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The Malay Fiqh Manuscripts at the National Centre for Malay Manuscripts: A Pilot Survey

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Abstract
The National Centre for Malay Manuscripts, under the National Library of Malaysia safeguards a large number of Islamic Malay Manuscripts whose contents have yet to be studied and explored. They cover numerous knowledge fields such as literature, history, religion, medicine, laws, constitutions, as well as amulets and tips. In terms of religious genre, Fiqh (Islamic Jurisprudence) seems to dominate even though the manuscripts in this field have not been categorized yet, as in the case for others. A researcher must scan the title, table of contents or some of the descriptions provided in the catalogues before he could determine the field of a certain manuscript. This proves to be challenging especially for those who lack the basic knowledge in Islamic disciplines. Therefore, this paper will discuss the identification of Fiqh manuscripts that exist at the Centre, the sub-fields as well as some reviews on selected manuscripts related to the field. The research method used is document analysis while scanning and collecting data. Then it was analysed using content analysis and comparative method to separate it from other knowledge fields. This initial study found that there exist a large number of manuscripts related to Fiqh in various sub fields such as ibadah (worship), muamalah (commercial transaction), munakahah (marriage) and jinayah (crime and punishment). This proved that Islamic scholars in Malay Archipelago have significant contributions in Islamic Fiqh. Therefore, further studies on Fiqh can be carried out based on the classical works of the Islamic scholars in Malay Archipelago.

 Keywords: Malay Manuscripts; Islamic Jurisprudence; National Centre for Malay Manuscripts, National Library of Malaysia.

Introduction
The word “manuscript” originally comes from the word *manuscriptus* which is a medieval Latin word that means “hand writing” (Ali, 2014:1). Among the prominent one is literary manuscript because it is related to knowledge fields such as *aqeedah* (faith), *sharia* (Islamic law) and *tasawwuf* (mysticism). The manuscripts of Islamic Malay literature is one of the most prized national heritage in Malaysia specifically, and in Malay Archipelago generally. Its importance is
made evident with its existence all over the world, especially in European countries such as England, Holland, France and Germany.

There are a lot of hand-written manuscripts by ancient scholars that have not been reproduced in modern publishing. Other than the ones found at official institutions such as the National Library, others may still be kept at certain places, whether as institutional collections or as personal collections. Some researchers such as Ming (2013) suggested that there are a lot of Malay manuscripts kept at public institutions such as library, but there are also a lot which are kept as individual or family heritage - at homes, mosques or other places. The knowledge contains in the manuscript was not conveyed and benefited and only seen as an artefact or decorative antics. Meanwhile al-Fatani (2011) has expressively stated that not all works of scholars reached current generations.

In Malaysia, among the authority that manages the Malay manuscripts is the National Centre for Malay Manuscripts, the National Library of Malaysia which is under the Ministry of Tourism and Culture Malaysia. Since its establishment in 1985, it has achieved many milestones. Other than safeguarding and restoring manuscripts, the Centre also organizes numerous activities and provides all sorts of services including publishing series of manuscript catalogues inside and outside the country. Nevertheless, almost all catalogues produced either by the Centre or other places only list the manuscripts with their general descriptions based on certain methods. This has led to obscurity and made it complicated for researchers (Mustaqim, 2016). The Centre has yet to perform in-depth analysis on the manuscript contents to produce detailed catalogues which are more befitting to their respective fields, such as Fiqh, Tawheed (Oneness of God) and Tasawwuf in religious manuscript categories.

On that regard, this paper presents the pilot study on Fiqh Manuscript at the National Centre for Malay Manuscript, the National Library of Malaysia and lists several manuscripts in Islamic Fiqh in particular. This research is crucial to see the development and idea of Fiqh amongst the ancient Malay community which will act as a reference and extended research for present-day benefits. It also highlights the contributions made by the scholars of Malay Archipelago in Islamic Fiqh through literatures.

The National Centre for Malay Manuscripts and Its Role in Cataloguing the Malay Manuscripts
The National Centre for Malay Manuscripts is a special body that protects and restores the Malay manuscripts heritage. It is located at Level 11, the National Library of Malaysia (PNM) building. This centre was established in 1985 with the original name the Centre for Malay Manuscripts as one of the divisions in PNM. In 2014, the centre becomes known as the National Centre for Malay Manuscripts (PKMM). Though there are other institutions that safeguards Malay manuscripts collections such as the Institute of Language and Literature (DBP), the Museum of Islamic Arts and others, PKMM is leading the effort in protecting and restoring the Malay manuscript copies including manuscripts’ digitisation process. Other than that, PKMM also identified, gathered and built a collection of Malay manuscripts in all forms, documented them, maintained the parent catalogue and produced bibliographies, prepared a facility to keep, protect and restore Malay manuscripts, provided a Malay manuscripts research facility and disseminated the knowledge in
the Malay manuscripts through research, publishing and other promotional activities (Fathimah, 2014).

PKMM has actively and proactively played its roles in gathering, safekeeping and publishing the Malay manuscript catalogues. Cataloguing performed until 2015 has shown that there are 4557 manuscripts at PKMM (PNM, 2015). Up until 2015, PKMM has published 27 catalogue series that facilitated researchers to study the saved manuscripts. It can be divided into six categories; concise catalogue (*handlist*); comprehensive catalogue, microfilm catalogue, Malay manuscript overseas catalogue, parent catalogue and exhibition catalogue (Mustaqim, 2016). From 1987 to 1999, PKMM published yearly catalogues titled “The Malay Manuscript Collections at the National Library of Malaysia: A Basic Catalogue” in five series.

Next, starting from year 2000, PKMM became more organized by producing more detailed and comprehensive “The Malay Manuscript Collections at the National Library of Malaysia”. The information covers manuscript number, title, author/editor, written/edited date, written/edited venue, number of pages, dimensions, number of paragraphs and word count, paper descriptions, watermarks, ink, colophon, content summary and manuscript condition whether complete or not. Up till the publication of the 8th Addendum to the Malay Manuscripts Catalogue in 2015, there are 2268 manuscripts that represent 3265 recorded titles with detailed information documented. This work aims at facilitating researchers to identify and to refer to Malay manuscripts under the collection of the National Library of Malaysia. With the distribution of this catalogue at manuscript repositories overseas, the global community will become aware on the wealth of knowledge heritage sparked by the ancient Malay minds (The Malay Manuscripts Catalogue, 2000).

The number of manuscripts presented in the comprehensive catalogue is as below:

<table>
<thead>
<tr>
<th>No.</th>
<th>Catalogue</th>
<th>Year</th>
<th>Number of Manuscripts</th>
<th>Total Titles</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Malay Manuscripts Catalogue</td>
<td>2000</td>
<td>151</td>
<td>236</td>
</tr>
<tr>
<td>2.</td>
<td>The Malay Manuscripts Catalogue: First Addendum</td>
<td>2001</td>
<td>188</td>
<td>297</td>
</tr>
<tr>
<td>3.</td>
<td>The Malay Manuscripts Catalogue: Second Addendum</td>
<td>2002</td>
<td>260</td>
<td>369</td>
</tr>
<tr>
<td>4.</td>
<td>The Malay Manuscripts Catalogue: Third Addendum</td>
<td>2003</td>
<td>136</td>
<td>224</td>
</tr>
<tr>
<td>5.</td>
<td>The Malay Manuscripts Catalogue: Fourth Addendum</td>
<td>2006</td>
<td>500</td>
<td>344</td>
</tr>
<tr>
<td>6.</td>
<td>The Malay Manuscripts Catalogue: Fifth Addendum</td>
<td>2008</td>
<td>380</td>
<td>717</td>
</tr>
<tr>
<td>7.</td>
<td>The Malay Manuscripts Catalogue: Sixth Addendum</td>
<td>2011</td>
<td>318</td>
<td>583</td>
</tr>
<tr>
<td>8.</td>
<td>The Malay Manuscripts Catalogue: Seventh Addendum</td>
<td>2012</td>
<td>187</td>
<td>332</td>
</tr>
</tbody>
</table>
Malay Manuscripts in Fiqh and Related Fields

As far as the author is concern, a specific catalogue in the field of Fiqh or any Islamic field has never been produced. The previous manuscript organisers explained the category only generally while detailing the content of the manuscripts. Most of the existing catalogues categorised the Malay manuscripts only generally, such as religion, literature, history, law, epistles, traditional medication, poems and rhymes, constituency, tips, amulets, prognosis books and so on. As a consequence, some information in the manuscripts published by the scholars in Malay Archipelago have not been conveyed to the public, in addition to several other issues related to inconsistent data verification and description in catalogue writings (Muhammad Mustaqim, 2016). Besides, this has also prevented further research on certain subtopics from being carried out. Therefore, the heritage and contribution of the scholars in the Malay Archipelago in knowledge and literature were blury.

For that reason, in this section the author will present a certain amount of Malay manuscripts in Fiqh which were presented by scholars in the Malay Archipelago. This acts as an early survey and analysis on the Malay manuscripts catalogue produced by PNM from year 2000 to 2016 (from the first to the ninth addendum) which totalled 2268 manuscripts in 3865 titles. The number of Fiqh manuscripts found by the author is listed in the below table:

<table>
<thead>
<tr>
<th>No.</th>
<th>Catalogue</th>
<th>Total Manuscripts</th>
<th>Total Titles</th>
<th>Fiqh Manuscripts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Malay Manuscript Catalogue</td>
<td>151</td>
<td>236</td>
<td>37</td>
</tr>
<tr>
<td>2.</td>
<td>The Malay Manuscripts Catalogue: First Addendum</td>
<td>188</td>
<td>297</td>
<td>37</td>
</tr>
<tr>
<td>3.</td>
<td>The Malay Manuscripts Catalogue: Second Addendum</td>
<td>260</td>
<td>369</td>
<td>52</td>
</tr>
<tr>
<td>4.</td>
<td>The Malay Manuscripts Catalogue: Third Addendum</td>
<td>136</td>
<td>224</td>
<td>31</td>
</tr>
<tr>
<td>5.</td>
<td>The Malay Manuscripts Catalogue: Fourth Addendum</td>
<td>500</td>
<td>344</td>
<td>50</td>
</tr>
<tr>
<td>6.</td>
<td>The Malay Manuscripts Catalogue: Fifth Addendum</td>
<td>380</td>
<td>717</td>
<td>44</td>
</tr>
<tr>
<td>7.</td>
<td>The Malay Manuscripts Catalogue: Sixth Addendum</td>
<td>318</td>
<td>583</td>
<td>63</td>
</tr>
<tr>
<td>8.</td>
<td>The Malay Manuscripts Catalogue: Seventh Addendum</td>
<td>187</td>
<td>332</td>
<td>37</td>
</tr>
</tbody>
</table>

Table 1: Total Number of Malay Manuscripts listed in the Malay Manuscripts Catalogue from 2000-2016
Based on the above table, there are 420 manuscript titles that fall under the field of Fiqh or closely related to Fiqh. The selection of these manuscripts is based on manuscript titles and general description contained in the Malay manuscripts comprehensive catalogue. The selection is also based on the manuscript titles that depicted Fiqh disciplines and discussed Fiqh matters directly. Some of the literatures listed may not be specifically related to Fiqh since its contents cannot be thoroughly analysed. This pilot study only focused on early analysis on Fiqh sub-fields based on the existing comprehensive catalogue. Consequently, more detailed research can be carried out and this finding will greatly assist in the creation of a catalogue specific to Fiqh. Subsequently, research on these manuscripts can be carried out through codicology and philology methods. Several manuscripts that discussed about Fiqh in brief or mixed up with other disciplines of Islamic knowledge at minimum level, may not be in the above list, whether the contents are mentioned in introduction or in small subtopics. Undeniably, there may still exist some other manuscripts related to Fiqh which have not been obtained by researchers or manuscripts whose contents need to be studied to determine whether they are Fiqh manuscripts or not. As a focus of this paper, the author will present detailed elaboration and description on several selected manuscripts in the field of Fiqh.

The subfield of Fiqh Manuscripts from the Malay Archipelago at PKMM

Fiqh manuscripts at the National Centre for Malay Manuscripts are not only focused on one area only such as *Ibadah* which covers the topic of *taharah* (ritual purification), *solah* (prayer), *zakah* (obligatory alms), fasting, *hajj* (pilgrimage) and other related topics, in fact they also cover other fields of Fiqh. This portrays the personage of scholars and authors from the Malay Archipelago who actively contributed their ideas in this field collectively and comprehensively.

Among the Fiqh sub-field which could be identified so far are:

i- *Ibadah* Chapter: covers topics which have been discussed above

ii- *Muamalah* Chapter: covers transactions, *riba* (usury), *ihtikar* (hoarding), *mudharabah* (profit sharing), *waqaf* (charitable endowment) and others

iii- *Munakahah* Chapter: discussed the principles and rules of marriage, husband and wife responsibilities, divorce and so on

iv- *Jinayah* Chapter: covered *hudud* (punishment under Islamic law fixed by the Quran or hadith), *qisas* (retributive justice) and *ta’zir* (punishments for offenses at the discretion of judge or ruler) as well the details for each punishment

v- *Qadha* (to judge) Chapter: covers judging etiquettes, disputation etiquettes and so on
vi- **Jihad** (struggle) Chapter: covers the advocates for jihad, war ethics and the distribution of war spoils

Nevertheless, the details on the actual number of manuscripts kept at the Centre for each of these subtopics is unknown.

### Examples of Fiqh Manuscripts from the Malay Archipelago at PKMM

There are a large number of manuscripts related to Fiqh at the National Centre for Malay Manuscripts especially in the field of *ibadah, muamalah, munakahah* and others. These fields are further categorised into small sub-fields. This topic will cover 3 manuscript titles. All three represent two different Fiqh books; two titles from the topic of *ibadah* and 1 from *muamalah*. The two topics in *ibadah* cover the topic of *taharah, solah* and *zakah* while the remaining one topic in *muamalah* covers the topic of transaction, *riba, mudarabah* and so on. The detailed explanations are as below:

**a) The Book of Sirat al-Mustaqim**

It is a famous and the oldest script published from the Malay Archipelago in Malay Language. This precious literature was written by Syeikh Nuruddin al-Raniri who died in 1658AD. Based on the inventoried data, there are 106 identified hand-written *al-Sirat al-Mustaqim* scripts based on numerous resources especially catalogues that list the existence of Jawi (Perso-Arabic alphabet for writing the Malay language) books all over the world. The largest collections can be found at the National Centre for Malay Manuscripts, the National Library of Malaysia which carries 51 volumes. A review made on each script found that the scripts can be complete or incomplete. There are also scripts which are complete but the physical states are ruined due to insects’ ingestion or water ingression. After review, the author has chosen three most complete scriptures with legible writings and good physical conditions. The scripts are MSS2876, MSS2248 and MSS2755. The descriptions on the scripts are as below:

i- **MSS2876**

This script has 259 folios, measured 22.9 x 16.4 cm, with 17 paragraphs on each folio. It was written on yellowish white European laid paper. There are some small holes and mottles caused by water ingestion on some folios, but the overall state is still good. There are two watermarks on the paper; i) 3 crescents with human in row profiles in decreasing size, ii) FT. Black ink was used. Rubrics were used on certain Malay words and Arabic sentences including the commands from Allah S.W.T and the sayings of the Prophet S.A.W. The writing is neat and consistent with *khat naskh* font. There are illuminations on folios 1 and 2 in the form of a dome decorated with leaves and twigs in red, yellow and black that encircle the text in a square shape. It was bounded and the cover was made of brown clothes. However, several sheets were separated. On the colophon of the book, the name of the author was recorded, which is ‘Abd Jalal al-Din. However, it did not state the year the copy of completed (*The Malay Manuscripts Catalogue, the National Library of Malaysia, Third Addendum, 2003, 8*).

ii- **MSS2248**
This script contains 220 folios, measured 22.7 x 16.5 cm with 19 paragraphs on each folio. It was written on a yellowish paper. There are some water ingestion and small holes caused by insect ingestion around the paper. There are three watermarks used on the paper; i) three crescents in a row with their sized decreasing, ii) “Fleur-de-Lis”, iii) FV. The ink used was brown black. Rubrics were applied on Arabic sentences, hadith (statements and actions of the Prophet SAW), prayers, and certain Malay words. There are decorations in the form of dome with flower motifs in red, black and yellow on folios 1 and 2. The writing is fair and neat using khat naskh influenced by the element of muhaqqaq (one of the main six types of calligraphic script in Arabic) especially on the letter sin (س), ra’ (ر) and waw (و) where the tails are drawn vertically without curves (mursalah). The signatures were sewn and bound in hardcover and wrapped in red and black striped clothes. On the colophon of the script the author’s name was written; Tengku Haji. The copy was completed on Monday, during Asr’ time, in the month of Sha’ban (The Malay Manuscript Catalogue, a collection from The National Library of Malaysia, 2000, 3).

iii- MSS2755

This script consists of 237 folios, measured 20 x 16 cm, with 17 paragraphs on each folio. It was written on yellowish white laid European paper and it is in good condition except the first and the last page which were torn. There are two watermarks used on the paper; i) Lion and queen in a cage and the word PROPATRIA, ii) GR with a crown above the writing. The ink used was black. Rubrics were used on certain Malay words and Arabic sentences including the commandment from Allah S.W.T and the sayings of Prophet Muhammad S.A.W. The writing is neat and consistent using khat naskh font. It is not bound and the sheets were separated. The name of the owner, Tuan Haji Malik Fatani, was written on the script colophon. The copyist was Lebai ‘Abd Allah and the copy was completed on the year of Zay (ژ), on the 27th day of Ramadhan, Friday, during Dhuha (forenoon) time, 1293H (8th of October 1779AD) (The Malay Manuscript Catalogue, a collection from the National Library of Malaysia, Second Addendum, 2002, 99).

b) The Book of al-Kifayah

This book was produced by Syeikh Abdul Malik who was also known as Tok Pulau Manis. Essentially, he had produced three literatures in Fiqh namely the Book of Kifayah, al-Naql Brochures and Kayfiyah Niyyah Brochures. Nevertheless, the Book of al-Kifayah is considered as the most prominent book. It contains discussions on Islamic rulings which cover numerous topics such as purification, solah, corpse management, fasting, zakah and others.

The description on the three scripts found at PKMM are as below:

i- MSS 517

This script measured 20.8cm x 17.5cm and contains 120 pages or 60 folios. Every page has 21 paragraphs. This script was declared by its copyist as the work of Syeikh Abdul Malik bin Abdullah also known as Tok Pulau Manis. It was copied by Abdullah Latif bin Almarhum Abdul Mu’min who was also known as Tok Kelaba and it was completed on 16th of October 1880AD / 13 Zul-Qaadah
1297H in Kampung Beris, Negeri Kelaba. The ink used was black with rubrics on certain sentences and it was written on Dutch paper (Anon. 1995, 66; Anon. t.th, 44). This script has complete pages and clear writing that facilitates its researchers to read.

ii- MSS 1897

This script contains 125 folios which is 250 pages. Every page has 15 paragraphs. It has the same title and content as script A, but it was not mentioned as the work of Syeikh Abdul Malik bin Abdullah. On the other hand, on the last page, the name of the writer was stated as Imam Shafie and it was completed on Thursday 2\textsuperscript{nd} of Safar 1180H/ 8\textsuperscript{th} of July 1766AD. This means this second script was written 117 years earlier than script A. The name of the copyist was not written on the script. It is also missing several pages possibly torn but it has gone through a restoration process due to its worn out condition (Abdul Malik Bin Abdullah, t.th). This script was originally part of the collection of the late Haji Wan Mohd Shaghir bin Abdullah and it was found in May 1993 in Kampung Kepala Bukit Senggora and finally handed over to the National Center for Malay Manuscripts, the National Library of Malaysia.

c) The Book of Ris\'alah fi Bay\'an Hukm al-Bay\' wa al-Riba

The book of Risalah fi Bayan Hukm al-Bay\' wa al-Riba produced by Syeikh Abdul Qadir Bukit Bayas can be classified as a very rare collection due to only very few scripts found so far. Therefore, efforts have been made to locate the scripts of this book whether printed or still in hand writing form.

Fortunately, the whereabouts of the book’s manuscripts were recorded in catalogues references provided by the Centre. After review, only four manuscripts were found at the Centre. The descriptions on the scripts are as below:

i- MSS 2397

This script contains 88 folios or 176 pages, measured 20 x 15.9cm, with 15 paragraphs on each page. It was written on yellowish white braided English paper. There are small holes and water marks on some pages, but overall still in good condition. There is one type of watermark used on the paper - C.WILMOTT 1815. Jet black ink was used. Rubrics or red ink were used on certain Malay words and Arabic sentences including the commandment from Allah S.W.T and the sayings of the Prophet S.A.W. The writing was neat, stylish and large. This manuscript was contained in eight signatures sewn together without a cover. There is no copyist name on the colophon but most probably it was copied by the son of Wan Abdul Rahim, who was recorded as the script owner. The copy was completed during dhuha time, Monday, 8\textsuperscript{th} Rabi‘ al-Awwal of 1234H (Anon., 2000, 107).

ii- MSS 2575

This script contains 31 sheets or 62 pages, measured 23 x 16.5 cm, with 25 paragraphs on each page. It was written on yellowish white Italian laid paper. There were water marks on all pages
and several pages at the end were torn due to water ingestion. There are two types of watermarks used; i) Three crescents with human in row profile in decreasing size, ii) AG. The ink used was black. Rubrics were used on certain Malay words and Arabic sentences including the commandment of Allah S.W.T and the saying of the Prophet S.A.W. The writing was neat, interesting and consistent. It was not bound and copied in two text blocks. The name of the copyist, Haji Mahmud bin Muhammad Yusuf, was written on the colophon. It was completed on 19th Zul-Hijjah 1236H. However, it did not state the day it was copied. The completed copy date has similarity with script MSS 2276 which means further research and study is required (Faizal Hilmi, 26 Ogos 2016; Anon. 2001, 117).

iii- MSS 2276

This script consists of 33 folios or 66 pages, measured 21.8 x 16 cm, with 19-23 paragraphs on each page. It was written on yellowish white European laid paper. There are some small holes and water ingressions on some pages, but overall still in good condition. There is one type of watermark used on the paper which is the three crescents with human profile in a row with its size decreasing. The ink used was black. Rubrics were applied on certain Malay words and Arabic sentences, including the commandment of Allah S.W.T and the sayings of the Prophet S.A.W. The writing was neat and easily legible. This script was bound and the cover was made from brownish black clothes, but some text blocks were separated. On the colophon of the script, the name of the copyist was written - Haji Mahmud bin Muhammad Yusuf and it was completed on Monday – between the time of Zuhr and Asr - 19 Zul-Hijjah 1236H (17th of September 1821) in the state of Terengganu. Further investigation showed that this script was copied by Wan Mohd. Shaghir before he handed it over to the National Centre for Malay Manuscripts, the National Library of Malaysia. This script is categorised as incomplete (Anon. 2000, 27).

iv- MSS 2807

This script consists of 23 folios or 46 pages, measured 25.7 x 18 cm, with 25 paragraphs on each page. It was written on yellowish white laid paper. There are small holes on all pages and the edges are torn due to humidity caused by water contacts. There are two types of watermarks used: i) crescent with human in armour profile, ii) two bird heads with a crown on top, a shield in between, and swords on the left and right. The inks used were brown and black. Rubrics were used on certain Malay words and Arabic sentences. The writing was neat and consistent. It was not bound and two text blocks were separated. This script was also categorised as incomplete (Anon. 2002, 135-136).

The books in all investigated scripts discussed about the law of muamalah in Islam, which covers the topics of transaction, riba, mudharabah, ihtikar (hoarding) and other related topics. There are all valuable Fiqh works produced by the same scholar even though they are all most probably being copied by different copyists.
Conclusion
Based on the above discussions, it is found that the roles played by the scholars from the Malay Archipelago in various knowledge fields are significant. They put all their efforts to develop the Malay-Islam civilisation through focus on knowledge and education. Early study on several publications and catalogues produced by PKMM, the National Library of Malaysia found that there exist a large number of manuscripts directly correlated to Fiqh in all its branches. Even though the findings of this article are based on introductory study, it acts as a stepping stone to highlight the contributions from the scholars of the Malay Archipelago in the field of Fiqh. This also shows that the scholars of the Malay Archipelago contributed greatly and significantly in Fiqh field whether through their own works or as results of translation or excerpts from other prestigious works. It is hoped that the result of this article would facilitate the Malay-Islam manuscripts researchers to perform more in-depth study in Fiqh, especially the idea and works of notable ancient scholars from the Malay Archipelago. It will also assist those who are involved in Fiqh to benefit from the idea and thinking of the Malay Archipelago scholars in facing the challenges in Fiqh rulings nowadays.

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