

Analysis of the Hadith On Hudud Crimes: A Study of the Prohibition Alcoholic Beverages From an Islamic Legal Perspective

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Info Articles	Abstract
<p>Article History Received : 2021-09-04 Revised: 2021-09-13 Published: 2021-09-30</p> <p>Keywords: <i>Hadith, Hudud Crimes, Alcohol, Islamic Criminal Law, Islamic Jurisprudence</i></p>	<p>This study aims to analyze hadiths related to hudud crimes, particularly the prohibition on drinking alcohol from an Islamic legal perspective. Alcohol is any type of intoxicating beverage that is prohibited in Islam because it can damage the mind and cause various negative impacts, both for individuals and society. This prohibition is not only based on the Qur'an, but also emphasized in the hadith of the Prophet Muhammad SAW, which states that everything that intoxicates is haram. The research method used is qualitative research with a library approach, through a review of related hadiths and fiqh jinayah literature. The results show that drinking alcohol is included in the category of hudud crimes that are subject to strict sanctions in the form of caning as a form of deterrent and prevention. In addition, alcohol is also seen as a source of various crimes because it can reduce a person's awareness and self-control. From an Islamic legal perspective, the prohibition of alcohol aims to maintain the mind (hifz al-'aql) as part of the maqashid sharia.</p>

I. PENDAHULUAN

In the Islamic legal system, hudud crimes are a category of criminal acts that have punishment provisions that have been firmly established by Allah SWT and His Messenger. These provisions are permanent (qath'i) and cannot be changed by humans, because they concern the rights of Allah (haqqullah) which aims to maintain the public interest. One form of hudud crime that has received significant attention in the study of Islamic jurisprudence is the prohibition on consuming khamr (alcoholic beverages). Khamr is not only seen as a violation of religious norms, but also as a source of moral, social, and legal damage in human life (Al-Zuhayli, 2003). Therefore, the prohibition of khamr is an integral part of efforts to maintain reason (hifz al-'aql) as one of the main objectives of Islamic law.

The prohibition of alcohol in Islam was not established directly in one stage, but rather through a gradual process as depicted in the verses of the Qur'an. This stage demonstrates an educational and gradual approach in the formation of Islamic law. Ultimately, the prohibition was emphasized with the revelation of a verse explicitly forbidding alcohol because it was considered an act of Satan and should be avoided (QS. Al-Ma'idah: 90). This affirmation was then reinforced by the hadiths of the Prophet Muhammad SAW which provide more detailed

explanations regarding the form of prohibition, the scope of alcohol, and sanctions for violators (Al-Bukhari, 2002). Thus, the hadith function as an explanation (bayan) of the Qur'an as well as the operational legal basis for the implementation of hudud crimes.

From the perspective of the hadith, the prohibition of alcohol is not limited to consumption alone, but also encompasses all activities related to it, such as production, distribution, and serving. The Prophet Muhammad (peace be upon him) even cursed ten groups associated with alcohol, demonstrating the broad scope of the prohibition (Muslim, 2006). This emphasizes that Islam not only prohibits the consequences of alcohol but also seeks to close all doors that can lead to its consumption (sadd al-dzari'ah). This approach demonstrates that Islamic law has a strong preventive dimension in maintaining social order.

Furthermore, the imposition of sanctions against those who drink alcohol in the hadith indicates a dimension of law enforcement aimed at providing a deterrent effect (zajr) and maintaining societal stability. Several hadiths mention that the Prophet Muhammad (peace be upon him) imposed flogging on those who drink alcohol, a punishment that later increased during the reign of the Caliphate (Khalaf al-Rasyidin) (Kamali, 2008). This difference is interesting to

study further, especially in understanding the flexibility of the application of hudud laws in different social contexts. Thus, analysis of hadith is important for examining how these texts are understood and applied in various situations.

On the other hand, in the context of modern society, the phenomenon of alcohol consumption remains a complex and evolving issue. Its negative impacts, such as increased crime rates, accidents, and mental and physical health problems, demonstrate that the prohibition of alcohol in Islam remains strongly relevant today (Rahman, 2010). However, the application of hudud laws is often debated, particularly in relation to national legal systems and human rights principles. This requires a comprehensive and contextual study of the hadiths that form the legal basis for these prohibitions.

The maqashid al-syari'ah approach is a relevant method for understanding the purpose behind the prohibition of alcohol. Within this framework, the prohibition is seen not only as a normative rule, but also as an effort to protect five fundamental aspects of human life: religion, life, reason, lineage, and property (Kamali, 2008). Thus, the study of the hadith on alcohol focuses not only on the text itself, but also on the values and goals that Islamic law seeks to achieve.

Based on this description, this study aims to analyze hadiths related to hudud crimes, particularly the prohibition on drinking alcohol, and examine their implications from an Islamic legal perspective. This research is expected to contribute to enriching the body of knowledge in the field of Islamic criminal law and serve as a reference in understanding the relevance of the application of Islamic law in the contemporary era.

II. METODE PENELITIAN

This study is a qualitative study with a library research type that focuses on the study of hadiths related to the prohibition of drinking alcohol in the context of hudud crimes. The data used consists of primary data in the form of hadiths in the book of muktabar hadith, as well as secondary data obtained from the literature of fiqh jinayah, Islamic law books, and relevant scientific journals. The approach used is a normative and hadith approach, with the takhrij technique to trace the validity of the hadith. Data analysis was carried

out descriptively and analytically to understand the meaning and legal implications of the hadiths, and strengthened by the maqashid al-syari'ah approach to examine the purpose of the prohibition of alcohol in preserving human reason.

III. RESULTS AND DISCUSSION

A. Research result

Research results show that the hadiths of the Prophet Muhammad (peace be upon him) strictly prohibit the consumption of alcohol in all forms, due to its intoxicating and intoxicating properties. This prohibition is not only directed at the individual consumer but also encompasses all parties involved in its production, distribution, and serving, thus demonstrating a preventative approach in Islam (Al-Bukhari, 2002; Muslim, 2006).

Furthermore, the hadiths also describe the punishment of flogging for those who consume alcohol, although in practice, the number of times it was enforced varied considerably during the time of the Prophet and his companions. This demonstrates that the prohibition of alcohol is not merely moral but also has a legal dimension aimed at safeguarding human reason and creating order and well-being in society (Kamali, 2008).

When analyzed from the perspective of maqashid al-syari'ah, the prohibition of alcohol has a fundamental purpose: to safeguard reason (hifz al-'aql). Reason is a crucial element in determining human legal responsibility (taklif), so its damage will impact the individual's function in carrying out life. Thus, the prohibition of alcohol is not only oriented towards preventing sinful acts but also aims to protect the quality of human life as a whole (Kamali, 2008).

B. Discussion

The prohibition of alcohol in Islam is part of the hudud crimes, which have a strong legal basis in the Qur'an and Hadith. In the hadith of the Prophet Muhammad SAW, it is emphasized that "every intoxicant is alcohol, and every alcohol is forbidden," indicating that the concept of alcohol is general and not limited to a specific type of beverage. Thus, all forms of substances that can impair reason, whether in the form of traditional drinks or modern substances such as synthetic alcohol, are included in the category of alcohol (Al-Bukhari, 2002; Muslim, 2006). This shows that

Islamic law is universal and adaptive to the development of the times.

Furthermore, the Prophet's hadiths also emphasize that the prohibition of alcohol is not limited to consumption, but encompasses all activities related to it. One narration states that the Prophet Muhammad cursed ten groups associated with alcohol, from those who make it, to those who distribute it, to those who serve it. This comprehensive prohibition reflects the principle of *sadd al-dzari'ah*, which blocks all paths that could lead to unlawful acts. This approach emphasizes that Islamic law is not only repressive (imposing sanctions) but also preventive (preventing violations) (Muslim, 2006).

In terms of law enforcement, the hadiths indicate that those who drink alcohol are subject to lashing as a form of hudud punishment. However, the number of lashes imposed varied between the time of the Prophet Muhammad (peace be upon him) and the time of his companions, such as during the reign of Caliph Umar ibn al-Khattab, which stipulated a higher number of lashes. This difference demonstrates the scope for *ijtihad* (intelligence) in law enforcement, particularly in the technical aspects of imposing sanctions. Thus, although hudud laws have a fixed basis, their implementation can be adapted to social conditions and community needs (Kamali, 2008).

Furthermore, when analyzed through the *maqashid al-syari'ah* approach, the prohibition of alcohol has the primary purpose of preserving reason (*hifz al-'aql*), which is one of the five main objectives of sharia. Reason is a gift that distinguishes humans from other creatures and is the basis for determining legal responsibility (*taklif*). Consuming alcohol can impair the function of reason, potentially leading to various actions that are detrimental to oneself and others. Therefore, this prohibition is not only normative, but also aims to protect the welfare of humanity as a whole (Al-Zuhayli, 2003).

From a social perspective, alcohol has a far-reaching impact on people's lives. Various studies have shown that alcohol consumption can increase the risk of crime, domestic violence, traffic accidents, and physical and mental health disorders. This fact demonstrates that the prohibition of alcohol in Islam has strong

relevance to modern realities. In other words, Islamic teachings are not only based on revelation but also align with rational and empirical considerations in maintaining social order (Rahman, 2010).

In the contemporary legal context, the application of hudud punishments to those who consume alcohol is often debated, particularly in relation to the national legal system and human rights principles. Some view corporal punishments such as flogging as inconsistent with modern principles, while others see them as part of a legal system that serves preventive and educational purposes. Therefore, a wise and contextual approach is needed to understand the hadiths on alcohol, so that it is not only oriented towards the text but also towards the objectives of the law itself (Kamali, 2008). Furthermore, a contextual approach to the hadith is crucial for understanding the historical and social background behind the enactment of these laws. The hadiths on alcohol are inextricably linked to the conditions of Arab society during the Prophet's time, which had a culture of high alcohol consumption. Therefore, the prohibition on alcohol was gradually passed down to bring about effective social change. This approach demonstrates that Islam places great emphasis on psychological and social aspects in establishing laws (Al-Zuhayli, 2003).

Thus, this discussion demonstrates that the prohibition of alcohol in the hadith has a very broad dimension, encompassing theological, legal, social, and moral aspects. Islam not only prohibits this practice but also provides prevention and law enforcement mechanisms aimed at creating a healthy and moral society. Therefore, studying the hadith on alcohol is crucial for understanding how Islamic law can be applied relevantly and contextually in modern life.

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

Based on the research and discussion, it can be concluded that the prohibition on drinking alcohol in Islam is firmly based on the hadith of the Prophet Muhammad (peace be upon him) and falls under the category of hudud crimes. *Khamr* is defined as anything that intoxicates and can impair reason, so the prohibition is general and encompasses various forms of intoxicants. The

hadith also indicate that the prohibition applies not only to drinkers but also to all parties involved in its production and distribution, as a preventive measure in Islam.

Furthermore, the imposition of caning as a penalty for alcohol consumption demonstrates that this prohibition has a firm legal basis. However, the differences in the practice of implementing the punishment indicate that there is room for *ijtihad* in its application. Overall, the prohibition of alcohol aims to safeguard human reason (*hifz al-'aql*) and create public welfare and order, thus remaining relevant in the modern context.

B. Suggestion

This research is expected to serve as a reference in understanding the hadiths concerning hudud crimes, particularly the prohibition on drinking alcohol from an Islamic legal perspective. Future researchers are advised to conduct more in-depth studies using broader approaches, such as social or comparative law, to gain a more comprehensive understanding. Furthermore, public education efforts are needed regarding the dangers of alcohol, both from a religious and health perspective, so that the values of Islamic prohibitions can be effectively applied in everyday life.

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