

The Principles of Sharia Economic Law in *Tasyrihah al Muhtaj* Manuscripts by K.H. Ahmad Rifa'i

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Abstract

This article discuss about the discovery of *Tasyrihah al Muhtaj* manuscript which contains the principles of sharia economic law that is now developing in Indonesia. This manuscrypt written since 19 century by K. H. Ahmad Rifa'i, a Mufti from Kalisalak, Batang, Central Java, who was given the tittle of heorism by President Susilo Bambang Yudoyono in 2004. This manuscript written in *Pegon* (Javanese Arabic) character, and Cirebon Javanese language. Because it had found three manuscripts which have same title, then using plural manucrypts method namely base manuscript method, which was chosen one most superior manuscript among others based on language, literature, history aspects. From the contains, the principles of sharia economic law in *Tasyrihah al Muhtaj* manuscript are usury, *ijab*, debt, pawn, *hawalah*, salary, *ijarah*, and *wakalah*. [Artikel ini membahas tentang penemuan naskah kuno berjudul *Tasyrihah al Muhtaj* yang berisi prinsip-prinsip hukum ekonomi syariah yang sekarang sedang berkembang di Indonesia. Naskah ini dikarang sejak abad ke 19M oleh K. H. Ahmad Rifa'i, seorang ulama dari Kalisalak, Batang, Jawa Tengah, yang diberi gelar pahlawan nasional oleh Presiden Susilo Bambang Yudhoyono pada tahun 2004. Naskah ini ditulis dalam aksara Pegon (Arab Jawi) dan berbahasa Jawa Cirebon. Dikarenakan ditemukan tiga naskah kuno yang berjudul hampir sama, maka menggunakan metode naskah jamak yaitu metode landasan, yang mana dipilih satu naskah yang paling unggul di antara naskah lainnya yang dilihat dari aspek bahasa, sastra, sejarah, dan lainnya. Dari aspek isi, prinsip-prinsip hukum ekonomi syariah yang

ada di dalam naskah *Tasyrihah al Muhtaj* antara lain *riba*, *ijab*, *utang*, *gadai*, *hawalah*, *upah*, *ijarah*, dan *wakalah*. Pemikiran ekonomi syariah oleh K. H. Ahmad Rifa'i diharapkan dapat menjadi tambahan referensi oleh akademisi, praktisi, dan pemerintah di dalam pengembangan ekonomi syariah di Indonesia.]

Keywords: *Tasyrihah al Muhtaj*; philology; the principles of sharia economic law

Introduction

Humanity has a fundamental need that can not be fulfilled without the use of production factors such as human resources, fund, land (natural resources) and effort (entrepreneurship). If human have unlimited means to fulfill their need, then economic problem will not arise. But due to the variety of wants and lack of means, forcing people to have a priority list and to distribute their resources for the fulfillment their need optimally.¹

The economy of capitalism which states that producers and entrepreneurs are given freedom in conducting economic activity in making profit, is considered successful in terms of economic growth, but failed in equity (distribution) needs in society.² This causes the rise of poverty and unemployment in the world, especially in Indonesia.

Therefore Islam came to give solution from the problem that occur in the world. Economic concepts which applied in Islam is not based on money oriented but reaching for happiness and better life, which emphasizes the aspects of brotherhood (*ukhuwah*), social economic justice, and the fulfillment of spiritual needs.³ In Islam, the economy is not aiming for itself but the need for human beings and the means to live and work to achieve their high goals. In this case, man is a servant for his aqidah and message, while the economy is a means for

¹ Mualamat Institute, *Perbankan Syariah Perspektif Praktisi* (Jakarta: Muamalat Institute, 1999), 5.

² Faisal Basri, *Perekonomian Indonesia Menjelang Abad XXI* (Jakarta: Erlangga, 1995), 105.

³ Umer Chapra, *Islam dan Tantangan Ekonomi* (Jakarta: Tazkia Institute, 2000), 7.

support them.⁴ As written in Qur'an surah Al-Qasas verses 76-77.

“.....exult not, for Allah loveth not those who exult (in riches). But seek, with the (wealth) which Allah has bestowed on thee, the home of the hereafter, nor forget thy portion in this world; but do thou good, as Allah has been good to thee, and seek not (occasions for) mischief in the land: for Allah loves not those who do mischief.”

Therefore we as Muslims, need to have an economic system based on Islam, to bring happiness and justice in social and economic fields. This is because the concept of economic Islam is like a diety of economy, where it comes from Allah SWT, the purpose is to seek the pleasure of Allah SWT, and the ways are not contrary to His Shari'a. Thus economy activity, such as production, consumption, exchange and distribution are associated with principles and purposes of *ilahiah*.⁵ Based on that thought then established Islamic banks which is operate accordance with the principles of Islamic sharia. The provisions of Islamic sharia is related to the Islamic economy (*mu'amalah*) which avoid actions that contain elements of usury in terms of investment activities and trade finance.⁶

One of the important thing the establishment of Islamic banks is to avoid the practice of usury. The meaning of usury is interest, while in terminoloy, usury is an additional take over from basic assets or capital in falsehood.⁷ For this reason, in the Qur'an, the usury is Haram. As written in Qur'an surah Al Baqarah verses 278-279.

“Who believe! Fear Allah and give up what remains of your demand for usury if you are indeed belivers. I you do it not, take notice of war from Allah and His Messenger. “

The thought about implement of Islamic economy was also the thought one of Muftis in Indonesia since 19 century, it is written in manuscripts namely *Tasyrihah al Muhtaj* by K.H. Ahmad Rifa'i. K. H.

⁴ Yusuf Qardhawi, *Peran Nilai dan Moral dalam Perekonomian Islam* (Jakarta : Robbani Press, 1997), 28.

⁵ Yusuf Qardhawi, *Problematika Islam Masa Kini* (Bandung: Trigenda Karya, 1995), 25.

⁶ Karnaen Permataatmadja dan Muh. Syafi'i Antonio, *Apa dan Bagaimana Bank Islam* (Jakarta: Dana Bhakti Wakaf, 1992), 1.

⁷ Isriani Hardini dan Muh. H. Giharto, *Kamus Perbankan Syariah* (Bandung : PT Kiblat Buku Utama, 2012), 99.

Ahmad Rifa'i is a Muftis from Kalisalak, Batang, Central Java, who was given the title of heroism by President Susilo Bambang Yudoyono in 2004.⁸

Since childhood, K. H. Ahmad Rifa'i was raised by his grandfather named K. H. Ash'ari, a scholar from Kaliwungu, Kendal. In this place Kiai Rifa'i had taught various religious sciences such as *sharaf, fiqh, badi', bayan*, science of hadith, and science of Qur'an.⁹ Then in 1833, he went to Mecca to doing hajj. During his stay in Mecca, Kiai Rifa'i had learned a lot to Muftis such as Syaikh Abdurrahman, Syaikh Abu Zubaidah, Syaikh Abdul Aziz, Syaikh Usman, Syaikh Abdul Malik, dan Syaikh Isa Al-Barawi.¹⁰

After returning from Mecca, Kiai Rifa'i returned to Kendal and practiced his knowledge by establishing pesantren (boarding school). In beginning, this boarding school is only visited by children, but then this boarding school visited by many students from various cities such as Wonosobo, Batang, Pekalongan, Temanggung, Ambarawa, dan Arjawinangun. The character of Kiai Rifa'i's teaching is the spirit of isolating from the environment of the colonial government officials. Not only against the government, but also their servant such as *penghulu, demang*, and regent who considered had lost their mind for following the will of the kafir king.¹¹

The spirit of against colonial not only by isolating himself from the environment of the colonial government officials but Kiai Rifa'i also criticized through his writings and sent it to the government. His writings then call *tarajumah* because he took a lot of references from Qur'an, hadith, and Arabic books which translated into Javanese.¹² Actually naming *tarajumah* itself is not right because none of K.H. Ahmad Rifa'i's works are really translations from Arabic books.¹³ The

⁸ Surat Keputusan Presiden RI No 089/TK/Tahun 2004 tanggal 5 November 2004.

⁹ Abdul Djamil, *Perlawanan Kiai Desa: Pemikiran dan Gerakan Islam K.H.Ahmad Rifa'i Kalisalak* (Yogyakarta : LKiS, 2001), 13.

¹⁰ *Ibid*, 13-15.

¹¹ *Ibid*, 16-17.

¹² Ahmad Syadzirin Amin, *Mengenal Ajaran Tarajumah Syaikh H. Ahmad Rifa'i dengan Mazhab Syafi'i dan I'tiqad Ahli Sunnah wal Jamaah* (Jakarta: Jamaah Masjid Baiturrahman, 1989), 45.

¹³ Shodiq Abdullah, *Islam Tarjumah: Komunitas, Doktrin dan Tradisi* (Semarang: Rasail, 2006), 92.

books of K.H. Ahmad Rifa'i is an adaptation from the early of Arabic Mufti's books then added with theorem from Qur'an and Hadith. The aim of naming tarajumah is to avoid political consequences because many of the phrases considered dangerous to the Dutch colonial government. Those name was given to be impressed that the book is not original thought of K.H. Ahmad Rifa'i himself, but simply copying from Arabic book.¹⁴

According to Rifa'iyah figure named Ahmad Nasikun, that the amount total of K.H. Ahmad Rifa'i book is 69, consisting of 62 in Javanese language and 7 in Malay language.¹⁵ According to the archives from the colonial government that some books of K.H. Ahmad Rifa'i is preserved in Leiden University Library which these are collection from people who have position in the Dutch East Indies government.¹⁶

Tasyrihah al Muhtaj manuscript is one of K. H. Ahmad Rifa'i manuscript which written since 1900. This manuscript is a poetry manuscripts and has 177 pages contains about the *fiqh* (jurisprudence) *mua'malah* and principles of sharia economic law such as *usury*, *rahn*, *wakalah*, *ijarah*, and others. His thoughts about principles of sharia economics which take a lot of references from earlier Arab Muftis, Qur'an and Hadith, will certainly be a good reference for academics, banker, and government in developing sharia economy that is developing in Indonesia.

This manuscript is written in Pegon (Javanese Arabic) character and Cirebon Javanese language. Therefore, the manuscript firstly need to be transliteration from Pegon character to Latin character then translated from Cirebon Javanese language into Indonesian language. This is easier the researchers in reviewing the manuscript to understand the contents. In addition, because this text is from the works od past writing, the text is still handwriting, which each text is marked with its own uniqueness. The uniqueness, text is written in a special way and there are a difficulties for someone who want to read it. The difficulty may be the manuscript has been fragile and moldy eaten by the times or

¹⁴ Abdul Djamil, *op.cit.*, 25.

¹⁵ Ahmad Syadzirin Amin, *op. cit.*, 54.

¹⁶ Abdul Djamil, *op.cit.*, 22.

the text is written with a particular letter, language or certain idiom which is not popular by society, so it make people do not interested to read it. The sollution is we need philologist to explain and solve it.¹⁷ As philologist task is make explain the words that are considered difficult or understood.¹⁸

The Introduction of Sharia Economic and Principles of Sharia Economic Law

The Islamic economic system has recently become increasingly popular, not only in Islamic countries but also in western countries. This can be seen with the increasing number of banks implementing the concept of sharia.¹⁹ Since the establishment of Islamic Development Bank in Jedah in 1975, the number of Islamic banks around the world are increase. For example in Indonesia, there are 179 Islamic banks. While in the Middle East are about 101 banks. Then in the western countries there are 27 Islamic banks had established.²⁰

This sharia economic system is regarded as invaluable grace to mankind if this system is carried out thoroughly and in accordance with its teachings. This system will fullfill the needs of community and a righteous and rational system for the economic progress of society. This is because the needs of individual and society will complement each other, do not contradict each other. As an individual in fulfilling their needs never persecute and harass people's welfare. If they got benefit, they will share the profits with others or community. Meanwhile, if it does not make a profit, they will knock the hearts of others or society to got benefit from those their business.²¹

This system actually has been awaited by Muslims for a long time which we as Muslims have the awareness to apply Islam totality, as has been spoken by Allah SWT in Al Baqarah verses 85

¹⁷ Sangidu, *Penelitian Sastra: Pendekatan, Teori, Metode, Teknik, dan Kiat* (Yogyakarta: Seksi Penerbitan Sastra Asia Barat, Fakultas Ilmu Budaya UGM, 2005), 75.

¹⁸ Stuart Robson, *Principles of Indonesian Philology* (Netherland : Foris Publications Holand, 1988), 11-12.

¹⁹ YUSDANI, "Perbankan Syariah Berbasis Floating Market," 64.

²⁰ Isriani Hardini dan Muh. H. Giharto, op.cit., 173-187.

²¹ Afzalur Rahman, *Doktrin Ekonomi Islam. terj. Nastangin dan Soeroyo. Jilid I-4* (Yogyakarta: Dana Bhakti Wakaf, 1995), 1.

“Then it is not only a part of the book that you believe in, and do you reject the rest? But what is the reward for those among you who behave like this but disgrace in this life? And on the day of judgement they shall be consigned to the most grievous penalty, for Allah is not unmindful of what you do.”

Islamic economic is a system regulated by the ethics and value of Islam, which free from usury, non-productive activities such as gambling (*maysir*), unclear and doubtful (*gharar*) activities, justice, and implementing halal economic activities.²² The economic and banking activities based on sharia beside having a legal force which is Qur'an and Sunna Rasul, there are other principles of sharia that need to be known. The following are principles of sharia economy law is in the compilation of sharia economic law

1. The principle of trust

Amanah means restoring the rights to the owner, not taking anything beyond his rights and not reducing the rights of others, even the price or salary.²³ A business with a trust is known in Islam for example like selling with *murabahah* system, ie seller explains the characteristics, quality, and the prices of goods to the client.²⁴

2. The principle voluntary

This principle emphasizes freedom of doing things. Freedom divided into two kinds, namely existential freedom, and social freedom. Existential freedom is related to one's ability to decide your won doings.²⁵ While social freedom is freedom of action that is not limited by others.²⁶

3. The principle of honesty

The principle of honesty is one of the keys to success in business, because honesty is the main principle until now. Transparance of

²² Ascarya dan Humanita, *Bank Syariah : Gambaran Umum* (Jakarta: Pusat Pendidikan dan Studi Kebanksentralan (PPSK) Bank Indonesia, 2005), 4.

²³ Yusuf Qardhawi *Daur al-Qiyam wa al-Akhlaq fi al-Iqtishad al-Islami* (Beirut: Dar al-Kutub al-Islami, tt), 177.

²⁴ Anonim, *Kompilasi Hukum Ekonomi Syariah* (Jakarta: Mahkamah Agung, 2008), 15-16.

²⁵ Franz Magnis Suseno, *Etika Dasar* (Jakarta: Kanisius, 1987), 22-23.

²⁶ Illy Yanti dan Rafidah, “Ekonomi Islam dalam Sistem Ekonomi Indonesia (Study tentang Prinsip-Prinsip Ekonomi Islam dalam KHES dan Implementasinya terhadap Ekonomi Nasional,” 20.

customer is a seller transparency regarding quality, quantity, composition, chemical elements and other.²⁷

4. The principle of usury

Islam forbids us practicing usury, it is an effort to gain a profit or interest; lending money to someone by asking for a higher interest from the provisions of the legitimate rules.²⁸

5. Zakat

The meaning of zakat are blessing, clean, developing, and good. Zakat can keep away the acquired treasure from danger.²⁹ Zakat has a very big role, one of them are reduce the poverty in community. If zakat collected to amil zakat is then managed well, it can reduce the poverty rate in society.³⁰

Methods

Tasyrihah al Muhtaj manuscript is a plural manuscript, so will use plural manuscript method. There are two method of plural manuscript namely combined method and base manuscript. The combined method is used when the value of the manuscript is considered the same. While the base method is comparing one manuscript to another manuscript which seen from the aspects of language, literature, history, and others.³¹

There are four steps in using the base method according Sangidu³² :

- a. Reading some catalogs or books containing information about the literature;
- b. Tracking some copies manuscripts based on some catalogs or books that have been read

²⁷ Noorvadewi. "Bisnis dalam Perspektif Islam (Telaah Konsep, Prinsip dan Landasan Normatif," 38.

²⁸ Alimianyah dan Padji, *Kamus Istilah Keuangan dan Perbankan* (Bandung : Yrama Widya. 2003), 507.

²⁹ Abdurrahman Al Jaziri, *Kitab 'ala Mahazib al-Arba'ah* (Beirut: Dar al-Fikri, 1990), 590.

³⁰ Ali Ridlo. "Zakat dalam Perspektif Ekonomi Islam," 119-120.

³¹ Siti Baroroh Baried, dkk., *Pengantar Teori Filologi* (Yogyakarta: Badan Penelitian dan Publikasi Fakultas Seksi Filologi Fakultas Sastra Universitas Gadjah Mada, 1994), 67.

³² Sangidu, op.cit, 80-81.

- c. Reading some copies manuscripts that has been obtained
- d. Comparing the similar manuscripts which has more than one version from the aspects of language, literature, and others to found one most superior manuscript among others based on language, literature, history aspects.

The Study of Philology in *Tasyrihah al Muhtaj* Manuscript

Philology comes from the word *philos* which means love, and *logos* which meaning word. So philology is a word or love or happy to say.³³ In terminology, philology is a science of literature includes linguistic, literature, and culture.³⁴

Philology known as the science which is related to handwriting in ancient times. This study was being done because there is an assumption that are values still relevant to today's life. In the work from the ancient times, they have an information about thought, feelings, and information about various aspects of life that ever existed.³⁵

Presentation of classical Indonesian literary texts can be done after the manuscript is handled philologically by using philology theories and methods. After that, there will be transliteration and translation activities. Transliteration is the replacement of the type of writing, letter by letter from one alphabet to another.³⁶ Because the manuscript written in Pegon character, so need to be transliterated into Latin character. Mulyani adds that transliteration is replacement presented with a different type of writing with copied manuscript.³⁷

Then the manuscript translated into Indonesian, because it was written in Javanese and Arabic language. Transliteration is the replacement from one language to another or transferring meaning from source language to target language. The purpose of transliteration is to make people who do not understand the language of the text can

³³ Joseph T Shipley, *Dictionary of World Literature* (Paterson-New Jersey. Littlefield Adam & co, 1962)

³⁴ Siti Baroroh Baried, et al, op.cit., 1.

³⁵ Ibid, 1

³⁶ Edwar Djamaris, *Filologi dan Cara Kerja Penelitian Filologi, Bahasa dan Sastra* (Jakarta : CV. Manasco, 1997), 29.

³⁷ Hesti Mulyani, "Membaca Manskrip Jawa 2. Gegaran Mata Kuliah Membaca Manuskrip Lanjut Semester VI pada Jurusan Pendidikan Bahasa Daerah Fakultas Bahasa dan Seni," 13.

understand the contents of the text. So the message which delivered by the author can be understood by the reader.³⁸

After that doing the textual criticism activities, namely evaluating, researching, and placing a text in its proper place. The aim of textual criticism is to produce text as close as possible to the original text. Through this textual criticism attempts to purify the text. Text that has been cleansed from mistakes and have been reconstituted as originally can be viewed as an archetypal type which can be responsibility as a source to other field of research.³⁹

The Identification of *Tasyrihah al Muhtaj* Manuscript

This manuscript is called *Tasyrihah al Muhtaj*, which written since 1900. This manuscript is written by K.H. Ahmad Rifa'i. This is a poetry manuscripts and has 177 pages contains about the fiqh (jurisprudence) mua'malah and principles of sharia economic law such as usury, rahn, wakalah, ijarah, and others.

The *Tasyrihah al Muhtaj* manuscript is written in Pegon (Javanese Arabic) and in Javanese and Arabic language. The manuscript owned by K. H. Hakamuddin Halali Mawardi is a Mufti from Cirebon and the owner of Al Ishlah Islamic Boarding School which located in the village of Junjang, district of Arjawinangun, Cirebon, West Java.

This manuscript is in the catalog of Arjawinangun manuscript which is belong to cultural institution in Cirebon called the House of Cultural Archipelago. In this Catalogue, has been found three manuscripts with the same title but different number of page.

When this manuscripts found at the first time, the condition is very concerned, because is in under the collapsed roof house's of K. H. Hakamuddin Halali Mawardi. This manuscript left scattered, without taking care and preserve by anyone in the house whose not inhabited anymore. Then the House of Cultural Archipelago came to rescue those manuscripts. The manuscripts which is in fragile, torn and some paper apart from the book, fixed by using Japanese tissue, so that become a new manuscripts.

³⁸ Robingatun. "Kajian Filologi Serat Sekar Wijayakusuma," 31.

³⁹ Siti Baroroh Baried, dkk, op.cit.,59.

The Contents of *Tasyrihah Al Muhtaj Manuscripts*

The *Tasyrihah Al Muhtaj* manuscripts contains Islamic economy (*mu'amalah*) jurisprudence (goods, loans, and trading) and some principles of sharia economic law which these principles have similarity with the principles of sharia law which has been established on the Law and Association of fatwa from National Fatwa Indonesia of Indonesia Mufti Council.

The following are principles of Sharia Economic Law in *Tasyrihah al Muhtaj Manuscript*:

1. The Usury

The law of usury

- a. Is in Qur'an Al Imran verses 130-132, and Al Baqarah verses 275
- b. The law of usury is forbidden and great sin
- c. If giving a debt with double interest
- d. If use usury will live eternally in hell
- e. If we are away from usury, we will be awarded heaven, stay young, and noble
- f. The proverb of someone who consumes the usury is when they are will raise from the grave, then his path will stagger and go crazy because of the influence of satan
- g. If selling animals such as beef, if it is exchanged for goat meat, then the law is usury

2. Ijab⁴⁰

- a. There requirement of Ijab
 - Mention the type of thing and its shape;
 - Mention the amount of thing;
 - Mention the time;
 - Allowed to mention the existence of the goods will be given;
 - Meet the agreement;

⁴⁰ Ijab is the expressions or statements of intention to commit a bond (akad) by one side, usually referred to as the first part (Gufon Mas'adi, Jakarta, PT Raja Grafindo Persada, 2002), 76-77

- There is an agreement where to make a transaction
 - b. There are requirement doing an ijab
 - Mention the nationality;
 - Mention the gender;
 - Mention the physical characteristic;
 - Mention the colour of skin;
 - Mention the age;
 - Mention the tribe
3. Debt
- a. The law of person who having a debt is not obligation;
 - b. Helping people who have debt is can enlarge our fortune;
 - c. The law of helping someone who is in trouble is obliged, for example lending something money to the people who need help ;
 - d. The law of lending something to others is not oblige;
 - e. If we intend to help people by giving debt to others, then it does not become the debt for the borrower;
 - f. As the hadest of Prophet, if one takes away the trouble of his brother from the troubles of the world, then God will relieve his troubles in the hereafter;
 - g. If any person has a debt, but can not repay the debt, it becomes good for the one who sets him free, and also Allah will protect him in the arsy of Allah;
 - h. If a person collects debt to another person patiently, with each day telling him to return his debt, then every day can be *shadaqah* (giving others voluntarily and sincerely);
 - i. The person who stalled the time of borrowing because of the expectation of interest, it seems that his wealth is getting more and more, whereas in the future it will be difficult in hereafter;
 - j. If there are people who pay the debt in an amount greater than the initial agreement, if the amount is known then it is okay. Because paying off the debt is better than not paying;
 - k. Unauthorized fixed warranty (constant) in protection when it is known to its size;
 - l. If got fined then back to the received guarantee;

- m. Able to pay the debt that has been established in the agreements that have been known in levels and kind goods;
 - n. If someday people who have a debt can pay, with the permission of the person who will pay those debt, it is the best of Muslims who know the hereafter.
 - o. If return the debt without the permission of person who have a debt, then it is not legal in return, because he did not approve. But if he finally allows, then it should not be prevented, because paying the debt is obligatory;
 - p. If it is known that the person who give debt is capable, and often receive the debt repayment with some additions, so it is not usury.
4. Pawn (*Rahn*)⁴¹
- a. Pawn is making his property to be pawned
 - b. The requirement of pawn are :
 - The person doing the pawn are both grown up;
 - The pawn's goods are thing that can be sold;
 - The pawn goods are legal property;
 - If a person who accept the goods of pawn but then they lost it, then he is obliged to take the vow. But if the goods are eventually found, the person who receives the pledge still insists to pawn the goods, then he must promise, together with two trusted witnesses.
5. *Hawalah*⁴²
- a. The person who is willing transferred the debt;
 - b. The person who transferred its debts received it;
 - c. There is guarantee;
 - d. There is an agreement in guarantee.

6. Salary

⁴¹ Rahn is the goods which detained by the person who gave the debt as a guarantee from the person who has debt, until they pay the debt (Qurthubi, Kairo, Dar al-Hadits, 2002)

⁴² Hawalah is a contract that requires the transfer of a debt from one person yo another (Wahbah Zuhaili, Jakarta, Gema Insani, 2011), 84-85

- a. The time according to agreement ;
 - b. How long does it take;
 - c. The salary from planting the vein are 1/2 or 1/3 from picked fruit
7. Rent (*Ijarah*)⁴³
- a. When renting a house, if hiring someone to take care of the house by promising a wage, it must be paid their wages, although eventually the house is not rented anymore;
 - b. Renting a house will be canceled, if the house collapsed or someone who rent the house is died;
 - c. It is prohibited to hire tools to do the work (project) but ultimately the tools are not used, then person who rented the equipment still took advantage of the job
8. The Deputy (*Wakalah*)⁴⁴
- a. Give a job to someone else whose his work can be replaced;
 - b. If there is any goods which may be possessed by the orders of others, it may belong to him. However, if the goods are represented to others, can not directly belong to him. But if the goods do not deserve to them both, then they can not have;
 - c. If both become insane, epilepsy, unable to take care of and responsible for the goods, then the goods become pawn's thing;
 - d. Something that is represented to others, someone will receive a replacement;
 - e. Can not represent worship nation;
 - f. Someone can be deputy with the requirement that both sides must meet and then verbally can be done;
 - g. If you already have a deputy, then it should not have another deputy

⁴³ Ijarah is a contract transferring the use of right of goods or services followed by payment of wages or rent without the transfer of ownership (Sri Nurhayati dan Wasilah, Jakarta, Salemba Empat, 2013), 228.

⁴⁴ Wakalah is submission of something by someone who can be done alone, part of a task that can be changed to someone else, so that the person can doing it during his lifetime (Abu Bakar Muhammad, Surabaya, Karya Abditama, 1995), 163

The Edition of *Tasyrihah al Muhtaj Manuscript*

The following are examples of transliteration and translation of *Tasyrihah al Muhtaj* manuscripts on the principles of sharia economic law

1. The Usury

Page Number	Transliteration	Translation
4	Ngandika saponzo ulama wicarané Yaiku dedagangan luwih utamané Wong kekasaban ngupaya rizqiné Ikulah weruh ing ulama selayané Wenang taklid ing salah sewijinan Anut tiitwayan ulama kang sisenengan Milih kaduwé wong iku ing dedagangan Tuwin milih ing tani utama kekarpan Ora bicara wong kang milih kasab haram Mungguh dalam hukum agama Islam Pada buru angger olih go liyané ngawam Iku nadhoré wong ing syara' tan tahan <i>Fashlun wariba haramun</i> ikilah <i>fhasalan</i> Ing dalem nyatakaken utawi ribaan Iku haram ning syara'	Most Mufti said Trading is more important People who work for a living That is the opinion of some Muftid Tend to follow to one of them Following the beloved Mufti's opinion Choose to trading And choose farming, as their wish Not talking about haram (unlawful) job In Islamic law Job as hunter for common people That is a sign for the people who do not know the law This is the matter of usury In discussing the usury chapter According to Islamic law,

	<p>hukuman Ing dalem mas salaka lan pepangan Iku telung perkara alaté riba anané Utawi wong adol mas tinemuané Kelawan jinis mas iku telu kasyaratané Mutamatsilan halan maqbudhon teluné</p> <p>Sama timbangané sanalika ijab kabulan</p> <p>Lan semajlisan bareng-bareng ketanggapan</p>	<p>usury is forbidden About golds, silvers and foods There are three thing about usury Or people who sold his findings of gold With the form of gold, there are three requirements Mutamatsilan (sample by sample), halan (1 item is the same as another), and the third maqbudhon (already taken the goods) The weight of scale is the same as solemnization of a marriage And both agree</p>
5	<p>Ora sah dadi harom luwih linuwihan Tuwin sehal ngatadane tan tinanggapan Suhung wong salah sawijine karone Iku haram riba salah siji semayane Mangkono uga awal selaka sawijine Telung perkara wus ngarep partelane Lamon adol mas kelawan salaka Maka syarat sahé ing rong perkara ika Halan maqbudko wus ana ngarep kareka</p>	<p>Do not be an exaggerated haram The deputy is sign not to be a dependent Moreover people from one of them The law of usury is forbidden There is also the beginning of silver to be one of them The three things have become clarity If selling gold and silver Then there are two conditions Halan (1 item is the same as another), maqbudhon</p>

	<p>Sah mutaqodilan luwih linuwihan arga</p> <p>Wong adol panganan kelawan panganan Nunggal jinisé wus kinaweruhan</p> <p>Iku syarat telung perkara wilangan</p> <p>Yaiku mutsamatsilan halana matbudhon</p> <p>Ma'nané iku wus ngarep pertélané</p> <p>Lamon dudu jinisé panganan tinemuné</p> <p>Kaya beras pari keawan jagung anané</p> <p>Maka rong perkara saléh kasaratané</p> <p>Yaiku halana matbudhon wenang leluwihan</p> <p>Salah sewijiné dadi riba kadosan</p> <p>Nikka salah sewijiné kasemayan</p> <p>Sawijiné ngaqad karoné panejan</p>	<p>(already taken the goods) is clearly visible</p> <p>Legitimate (already accepted) by exaggerating the price</p> <p>People who sell food with food</p> <p>Single type already known which have three condition</p> <p>That's the condition of three things</p> <p>Namely mutamatsilan (sample), halan, and matbudhon (withdraw)</p> <p>The meaning is already equally obvious</p> <p>If found not in the form of food</p> <p>Like rice and corn</p> <p>Then the condition are two things</p> <p>Namely halan, exaggerated matbudhon</p> <p>One of them becomes usury</p> <p>That's one of the agreements</p> <p>The first contract (promise of speech) then second is desire</p>
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2. Gadai (Rahn)

Page	Transliteration	Translation
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Number		
57	<p>Katanggapan sakabéhé potangé tinemuné Ikulah hukum wong gadé pertéané Lan lamon ingaku wong kang narima gadéhan Iku nutur ilang arta gadé iqronan Lan ning khalé tan nutur sebabé kélangan Maka dibeneraken kelawan sumpahan Maka lamon nutur sebabé kedzohirané Maka tan tinarima anging kelawan anané Bayinah kang kinaweruhan kenyataané Lan lamon upama tinemuné Wong kang nerima gadé iku pituturan Wus rumasa mangsaaken gegadéhan Maring wong gadé maka iya kinaweruhan Ora tinarima anging kelawan bayinatan Tan salah wong mutangi janji gadé dingaqad Ikilah kalam nulama tinemu waridin <i>Wasokho bisyartin rohnin</i> <i>wakafilin waasyhaadin</i> <i>Liannahaa tansiqoofun laa</i> <i>manaafingi zaaidin</i> Lan sah wong mutangi</p>	<p>Responded to all debts</p> <p>That is the law of explanation about pawn And if people claim to accept pawn It tracks down the loss of the pawn treasure And in the case of not searching for the cause Then justified by taking a vow So if you are searching for everything you see Then it is not accepted, only in the presence Bayinah which is known to be true And if it found The person receiving the pawn Already feel the force of pawn To the pawnbroker, he is known Not acceptable only with bayinatan It is not wrong if people give debt Promise to do the pawn This is the opinion of waridin's Mufti And with the condition</p>

	kelawan janji jujur Jalu gad élan kang nanggung tinutur Lan nganggo saksi ana wong loro becampur Karana setuhuné mengkono iku tinutur	that the person who pawned it must have a witness <i>Because making the pawn useless in addition</i> And those who provide debt with honest promise The one who pawned and responsibility are expressed And using two witnesses Because that's what people say
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3. Hawalah

Page Number	Transliteration	Translation
47	Penggawéyané sakabéh menusa munfan'at Awéh pitutur bener kang dikhajat Lan saumpamané iku sekabéhan Lan ing halé tan weruh ing syara' ⁴⁵ hukuman Ing sakéh syaraté sah kabecikan Lan lembuté hukum syaringat panggeran Tuwin weruh lan tan dingawal jujur	The work of all humans is useful Provide the right instructions to do And if it all And the subject don't know the syara' law In the rule of sharia goodness And the softness of the provisions of sharia law Knowing and not beginning honestly

⁴⁵ syarang

	<p>Maka ya wong iku dholim dosa genajur An haqé wong iku neraka jahanam jegur Sebab tan tobat maring Allah milahur Lan dadi wong kegal dalam syara'⁴⁶ kabeneran Ikulah wong gawé salik⁴⁷ awur-awuran</p> <p>Anut ngadat tunggal syari'at panggeran Dohiré wong nyekel syara' hukuman</p> <p>Nyatané wong fitnah ala dihajat Neja ngrusak ing beneré syaringat Ikulah weruha ing dohiré ngalamat Antarané wong bener lan wong lepat <i>Fashlun fil hawalati</i> ikilah fasalan Ing dalem nyataaken hukum ligeran Yaiku ngalihaken utangé wong duwé putangan Maring utangi wong kang dilegeri kenyataan</p>	<p>Then that person has already sinned And the right of person goes to hell And not repenting to God and the man is stuck to the right path of sharia That is the person who makes the salik (the way people get closer) from mess Following one custom of sharia provision The presence of that person holds the law of syara' The reality is running a bad slander Will undermine the truth of sharia Then know the address Between right and wrong people This is the clause In declaring the provisions of the law That is moving the debt of people who have debt To the person who has the debt</p>
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⁴⁶ syarang

⁴⁷ shuluh

Conclusion

Based on the results of philological analysis and content review from *Tasyrihah al Muhtaj* manuscripts it can be concluded that *Tasyrihah al Muhtaj*'s manuscripts use Javanese and Arabic language, and some of the words in the Javanese language did not develop in society anymore. The *Tasyrihah al Muhtaj* manuscript is plural manuscripts because it had found three manuscripts which have same title, then using base manuscript method (plural manuscripts method). Therefore, the base method is used, which is selected one manuscript which is more complete than others.

From the content review, this manuscripts consists are Islamic economy (*mu'amalah*) jurisprudence and the principles of sharia economic law. From the Islamic economy (*mu'amalah*) jurisprudence consists are goods, loans, and trading. While from the principles of sharia economic law consists are usury, ijab, debt, hawalah, salary, rent and deputy. The function of *Tasyrihah al Muhtaj* manuscript are as da'wah media, struggle media, teaching material, guidance in daily life, and the contents are muamalah teaching. The position of *Tasyrihah al Muhtaj* manuscript are as level of elitism or social status and manuscript can be owned by anyone.

Bibliography

- Abu Bakar Muhammad, *Fiqh Islam*. Surabaya : Karya Abditama, 1995.
- Abu Abdullah Ibn Ahmad Ibn Abu Bakar Ibn Farah al-Anshari al-Khazraji Syams al-Din al Qurthubi, *Jâmi al-Ahkâm al-Qurân*, Kairo : Dar al-Hadits, 2002.
- Abdurrahman Al Jaziri, *Kitab 'ala Mahazib al-Arba'ah*. Beirut: Dar al-Fikri, 1990.
- Ahmad Syadzirin Amin, *Mengenal Ajaran Tarajumah Syaikh H. Ahmad Rifa'i dengan Mazhab Syafi'i dan I'tiqad Ahli Sunnah Wal jamaah*. Jakarta: Jamaah Masjid Baiturrahman, 1989.
- Alimianyah dan Padji, *Kamus Istilah Keuangan dan Perbankan*, Bandung : Yrama Widya, 2003.
- Anonim, *Kompilasi Hukum Ekonomi Syariah*, Jakarta: Mahkamah Agung, 2008.

- Ascarya dan Humanita, *Bank Syariah : Gambaran Umum*. Jakarta: Pusat Pendidikan dan Studi Kebanksentralan (PPSK) Bank Indonesia, 2005.
- Abdul Djamil, *Perlawanan Kiai Desa: Pemikiran dan Gerakan Islam K.H.Ahmad Rifa'i Kalisalak*. Yogyakarta : LKiS, 2001.
- Afzalur Rahman, *Doktrin Ekonomi Islam*. trans. Nastangin dan Soeroyo. *Jilid I-4*. Yogyakarta: Dana Bhakti Wakaf, 1995.
- Ali Ridlo. "Zakat dalam Perspektif Ekonomi Islam," *Al –'Adl: Jurnal Studi Ilmu Hukum (Hukum Islam, Hukum Tata Negara, Hukum Perdata, Hukum Pidana, Hukum Adat, Hukum Agraria, Hukum Internasional, Hukum Ketenagakerjaan) dan Pranata Sosial Vol 7 No 1 (Januari, 2014)*, 119-120. Accessed May 20, 2018, <http://ejournal.iainkendari.ac.id/al-adl/article/view/214>.
- Dewaki Kramadibrata, *Transliterasi*. Jakarta: Makalah Penataran Filologi Yanassa-Toyota Foundation – PPIM UIN Jakarta, 2004.
- E. A Nida dan C. R. Taber, *The Theory and Practice of Translation*. Leiden: E. J. Brill, 1974.
- Edwar Djamaris, *Filologi dan Cara Kerja Penelitian Filologi, Bahasa dan Sastra*. Jakarta : CV. Manasco, 1997.
- Faisal Basri, *Perekonomian Indonesia Menjelang Abad XXI*. Jakarta: Erlangga, 1995.
- Franz Magnis Suseno, *Etika Dasar*. Jakarta: Kanisius, 1987.
- Gufron A Mas'adi, *Fiqh Muamalah Kontekstual*. . Jakarta : PT Raja Grafindo Persada, 2002.
- Hesti Mulyani, *Membaca Manskrip Jawa 2. Gegaran Mata Kuliah Membaca Manuskrip Lanjut Semester VI pada Jurusan Pendidikan Bahasa Daerah Fakultas Bahasa dan Seni*. Yogyakarta : Universitas Negeri Yogyakarta, 2009.
- Illy Yanti dan Rafidah, "Ekonomi Islam dalam Sistem Ekonomi Indonesia Study tentang Prinsip-Prinsip Ekonomi Islam dalam KHES dan Implementasinya terhadap Ekonomi Nasional 1, " *Kontekstualitas : Jurnal Penelitian Sosial Keagamaan Vol 25 No 1 Juli (Jambi, 2009)*, 20. Accessed May 20, 2018, <http://ejournal.iainjambi.ac.id/index.php/kontekstualita/article/view/123>.
- Isriani Hardini dan Muh. H. Giharto, *Kamus Perbankan Syariah*. Bandung : PT Kiblat Buku Utama, 2012.
- J. C Catford, *A Linguistic Theory of Translation*. London: Oxford University, 1965.

- Joseph T Shipley, *Dictionary of World Literature*. Paterson-New Jersey. Littlefield Adam & co, 1962.
- Karnaen Permataatmadja dan Muh. Syafi'i Antonio, *Apa dan Bagaimana Bank Islam*. Jakarta: Dana Bhakti Wakaf, 1992.
- K.H. Hafidz Abdurrahman, *Mafahim al Islamiyyah*. Bogor: Al Azhar Freshzone, 2014.
- Mardani, *Hukum Ekonomi Syariah di Indonesia*. Bandung: PT. Refika Aditama, 2011.
- Mualamat Institute, *Perbankan Syariah Perspektif Praktisi*. Jakarta: Muamalat Institute, 1999.
- Muhammad Syafi'i Antonio, *Bank Syariah bagi Bankir dan Praktisi Keuangan*. Jakarta: Bank Indonesia dan Tazkia Institute, 1999.
- Noorvadewi. "Bisnis dalam Perspektif Islam (Telaah Konsep, Prinsip dan Landasan Normatif)," *Al Tijari : Jurnal Ekonomi dan Bisnis Islam* Vol 01 No 1 (Desember, 2015), 38. Accessed May 20, 2018, www.altijary/article/view/420.
- Nurachman Hanafi, *Teori dan Seni Menerjemahkan*. Nusa Tenggara Timur: Penerbit Nusa Indah, 1986.
- Robingaton. "Kajian Filologi Serat Sekar Wijayakusuma." Skripsi S1 Program Studi Pendidikan Bahasa Jawa Fakultas Bahasa dan Seni Universitas Negeri Yogyakarta, 2012
- Sangidu, *Penelitian Sastra: Pendekatan, Teori, Metode, Teknik, dan Kiat*. Yogyakarta: Seksi Penerbitan Sastra Asia Barat, Fakultas Ilmu Budaya UGM, 2005.
- Shodiq Abdullah, *Islam Tarjumah: Komunitas, Doktrin dan Tradisi*. Semarang: Rasail, 2006.
- Siti Baroroh Baried, dkk., *Pengantar Teori Filologi*. Yogyakarta: Badan Penelitian dan Publikasi Fakultas Seksi Filologi Fakultas Sastra Universitas Gadjah Mada, 1994.
- Sri Nurhayati dan Wasilah, *Akuntansi Syariah Di Indonesia Edisi 3*. Jakarta: Salemba Empat, 2013.
- Stuart Robson, *Principles of Indonesian Philology*. Netherland : Foris Publications Holand, 1988.
- Suharsimi Arikunto, *Prosedur Penelitian Suatu Praktek*. Surabaya : Bina Aksara, 1989.
- Sugiyono, *Metode Penelitian Kuantitatif Kualitatif dan R&B*. Bandung: Alfabeta, 2012.

- Surat Keputusan Presiden RI No 089/TK / Tahun 2004 tanggal 5 November 2004.
- Surat Keputusan Bersama Menteri Agama dan Menteri Pendidikan dan Kebudayaan Republik Indonesia Nomor 158/1987 dan Nomor 0543 b/u/1987 tertanggal 10 September 1987 yang ditandatangani pada tanggal 22 Januari 1988.
- Umer Chapra, *Islam dan Tantangan Ekonomi*. Jakarta: Tazkia Institute, 2000.
- Wahbah Az-Zuhaili, *Fiqih Islam Wa Adillatuhu 6*. Penerjemah Abdul Hayyie al-Kattani, dkk. Jakarta: Gema Insani, 2011.
- Yusdani, "Perbankan Syariah Berbasis Floating Market," *Millah : Jurnal Studi Agama Vol IV No 2* (Yogyakarta, Januari), 64. Accessed Mei 20, 2018, <http://journal.uii.ac.id/ Millah/article/view/5838>.
- Yusuf Qardhawi, *Peran Nilai dan Moral dalam Perekonomian Islam*. Jakarta : Robbani Press, 1997.
- Yusuf Qardhawi, *Daur al-Qiyam wa al-Akhlaq fi al-Iqtishad al-Islami*. Beirut: Dar al-Kutub al-Islami, tt.