

## Fiqh Contents within a Sufi Book: An Intertextual Study on Kiai Zainullah's *Qurra al-Asfiyā'*

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### Abstract

This paper aims to explore the discussions of Fiqh within a Sufi book entitled *Qurra al-Asfiyā' 'alā Sharh Hidāya al-Adhkiyā'* by Kiai Zainullah, Malang. Employing qualitative research design, this paper uses intertextual study as its analysis tool. The findings reveal that Kiai Zainullah incorporated four Fiqh topics in his work. These topics are 1) differing views among madhhab imams on the status of basmala, 2) the rulings on beautifying one's voice when reciting the Qur'an, 3) the ruling on listening to women's singing voice, and 4) the ruling on marriage versus celibacy in term of uzla. The implication of this research highlights the necessity of exploring the relationship between Fiqh and Sufism, especially the Fiqh discussions within a Sufi treatise, in a more creative framework rather than being solely confined to the paradigm of harmonization and alignment.

**Keywords:** fiqh, sufi treatise, intertextual analysis, pesantren studies.

### Introduction

The relationship between Fiqh and Sufism has traditionally been viewed as an incontrovertible unity. Conversely, an opposing view says that these two disciplines conflict, owing to their distinct viewpoint of reality. Fiqh focuses on the external aspects of human actions, while Sufism addresses the internal, spiritual aspects.

This historical conflict is evident when examining instances where prominent Sufi figures were considered as holding divergent views, leading to accusations of heresy and persecution. Notable Sufi figures such as Abū Sulaymān al-Dārānī (d. 215/830), Abū Hamza al-Baghdādī (d. 269/882-3), Abū Yazīd al-Buṣṭamī (d. 261/874-5), Abū Bakr al-Shiblī (d. 334/946), and Abū Bakr al-Wāsiṭī (d. 320/932) were expelled from their homes and some were imprisoned because of being considered insane (Böwering, 1999, p. 54). Additionally, some Sufi figures were even sentenced to death for allegedly propagating deviant teachings. Quite famous among them are Al-Ḥallāj (d. 309/922), who was executed by crucifixion following a court judgment, and Ibn 'Aṭā' (d. 309/922), who was brutally beaten to death (Böwering, 1999, p. 56).

One of the prominent figures known for his opposition to the Sufis, despite varied interpretations regarding his stance on Sufism, was Ibn Taymiyya. Although Ibn Taymiyya often praised the piety of specific Sufi figures (Zamzami, 2017, p. 41), he strongly criticized specific Sufi concepts, such as the concept of *ḥulūl*, *ittiḥād*, *waḥdab al-wujūd*, *ṭā'ab al-shaykh*, *karamah*, *jadhb*, and others (Banānī, 1986, pp. 15–16). His critical attitude significantly influenced the Salafi-Wahhabi movement, which adopted an anti-Sufism stance. Under the leadership of its founder, Muḥammad ibn 'Abd al-Wahhāb (d. 1792), Sufi practices such as close teacher-student relationship (*rābiṭah*), total obedience to a murshid, and the concept of the *ṭarīqa* lineage were condemned as signs of disbelief (Peskes, 1999, p. 159). His successors, such as 'Abd al-'Azīz ibn Bāz and Ṣāliḥ al-Munajjid, despite having varied views on specific cases, considered Sufism as should be rejected in its entirety (Fouad, 2020).

Conversely, the dominant view asserts that the two disciplines of Fiqh and Sufism are integrated and complementary without any inherent conflict. Historical instances of violent encounters between these disciplines are attributed to misunderstandings rather than fundamental differences in the sciences themselves. One of the prominent figures who significantly contributed to this viewpoint was *Abū Ḥāmid al-Ghazālī* (d. 505/1111). He argued that as long as properly understood and aligned with the guidance of the Qur'an and hadith, Sufism inherently cannot conflict with Fiqh (Mubarok, 2014, pp. 26–32). As encapsulated by Usmanov (2023, p. 126), Sufism and Fiqh represent two different perspectives on Islamic law. Sufism views it from an inner perspective, Fiqh from an external one.

Previous research regarding the relationship between Fiqh and Sufism is predominantly aligned with an integrative point of view. The topic of integrating Fiqh and Sufism is particularly popular among researchers in Indonesia (Deswita, 2018; Ghazali, 2001; Hadi & Yaqin, 2022; Mujib & Helmy, 2020; Yahya, 2022). Numerous studies link this topic to various phenomena in Indonesia, such as cultural phenomena (Wasitaatmadja, 2017), arts (Burhan, 2018; Sumarjoko & Ulfa, 2018), education (Saifudin & Triana, 2023), Islamic family law or *al-ahwāl al-shakhsīyya* (Arifin, 2021), and peace studies (Rafi'i et al., 2021).

However, when the focus is on Sufi manuscripts authored by Indonesian scholars, researchers in Indonesia tend to concentrate on the Sufi thought presented, neglecting other scientific disciplines within the manuscript. This trend is evident in studies conducted by Dairobi (2023), Rosyid (2022), Cibro

(2021), Atamimi & Syarifudin (2020), and Alamsyah et al. (2021). Efforts to identify explanations of other sciences in Sufi texts frequently emphasize educational sciences (Irbah et al., 2022; Pakih, 2018) or linguistics (Isbah & Ula, 2022; Zakiyah, 2012).

Many researchers examining the content of Fiqh in Sufi texts have investigated Ibn 'Arabī's books while still using the perspective of integration of these two disciplines. Within this framework, Maḥmūd Maḥmūd al-Ghurāb (1993) investigated the discussions of Fiqh in Ibn 'Arabī's writings, covering topics from *ṭabāra* to slavery. However, Yoyo Hambali (2020, p. 23) criticized Al-Ghurāb's investigation as failing to meet scientific standards, prompting Hambali to conduct a follow-up study emphasizing Ibn 'Arabī's Islamic legal philosophy. Eric Winkel's study of Fiqh aspects in *Al-Futūḥāt al-Makkiyyah* underscored the importance of the integration viewpoint, asserting that he explores “*the world-view which maintained an integration of law and spirituality and offer encouragement to those who work for a reintegration of shariah, fiqh, and spirituality*” (Winkel, 1997, p. 15). Similarly, Lien Iffah Naf'atu Fina's study of the same book highlighted Ibn 'Arabī's interpretation of legal verses in the Qur'an, emphasizing that “*Ibn 'Arabī ... in any sense never divorces spiritual path from shari'ah*” and “*in fact, he understood shari'ah as the way to divine Truth*” (Fina, 2018, p. 163).

This paper adopts a similar perspective to investigate Fiqh discussions in *Qurra al-Asfiyā' 'alā sharḥ Hidāya al-Adhkiyā'* by Kiai Zainullah Malang (d. 1991). This viewpoint is inevitable because one of the book's discussions is the interconnection between *shari'a*, *ṭariqa* and *ḥaqiqa*. However, unlike the comprehensive discussions of Fiqh found in Ibn 'Arabī's works, which span from *ṭabāra* to slavery, Kiai Zainullah's text gives specific Fiqh discussions within broader Sufi topics. Thus, Kiai Zainullah provides Fiqh with discussion as supporting information for particular purposes. This research aims to trace Kiai Zainullah's objectives in integrating Fiqh discussions within his Sufi discourse.

The focus of this research is directed towards the Fiqh contents of *Qurra al-Asfiyā'*. The significance of this research is not only to reveal the harmony between Sufism and Fiqh from a broader perspective but also to elucidate how a Sufi text author elaborates Fiqh laws to express his views by associating them with established Fiqh authorities. This research will demonstrate how Kiai Zainullah presents his personal views on specific Fiqh themes by quoting and 'using' the views of previous Fiqh scholars as justification.

The analytical framework for this research is intertextuality, as developed by Julia Kristeva. According to Kristeva, a text represents the author's interpretation of a phenomenon based on pre-existing texts. No text is created in isolation from other texts (Kristeva, 1980, p. 28). Kristeva's approach, aligned with post-structuralist philosophers like Roland Barthes, who proclaimed the 'death of the author' (Barthes, 1977, pp. 142–148), posits that intertextual studies do not involve the author as a subject (Allen, 2000, p. 36). Thus, this research positions the author of *Qurra al-Asfīyā'* as an interpreter of Al-Malībārī's collection of poems entitled *Hidāya al-Adhkiyā'*, whose interpretations form a new text with intertextual connections to previous texts.

To trace previous texts giving influence on Kiai Zainullah's explanation of Fiqh, this study employs a document review method, especially literatures familiar within the Pesantren milieu. Given that Kiai Zainullah spent his entire life in such an environment, it is hypothesized that this context influenced his Fiqh Explanations in *Qurra al-Asfīyā'*. This is then presented to find Kiai Zainullah's strategy in producing his text.

## Result and Discussion

### A Glimpse of *Qurrah al-Asfīyā'* and Its Author

The complete title of this book is *Qurra al-Asfīyā' 'alā Sharḥ Hidāya al-Adhkiyā'*, written by Kiai Zainullah at the end of his life. This book was completed in 1990 (Zainullah, 1990, p. 59), the same year as his passing. The following year, in 1991, one of the participants of the *pengajian* (public study session) on this book at Asy-Syafi'i Mosque Ganjaran Gondanglegi in Malang Regency transcribed it aiming to "present clearer and more accurate writing for readers" due to "numerous errors and ambiguities in the previous manuscript" (Zainullah, 1991, p. 1). Consequently, this book exists in two manuscripts: the first is referred here to as Manuscript A, while the second is Manuscript B.

Kiai Zainullah was a prominent *Kiai* (religious leader) from Ganjaran Village, Gondanglegi, Malang, East Java. Recently, Ganjaran Village was designated by the local government as a 'Santri Village' (Salim, 2016) due to the presence of 18 pesantrens within it (Hakim et al., 2017, p. 102). Kiai Zainullah was the son of Kiai Bukhori, a native of Sampang Madura, who later settled in Ganjaran Village after marrying a local woman named Fatma. Kiai Bukhori was a sibling of Kiai Fathul Bari (d. 1960), a leader of the Naqshbandiyya order in West Kalimantan (on him, see Bruinessen, 1994, pp. 122–123; Elmansyah & Patmawati, 2019, p. 94; Syarif & Nadjib, 2017, p. 15).

Kiai Zainullah was a highly influential Kiai in the Malang Regency area, serving as murshid of Naqshbandiyya order. Most likely, he inherited his ʿariqalineaage from his father, Kiai Bukhari. However, according to the ʿariqa genealogy text he wrote himself, the names of Kiai Ahmad Mawardi and Kiai Sirojuddin, contemporaries of his father, are also mentioned (Zainullah, 2004, p. 9).

In addition to his role as a religious teacher and Nashbandiyya murshid, Kiai Zainullah was a prolific writer. As of the current record, he produced 10 written works. These works are: 1) *Tashīl al-Mubtadi'īn*, a treatise on Kalām or Islamic theology; 2) *Mu'īna al-Ḥijā fī Naẓm Safīna al-Najā*, a collection of poems based on *Safīna al-Najā fī mā Yajibu 'alā al-'Abd li Mawlāhu* by Shaykh Sālim ibn Sumayr al-Ḥaḍramī; 3) *Kāfiya al-Farā'id*, a collection of poems on the knowledge of inheritance or Farā'id; 4) *Fath al-Ghawāmiḍ 'alā Sharḥ Kāfiya al-Farā'id*, commentaries on *Kāfiya al-Farā'id* he wrote himself; 5) *Kāshifa al-Ikhwān fī Risāla al-Khājākān*, a dhikr guidebook for the Naqshbandiyya order; 6) *Muhimma al-Nisā' fī mā Yata'alaqu bi Ahkām al-Dimā'*, a short treatise on menstrual blood, *istihāda* and *nifās*; 7) *Iṣlāḥ al-Jamā'a fī Ta'addud al-Jum'a*, a treatise on the intricacies of Friday prayer; 8) *Al-Mujzī fī Naẓm al-'Izzī*, a collection of poems based on *Taṣrīf al-'Izzī* by 'Abd al-Wahhāb ibn Ibrāhīm ibn 'Abd al-Wahhāb al-Zanjānī; 9) A treatise on Sufism that has no title and, later, named *Kitāb Zaynullah* by the copyist; 10) *Qurra al-Aṣfiyā' 'alā Sharḥ Hidāya al-Adhkiyā'*, a treatise on Sufism which is the object of this research.

### **The Harmony of Sufism and Fiqh in *Qurra al-Aṣfiyā'***

The kind of Sufism espoused in *Qurra al-Aṣfiyā'* is called tasawwuf 'amālī or sunnī. This kind is characterized by its focus on practical daily aspects of behavior and the cultivation of noble characters rather than engaging in speculative aspects of Sufism (Lubis, 2021, p. 30). In this sense, the study of Sufism complements the study of Fiqh because Sufism helps Muslims in fulfilling Allah's commands and avoiding His prohibitions in a way that enhances their faith and commitment (Aḥmad, 2020, p. 307). Borrowing Usmanov's words, Fiqh and Sufism represents two different viewpoints on Islamic law (Usmanov, 2023, p. 126). Thus, Sufism becomes an inseparable complement to Fiqh. As Aḥmad Zarrūq asserts, "There is no Sufism except with Fiqh because the external laws of Allah cannot be known except through it. Conversely, there is no Fiqh except with Sufism because there are no deeds

except with honesty and commitment for the sake of Allah" (Zarrūq, 2005, p. 22).

In *Qurra al-Asfīyā'*, this harmony is illustrated through the trilogy of *shari'a*, *ṭariqa* and *ḥaqīqa*. To explain the relationship and coherence between the three, the author mentions the definition of each term and explains their interrelation with an analogy. The definition of *shari'a* is "adhering to the religion of God, fulfilling His commands, and avoiding His prohibitions." The illustration of fulfilling God's commands is performing the conditions and principles of the command and staying away from things that invalidate it, while the illustration of avoiding God's prohibitions is abstaining from invalid actions driven by fear of Allah. *Ṭariqa* is defined as "taking a more careful attitude in living life and not being carefree." Examples of such attitudes are avoiding dubious matters and leaving useless activities. *Ḥaqīqa* refers to "the state of *nuṣūl* (reaching the goal) and witnessing *anwār al-tajallī* (the lights of manifestation)." What is meant by *tajallīs*, a mystical light that appears in the heart? If what appears is the Essence of God without passing through His attributes, then it is called the manifestation of Divine Essence (*tajallī al-dhāt*). Most Friends of God (*waliyyullah*) are of the view that this mystical light can only manifest through the medium of nature; hence, it is called the manifestation of Divine Names (*tajallī al-asmā'*). Moreover, if what appears is the actions of God, then it is called the manifestation of Divine Actions (*tajallī al-af'āl*) (Zainullah, 1990, pp. 3–4, 1991, p. 4).

Kiai Zainullah explains the relationship between the three aspects above using the analogy of a person looking for pearls. The *shari'a* is comparable to a boat, the *ṭariqa* to the sea, and the *ḥaqīqa* to the pearl. To get pearls, the person must row the boat and dive into the ocean, because pearls are often located at the bottom of the sea. It is impossible to obtain pearls without this process (Zainullah, 1990, pp. 4–5, 1991, p. 5). This analogy illustrates the strong relationship between Sufism and Fiqh. What is called *ṭariqa* by *Qurra al-Asfīyā'* is nothing but Sufism, and *shari'a* is Fiqh. Thus, *shari'a* (Fiqh) and *ṭariqa* (Sufism) are inseparable to achieve true piety (*taqwā*), which is viewed as the hallmark of a true believer (*al-mu'min al-ṣādiq*) who have high degree among the friends of God (Zainullah, 1990, p. 5, 1991, p. 5).

In principle, the explanation of the harmony between Sufism and Fiqh through the trilogy relationship between *shari'a*, *ṭariqa* and *ḥaqīqa* is not novel in Sufi literature. Kiai Zainullah adopted this explanation, of course, from *Hidāya al-Adhkiyā'*, the collection of poems he directed commentaries. *Hidāya al-*

*Adhkiyā'* itself cited this trilogy relationship from *Al-Kibrīt al-Aḥmar* by 'Abd Allāh ibn Abī Bakr al-'Aydrūs (d. 865 AH) (Al-'Aydrūs, n.d., pp. 28–29). Apart from the similarity of this last source, other supporting evidence is the earliest commentary on *Hidāya al-Adhkiyā'* by the poet's son himself, named 'Abd al-'Azīz ibn Zayn al-Dīn al-Malībārī, acknowledging that one of the poem's sources is *Al-Kibrīt al-Aḥmar* (Al-Malībārī, 2014a, p. 46, 2014b, p. 68).

In fact, the discourse on Sufism and Fiqh harmony has been extensively discussed within Sufi literature itself. Al-Qushayrī (d. 465 H), in his *Risāla*, articulated this relationship: "Any *sharī'a* not supported by *ḥaqīqa* will not be accepted, and any *ḥaqīqa* not bound by *sharī'a* will not be accepted either" (Al-Qushayrī, 2001, p. 118). Early generations of Sufis, such as Al-Junayd al-Baghdādī, Abū Ṭālib al-Makkī, or Al-Sarrī al-Saqāṭī, encouraged their students to master Fiqh (Aḥmad, 2020, pp. 304–306). The founders of the four Fiqh schools—Abū Ḥanīfah, Mālik ibn Anas, Muḥammad ibn Idrīs al-Shāfi'ī and Aḥmad ibn Ḥambal—are always mentioned in the Sufi biographical works, such as *Ḥiḍya al-Awliyā'*, *Al-Kawākib al-Durriyya*, *Al-Ṭabaqāt al-Kubrā*, and *Kashf al-Mahjūb* (Aḥmad, 2020, p. 308). To the same degree, *Qurra al-Aṣfiyā'* itself advises Sufi practitioners to emulate the lives of these four imams, because they have characteristics aligned with the principles of Sufism, such as asceticism, devout worship, beneficial knowledge, and so on (Zainullah, 1990, pp. 40–41, 1991, p. 32).

### **Fiqh Discussions in *Qurra al-Aṣfiyā'***

*Qurra al-Aṣfiyā'* serves as a simple guide to Sufism, particularly for beginners seeking to enter the path of Sufism in daily life. However, as will be seen below, Kiai Zainullah, as the author, repeatedly included various explanations of Fiqh throughout the text. These Fiqh-related discussions appear in non-uniform contexts and discourse structures, often infused with strong Sufi undertones. In Kiai Zainullah's paradigm of Sunni-*'amali* Sufism, Sufism, and Fiqh are inherently intertwined. Fiqh is basically a spiritual, religious practice that, when combined with Sufism understanding, also encompasses its esoteric aspects simultaneously.

Furthermore, Kiai Zainullah includes explanations of Fiqh's devoidness of Sufi nuances. These Fiqh explanations typically supplement his commentary on the verses of *Hidāya al-Adhkiyā'* and serve to demonstrate his extensive and profound knowledge of Fiqh. He has written several works specifically discussing Fiqh, such as *Mu'īna al-Hijā fī Nazm Safīna al-Najā*, *Fathal-Ghawāmiḍ*

*'alā Sharḥ Kāfiya al-Farā'id, Muḥimma al-Nisā' fī māYata'alaqu bi Ahkām al-Dimā', and Iṣlāḥ al-Jamā'a fī Ta'addud al-Jum'a.*

From an intertextual perspective, Kiai Zainullah's Fiqh explanations engage in textual dialogue with a variety of other works, not exclusively Fiqh ones. Sometimes, he engages in textual dialogues with other Sufi works, which also discuss particular Fiqh topics. However, upon wider textual examination, these discussions invariably relate to Fiqh literature. Some of the Fiqh information presented by Kiai Zainullah is directly adapted from other commentary books on *Hidāya al-Adhkiyā'*. However, the majority of his contributions enrich the discourse with insights drawn from text unrelated to *Hidāya al-Adhkiyā'* itself.

The following sections will detail specific legal rulings provided by Kiai Zainullah in his *Qurra al-Asfīyā'*. Consistent with the research methodology, intertextual analysis will be used to reveal the textual relationship between those legal rulings and the broader textual network, highlighting their dialogical connections within multiple texts. Each topic will be presented in accordance with Kiai Zainullah's discussions, followed by an analysis of the context within the discourse of *Qurra al-Asfīyā'*.

#### a. Different Views about *Basmala*

In his *Qurra al-Asfīyā'*, Kiai Zainullah explains different views among the imams of Fiqh schools concerning the status of *basmala*. This explanation is provided within his commentary (*sharḥ*) on the beginning of *Hidāya al-Adhkiyā'*, bringing the context of the classical writing tradition of citing *basmala* at the beginning of a book. Kiai Zainullah writes:

قال الناظم: (بسم الله الرحمن الرحيم) بدأ المصنف به اقتداءً بالكتاب العزيز وعملاً بنجر «كُلُّ أَمْرٍ ذِي بَالٍ لَا يُبْدَأُ فِيهِ بِبِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ فَهُوَ أَقْطَعُ» وفي رواية «فَهُوَ أَتَمُّ» وفي رواية «فَهُوَ أَجْزَمٌ» وكلها بمعنى واحد أي مقطوع البركة وناقصها، ولأن الصحابة أجمعت على افتتاح المصحف بسم الله الرحمن الرحيم على اختلاف بينهم في كونه آية أو غير آية. فذهب بعض الصحابة إلى أنها آية وبه أخذ الشافعي ومن تبعهم حتى أفتى ببطان صلاة من تركه، وذهب آخرون إلى أنه غير آية و به أخذ مالك ومن تبعهم. واحتج الشافعي بأن الصحابة من شدة تحفظهم لا يدخلون في المصحف إلا ما هو منه، واحتج مالك بقول كثير من الصحابة ممن صلى مع النبي ﷺ قال: فكان يفتتح الصلاة بالحمد لله رب العالمين، وكان الإمام المروزي يقرؤها سرّاً خروجاً من الخلاف، قاله العارف بالله أحمد الحسيني



The poem writer said, ‘*bismi-llāh al-raḥmān al-raḥīm.*’ He begins the compilation with this saying because of following the Qur’ān and practicing the hadith: ‘every important matter that does not begin with *basma* becomes stumped,’ and in one narration: ‘his leg is stumped,’ and in another narration: ‘his tail is stumped.’ All of these narrations have the same meaning, i.e., the blessing is cut off. This is also because of the agreement of all the prophet’s companions that the Qur’an opened with *basma*, despite differences between them regarding whether *basma* is a verse of it or not. Some of the companions held that *basma* is a verse, and that was the opinion of Al-Shāfi‘ī and his followers. Al-Shāfi‘ī even issued a fatwa invalidating the prayer of those who omitted it. Other companions held that *basma* is not a verse, and that was the view of Mālik and his followers. Al-Shāfi‘ī argued that the Companions, due to their extreme caution, did not include in the Qur’an except what was part of it, and cited as evidence the words of many of the companions who prayed with the Prophet—peace and blessings of God be upon him—saying: ‘The Prophet always opened his prayer with *alḥamd li-llāh rabb al-‘ālamīn.*’ Imam Al-Marwazī always read it silently to avoid the disagreement of opinions. This was said by the one who knows God, Aḥmad al-Ḥusaynī (Zainullah, 1990, pp. 1–2, 1991, p. 2).

Kiai Zainullah elucidates that the poem writer of *Hidāya al-Adbkiyā*’ begins his compilation with *basma* for three principal reasons. *First*, he follows the Qur’an which also begins with it. *Second*, he tries to practice the Prophet’s recommendation to start any important endeavor with *basma*. *Third*, there is a consensus among the Prophet’s companions that the Qur’an begins with *basma*, although they differ on whether the *basma* constitutes a verse of the Qur’an. An explanation of these differing opinions then follows this third rationale.

In texts popular in pesantren circles, discussions on the varying views regarding the *basma* are prevalent. For instance, *Kāshifa al-Sajāby* Nawawī Banten briefly explains this issue. According to him, the imam of Fiqh school who held *basma* is not a verse from *ṣūra Al-Fātiḥa* or other *ṣūras* was Imam Mālik. Conversely, ‘Abdullāh ibn Mubārak asserted that *basma* is a verse in all *ṣūras*. Al-Shāfi‘ī was of the view that *basma* is a verse from *Al-Fātiḥa*, but he did not take a firm stance regarding other *ṣūras* (Al-Bantanī, 2011, p. 27).

‘Abd al-Raḥmān al-Jazīrī in his *Al-Fiqh ‘alā al-Madhabib al-Arba’a* provides an excellent and systematic breakdown of these differing views. The center of the debate is whether the *basma* is a verse of the Qur’an or not, implicating the validity of the prayers who recite *basma* before *Al-Fātiḥa*. For the Shāfi‘iyya school, *basma* is a verse in *Al-Fātiḥa* and all other *ṣūras*, except in *ṣūra Al-Sabā’*, invalidating prayers who omit it. Conversely, the Ḥanafiyya, Mālikiyya and

Ḥambaliyya school do not consider the *basmala* a verse of the Qur'an, either in Al-Fātiḥa or other sūras, though the legal implications for reciting it in praying differ. For the Ḥanafīyya and Ḥambaliyya, reciting the *basmala* before Al-Fātiḥa is simply sunnah so omitting it does not invalidate the prayer. The Mālikīyyah consider it makrūh, recommending against recitation but not invalidating the prayer if recited (Al-Jazīrī, 2003a, pp. 232–233).

Nawawī Banten discusses these differing views in a context quite similar to *Qurra al-Asfīyā'*, explaining why the author started his book with the *basmala*. Al-Jazīrī addresses this difference of opinion in the midst of a discussion regarding the sunnas in prayer. Other books, such as *Bidayā al-Mujtabid*, discusses the issue in a different place again (Ibn Rushd, 1994, pp. 304–309). All of this indicates that discussions about *basmala's* status are common in classical Islamic literature, including books popular in pesantren circles.

From an intertextual viewpoint, Kiai Zainullah does not explicitly cite the aforementioned Fiqh books, despite their accessibility and popularity in pesantren circles. They do not contain wordings similar to the text made by Kiai Zainullah in *Qurra al-Asfīyā'*. The source Kiai Zainullah likely referenced is from *al-‘arīf Aḥmad al-Ḥusaynī*, although this name is less known by the time. There are two things to note about this name. *First*, Kiai Zainullah mentions the name as *Aḥmad al-Ḥusaynī*, while he is better known as Ibn ‘Ajība. *Second*, it is surely that Kiai Zainullah has made a mistake in attributing Ibn ‘Ajībah to Ḥusayn, as the correct attribution is to Ḥasan. Thus, it should be Al-Ḥasanī, not Al-Ḥusaynī. The mention of less popular names and the confusion of the incorporation of this ratio make tracking the sources used by Kiai Zainullah more difficult.

By finding the correct name of the figure referred to as *al-‘Arīf Aḥmad al-Ḥusaynī* by Kiai Zainullah, the book referred to by Kiai Zainullah was found. The book is entitled *Al-Futuḥāt al-Ilāhiyya* the work of Ibn ‘Ajībah al-Ḥasanī. In this book there is a review of differences of opinion regarding basmalah (Al-Ḥasanī, 2010, p. 7). The wording and context are almost exactly as in *Qurra al-Asfīyā'*.

## **b. Beautifying Voice When Reciting the Qur'an**

Following his commentary on the 89<sup>th</sup> verse of *Hidāya al-Adhkiyā'*, Kiai Zainullah provides additional notes under a subtitle *tanbih* (warning). These notes elaborate on the sunna of beautifying one's voice when reciting the Qur'an and present various arguments (*dalīl*, pl. *adilla*). Kiai Zainullah writes:

﴿تنبیه﴾ يستحب تحسين الصوت بالقرآن أي بالسواك وترقيق الصوت لأن ذلك أوقع في القلوب ولكونه أفع للسامع والاستماع، روي عن أبي هريرة رضي الله عنه قال سمعت رسول الله ﷺ يقول: «مَا أَدَّنَ اللَّهُ لِشَيْءٍ مَا أَدَّنَ لِنَبِيِّ حَسَنِ الصَّوْتِ يَتَعَنَّيْ بِالْقُرْآنِ يَجْهَرُ بِهِ»، وأذن بفتحين أن استمع الله، وفي البخاري «مَا أَدَّنَ اللَّهُ لِشَيْءٍ كَأَذْنِهِ»، وهذا دليل على أن ما الثانية في قوله «مَا أَدَّنَ لِنَبِيِّ» مصدرية، وقوله «يَجْهَرُ بِهِ» تفسير من «يَتَعَنَّيْ»، وروي عن أبي لبابة بشير بن عبد المنذر رضي الله عنه أن النبي ﷺ قال: «مَنْ لَمْ يَتَعَنَّ بِالْقُرْآنِ فَلَيْسَ مِنَّا»، قال الكللابي: والتغني تحسين صوته بالقرآن وقراءته على خشية من الله وزقته من فؤاده، وقيل معنى التغني التطرب لتحسين صوته وأباحه الجمهور إن لم يؤد إلى تغيير بزيادة حرف أو نقص كما حمل عليه الشافعي وإلا فلا وعليه الشافعي أيضا.

(Warning). It is considered as sunna to beautify one's voice with the Qur'an, i.e., by using miswak stick, and to soften the voice, as it has more profound impact on the hearts of the listeners and as it is more beneficial for both the reciters and the listeners. It was narrated through Abu Hurayra—may God be pleased with him—that he heard the Messenger of God—peace and blessings be upon him—said: 'God has not permitted anything as He has permitted a prophet with a good voice to sing the Qur'an out loudly.' *Adhana* means listening. In [*Ṣaḥīḥ*] *al-Bukhārī*, the word used is *ka'idhnihi* (as His permission). This indicates that the second *mā* in the Prophet's saying: '*mā adhana li nabi*,' is *mā maṣdariyya*. The Prophet's saying: '*yajharu bihi*' (out loudly) is an interpretation of his saying: '*yataghannā*' (to sing). It was also narrated through Abu Lubāba Bashīr ibn 'Abd al-Mundhir—may God be pleased with him—that the Prophet—peace and blessing be upon him—said: 'Whoever does not sing with the Qur'an is not one of us.' Al-Kalābādhi said: 'singing means beautifying one's voice with the Qur'an and reciting it out of fear of God with a submissive heart.' It has been said that the meaning of singing is to beautify one's voice. Most scholars allow it if it does not cause a change by adding or subtracting letters, as it was implied by Al-Shāfi'i. Otherwise, it is not allowed, and this view was also upheld by Al-Shāfi'i (Zainullah, 1990, pp. 29–30, 1991, pp. 24–25).

Kiai Zainullah asserts that beautifying the voice when reciting the Qur'an is sunna, as can be seen from the citation above. He mentions two hadiths of the Prophet Muḥammad to support this assertion. The first hadith is narrated through Abū Hurayra and the second one is narrated through Abū Lubāba Bashīr ibn 'Abd al-Mundhir. Both hadiths use a problematic word, *yataghannā*, which literally means 'singing'. Then, the explanation is followed by Al-Kalābādhi's interpretation of the word as 'beautifying the voice' (*taḥsīn al-ṣawt*), erasing the problematic aspect of the word.

Kiai Zainullah's explanation about the sunna of beautifying the voice when reciting the Qur'an complements the broader discussion on the proper etiquette for Qur'anic recitation. In the *Hidāya al-Adhkiyā'*, verses 78 and 88 mention various etiquettes for Qur'anic recitation, focusing on the positive qualities that reciters should embody and the negative qualities that they should avoid. However, none of these etiquettes explicitly mention 'beautifying the voice'. This gap in information was then filled by Kiai Zainullah through his additional explanations under a subtitle *tanbih*.

The practice related to beautifying the voice in reciting the Qur'an is deeply ingrained in pesantrens and the wider Muslim community. Such practices are globally recognized among Muslims. The institutionalization of Qur'anic recitation, encompassing both *tartil* and *qirā'a*, underscores this practice. The *qirā'a* even has annual government-sponsored competition. Thus, the practice of beautifying the voice during Qur'anic recitation is widespread, even among those who may not aware of the underlying reason.

Discussions on the sunna of beautifying one's voice during Qur'anic recitation are certainly not novel within pesantrens. For instance, Sharaf al-Dīn al-Nawawī's *Al-Tibyān fī Ādāb Ḥamala al-Qur'ān*, mentioned in verse 89 of *Hidāya al-Adhkiyā'*, is a popular book in pesantrens. This book states that one of the etiquettes of Qur'anic recitation is to beautify the voice (Al-Nawawī, n.d., pp. 90–91). It further suggests that if one cannot achieve this, it is sunna for him to have someone with a good voice recite for him (Al-Nawawī, n.d., pp. 90–91). Another well-known book in pesantrens, *Riyāḍ al-Şāliḥīn*, offers similar recommendation (Al-Nawawī, 2000, p. 380).

From an intertextual point of view, the aforementioned quotation from *Qurra al-Aşfiyā'* is not found in Kiai Zainullah's two main reference books, *Kifāya al-Atqiyā'* and *Salālim al-Fuḍalā'*. This indicates that the information on the recommendation to beautify the voice originates from other sources. As noted above, such information is available in many popular books in pesantrens. Kiai Zainullah is certainly familiar with these books, thus forming his horizon of understanding regarding the topic. However, redactionally, the quotation above is likely adapted from Al-Şadiqī's *Dalīl al-Fāliḥīn*. This book is a commentary on Al-Nawawī's *Riyāḍ al-Şāliḥīn* which, as previously noted, contains recommendations for beautifying the voice. The redactional similarities between *Qurra al-Aşfiyā'* and *Dalīl al-Fāliḥīn* reaches almost exact levels, especially when mentioning Al-Kalābādhī's interpretation of the word

*yataḡhannā* (Al-Ṣadiqī, n.d., pp. 173–174), indicating that *Dalil al-Fāliḥīm* is Kiai Zainullah's source in discussing this topic.

### c. The Legal Status of Women's Voices

In his commentary on the 89<sup>th</sup> verse of *Hidāya al-Adhkiyā'*, Kiai Zainullah provides additional insights related to Fiqh, under a subtitle *muhimma* (important information), and explains the legal status of women's voices. Kiai Zainullah writes:

﴿مهمة﴾ أما صوت المرأة فعبارة الإمداد أنه لا يلزمها بحضرة الأجانب ستر وجهها وكفيها وإن حرم نظرها، فعلم من كلامه أن صوت المرأة غير عورة، قال ابن قاسم في حواشي شرح المنهج: فلا يحرم استماعه ولا تبطل الصلاة به لو جهرت، وفي التحفة فلا يحرم سماعه إلا إن خشى منه فتنة وكذا إن التذبه كما يحثه الزركشي، اهـ. وقال في جمل وإنما جاز غناء المرأة مع سماع الرجل له إذا لم يخش منه فتنة وإلا فلا، والله أعلم.

(Important information). As for women's voices, *Al-Imdad's* statement indicates that women are not required to cover their faces and hands in the presence of non-mahram men, even though it is forbidden for men to look at them. From this, it can be inferred that a woman's voice is not *'awra*. Ibn al-Qāsim in *Hawāshī Sharḥ al-Minhāj* said, 'listening to women's voices is not forbidden, and one's prayer is not invalidated even if they raise their voices.' And in *Al-Tuḥfa* [it is said]: 'It is only forbidden to hear women's voices if one fears temptation, likewise if one derives pleasure from it, as discussed by Al-Zarkashī.' And it is said in *Al-Jamal*: 'It is permissible for women to sing while men are listening as long as there is no fear of temptation; otherwise, it is not permissible.' And Allah knows best (Zainullah, 1990, p. 30, 1991, p. 25).

In the passage above, Kiai Zainullah cites several books that explain several topics regarding women's voices. *First*, he addresses *Al-Imdād* by Ibn Ḥajar al-Haytamī which asserts that a woman does not have to cover her face and hands in front of others, even though it is forbidden for men to look at them. This, according to Kiai Zainullah, implies that a woman's voice is not *'awra*. *Second*, he cites *Hawāshī Sharḥ al-Minhāj* which states that it is not forbidden to listen to a woman's voice and one's prayer is not invalidated by listening to it. *Third*, he also cites *Al-Tuḥfa* which explains that listening to a woman's voice is only permissible if there is no fear of temptation (*fitna*) resulting from it. *Fourth*, he cites *Al-Jamal* which permits women to 'sing', even if their voices are heard by men, as long as there is no fear of temptation. Otherwise, it is not permitted. These books are Fiqh works from the Shāfi'iyya school.

The discussion of whether a woman's voice constitutes *'awra* is a common topic in classical Fiqh books. Various books discussing the views across different schools, especially those books popular in pesantren circles, highlight differing opinions on this matter. Wahbah al-Zahaylī asserts that the majority of scholars (*jumbūr*) hold that women's voices are considered as *'awra*. However, it is forbidden to listen to them singing or humming, even if they recite the Qur'an, due to the fear of temptation (Al-Zuhaylī, 1985, p. 595). In his book, Al-Zuhaylī does not specify who the majority are, but it appears that the four Sunni schools of Fiqh concur on this point.

Within the Shāfi'iyya school itself, there is a consensus that a woman's voice is not part of her *'awra*. This is the point Kiai Zainullah aims to emphasize with his additional information titled *muhimma*. However, certain details need to be clarified. These details can be summarized into two questions: *First*, is it forbidden to hear a woman's voice? *Second*, is it forbidden to listen to women's 'singing'?

To answer the first question, Kiai Zainullah cites the view of Ibn Qāsim in *Ḥawāshī Sharḥ al-Minhāj* and the author of *Al-Tuḥfa*. The first book refers to a super commentary (*Ḥāshiyā*) by Ibn al-Qāsim al-'Ubādī to *Tuḥfa al-Muḥtāj* by *Sharḥ al-Minhāj* by Ibn Ḥajar al-Haytamī. I have investigated this but did not find the exact wording in the book mentioned by Kiai Zainullah. Instead, similar wording was found in another book, namely *Ḥāshiyā 'Umayrah* and *Bidāya al-Muḥtāj* (Al-Qalyūbī & 'Umayrah, 1956, p. 177; Shuhbah, 2011, p. 266). The second book, *Al-Tuḥfa*, refers to *Tuḥfa al-Muḥtāj* as previously mentioned. In this book, the quoted passage by Kiai Zainullah indeed appears (Al-Haytamī, 2020, p. 394).

To answer the second question of whether listening to women's 'singing' is forbidden, Kiai Zainullah quotes from *Al-Jamal*, referring to *Ḥāshiyā al-Jamal 'alā Sharḥ al-Minhāj* by Sulaymān al-Jamal. I have confirmed the book and found the quoted passage by Kiai Zainullah above in the chapter on the call to prayer (Al-Jamal, n.d., p. 299).

Surprisingly, Kiai Zainullah cites *Al-Imdād* to support the view that a woman's voice is not part of *'awra*. The full title of the book is *Al-Imdād Sharḥ al-Irshād* by Ibn Ḥajar al-Haytamī. This book is not widely known in pesantrens and remains difficult to obtain until now. Given this reality, it is very likely that Kiai Zainullah quoted this excerpt from *Al-Imdad* through secondary sources. This possibility suggests another: that the additional information was quoted by Kiai Zainullah through secondary sources as well. Until now, I have not yet

identified this secondary source. What is clear is that the additional information provided by Kiai Zainullah above is not found in *Kifāya al-Atqiyā'* and *Salalim al-Fuḍalā'*.

#### d. Fiqh Perspectives on Marriage and Celibacy

In his commentary on the 28th verse of *Hidāya al-Adhkiyā'*, Kiai Zainullah provides insights into the Fiqh perspective on marriage and celibacy. The verse recommends that those on the path of Sufism have a partner who can assist them in their spiritual and religious obligations. However, if such a partner is not found, it is recommended that they remain single (*'uẓub*). After giving commentary on the verse, Kiai Zainullah discusses the differing views within the schools of Fiqh regarding which was better, living single or having a family. Kiai Zainullah writes:

واعلم أن الخلاف في كون النكاح أو تركه أفضل مشهور بين العلماء، فذهب الإمام الشافعي رضي الله عنه أن العزوب أفضل لأن النكاح عنده من المباحات لا من العبادات، ومذهب الإمام أبي حنيفة رضي الله عنه أن النكاح أفضل لأنه عنده من العبادات لما فيه من تكثير النسل المطلوب، وأما حكمه فعند الغزالي فيه تفصيل كما ذكر في الإحياء، وحكي عن الإمام أبي حنيفة وداود وأحمد وجوب النكاح فيما إذا خاف الزنا وعليه جماعة من أصحاب الشافعي

Be aware that differences of opinion among scholars regarding whether marriage or celibacy is preferable are well-known. The Shāfi'iyya school maintain that being celibate is preferable because, according to this school, marriage is considered as permissible acts (*mubāḥāt*) rather than an act of worship (*'ibādāt*). In contrast, the Ḥanafīyya school asserts that marriage is preferable because this act is included in acts of worship due to its role in increasing the number of offspring, which is recommended by religion. According to Al-Ghazālī, the ruling must be detailed (*tafṣīl*) as mentioned in his *Al-Iḥyā'*. And it has been narrated that Imam Abū Ḥanīfa, Dāwud, and Aḥmad are of the opinion that marriage is obligatory if there is a fear of *ẓinā*. A group of scholars of the Shāfi'iyya school expressed a similar opinion (Zainullah, 1990, p. 11, 1991, p. 10).

In this passage, Kiai Zainullah highlights the differing views of various schools in Fiqh regarding this topic. He also cites Al-Ghazālī's views on a similar topic, which, as noted by Kiai Zainullah, is elaborated in *Iḥyā' 'Ulūm al-Dīn*. However, it is crucial to immediately explain here that the above quotation was fully adapted by Kiai Zainullah from *Kifāya al-Atqiyā'* (Al-Dimiyātī, n.d., p. 22). This indicates that Kiai Zainullah did not directly refer to the primary texts the Shāfi'iyya, the Ḥanafīyya, or other schools, rather simply summarized them from *Kifāya al-Atqiyā'*.

From an intertextual point of view, this adaptation is plausible. Although Kiai Zainullah adapted the text from *Kifāya al-Atqiyā'*, his understanding of whether marriage or celibacy is preferable is formed from a highly rich network of textual sources. In fact, *Kifāya al-Atqiyā'* itself quotes Al-Ghazālī's view in *Iḥyā' 'Ulūm al-Dīn*, where similar discussions are found in the chapter “*Kitāb al-Nikāh*” and “*Kitāb al-Zubḍ*” (Al-Ghazālī, 2005, pp. 471–472, 2005, pp. 1595–1596). The topic of ‘fear of falling into *ẓinā'* and the differing views among the imams of various schools regarding this issue is indeed found in *Kifāya al-Atqiyā'*, but they are also easily found in other books that are popular in pesantren (look, for example, in Al-Jazīrī, 2003b, pp. 10–12). These data prove that this topic is well-established in the milieu of pesantren, the environment in which Kiai Zainullah is situated, thereby shaping his understanding through a fairly rich network of texts.

## Conclusion

Based on the data presentation and analysis, this research concludes that Kiai Zainullah addresses four Fiqh topics in his Sufi book. These topics are 1) Differing views on the status of *basmala*, 2) the rulings of beautifying the voice when reciting the Qur'an, 3) the legal status of women's voice, and 4) the differing views on marriage and celibacy. Kiai Zainullah presents these Fiqh topics in the context of the respective discussions addressed in *Qurra al-Asfiyā'*. Although the discussions themselves are not novel, these topics reflect Kiai Zainullah's personal views regarding particular Fiqh issues. Analyzing the personal views of an author, especially those from Indonesian scholar circles, despite their references to established authority, needs to be further developed utilizing various analytical tools that are currently available very richly. Intertextual studies, in particular, prove to be highly effective and useful for this purpose.

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