

Contemporary Fiqh Thoughts of Shaykh Abdul Malik bin Abdullah (1650-1736AD) in Kitab al-Kifayah

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Abstract: *Kitab al-Kifāyah is a jāwī manuscript that has been written approximately 300 years ago (between 1690-1736AD) by Shaykh Abdul Malik bin Abdullah in Terengganu. This manuscript is widely regarded as the earliest writing on Islamic jurisprudence in Terengganu, which debated issues regarding beliefs and fiqh. It covers various topics on fundamental knowledge of Islam (fard al ayn) that includes 5 Pillars of Islam (arkān al-Islām), Pillars of Iman (arkān al-Imān), ablution, ṣalāh (prayers), fasting and zakat (tithe payment). This article is written to highlight the contemporary fiqh thoughts that were contained in this manuscript. This article will also shed light on the life of Shaykh Abdul Malik and the background of Kitab al-Kifāyah. To that end, methods such as documentation searches and interviews were being utilized. It was then analyzed by using inductive and deductive methods. Results from the analyses reveal that Shaykh Abdul Malik utilized contextualization approach on his fiqh rulings. His contemporary thoughts were evident in his arguments for the income level and the consequent zakat rate for the destitute and poor, the zakat rate on gold and silver as well as animals which are halal (permissible) and haram (impermissible) to be consumed. In conclusion, Shaykh Abdul Malik bin Abdullah was not a mere translator of Arabic manuscripts on fiqh rulings by Middle Eastern scholars, but he has managed to contextualize his writings to facilitate the understanding of the locals.*

Keywords: Contemporary Fiqh, Kitab Al-Kifāyah, Shaykh Abdul Malik Bin Abdullah, Tok Pulau Manis, Terengganu

Introduction

Kitab al-Kifāyah by Shaykh Abdul Malik bin Abdullah is a fiqh (Islamic jurisprudence) in jawi manuscript that has been used as a syllabus in the “pondok” system during 17-18AD. In Malaysia, the use of “pondok” usually refers to the traditional Islamic education system where students build these rooming houses around their scholar’s house. It is the equivalent of the pesantren of Indonesia. Kitab al-Kifāyah was also used as an important reference by Malays, especially in the state of Terengganu due to the lack of reference materials in Malay. The manuscript was hugely popular that it even used to reach neighboring states in the Malay

Peninsula such as Pattani, Thailand. However, this manuscript is hard to get a hold of and is no longer in print. One of the reasons why the locals used this manuscript as a reference was attributed to the fact that the writer has managed to contextualize his writings, taking into accounts of the issues and challenges of the locals while issuing its subsequent fiqh rulings. Indeed, this is one of the hallmarks of a contemporary fiqh scholar. Contemporary fiqh scholars do not only apply this school of thought, but it was applied by a scholar that was ahead of his time-Shaykh Abdul Malik bin Abdullah.

Research method

This article used documentation search method, which focuses on the detailed account of an ancient manuscript which known as Kitab al-Kifāyah. This method is being used to ascertain the elements of contemporary thoughts that were brought forth by Shaykh Abdul Malik. Besides using Kitab al-Kifāyah as the main source of reference, the information from reference books regarding his life also been sourced. Further, interviews with his descendants were also used to triangulate research findings from the document searches.

The life of Shaykh Abdul Malik bin Abdullah

Birth and demise of Shaykh Abdul Malik bin Abdullah

Shaykh Abdul Malik was a Muslim scholar who was born in Terengganu, whose ancestry can be traced to scholars that hailed from Baghdad, Iraq. According to the birth and death records that found on his headstone in Kampung Pulau Manis, Kuala Terengganu, Shaykh Abdul Malik was born in 1089H/1678M and died in 1149H/1736M (A visit to the grave of Shaykh Abdul Malik on 15 January 2011). The written dates indicate that Shaykh Abdul Malik was died at the age of 58. However, there are other proofs showing that he was born earlier around 1650M. (Shafie, 1977; Mohamad, 2011; Awang, 1983). The date of his death (1149H/1736M) as stated on his headstone however is indisputable as this fact is consistent with a finding that he died of old age (Sheppard, 1949). Oral accounts which were passed down by his descendants that he died of old age are also in agreement with the stated date on the headstone (Shafie, 1984).

Shaykh Abdul Malik bin Abdullah's education

Shaykh Abdul Malik's education can be categorized into 2 stages. His formative years of education was obtained in his native Terengganu and Aceh, Indonesia. It was then followed by advancing his studies in Makkah and Medina. His father, Shaykh Abdullah bin Shaykh Abdul Qahar was his first teacher. Prior to his migration in his quest for knowledge, he used to be under the tutelage of various local Terengganu scholars (Ibrahim, 2009).

Shaykh Abdul Malik continued his study in the Aceh circa 1670s. At that time, Aceh was the epicenter of knowledge in the Malay Archipelago. Due to its popularity and status, Aceh was also more popularly known as 'Serambi Mekah' or gateway of Makkah (Ibrahim, 2009). Shaykh Abdul Malik was known as one of Shaykh Abdul Raūf Singkel's exceptional students (Azra, 1995). His handwritten copy of Tafsiran Baiḍawī (in Jawi) by Shaykh Abdul Raūf Singkel later proved his time in Aceh (Shafie, 1989).

He later moved to the Makkah circa 1680s in his 30s to continue his study. To date, there is no official account of the first Malay to have studied in either Makkah or Madinah. Nevertheless, past studies have shown that Shaykh Abdul Malik is one of the pioneers if not the earliest. He then returned home and significantly contributes to the development of Islamic knowledge just like other well-known Malay scholars such as Muḥammad Arsyād al-Banjari, Nawawī al-Bantani and Shaykh Daud al-Fatani (Othman, 1998).

Shaykh Abdul Malik has been reported to leave Makkah for his hometown during his 40s. His return to Terengganu is hypothetically related to the demise of one of his teachers, Shaykh Ibrahim Kurānī in the year of 1101H/1690M. This is due to the fact that his return correspond with the demise of Shaykh Ibrāhīm al-Kurānī.

Contributions of Shaykh Abdul Malik bin Abdullah

Upon his return from Makkah, he actively contributed to the locals in his native Terengganu as well as to the Malay Peninsula in general.

According to one of his descendants (Dato' Haji Ambak), Shaykh Abdul Malik is a faqīh (an expert in fiqh), ṣūfī (a Muslim ascetic and mystic) and arif (knower). His expertise was later proved by his mastery of Kitab Hikam. The kitab was not a mere translation of its original book, but it was contemporaneously analyzed and thematically arranged according to the needs of the locals (Ismail, 2011). Another one of his descendants, Haji Ismail Bin Embong asserts that Shaykh Abdul Malik is also a 'revolutionary' 'ulamā' that was years ahead of his time (Embong, 2011).

With his extensive knowledge in tasawwuf, Shaykh Abdul Malik was able to pen a book named Hikam Melayu during his study in Makkah that later turned out to be his magnum opus (Ibrahim, 2009). It was a commentary on Matan Hikam by Imām Tāj al-Dīn 'Aṭa'illāh al-Sakandary, a well-known Shādhilī Tariqa member. There are 3 well-known fiqh books written by Shaykh Abdul Malik bin Abdullah, i.e. Kitab al-Kifāyah, Risalah al-Naql and Risalah Kayfiyyah Niyah. Kitab al-Kifāyah covers the debate on wide-ranging topics that include inter alia, ablution, prayers, burial management, fasting and zakat (tithe payment). It is interesting to note that Shaykh Abdul Malik has actually written few books, even in his formative years in Aceh. Those books however were mainly reproductions and translations of other scholars' works (Shafie, 1984).

In addition, Shaykh Abdul Malik was the founder pondok institutions' establishment in Kampung Pulau Manis, Terengganu (Shafie, 1991). His home was relatively close to the Kampung Pulau Manis Mosque. The Sultans at the time was known for their close association with the Islamic scholars. As a result, the Sultan relocated his administrative and learning centers to Kampung Pulau Manis. The move has inadvertently made Kampung Pulau Manis as the administrative and spiritual capital of Terengganu of that time (Ibrahim, 2009). His students did not only consist of locals, but also from neighboring states in the Malay Peninsula. They built small houses, which were known as pondok around the mosque during the entire duration of their studies (Islam In Us, 2009). Besides becoming one of the earliest centers of education, the study area was filled with books that he brought from Makkah, Madinah, Aceh and as well as some of his own writings. The books were used as a teaching and reference tools in his

pondok. He used books that he brought from Makkah, Aceh and some of his own writings (Shafie, 1984).

Background of Kitab al-Kifāyah

The second main work written by Shaykh Abdul Malik is Kitab al-Kifayah, covers the disciplines of usuluddin (Islamic theology) and fiqh. It covers the debates on matters pertaining to faith or aqidah (doctrine) and fiqh such as taharah (purification), prayer, fasting, tithe payments, permissibility and non-permissibility (halal and haram) of animals to be eaten and funeral management (Shaykh Abdul Malik, n.d.). This book has been written as his teaching materials for the local community. However, this manuscript has never been published and was not able to be traced by the researchers except for 2 copies that were stored in the National Library and Islamic Arts Museum of Malaysia.

The root word “kifāyah” comes from the Arabic word, which literally means 'sufficient'. Thus, it can be concluded that the word “kifāyah” as the title of this manuscript refers to the importance, sufficiency and fundamental religious knowledge that is required of every Muslim. It brings the meaning that Kitab al-Kifāyah is a book that contains a complete discussion of the basic or fundamental knowledge that required by every single Muslim which known as personal obligation or knowledge of fard ayn.

During late 17th and early 18th century, fiqh books were rather scarce (Shafie, 1985). Scholars from Aceh which was the epicenter of Islamic knowledge at the time wrote many important fiqh books, which include Kitab Şirāṭ al-Mustaqīm. The book was penned by arguably the most famous Aceh scholar from the era, Shaykh Nūr al-Dīn al-Rānirī (1054H/1664M) (Muhammad, 1996).

The second most important book in this part of the world after Şirāṭ al-Mustaqīm is Mir’āt al-Ṭullāb li Ma’rifah al-Sharī’ah al-Malik al-Wahhāb by Shaykh Abdul Ra’ūf al-Fanşurī (1024H/1615M-1105H/1693M). Subsequently, researchers considered Kitab Sabīl al-Muhtadīn by Shaykh Muhammad Arshad al-Banjari in 1195H/1779M as the third most important book at the time (Muhammad, 1996). During the same era, we believe that barring Shaykh Abdul Malik, there were no other scholars in Terengganu or to a larger extent other states in the Malay Peninsula which has managed to write fiqh books. Besides Kitab al-Kifāyah, Shaykh Abdul Malik bin Abdullah has written at least 2 other books, Risalah al-Naql and Risalah Kayfiyyah al-Niyyah. Between these books, Shaykh Abdul Malik has managed to produce Kitab al-Kifāyah. These fiqh books by Shaykh Abdul Malik were seen as an attempt to fill the void caused by the lack of reference materials, especially on fiqh-related matters.

As arguably the oldest fiqh book written in Terengganu and among the earliest in the Malay Archipelago (Yusoff et al., 2014), the researchers contend that Kitab al-Kifāyah was intentionally written by Shaykh Abdul Malik with the aim of spreading the fundamental knowledge of Islam that comprises of theology and jurisprudence to the Muslim community at the time. Due to lack of even the basic theology and jurisprudence knowledge among Muslims during those times, Kitab al-Kifāyah was perceived to attract attention from the locals and has played an important role in spreading the teachings of Islam.

Besides, students of Shaykh Abdul Malik used Kitab al-Kifāyah as the main textbook as noted by Shafie (1985):

“This book was written for teaching purposes in the learning center founded by the scholar (Shaykh Abdul Malik) as well as for references by the locals.”

Kitab al-Kifāyah discusses matters related to aqidah (belief) and fiqh aspect of Islam. Nevertheless, the majority of the book (roughly 7/10) covers fiqh-related matters while the rest discusses aqidah-related matters. The book contains twelve chapters i.e., Pillars of Faith, Pillars of Islam, Fiqh Rulings on Human Practices, Things that Invalidate One’s Religion, Ablution, Ṣalāt (prayers), Burial Management, Tithe Payment, Fasting, Qurbān (sacrifice of livestock animal during Eid-ul-Adha), ‘Aqīqah (sacrifice of animal on occasion of 1 child’s birth), Dhabīḥah (animal slaughter) and Dietary Book.

Findings and Discussion

Contemporary fiqh thoughts in Kitab al-Kifāyah

In Kitab al-Kifāyah, Shaykh Abdul Malik has deliberated on rulings related to fiqh by using local examples in explaining his rulings so that the reader can fully make sense of his writing. He was rather not influenced by the original Arabic writings from the Middle East that was written by the fuqaha (Islamic jurisprudence scholars), which usually cite examples that are local and native to their surroundings. This can be seen from some of the issues that he deliberated.

The use of local currencies in establishing parameters for the poor and destitute household income

Historical accounts have shown that Terengganu had its own local currencies circa the 16 to 18th centuries. It was mainly of precious metals such as gold and tin. Although Terengganu was not known as a tin producer, but those tins were acquired from neighboring states such as Kelantan and Pahang. These gold and tin currencies are known as “mas” and “kupang” respectively. During the reign of Sultan Zainal Abidin I (1702-1726AD), His Majesty also uses gold currencies. It was proved by the discovery of tin currencies that bore His Majesty’s name where one of which bore a stamp of 1708AD. These currencies are recognized as the legitimate currencies of the time, and were widely used in both Terengganu and all states in the Malay Peninsular except Malacca (Mohd Kassim, 1991).

Fiqh scholars in the Middle East determined the parameters for the destitute and poor’s household income by referring to their local currencies i.e. silver (al-Syarbini, 1994). In Kitab al-Kifāyah however, Shaykh Abdul Malik was deliberating on the 8 asnaf (zakat recipients) by using currencies that were used in Terengganu at that point in time. Take for example the followings:

“The first of the 8 recipients is first, the destitute that is whoever do not possess property and unable to work to acquire foods, clothes and shelter. And they do not have husband or father or grandmother or child or grandchild to provide daily sustenance of 10 kupang. They only manage to earn either 2) or 3 or 4 kupang (Abdullah, MSS517: folio 88).

From the above excerpt, Shaykh Abdul Malik bin Abdullah has defined 2 types of asnaf i.e. the destitute and the poor. He explained that the destitute are ones with no possession and not

able to make a living. They do not have the means to acquire the bare minimum subsistence i.e., food, shelter and clothes. In addition, this type of asnaf does not have other sustenance providers such as a husband, a father, a grandmother or a grandchild to provide for them. Shaykh Abdul Malik then gave a detailed example of 10 kupang for his/her daily sustenance. Unfortunately, this asnaf is only able to earn between 2 and 4 kupang per day. The use of kupang in this text has facilitated the understanding of the locals towards the meaning of the destitute.

The poor are defined as those who possess property, but are not sufficient to earn a living. Unlike the destitute, the poor has the means to earn a living but those are insufficient to afford the bare minimum subsistence i.e., food, shelter and clothes. By using the Shaykh Abdul Malike reference, the author then explained that if the bare minimum to make a living is 10 kupang, the poor is only able to earn about 7 to 8 kupang.

The use of kupang in Kitab al-Kifāyah, which was widely used by the locals at the time shows Shaykh Abdul Malik bin Abdullah's pragmatism in his writings. By taking into account of the realities that surrounded the locals has inadvertently made it easier for them to understand the teachings of Islam. This method is also one of the important elements in contemporary fiqh.

The use of local measurement units to determine zakat payment for gold and silver

In his deliberation of nisab (Minimum amount for a Muslim net worth to be obligated to give zakat) for gold and silver, Shaykh Abdul Malik has not only used the original term of 20 "mithqal" (or 4.25 gram). He further specified the weightage according to the widely used measurement units in the Malay Peninsula at the time such as "amas" (or 2.551 gram), "busak" (or 1.96 gram), "tahlil" (600 gram) and "kenderi" (3.37 gram).

"Nisab for gold is 20 mithqal. Hence, 1 mithqal, if being weighted with Aceh Dirham (gold), equals 5 saga of medium size of a socket. Ergo, dirham that weighs 8 tahlil and 7 amas equals to 3 amas and 3) busok of zakat. And for every 10 tahlil of Aceh dirham equals 4 amas for zakat. Also, if the same rule to be applied to the Johor gold, the zakat is of 2 tahlil and 7 kupang of emas urai (gold dust) or gold that are not mixed with copper. Or 3 kupang and 3 kenderi of zakat. Or 40 urai equals 1 amas of zakat. Allāh knows best. And nisab for silver equals 20 riyal and $\frac{3}{4}$, and 8 saga. Hence, the zakat rate equals half riyal and 5 saga. Hence, if such precious metals are of nisab, then the same rules apply (Abdullah, MSS517: folio 88).

In the above text, Shaykh Abdul Malik uses the original term of mithqal as it was widely used in the original Arabic texts by the Middle Eastern scholars. He then defined the rate of 1 mithqal according to the standard measurement unit at that time 5 saga (jequirity seeds) of medium size. Therefore, the weight of 20 mithqal of gold is equivalent to 100 saga of medium size. In addition, Shaykh Abdul Malik gave out these 4 alternative examples of its gold-equivalent weights.

- i) Zakat rate for 8 tahlil 7 amas of gold = 3 amas and 3 busok
- ii) Zakat rate for 10 tahlil of gold = 4 amas of gold

- iii) Zakat rate for 2 tahl and 7 kupang emas urai (gold dust) = 3 kupang 3 kenderi
- iv) Zakat rate for 40 urai = 1 amas

In addition, of the above examples, Shaykh Abdul Malik also presented an example for the zakat on silver:

- i) Zakat rate for 20 riyal, 3 quarters and 8 saga = half-riyal and 5 sagas

These examples have shown that Shaykh Abdul Malik has put a priority towards the understanding of the readers as well as his students in his discussions. Apart from that, the use of localized and contemporary examples will reduce the likelihood of confusion and mistakes by the readers that can be attributed to unfamiliarity with the original measurement units in Arabic.

Description on rulings regarding animals that is permissible to eat and native to the Malay Peninsular

Besides the above topics on zakat, Shaykh Abdul Malik also issued few rulings on animals that are permissible to be eaten as well as native to the Malay Peninsula.

"Also, it is permissible to eat all sea creatures that does not live off the land too such as clams, mother-of-pearls, scallops, barnacles and its equivalentents. It is not permissible to eat amphibious creatures such as frogs, mud or mangrove crabs, crocodiles, turtles, snakes, spiders and poisonous creatures" (Abdullah, MSS517: folio 115).

"Also, it is not permissible to eat apes, surilis, sloths, orang-utans, and macaques, gibbons, and elephants, lions, dogs, pigs, mongoose (slightly larger than squirrel), house cats, wild cats, foxes, beaver, mouse, caterpillars, tokey gecko, lizards, skinks, tokey gecko, centipedes, glow-worms, cockroaches, bugs, spiders, ants and its equivalentents, fire ants, flies, vinegar fly, leech, mosquitoes, water striders, beetles, leech and slugs and its equivalentents" (Abdullah, MSS517: folio 116).

"It is not permissible to consume all birds that use its claws to seize and ferry their sustenance such as shikras, all types of eagles, crows, owls, bats, flying foxes, parrots, cockatoos, mynas and its equivalentents, peacocks and its equivalentents" (Abdullah, MSS517: folio 116).

The above texts reveal at least 9 types of animals that are native to the locals, but were not in discussion by the Middle Eastern scholars. Those animals are barnacle, mud or mangrove crabs, glow-worm, leech, slug, caterpillar, 'tokay gecko, owl and hill mynas. These uses of native animals in explaining his fiqh rulings demonstrated that Shaykh Abdul Malik always took into account the context in observing Islam's way of incorporating the uruf (local custom) into its teachings so long it does not contradict the al-Quran and al-Sunnah.

Conclusions

The use of localized examples in issuing fiqh rulings displays the ability of Shaykh Abdul Malik or more popularly known as Tok Pulau Manis in writing fiqh books that are relevant to the locals at the time. Not a mere translator of fiqh books from the Middle East, he has managed to take into account the issues and problems that were faced by locals in his writings. Therefore, to honor his legacy, current scholars should strive to remember, appreciate and more importantly emulate his efforts.

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