic way of thinking, imposing modern normativity to judge historical events. Brown continues that the most appropriate way to examine whether a modernity bias underpins the thinking of a modern scholar is to look at the interpretations of previous scholars: have they problematized these hadiths? If they have not, and the modern objection stands alone, then it is clear that contemporary scholars are interpreting Islamic history through an alien and inappropriate system of values.[34] According to Brown, throughout the history of pre-modern *fiqh* and hadith scholarship, this hadith has never been questioned by Muslim scholars. If this hadith is problematic, he argues, then it does indeed merit further discussion, or at least, it will fall into the category of *mukhtalaf al-ḥadith* (those hadiths whose meaning is disputed).

Brown points out that the pre-modern *fiqh* books also discuss the legality of parents marrying off their young children without their consent. The four mainstream *fiqh* schools consider this practice permissible. However,

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[32]Jonathan Brown, "Re: Aisha's age",; Brown, "Age of Hazrat Aisha," https://www.youtube.com/watch?v=NxIXLFWmQ8I&t=973s

[33]This method is much more stringent because it examines the validity of hadith by combining tracing the chain of narration (*sanad*) and changes of the wording of hadith (*matn*) from one generation of transmitters to the next generation. For further information, read Harald Motzki, *The Origins of Islamic Jurisprudence: Meccan Fiqh before the Classical Schools*, Leiden; Boston: Brill, 2002.

[34]Brown himself said that even though *matn* criticism had been practices of early scholars of Islam, in modern times it has become more salient. Brown, "The Rules of Matn Criticism: There Are No Rules"..., 395.

for jurists, allowing a marriage contract to occur did not automatically allow for an immediate sexual relationship. According to pre-modern jurists, parents were allowed to delay consummation until they thought their child was of an appropriate age.[35] Brown claims that this constitutes proof of the validity of the hadiths on Aisha's early marriage.

The hadiths around Aisha's marriage, Brown argues, became problematic and the subject of debate when Muslims encountered Western modernity through colonialism. Brown writes: "...it was a modern Western opprobrium that brought the problematic precedent of the Prophet's marriage with Aisha to the fore."[36] Concerning the modernity bias from the West, Brown found that the person who first challenged this hadith was the Oxford academic and Orientalist, David Margoliouth. In his 1905 book, *Muhammad and the Rise of Islam*, Margoliouth called this marriage an "ill-assorted union". Margoliouth himself was influenced by the culture of marriage in the United Kingdom. In 1275, a law in England had forbidden girls from marrying under the age of twelve. In other European countries, in pre-modern times, child marriage at an early age was not considered problematic.

Brown also notes that within Western Orientalist scholarship, which contains many polemical works attacking Islam, this hadith has never been disputed.[37] Polemical Christian scholars, such as John of Damascus (d. 749), Matthew of Paris (d. 1259), and even Voltaire (d. 1722), who always tried to find reasons to attack Islam, did not find anything problematic in this hadith. The polemicists, for example, criticized the Prophet's marriage to Zaynab bint Jahshi, ex-wife of Zaid ibn HaHarithah, but did not touch

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[35]Jonathan Brown, *Misquoting Muhammad: The Challenge and Choices of Interpreting the Prophet's Legacy*, London Oneworld, 2016, 141.

[36]Brown, *Misquoting Muhammad...*, 143.

[37]Brown, *Misquoting Muhammad...*, 144.

on the issue of Aisha's marriage at all.[38]

Demonstrating the infiltration of modern Western views into Muslim scholarship, Brown reveals the historicity of criticism against the hadiths of Aisha's marriage. He claims that the first person to challenge the practice of child marriage in the Muslim world was Huda Sharawi, founder of the Egyptian Feminist Union. In 1923, after returning home from an international conference on women in Italy, Sharawi persuaded the Egyptian parliament to enact a law limiting the age of marriage. It was after Sharawi's intervention in the marriage culture in Egypt, that the *ulamā* began to problematize this hadith.[39] The first Muslim intellectual to challenge this hadith was the well-known historian and writer 'Abbas Aqqad (died 1964) in his work entitled *al-Siddīqa bint al-Siddīq* which other scholars later followed.[40]

What 'Aqqad did not realize, according to Brown, who himself was quoting Egyptian hadith expert Aḥmad Shakir, was that he had unknowingly fallen into the trap of modernity. Modern scholars who reject the hadiths failed to reflect on the sociological reality that Western norms are continuously evolving. Many Western values shifted during the era of industrialization and urbanization.[41] 'Aqqad, Brown wrote, "exemplifies how history, and in this case, the scripture of hadith, can be reread in consonance with compelling social forces".[42] 'Aqqad and other objectors to the hadiths have failed to acknowledge that there are no universally agreed values regarding the criteria of good and right. Both are dependent on place and time.[43] What is considered good or normal in one period

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[38]Brown, *Misquoting Muhammad...*, 144; Brown, "Age of Hazrat Aisha"...

[39]Brown, *Misquoting Muhammad...*, 145.

[40]'Abbas 'Aqqad, *Al-Ṣiddīqa Bint Al-Ṣiddīq*, Cairo: Dār al-Ma'ārif li al-Ṭibā'ah wa al-Nashr, 1953, 63.

[41]Brown, *Misquoting Muhammad...*, 147.

[42]Brown, *Misquoting Muhammad...*, 147.

[43]Brown, "Age of Hazrat Aisha"...

and place may be regarded as anomalous elsewhere.

Many practices that were considered acceptable in a peasant society that lived in pre-modern times became unmentionable after modernization swept through society, and vice versa. Brown points out that in pre-industrial societies, from India, China, Eastern Europe, or even the pre-modern Western world, it was common for girls to marry at a very young age. Generally, they were married immediately after the menarche. According to *American Child Bride* (2016), for example, up until the twentieth century it was legal for girls as young as ten to be married in Georgia.[44] This demonstrates how Western social standards are subject to ongoing change and therefore cannot be used as a benchmark for judging non-Western norms. Therefore, Muslims must be conscious not to use the present-time normative lens to read historical facts in the past. Decolonizing Islamic thought is crucial for this reason. According to the decolonial paradigm, before attempting to study the past and comprehend Prophet Muhammad's hadiths, Muslims must first recognize the internalized biases of modernity in their own behavior and mental patterns.

Thus, Brown's methodological contribution can be categorized into three elements, namely: his reconstruction of the networks of *sanads* and *matn* as a means of authenticating the hadiths - which includes his resistance to the use of unverified historical narrations as a benchmark for evaluating the validity of Aisha's marriage hadiths. His analysis of the historicity of objections about the hadiths both among Muslims and non-Muslims. Finally, he introduces the idea of decolonizing hadith scholarship, by inviting Muslims to dismantle the biases inherent in the apparent universality of Western culture and civilization.

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[44]Brown, "Age of Hazrat Aisha"...

Paradigms underpinning Auda and Brown's perspectives

Jasser Auda and Jonathan Brown represent two different ways of understanding and approaching the hadiths regarding Aisha' age. In this section, we try to unpack the different assumptions underpinning their respective arguments. We identify three paradigmatic assumptions that shape the way these two scholars interpret the hadiths and approach the problematic issue of Aisha's early marriage. These are their differing conceptions of the interplay between politics, knowledge, and memory; Auda's reformist vs Brown's traditionalist epistemological approach; and their opposing positions regarding the universality of modern norms. We compare how each scholar builds their dispositions regarding Aisha's age using these paradigms.

The interplay between politics, knowledge, and memory

As outlined earlier, Auda believes that historical political regimes played a significant role in the process of canonizing the hadiths into the existing collections we have today. He argues that rulers exerted pressure on hadith narrators to transmit only those hadiths that aligned with their own political interests. He believes that scholars in the formative period of the Islamic orthodoxy were themselves inevitably enmeshed within the socio-political structures surrounding them and under the hegemonic control of their rulers. Their production of knowledge, including hadiths, would necessarily therefore, have reflected the ideological hegemony of their age. For Auda, the task of contemporary Muslim scholars is to be mindful of the specific historical context in which such knowledge was produced and of the embedded biases that result.

However, Auda's views also need to be considered in the context of his own frustration with contemporary politics and the authoritarianism he sees today in his home country of Egypt. He is deeply concerned about the ruling elite which has co-opted everything from government infrastructure,

the judiciary, ministries, and the military, to the media and academia.[45] As a result, academics have either voluntarily, or by force, adjusted their own discourses, religious and otherwise, to fit the political agenda of the ruling government. The realities of the present-day ruling hegemony, which has been the main focus of his intellectual works, especially since the failure of the Arab Spring, have shaped and moulded Auda's scholarly discourse. It could be argued therefore, that Auda is projecting some of his own frustration at the corruption of public life in the Arab world, and in particular in Egypt, into his analysis of Islamic history, especially the history of hadith formulation in the early period of Islam.

Brown actually demonstrates some similarity with Auda on the issue of the relationship between politics and the hadiths, but they are mostly of dissenting opinions. On the one hand, Brown affirms that in the past, political interests were one of the causes of hadith forgery and that individual rulers abused their power, leading to the fabrication of hadiths. However, on the other hand, he sees that this practice was not exclusively the prerogative of the ruling class. While Auda limits ultimate responsibility for hadith forgery to the ruling elites, for Brown, marginalized historical groups were also equally responsible, as they sought to advance their own political interests. One clear example being the many fabricated hadiths that began to emerge after the conflict between Mu'awiyah and 'Ali in the early period of Islam. Brown argues that fanatical supporters from both sides were equally involved in such forgeries and that due to their political interests, both the powerful and the powerless were involved in the creation of fake hadiths. [46]

Another difference in Brown's perspective from Auda's is that the

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[45]Auda published a book discussing authoritarianism in the Arab World. See Jasser Auda, *al-Dawla al-Madaniyyah: Naḥwa Tajāwuz al-Istibdād wa Taḥqīq Maqāṣid al-Sharīʿa*, Beirut, Cairo, Dār al-Baiḍa': al-Shabkah al-'Arabiyyah li al-Abḥāth wa al-Nashr, 2015.

[46]Jonathan Brown, *Hadith: Muhammad's Legacy in the Medieval and Modern World*, London: Oneworld Academic, 2018, 71-4.

former believes that despite the coercion of rulers, the scholars (ulama) still retained agency and acted objectively in their selection of hadiths. Here he differs from Auda, who sees hadith scholars as being easily manipulated and coerced into acting in the interests of the ruling class. For Brown, this is an unfounded claim. He believes that the hadith scholars actively attempted to act as objectively as possible and attempted to avoid being co-opted by powerful elites.

According to Auda, affiliation with the *ahl al-bayt* (the household of the Prophet) has often been behind the marginalization or rejection of a hadith narrator. Brown, on the other hand, considers this to be an exaggeration, pointing out that Sunni hadith scholars have faithfully transmitted hadiths from Shia narrators, even those with pro-Shia content. This is because they see the information they bring as being historically objective, and do not bring sectarian interests to bear on their scholarship.[47] He mentions the Sunni hadith collector Muslim, who accepted hadiths from a Shīʿite named ʿAdi ibn Thabit, who narrated the hadith: "Only a believer loves ʿAli, and only a hypocrite hates him".[48] Brown cites this as an example of the sectarian inclusivity of the hadith collectors.

It worth noting, however, that other scholars have argued that sectarian sentiment has influenced the transmission and interpretations of the hadiths, including the ones about Aisha's age.[49] According to Joshua

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[47]Brown, *Hadith: Muhammad's Legacy...*, 151.

[48]Brown, *Hadith: Muhammad's Legacy...*, 153.

[49]For example, see Yasmin Amin's article that discusses how scholars from different schools of thoughts and jurisprudence approach the hadith of Aisha's marital age and the issue of child marriage, Yasmin Amin, "Revisiting the Issue of Minor Marriages: Multidisciplinary Ijtihād on Contemporary Ethical Problems," in *Islamic Interpretive Tradition and Gender Justice*, ed. Nevin Reda and Yasmin Amin, Processes of Canonization Subversion and Change, McGill-Queen's University Press, 2020, 314–64, https://doi.org/10.2307/j.ctv1bhg2d1.14. See also Ayatullah Muhammad Husayn Husayni al-Qazwini, "How Old Was A'yshah When She Married The Prophet Muhammad?," Al-Islam.org, June 4, 2015, https://www.al-islam.org/articles/how-old-was-ayshah-when-she-married-prophet-muhammad-sayyid-muhammad-husayn-husayni-al.

Little (2022), the core of this tension lies in the competing claims made for Fatima and Aisha as representing the epitome of Muslim womanhood in Shi'i and Sunni discourses respectively. This tension started as early as the 7th-8th century CE, with the emergence of the *faḍāil* report about Aisha among proto-Sunni Muslims in Kufah.[50] Sunni Muslims tend to highlight Aisha's special status as the only virgin and young wife of the Prophet.[51] Aisha's marriage at an early age is an important part of this narrative. Conversely, Shi'i Muslims tend to emphasize the centrality of Fatima. She is spiritually exalted as one of the Five Infallibles (*Ahl al-Kisa*) and the progenitor of the Ahl al-Bayt.[52] However, despite these sectarian valences, it is important to point out that sectarian identity does not always dictate a scholar's interpretive preference. There are Sunni scholars, such as Jasser Auda, who reject the notions of Aisha's early marital age, while a prominent Shia scholar such as Muhammad Baqir al-Majlisi (d.1110/1699) affirmed the hadith concerning Aisha's early marriage age.[53]

[50]See Joshua J. Little, "The Hadith of 'Ā'išah's Marital Age: A Study in the Evolution of Early Islamic Historical Memory", Ph.D. Thesis (Abridge version), Oxford, UK, University of Oxford, 2022, 264–65. Accessible at https://ora.ox.ac.uk/objects/uuid:1bdb0eea-3610-498b-9dfd-cffdb54b8b9b. For sectarian tension surrounding the centrality of Fatima and Aisha see also a lecture by Amina Inloes, "Comparing Models of Femininity: Fatimah Al-Zahra' and A'isha'," May 11, 2012, https://www.al-islam.org/media/comparing-models-femininity-fatimah-al-zahra-and-aisha.

[51]Denise Spellberg explains the Sunni-Shi'i sectarian tension and the historical formation of the discourse regarding Aisha's special attributes in great details in Denise A. Spellberg, *Politics, Gender, and the Islamic Past: The Legacy of 'A'isha Bint Abi Bakr*, New York: Columbia University Press, 1994, 31–32, 39–40, 47–48.

[52]Asif M Basit's article provides succinct outlines the Shi'i-Sunni sectarian tension surrounding the contestations of 'Āisha's age, see Asif M. Basit, "The Age of Aisha (Ra): A Modern Question for Medieval Times," Alhakam.org, June 18, 2022, https://www.alhakam.org/age-of-hazrat-aisha/.

[53]Al-Majlisi, Muhammad Baqir. "Wives of the Prophet – Their Number and a Brief Account of Them." Al-Islam.org, January 30, 2013. https://www.al-islam.org/hayat-al-qulub-vol-2-allamah-muhammad-baqir-al-majlisi/wives-prophet-their-number-and-brief. See also Muhammad Baqir al-Majlisi, *Mir'āt al-'Uqūl fī 'Akbār 'Al al-Rasūl* vol. 24 Tehran, Iran: Da'r al-Kutub al-'Isla'miyyah, 1983, 235.

Epistemological methods in studying hadiths

The next diverging paradigms that influence the discourses of Auda and Brown relate to their method of reading intellectual history, including methods of hadith science. Auda adheres to a reformist paradigm and believes that pre-modern traditions cannot become a determining factor in authenticating the hadiths of Aisha's marriage. The pre-modern scholars were all trapped in their own history and have been unable to appreciate the necessity of a more rigorous critical methodology in understanding hadiths. For Auda, even if previous scholars have accepted the validity of a hadith, this alone does not necessarily become a standard of truth and authority. According to him, Muslims in the modern era, can come up with new opinions about this hadith that differ from, or even correct, previous opinions.

Auda's reformist tendency differs radically from Brown's traditionalist perspective. According to his paradigm, truth cannot be obscured in history and only to be revealed to us in the modern era. His position requires jurists to seriously engage with the historical opinions expressed by their predecessors because theological truths must have been expressed within them. This traditionalist paradigm rejects the reformist tendencies of scholars like Auda, who selectively ignore those classical norms contained in the *fiqh* and *sharaḥ* hadith books, but formulate ideas derived from earlier normative sources such as the Quran and the hadith. For traditionalists like Brown, an examination of *turāth* or intellectual legacy, that traces the responses of Muslim scholars throughout history is imperative. The way in which factual authenticity was perceived and verified in the past is an important consideration for formulating normative views today.

Another important consideration, which impacts each writer's approach to intellectual history, is their view on how reliable conventional hadith criticism, especially *sanad*, is. Based on his reformist paradigm, Auda

believes that *sanad* criticism is not enough. While a text may be considered *ṣaḥiḥ*, according to traditional hadith rules, this in itself is no guarantee of its reliability as an authentic hadith that describes actual historical fact. Auda therefore, proposes the possibility of disregarding *sanad* criticism, substituting modern methodologies of historical analysis instead. He suggests that rigorous historical analysis may be more reliable than the technicalities of the science of *sanad*. This is different from Brown, who still respects the established traditional methodology of hadith science. For him, hadith *sanad* criticism is more reliable. In his work he even criticizes modern methods of contemporary historical criticism, especially those coming from Orientalists.[54] He believes that modern methods are based on skepticism, modern sensibility, and a rejection of scholarly authority. It is Brown's belief in the traditional method of *sanad* criticism that enables him to master the subtleties of hadith science and demonstrate that the hadiths about Aisha's marital age have multiple chains, not just one, as Auda claims. Brown traces the history of the hadith and shows that every narrative corroborates the other, making the information contained within them epistemologically robust. Here he differs significantly from Auda, who is already trapped in skepticism from the beginning. His pessimism over the unreliability of *sanad* has made Auda unable to appreciate that the network of hadiths about Aisha's marriage is not, as he claims, a simple narrative provided by one questionable narrator in the form of Hisham ibn 'Urwah.

The universality of modern norms

The third paradigmatic foundation of these two figures is related to the issue of cultural relativism, namely the extent to which modern values are universal. Although Auda denies that he works under a Western paradigm, he appears not to problematize modernity. He does not see modernity

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[54]Brown, *Hadith: Muhammad's Legacy...*, 226-76.

as a distinctive temporal entity, apart from Islamic civilization.[55] Neither does he see modernity as the result of the imposition of Western values on others. For Auda, the benchmark for determining whether a view is influenced by Western assumptions is simply whether a scholar cites Western works or not. In other words, Auda only looks at the superficial attribution of an idea, not its inner or philosophical dimension. Nor does he explicitly address the issue of the assumed universality of norms. This is exemplified by his repeated emphasis that it was not possible in the past for marriage at the age of nine to be acceptable.

Brown explicitly affirms the importance of questioning the universality of contemporary Western cultural practices. He states that discomfort among certain parties, including Muslims, regarding the hadith around Aisha's marriage actually derives from their adoption of Western norms. Therefore, he argues, when Muslims reject this hadith, they are actually unwittingly operating within a modern Western paradigm. Brown emphasizes the importance of examining the possible bias of modernity in interpreting historical events. This is similar to Dipesh Chakrabarty's ideas in "Provincializing Europe," which call for the parochialization of certain modern norms that originate from Western society.[56] When these ideas are applied to the field of hadith studies, Brown refers to them being tantamount to the decolonization of the understanding of the hadith.[57] For him, attempting to understand the hadiths through the lens of a universalized modern culture is equivalent to placing Western values at the summit of human history and achievement. The paradigm that Brown

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[55]This is particularly the argument of Wael Hallaq in his book *The Impossible State: Islam, Politics, and Modernity's Moral Predicament: Islam, Politics, and Modernity's Moral Predicament*, New York: Columbia University Press, 2014, 3; *Reforming Modernity: Ethics and the New Human in the Philosophy of Abdurrahman Taha*, New York, NY: Columbia University Press, 2019, 82-84.

[56]Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference*, Princeton, N.J.; Oxford: Princeton University Press, 2000.

[57]Brown, "Re: Aisha's Age"...

adheres to always harbors suspicion towards modern norms, especially if they lack roots in the past.

Conclusion

The issue of Aisha's marriage has been a controversial topic since the modern era. It is not unreasonable to say that it will be a perennial source of debate within the Muslim community, given that modernity has become an inherent part of the Muslim identity. Modernity brings with it numerous sensibilities that are not always aligned with the traditional norms of the past. In this article, we have explained how scholars of Islam debate how best to understand the hadith about Aisha's marriage at the age of nine. We have explained the general arguments of both critics and defenders of this hadith. Methodological issues related to the formulation of these arguments range from the question of how to authenticate historical narration, to whether traditional methods of authentication are truly reliable. They include a consideration of the extent to which historical narratives can be used to evaluate the validity of hadiths, and whether politics, and in particular, sectarian interests, have been important in shaping Islamic orthodoxy and the narration of hadiths in the formative period of Islam.

We discuss these topics through the discourse of Jasser Auda and Jonathan Brown, who represent two different schools of thought and explain the distinctions, interventions, and theoretical contributions they have each made to this issue. We explicitly do not take a stance on the validity of the hadith themselves. Instead, we analyze these academics' respective methodologies and unpack their underlying paradigms. Three factors are primarily responsible for shaping their respective discourse: their views of the interplay between politics and knowledge, of Islamic intellectual history, and of the universality of modern norms. This valuable

research lies at the intersection of, and therefore potentially contributes to, the fields of hadith studies and the sociology of knowledge.

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