

## CHAPTER 1

### INTRODUCTION

#### 1.1 Background of study

*Tariqah Taşawwuf* has been long established in Malaysia including Negeri Sembilan. Among the most famous *Tariqah* and prominent figures in the state are the *Tariqah Shattariyyah* conducted by the Shaykh Hj Zakaria bin Mohd Kari Galau, the *Tariqah Naqshabandiyyah* headed by Shaykh Hj. Ahmad bin Hj Muhamas al-Bakir, Shaykh Hj Maarof bin Yaakob and the *Tariqah Ahmadiyah* were run by Shaykh Muhammad Said Al-Linggi, Shaykh Ahmad. In 1987, efforts were made to ban the practice of *Tariqah Taşawwuf* throughout Malaysia. As a result, several leaders, including Dr. Muhammad Uthman El-Muhammady, the late Dr. Mahmud Saedon, including Mufti Department of Negeri Sembilan, has risen to defend the practice of *Tariqah Taşawwuf* from the ban (Mohd Yusof, 2014).

The practice of *Tariqah Taşawwuf* has been long harmonious in the lives of Negeri Sembilan's people. Therefore, has to be a generation from the new generation to defend the *Tariqah Taşawwuf* from the accusations and threats. Sayidina Ali bin Abi Talib's message to Malik al-Haris al-Ashtar, the governor of Egypt, to uphold the long-standing pure practice, "Do not neglect the noble teachings of the ancient people. The teaching has been able to maintain peace and progress among the people. Do not do anything that will diminish the effect of the teaching. Those who practice this noble teaching have already received their reward. It is your responsibility to defend it in the event of any threat. Always learn from the experiences of educated and intelligent people and always ask for their views on national matters. In the future you will be able to maintain the peace and good relations that the leaders have established before you" (Mohd Yusof, 2014)

The science of *Taşawwuf* and *Tariqah* has been the foundation for the unity of the Muslims (Mohd Yusof, 2014). Through the methods of purification of the soul and the watering of the virtues they were able to protect and defend the Muslims from a variety of unhealthy elements. In fact, the Sufis as played an important role in protecting the welfare of the people and providing education and training.

Mufti Department of Negeri Sembilan is the only Department has established an organization known as *Jilsah al-Turuq al-Sufiyyah* to guard, control and monitor activities of the *Tariqah Taşawwuf* conducted in Negeri Sembilan and it is the only an organization with its own guidelines (Mohd Yusof, 2014). However, how the approach used by the Mufti Department of Negeri Sembilan to deliver information about *Tariqah Taşawwuf* to the people of the state. Therefore, this study was conducted to study and see in depth how the management of *Fatwā* related to the *Taşawwuf* which is conducted by Mufti Department of Negeri Sembilan to provide accurate and valid information about *Tariqah Taşawwuf* to the Muslim society of Negeri Sembilan and may also be a reference to another Mufti Department in Malaysia.

This study used a qualitative and descriptive approach that uses data collection, library research and interviews to obtain raw data. The research was conducted on documents and books related to the history of the *Tariqah Taşawwuf* in Malaysia, the history of the inception of the *Tariqah* and also the development of the *Tariqah Taşawwuf* in Negeri Sembilan. In addition, the interview method with *Pendaftar Tariqah Taşawwuf* in Mufti Department of Negeri Sembilan and mufti justly descriptive is also used to obtain supporting data regarding the history and management of the *Tariqah Taşawwuf* in Negeri Sembilan.

## 1.2 Statement of the Problem

*Taşawwuf* is an Islamic teaching based on the Quran and al-sunnah. The knowledge is inherited from the prophet to the companions, the tabiin and so on to us today. As the term *Taşawwuf* is concerned, it emerged after the time of the

Companions and the *Sufis* used the phrase and emphasized facts and fundamentals that were not contrary to Islamic teachings (Abdul Qadir Isa, 2005).

According to Nik Hasnah (2015), historically, Islam has been brought to the archipelago as early as the 13th century by traders from the Hadramaut Saudis of Yemen to Southeast Asia. A leading scholar, Syed Muhammad Naqib al-Attas (1963) mentioned in his book, *Some Aspects of Sufism as understood and practiced among the Malays*, “I believe that those who spread the Islam is *sufis* and subsequently brought Islam to the Malay world and I am certain that the teachings of Islam are spread by the *Sufis*”.

*Taşawwuf* in Malaysia is practiced in harmony until problems arise with the leader of a *Taşawwuf* teaching. Among the teachings of *Taşawwuf* highlighted which involves problems in the knowledge of *Taşawwuf* which is the teaching of *Tariqah*. In 1980 and 1981 muzakarah the Fatwa Committee national council for Islamic Religious Affairs of Malaysia decided that the teachings of *Tariqah* Mufarridiah and *Tariqah* Naqsyabandiah Khalidiah Kadirun Yahya are deviant from the teachings of Islam and the practice of tarekat is misguided. This, creating confusion in the Muslim community who had previously practiced *tariqa* in a transparent manner.

Therefore, there are too many heresy teachings in our country that claim to branch out from certain *Tariqah*, while their practices do not follow the true discipline of *Taşawwuf*. They are all replaced by elements of heresy and distortion of the faith. In fact, the association of these disciplines with the question of heresy has been one of the factors of society's discomfort towards this discipline and they have finally become confused about the intricacies of this knowledge (Muhammad Nidzam, 2010). In-depth research in this case allows a conclusion to be drawn that the main factor in the occurrence of irregularities in the institution of *Tariqah* is focused on one main component, namely *shaykh* or teacher. This is because the *Tariqah* institution gives enough power to a *shaykh* in the process of educating and guiding the spirituality of the students in a *Tariqah*. Therefore, in other words, a *shaykh* must be a person who meets the conditions as set by the *Tariqah* institution or the Mufti Department in order to protect the interests of students and the survival of a *Tariqah* so as not to fall into elements that violate sharia (Zakaria Stapa, 2017).

Apart from that, *Tariqah* groups in Malaysia need to be organized. As proposed by the former Malaysian deputy prime minister YAB Datuk Seri Dr. Ahmad Zahid Hamidi during the launching ceremony of the establishment of *Pertubuhan Tariqah Mukhtabar Malaysia* (PERTAMA). He even suggested to every Religious Office and State Mufti Department to emulate the Mufti Department of Negeri Sembilan in creating *Jilsah al-Turuq al-Sufiyyah* which is responsible to evaluate the *Tariqah Taşawwuf* in Negeri Sembilan.

Therefore, this study focuses on how the Management of *Fatwā* Regarding *Taşawwuf* is done at the Mufti Department of Negeri Sembilan to ensure the information about *Fatwā* on *Taşawwuf* reaches to the Muslim community so that there is no misunderstanding about the practices performed by the *Ikhwan* of *Tariqah Taşawwuf* and correct the negative perception of Sufi groups. Researcher feel that *Taşawwuf* is now felt necessary in this age, a time full of challenges obscured by luxury and a time when human beings are busy pursuing the worldly so as to ignore the eternal afterlife.

### 1.3 Research Questions

- 1.3.1 What is the role of the Mufti Department of Negeri Sembilan in managing the issue of *Tariqah Taşawwuf*?
- 1.3.2 How is the Mufti Department of Negeri Sembilan implementing the *Fatwā* on *Taşawwuf*?
- 1.3.3 What is the effect of implementation of *Fatwā* on *Taşawwuf* towards Muslims in Negeri Sembilan?

## 1.4 Research Objectives

- 1.4.1 To analyze the role of the Mufti Department of Negeri Sembilan in managing of *Tariqah Taşawwuf*.
- 1.4.2 To study the implementation of *Fatwā* on *Taşawwuf* in Negeri Sembilan.
- 1.4.3 To analyze the effect of implementation of *Fatwā* on *Taşawwuf* in Negeri Sembilan.

## 1.5 Significance of The Study

The study of *Fatwā* on *Taşawwuf* is the study about how the Mufti Department of Negeri Sembilan manage the *Fatwā* on *Taşawwuf* at the state. This study is very important because, first, this study provides to improve guideline of *Fatwā* on *Taşawwuf* in Negeri Sembilan. Second, to show the effectiveness of the management by the Mufti of Negeri Sembilan about this *Fatwā* on *Taşawwuf*. Third, the study gives a framework harmonious about *Tariqah Taşawwuf*. The *Fatwā* on *Taşawwuf* will be able to create a harmonious in the state of Malaysia and able to combat the deviant to be found in the *Tariqah*. Fourth, this study adds documents and information on the guideline of *Fatwā* on *Taşawwuf*.

## 1.6 Definition of The Title

The title of this study, "The *Fatwā* Management Regarding *Taşawwuf* in Mufti Department of Negeri Sembilan" contains a few words that need to clarification.

### 1.6.2 Term of *Fatwā*

Ibn Manzur (1956), explained that the *Fatwā* is an act performed by the mufti of a law or a decision made by the *faqih*. In Islamic legal literature *Fatwā* (legal opinion) or *iftā'* is defined as the elucidation of a legal ruling with no binding effect (al-Qasimi, 1986). The term *Fatwā* is to explain the law of shara' or to inform shara' law based on the books of the Quran, Sunnah, *Ijma'* and *qiyas*. It means addressing the issues (questions) of *Shari'ah* or laws that cause problems in solving them for an individual or society. *Fatwā* from this angle is understood as an act of explaining the law.

### 1.6.3 Term of *Tariqah*

The term "*Tariqah*" is a word derived from the Arabic language literature means "the way" (Ibn Manzur, 1992). However, the researcher uses the term "*Tariqah*" as a special meaning according to *Taşawwuf's* definition, which is a special spiritual journey process for a believer who earnestly seeks the pleasure of Allah by meditating on various obstacles and barriers of lust to reach various maqam (levels) faith (al-Jurjani, 2000). The term is also often associated with the spiritual relationship between a teacher and a student. Thus, a set of rules can be understood when a teacher gives the students or makes a binding agreement with a student to perform one of the many acts of obedience and kindness that are passed on from one generation to the Prophet (Ibrahim al-Khalil, 2005).

### 1.6.4 Term of *Taşawwuf*

"*Taşawwuf*" is a branch of knowledge in Islam (Abd Qadir Isa, 2001) which focuses on the issue of purification of the soul and the formation of pure values, while is considered as a perfection of Islam and one's faith (Isa,

2001). The term *Taşawwuf* is also known as *Ihsān*, a term that was introduced by the Messenger of Allah in a Hadith Al-Bukhari (1987).

#### 1.6.5 Term of Mufti

He is a jurist consult (Lane, 1968) who notifies the decision of the law, in or respecting cases submitted to him for the guidance of the Qadi and others in matters relating to Islamic law (al-Mallah, 2009). Zulkifli Mohamad al-Bakri 2008 Al-Sarafi in Abdul Samat Musa et (2006) states that the mufti is “a personal name that describes the religious affairs of the people and knows the general and specific sciences of the Al-Quran, the *mansukh* and even the Al-Sunnah and knows the method (state of law)”.

### 1.7 Research Scope

This study was conducted in Negeri Sembilan which focuses on the Mufti Department of Negeri Sembilan. This study used the method of qualitative study by running three methods. First method is data collection. The second method is a library method where researchers refer to the books related to the definition of *Taşawwuf*, *Tariqah* and *Fatwā* described in Chapter 2. Third method is interview in a group which is focus of 3 people they are mufti, an Officer of Islamic Affairs Department in *Bahagian Tariqah Taşawwuf* (BTT) and one of the *shaykh* who is responsible to take care of *Tariqah* which is *Tariqah Naqsyabandiyyah kholidiyyah*. Their views on the *Fatwā* on *Taşawwuf* are also obtained in writing.

### 1.8 Literature Review

Mohd Yusof bin Hj. Ahmad (2014) explained in his review of the operating experience of *Tariqah Taşawwuf* in Negeri Sembilan. This study states the role of

the state mufti of Negeri Sembilan in handling the Enactment of *Tariqah Taşawwuf* enacted by the Mufti Department of Negeri Sembilan in 2005. In addition, the study also lists the organization of the *Tariqah Taşawwuf*, which Negeri Sembilan adopt the framework, such as creating laws, organising *al-A'la* councils such as Egypt and organisation.

Further, the study was debating about the role of the Mufti Department of Negeri Sembilan in implementing the *Tariqah Taşawwuf* Enactment and efforts made for the empowerment of the *Tariqah Taşawwuf* in Negeri Sembilan. This study is close to the content of the author's study, but the author focuses on the management of *Fatwā* on *Taşawwuf* by the Mufti Department of Negeri Sembilan and added some important information which is the information of *Fatwā* on *Taşawwuf* to the community in Negeri Sembilan and whether the *Fatwā* issued by Mufti Department of Negeri Sembilan makes it easy in term of registration of the *Tariqah* for the *shaykh* of *Tariqah Taşawwuf* in Negeri Sembilan.

Ghazali Bin Haji Abdul Rahman (2012) presents on the process of preparing the *Fatwā* in Malaysia: regulations and practices. This study explains the *Fatwā* in the Federal Constitution in general and the *Fatwā* institution and the process of *Fatwā* preparation through different laws i.e., first through the state *Fatwā* Committee and the Muzakarah of the *Fatwā* Committee of MKI. In addition, he explained about the enforcement and application of *Fatwā* in the states. Based on this study, researchers only declare in general about the *Fatwā*. Hence, the writer sees and assessments on the enforcement of *Fatwā* in the States as the author's study is focusing on the enforcement of the Mufti Department of Negeri Sembilan on the *Fatwā* on *Taşawwuf* in the state.

Zulkifli Bin Mohamad (2004) studied on the Institution of *Mufti* and *Fatwā*: A analysis of the enactment and various *Fatwā* options of Negeri Sembilan, discussing the concept of *Fatwā* and mufti, manners, conditions and history, the *Fatwā* enactment and Mufti of Negeri Sembilan as well as several *Fatwā* options. The purpose of this study is to understand and review the provisions of the State enactment and *Fatwā* in Negeri Sembilan.

This study uses the Qualitative study, which uses two methods, which is the first of the library research methods and interview methods. This study only focuses on a number of *Fatwā* that includes the problems of Creed, *Muamalat*, *Munakahat*, medicine and social problem. This study does not cover the *Fatwā* or *Taşawwuf* enactment. Therefore, the author is studying about the *Fatwā Taşawwuf* enforced by the Mufti Department of Negeri Sembilan.

Syaiful Nizam Bin Md Jan (2017) explains the introduction of the *Tariqah Taşawwuf* Enactment (Negeri Sembilan) 2005. This article describes the history and the goals of *Tariqah Taşawwuf*, and this article also discusses the occurrence of malpractice and the effect of malpractice to Islam and *Tariqah*. Based on this article, it only explains the Enactment *Tariqah Taşawwuf* and it does not explain how information on the *Fatwā* on *Taşawwuf* is delivered to the society. Therefore, the author reviews the delivery of information on the *Fatwā* on *Taşawwuf* so that the public is more aware of the existence of the *Tariqah Taşawwuf* that have been signed under the Mufti Department of Negeri Sembilan.

Muhammad Fahmi Abdul Hamid (2020) present about Impact of Integrated Management on the Development of *Tariqah Taşawwuf* in Negeri Sembilan, Malaysia. The objective of this study is to examine the efficiency of tarekat management and its impact on the development of *Tariqah Taşawwuf* in Negeri Sembilan. Establishment of *Bahagian Tarekat Tasawuf Jabatan Mufti Kerajaan Negeri Sembilan* in 2007 proves that the state government is very serious in regulating all *Tariqah* activities in this state. The result of integrated and systematic management shows the positive development of *Tariqah Taşawwuf* in Negeri Sembilan. A total of 12 *Tariqah Taşawwuf* have been legally registered and monitored by the *Bahagian Tariqah Taşawwuf* Negeri Sembilan.

## 1.9 Methodology of Study

In this paper the researcher uses a descriptive method that studies about Management of *Fatwā* on *Taşawwuf* in Mufti Department of Negeri Sembilan. The methods used to regard this descriptive research are:

### 1.9.2 Data Collection

In this method, the researcher used library research and interview that is directional and unidirectional to several informers to get the information about this research.

### 1.9.3 Library Research

In this study, the author uses the library research method as the main method to get the main information about the meaning, history and important information about this *Fatwā* on *Taşawwuf*. The books and references obtained by the researcher are sourced from selected dictionaries, selected books, selected Journals and articles about *Fatwā*, *Taşawwuf*, *Tariqah* and Mufti Department of Negeri Sembilan.

### 1.9.4 Interview

The interview method which is group focused on three persons who handle the *Fatwā* on *Taşawwuf*, a mufti, an Islamic affairs officer of a *Bahagian Tariqah Taşawwuf* and a *shaykh* who are responsible for managing the *Tariqah Taşawwuf* and document analysis.

The interview with mufti was carried out face to face in office room of mufti at Mufti Department of Negeri Sembilan. The duration of the interview about 45 minutes. The questionnaire of the interview was open ended questionnaire and provided is also structured. The interview data was collected by writing and has been recorded by interviewer using audio recorder. Finally, the data would be analysed by manually. Then, the interview with *Pendaftar Tariqah Taşawwuf* also face to face in Mufti Department of Negeri Sembilan.

The duration of the interview was about 30 minutes. The questionnaire of the interview was open ended questionnaire. While the interview with *Tariqah* practitioner happened face to face at his practice center and the questionnaire was unstructured.

### 1.10 Conclusion

Based on the literature surveys that have been conducted above, the Mufti Department of Negeri Sembilan is seen to play an important role in ensuring information about *Fatwā* on *Taşawwuf* to the people in the country especially and Malaysia. For the general public, *Taşawwuf* is often seen as one of the teachings that conflict with Islamic teachings. Therefore, in these related matters, they require the *Fatwā* especially that there is a connection with the Islamic creed; they will refer to the scholars, especially those who are authority such as the mufti which is counted as a high Islamic position in Negeri Sembilan in the issuance of *Fatwā*. Thus, *Fatwā* is one of the mediums in the dissemination of information in dealing with the problems faced by the Islamic community in Negeri Sembilan.

In addition, there are several publications by the Department of Mufti which contains the answer to the various question of *Taşawwuf*. This can help people understand the problems related to Sufism through the *Fatwā* that has been issued. With the management of *Fatwā* on *Taşawwuf*, it hopes that the *Tariqah Taşawwuf* carried out in Negeri Sembilan is increasingly firm and hopefully Sufism science is increasingly in demand by the community in Negeri Sembilan.