

# The Contribution of Shaykh Abdul Qadir Bukit Bayas in Islamic Jurisprudence and Social Harmony

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DOI: 10.6007/IJARBSS/v7-i8/3266 URL: <http://dx.doi.org/10.6007/IJARBSS/v7-i8/3266>

## ABSTRACT

In the early 19th century, there are a scholar from Patani (Thailand) named Shaykh Abdul Qadir bin Abdul Rahim. He received the title of Shaykh Bukit Bayas for migrating to Terengganu and eventually settled in that village (Bukit Bayas) until the end of his life. The highlight of his contribution to the state of Terengganu and its citizens was when he appointed as the first State Government Mufti by Baginda Omar. However, his name is not very well known despite his character and influence. This contrasts with the fame enjoyed by some of his students such as Tok Ku Tuan Besar and Tok Syeikh Duyong. Hence, this study attempts to show the character and contributions of Shaykh Abdul Qadir Bukit Bayas especially in Islamic Jurisprudence. Also highlighted in the article is Sheikh's biography, his teachers, his students, and his special work in Islamic Jurisprudence. The highlight of this study is the contribution and thought of fiqh generated by Sheikh which has a positive impact on the local community at that time. The research method used was document analysis, then analyzed by content analysis and method of comparison. The study concludes that Shaykh Abdul Qadir was a prominent scholar in Terengganu at that time, especially in the field of Islamic Jurisprudence and Sufism. The finding also found that he seems to be quite open in the diversity of the sect, he is very firm in defending the principles of Islamic legislation. Hopefully today's society can benefit from the legacy of Shaykh Abdul Qadir and the ranks of past scholars.

**Keywords:** *Shaykh Abdul Qadir Bukit Bayas, Contribution, Islamic Jurisprudence, Fiqh, Sufism*

## 1.0 INTRODUCTION

Shaykh Abdul Qadir is one of the most prominent Islamic figures and scholars in Terengganu, Malaysia. All of scholar in Malaysia agreed that Shaykh Abdul Qadir was born in Patani Dar al-Salam. However, there is no definitive record detailing his birthplace. There is only an assumption that he is estimated to be born in the last decade of the 18th century, around the 1790s. There is a more general note that he was born around the 1700s. In this case, the estimation of the date of birth of Sheikh Abdul Qadir most suitable is around 1740AD to 1790AD.

After spending time with the Islamic knowledge and the Muslim community in Terengganu, Syeikh Abdul Qadir Bukit Bayas died in 1864AD. According to the most famous opinion (masyhur), his body was buried at Syeikh Ibrahim's Cemetery, Jalan Pusara, Kuala Terengganu. There are a handful of his heirs claiming he was buried in Kampung Bukit Bayas. Another opinion is that the grave of Sheikh is located in Kampung Padang Air, Terengganu. In the meantime, the latter opinion states that the place of Sheikh's grave is at Kampung Paya Bunga, also derived from his own heirs (Hasanulddin 2014, 42-44).

## **2.0 THE CONTRIBUTION OF SYEIKH ABDUL QADIR BUKIT BAYAS IN ISLAMIC JURISPRUDENCE**

Shaykh Abdul Qadir Bukit Bayas has been recognized as a scholar who dominates the various fields of knowledge, especially the knowledge of Islamic jurisprudence (*fiqh*). Hence, this subtopic will discuss a number of matters relating to that character of Shaykh Abdul Qadir. It covers the teachers of Shaykh Abdul Qadir Bukit Bayas, his pupils and his work in the field of Islamic jurisprudence.

### **3.0 SHAYKH ABDUL QADIR'S TEACHER**

Shaykh Abdul Qadir Abdul Rahim received early education at various informal Islamic schools, which also known as 'hut school' in Patani. Among them are the Pondok Kuala Bekah, along with other schools - believed to include Pondok Pauh Bok. After that, he continued his studies in Mecca, Saudi Arabic also said to be with Sheikh Daud al-Fatani. In fact, he also had the opportunity to study in Madinah al-Munawwarah.

According to Fathy (2002, 250; 2013, 488), there is also a opinion stating that there is no authentic and convincing record about places of study of Shaykh Abdul Qadir and his teachers, whether in Patani or abroad. What is certain is that when he migrated to Terengganu, his name was known as a scholar. While, there was also no evidence of the meeting between him and his teacher the teachers. The names that always mentioned as Shaykh Abdul Qadir's teachers are none other than that they live in the same time with Shaykh Abdul Qadir.

### **4.0 SHAYKH ABDUL QADIR'S STUDENTS**

The wealth of knowledge of Shaykh Abdul Qadir encouraged many students from within the country and abroad to study with him. They consist of the royalty and citizens. This can be evidenced by one of his well-known pupils, named Baginda Omar, who was the state ruler of Terengganu at that time. The ruler was also keen to explore religious, although he was not well versed in reading and writing. Shaykh Abdul Qadir also succeeded in producing Islamic figures such as Haji Wan Abdullah bin Muhammad Amin al-Fatani (Tok Syeikh Duyung), Sayyid Muhammad bin Zainal Abidin al-'Aydarus (Tok Ku Tuan Besar), Syeikh Abdul Kadir bin Abdul Rahman al-Fatani (Sheikh Nik Dir Patani), Sayyid Ahmad bin Sayyid Muhammad al-'Aydarus (Tok Ku Melaka), Haji Mahmud bin Muhammad Yusuf and many more (Hasanulddin 2014, 58-66).

All these scholars have the expertise in most Islamic disciplines, including Islamic jurisprudence. Some of them writing and composing the book, while the others copying and spreading the book. They all contribute according to their ability.

## **5.0 SHAYKH ABDUL QADIR BUKIT BAYAS'S WORKS IN ISLAMIC JURISPRUDENCE**

It has become common among scholars to produce literary works as a legacy that can be utilized by his generations and later epochs. Shaykh Abdul Qadir is also no exception in giving meaningful contributions by leaving the books as a guide of society. There are some works he has given credit to him, but most are still disputed because they have no solid evidence. In addition, confusion also arises from the understanding of the concept of authorship and copying.

His only real work found so far is the book *Risalah fi Bayan Hukm al-Bay' wa al-Riba*, which was written in 1234H (1819AD). In another manuscript, he was titled as *al-Tarhib wa al-Tarhib li al-Bay' wa al-Shira*. Interestingly, it is a book on Islamic Jurisprudence because it deals with the Islamic laws concerning sale, *riba* (usury/interest) and other muamalat issues. However, the book is still in the form of a manuscript that can only be found at the Malay Manuscript Center, the National Library of Malaysia, Kuala Lumpur and the Malaysian Islamic Arts Museum Library, Kuala Lumpur (Hasanulddin 2014, 77-90).

Book *Risalah fi Bayan Hukm al-Bay' wa al-Riba* is a book of Islamic jurisprudence written in the order of Imam al-Shafi'i's school. However, it only touches some muamalat topics. This is based on the title given, as well as the contents of this book outlining the ten topics that have been submitted by the author. The topics and details are as follows:

- i. Preliminary chapter with some minor titles  
In this preliminary, the author begins his speech with basmalah and praise to Allah s.w.t. It is also stated that the purpose of this book is written, which is to benefit all classes of society. Next, the author brings the arguments of the necessity of buying and selling *riba*, explaining the types of job, before ending with the explanation of the best job, based on the suitability of an individual and the local situation.
- ii. Islamic laws in sale and purchase  
The author initiates the debate on the sale and purchase by explaining the types of sale and purchase involved and the law, the principles of the sale and the terms and conditions of each pillar. Also described in detail about the law of buying and selling, viewing the goods to be traded, and validity the receipt of goods from the seller to the buyer
- iii. Usury in Islamic law  
In this topic, authors bring the argument and the law on usury, and the torture of usury, the usable sale and purchase of goods, the parts of usury, and the terms of sale and

purchase of goods which have cause of usury. He also mentioned the types of food and the law of usury on them, the tricks for buying goods that have cause of usury and its law, the condition of sale and purchase of non-pecuniary goods and also the law of sale and purchase of goods that have been cooked.

- iv. The law is deceptive in buying and selling  
This is among the smallest topics in this book. The author begins his criticism by law and validity of deceptive. Furthermore, he explained the obligation on those who knew about the faulty on the things that they wanted to sell, the arguments of the fraud in buying and selling of exemplary stories in this chapter of fraud.
- v. The Islamic law of tolerance in the sale and purchase  
This topic leads to the ethics that traders should have practiced. It begins with the arguments that advocate the tolerance in buying and selling, as well as the concept of al-iqÉlah, then the stories of contemplation, dignity in doing virtue, profit-taking, postponement to the poor person, and the advice of giving charity from the traders.
- vi. The importance of avoiding the devastating things during the trading  
This topic tends to talk about the warnings that traders should take into account in order to align with the goals of syariah. He also described some of the recommendations that could keep them from being hunted or busy with their business. All these suggestions are reinforced with the arguments of the Qur'an, the hadith and stories of the past on the past traders. There are also some laws related to some issues of sale and purchase.
- vii. The law on the act reduces the measure  
Although this topic is quite concise, it is enough to explain the law to the act of reduce the scales and the threats that await those who do it based on the al-Quran and hadith and previous stories.  
  
The law of the wrongdoers  
The wrongdoing meant by the author here is not limited to merchants alone, even it goes beyond all aspects of life. Then, it is stated law and its reward based on the arguments of the al-Quran and hadith and certain exemplary stories. Also included, is the law of the person who was conform with them and the position of the person who was mistreated.
- viii. The law of monopoly the sale and purchase of goods (*al-Ihtikar*)  
For this topic, the author highlights the meaning of monopoly (*al-Ihtikar*) and its prohibition according to the hadith. Furthermore, it is explained the advantages of the people who walk out from this act based on hadith, and specific discussions on the food monopoly and their types.

i. The law takes profit share capital

This is the last topic of the book. The author describes the meaning of profit share capital from the perspective of the Qur'an, the hadith and the ijma'. Furthermore, it details the principles of the profit as well as the conditions for each rule, some of the issues in the agreement, and the position of profit or loss. Finally, the argument is closed by clarifying the position of the profit share capital and the effect which would have occurred if the dissolution of the contract (Shaghir, 1997)

In addition, the book became more significant - especially to the state of Terengganu where the writing was completed. When Malays was famous for Sheikh Daud al-Fatani and his writings, as well as figures elsewhere, the state of Terengganu could also be proud of the production of some religious works, either terengganuan or outsider who came to looking for a better and safer position. In addition, Terengganu's position as an important trade and port center in the 19th century made religious books focusing on the field of Islamic transaction should be given due attention and guidance. This is in line with the Terengganu government's practice of extensive Islamic law at that time.

## **6.0 SHAYKH ABDUL QADIR'S CONTRIBUTION TO SOCIAL HARMONY**

### **6.1 His contribution to the Corps of Knowledge**

After settling in the state of Terengganu, Syeikh Abdul Qadir began serving the teachings of Islam according to the Ahl Sunnah of al-Jamaah's faith and to clarify the sect of Imam al-Shafi'i in the field of fiqh. He teaches various subjects which include the study of usuluddin, fiqh, tasawuf, tafsir, hadith and Islamic history. Besides busy with various social activities, he was determined to teach and set up a study center in Kampung Paya Bunga. He also built a mosque and founded a study center in Kampung Bukit Bayas. The sequence of these two places, Sheikh Abdul Qadir began establishing a 'hut school' according to the tradition in Patani. He also opened the same study center on Duyung Island and in other villages (Hasanulddin 2014, 57-58).

### **6.2 His contribution as a mufti**

The highlight of Sheikh Abdul Qadir's contribution was when he appointed as the Mufti of the Terengganu State Government by Baginda Sultan Omar. He was noted to be the first mufti for the Terengganu State Government, which was later followed by his students, Tok Ku Tuan Besar and Tok Syeikh Duyung. According to history, his appointment began in 1839 AD, the same year that Baginda Omar ascended the throne of Terengganu State Government until the year 1853 AD. With his advice as mufti, coupled with his interest in Sultan Omar against religion, caused the policies of the state government in line with the spirit and the will of Islam (Hasanulddin 2014, 66).

### **6.3 His contribution to the Judiciary**

In his reign Baginda Omar, the Department of Justice was set up to update the implementation of Islamic law. It was led by Sheikh Abdul Qadir himself as the mufti at that time. This is because in addition to managing fatwa matters in the country, the mufti will also lead the Department of Justice which serves to manage the religious affairs and implementation of Islamic law in the state of Terengganu. The Department of Justice will act to interpret and translate the law, as well as resolve disputes arising among the conflicting parties. It completes the implementation of the Quranic, al-Sunnah, al-Qiyas and al-Ijma. It was supported by Baginda Omar as the ruling ruler then, with the help of a number of scholars who carried out their respective functions successfully (Hasanulddin 2014, 68).

### **6.4 His contribution to the martial art (Silat)**

In addition to being active with knowledge activities and becoming an expert in religious issues, Sheikh Abdul Qadir also categorized his name as a fairly brave warrior. This is because he also controls the artistic martial arts branch, known as silat. In fact, the story of his greatness against the Siamese army became a notorious topic. It was narrated that he had several times led the war forces against the siamese invaders. The heroic blood of Sheikh Abdul Qadir not only stops on himself, but he even teaches it to others. This is led by that he opened his teaching center for martial arts to his students and civilians (Hasanulddin 2014, 69).

## **7.0 CONCLUSION**

It can be concluded that Sheikh Abdul Qadir Bukit Bayas has a good background and a good personality. His capability in Islamic jurisprudence has been utilized in the effort to make maximum contributions to all levels of society, such as being mufti and the Department of Justice's leader in the state of Terengganu. Hopefully his contribution - as well as other old Malay scholars - can be exemplary examples and guides to contemporary society in order to maintain universal harmony and peace.

## **ACKNOWLEDGEMENT**

Special thanks to Research Management, Innovation & Commercialization Centre (RMIC) and University Sultan Zainal Abidin (UniSZA) for funding this research

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## **REFERENCES**

- Al-Fatani, A. F. (2013). *Ulama Patani di Terengganu : Sejarah dan Peranan dalam Ulama Besar Dari Patani*. Kelantan: Majlis Agama Islam dan Adat Istiadat Melayu Kelantan. pp 407-432.
- Al-Fatany, A. F. (2002). *Ulama Besar Dari Patani*. Bangi: Penerbit UKM.
- Hasanulddin, M. (2014). *Syeikh Abdul Qadir Bukit Bayas*. Kuala Terengganu: Penerbit UniSZA.

Abdullah, W. M. S. (1997). *Data Kitab Risalah fi Bayani Hukmil Bai'i war Riba Syeikh Abdul Qadir bin Abdur Rahim al-Fathani di Bukit Bayas Terengganu*. Kuala Lumpur: Khazanah Fathaniyah.