

The *Wedhatama* and Its Impact on Islamic Legal Thought in Indonesia

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ملخص

يعتبر كتاب ويداتما (*Wedhatama*) من أشهر المراجع الجاوية حيث تكلم عن إيديولوجية الجاويين وحياتهم الواقعية وعلى الأخص لأوساط أسرة ملوكهم، فلا عجب إذا اهتم العلماء البارزون بهذا الكتاب لأجل فهم فلسفة الجاويين.

يحاول هذا المقال البحث عن أثر الفلسفة الجاوية - المتمثلة في كتاب ويداتما - في الأقوال الفقهية في جزيرة جاوا بصفة خاصة وفي إندونيسيا بصفة عامة حيث انتهى المقال إلى نقطة هامة يحويها الكتاب هي أهمية الاهتمام بالتقاليد المحلية في حياة كل إنسان. يبدو أن هذه الفكرة تتوافق مع فكرة الفقهاء المعاصرين القائلة بأن استنباط الأحكام الشرعية يجب أن يراعي التقاليد الجارية في كل مجتمع من المجتمعات، ومنها المجتمع الجاوي أو الإندونيسي بصفة عامة.

Abstrak

Karya *Wedhatama* tergolong karya monumental dalam literatur Jawa. Pada dasarnya ia menggambarkan idiologi dan kehidupan praktis masyarakat Jawa, khususnya di kalangan keluarga keraton. Karena itu tidak mengherankan jika sejumlah sarjana ternama memberi perhatian terhadap karya dimaksud sebagai salah satu sarana memahami falsafah kehidupan orang Jawa. Tulisan berikut bermaksud memberi perhatian sebagaimana para penulis terdahulu, dengan fokus pada pengaruh falsafah Jawa dalam *Wedhatama* terhadap pemikiran hukum Islam di Jawa atau Indonesia pada umumnya. Tulisan ini berkesimpulan bahwa salah satu poin penting kandungan *Wedhatama* adalah pentingnya perhatian terhadap tradisi setempat (Jawa) bagi kehidupan setiap orang. Pemikiran demikian ternyata sejalan dengan pemikiran ahli hukum Islam kontemporer yang menyatakan bahwa rumusan hukum Islam hendaknya memperhatikan tradisi yang berkembang pada setiap masyarakat termasuk masyarakat Jawa atau Indonesia pada umumnya.

Reading the whole text of the *Wedhatama*,¹ one may conclude that it is included among the most important Javanese works of literature reflecting both ideological and practical concepts of Javanese life particularly among the elite family of the Javanese palace (*keluarga keraton*). For this reason perhaps some scholars have addressed their study on the subject, and this essay is intended to share some remarks on it, especially in relation to its impact on Islamic legal thought in Indonesia. In doing so, three major aspects have been isolated for discussion and analysis: some aspects of the *Wedhatama*, some comparison between the translations of the *Wedhatama* by Suranto Atmosaputro and Martin F. Hatch and by Stuart Robson, and, finally, the impact of the *Wedhatama's* teaching on contemporary Indonesia particularly on Islamic legal thought. Moreover, it would be useful here to present some account of Javanese literature before discussing the subject in depth, for it

¹There are, at least, four variations of spelling: *Wedhatama*, *Wedatama*, *Weddha Tama*, and *Wedha Tama*.

is quite well known that the *Wedhatama* is considered an important part of Javanese literature.

A. Javanese Literature: A General Overview

Certain scholars are of the opinion that Javanese culture has become one, if not the most, part of the contemporary Indonesian culture. J. Joseph Errington even argues that "some observers treat elements of a Javanese world view not as just a part of, but the major and perhaps dominant influence on emergent Indonesian cultural politics."² He elaborates elsewhere, saying:

some quintessentially Javanese cultural themes conception of power, interpersonal authority relations, the nature of symbolic legitimization of authority, and much else have powerfully influenced the development of national and "modern" institution, and are germane to the patterns of social interaction among Javanese and non Javanese citizens of Indonesia alike.³

Thus, it is not strange indeed that the Javanese culture has served "a special place among indigenous influences on social change at the national level."⁴

Considering the important position of the Javanese culture, it is understandable that some scholars have devoted themselves on the study of Javanese literature which contain some significant aspects of Javanese culture. The study of Javanese literature has received much attention from modern Indonesian and non Indonesian scholars.⁵ Up to the beginning of the nineteenth century, this study, according to E.M. Uhlenbeck, was very limited. The names of Herbert de Jager and A. Rcland (1677 1718) are among earlier scholars who made an effort to study the Javanese literature, and the Lexicon Javanum, now kept in the library of the Vatican in Rome, is known as the oldest Javanese dictionary and one of the results of the process of the study of Javanese literature.⁶

²J. Joseph Errington, *Language and Social Change in Java: Linguistic Reflexes of Modernization in a Traditional Royal Polity* (Ohio: Center for International Studies, 1985), p. 1.

³*Ibid.*

⁴*Ibid.*

⁵See generally E.M. Uhlenbeck, *A Critical Survey of Studies on the Languages of Java and Madura* (The Hague: Martinus Nijhoff, 1964).

⁶*Ibid.* p. 423.

Many aspects of Javanese literature have been studied, some of which concern the linguistic study of old Javanese, collections of manuscripts, inscriptions, pre Islamic religious cosmogonics and related writings, writings on Islamic religion and ethics, and historical literature.⁷ Study of Javanese literature as a source of the history of religion, especially Islam, has attracted some Western scholars, and it was 'Thomas Stanford Rafless who, according to Karel A. Steenbrink, for the first time paid attention to the subject.'⁸

For the purpose of our essay, it sounds reasonable to pay special attention to the aspect of writings on Islamic religion and ethics. The works concerning religion and ethics were usually named *suluk* and *primbon*.⁹ The difference between the two is as follows:

A *suluk* is a certain type of song; it forms a coherent whole, while a *primbon* has an extremely loose structure, being often nothing more than a collection of things worth knowing and comprising materials of a widely divergent nature, held together by a very tenuous bond. Secondly a *suluk* is always in *tembang*, while a *primbon* is in prose, although it may contain fragments written in *tembang*. Thirdly a *primbon* may have, but does not necessarily have a mystical content, while a *suluk* nearly always has.¹⁰

Moreover, the term *suluk* is not derived from Arabic *suluk*, but it seems to be similar to that in the puppet (*mayang*) concept, originated in the costal area especially Cirebon (West Java).¹¹ The oldest *suluk* comes from 15th century or the beginning of the 16th century, and it has been developed better in the 17th and 18th centuries.¹²

The study of *suluk* and *primbon* began in 1881 "when Gunning published a diplomatic edition of a *primbon* of the 16th century."¹³ There are quite a number of scholars who were involved in this study, some of them being Gunning Kraemer, Drewes Schricke, Rinkes, Zoetmulder, Poerbatjaraka, Zieseniss, Van Akkeren, M. Sastradipura, and Pigeaud.¹⁴

⁷ *Ibid.*, p. 108-31.

⁸ Karel A. Steenbrink, *Mencari Taboo Dengan Kacamata Barat: Kaftan Krum Mengenai Agama di Indonesia* (Yogyakarta: IAIN Sunan Kalijaga Press, 1988), p. 191.

⁹ Uhlenbeck, *Languages of Java and Madura*, p. 123.

¹⁰ *Ibid.*

¹¹ Steenbrink, *Mencari Tuhan*, p. 208.

¹² *Ibid.*

¹³ Uhlenbeck, *Languages of Java and Madura*, p. 123.

¹⁴ *Ibid.*, 123-5.

Steenbrink has provided some short but significant account of the discussion of certain *suluk* (and also *serat*) such as Sukarsa, Wujil, Malang Sumirang, Centhini, Darma Gatoloco.¹⁵ According to Uhlenbeck, the *Wedhatama* is included in the moralistic and didactic works¹⁶ which is very important, but "its content was still imperfectly understood."¹⁷

B. The *Wedhatama*

This section is aimed at discussing some significant aspects of the *Wedhatama*.

1. *The authorship and the origin of Wedhatama.*

One of the most important issues dealing with any classical work is the controversy about the authorship of the work itself, and the *Wedhatama* is a clear example in point.

Suranto Atmosaputro and Martin Y. Hatch¹⁸ clearly say that the *Wedhatama* "is attributed to Mangkunagara IV of Surakarta, who reigned from 1857-1881."¹⁹ Different from this is the opinion of Stuart Robson.²⁰ Although Robson also says that the *Wedhatama* is definitely attributed to Mangkunagara IV,²¹ he presents a rather detailed discussion on the controversy of the authorship of the *Wedhatama*. The attribution to Mangkunagara IV as the author of the *Wedhatama* became a controversy when the Java Institute held a competition for a Dutch translation of the *Wedhatama* in 1935. It was stated: "according to the opinion of many educated people in Surakarta it was wrongly attributed to K.G.P.A.A. Mangkunagara IV, but in fact composed by Raden Mas Ngabehi practices Javanese literature, and a relative of the Mangkunagaran House."²² Wiryokusuma Wiryakusuma,²³ who has been described as "a gentlemen

¹⁵ Steenbrink, *Mencari Tuhan*, pp. 208-23.

¹⁶ Daniel S. Lev, pengantar *Menciptakan Kembali Indonesia, Wajah Liberal Islam di Indonesia*, hal. xi-xiv. JIL-TUK, Jakarta: 2002.

¹⁷ Uhlenbeck, *Languages of Java and Madura*, p. 125. In the Balinese literature, the term *weda* is also used in the "ritual works" (see G.E. Marison, "Literary Transmission in Bali," in *Cultural Contact and Textual Interpretation*, eds. C.D. Grijns and S.O. Robson, Dordrecht: Foris Publications, 1986, p. 274).

¹⁸ See Suranto Atmosaputro and Martin F. Hatch, "Sena Wedananta: A Translation," *Indonesia* 14 (1972): p. 157-81.

¹⁹ *Ibid.*, p. 157.

²⁰ *Ibid.*, p. 5.

²¹ *Ibid.*, p. 6.

²² Quoted by Robson in his *Wedhatama*, p. 5.

²³ *Ibid.*

who was also known as a productive author, some of his works are: *A Serat Gambiranom* in 1882, *Serat Tambang Prana* in 1905. The latter, according to Robson, contains some points similar to those in the *Wedhatama*.²⁴

The problem of authorship became more complex when R. Tanojo gave other information about the issue in the introduction (*Pambuka*) to his *Weddha Tama djinarwa*. Wiryakusuma, according to Tanojo, was a *mantri langenpraja* in the Mangkunagaran, "an official responsible for the arts."²⁵ Tanojo also gave other information, saying that some people claim that "the *Wedhatama* was written on the orders of Susuhunan Pakubuwana IX by his court poet R.Ng. Rangawarsita."²⁶ In addition to this, Robson points out:

in a manuscript of the *Wedhatama* kept in Leiden (Cod. Or. 6486) we can read (in Dutch) 'Copy of a manuscript belonging to Mr. D.A. Rinkcs' with a note added in pencil 'the original made by Mangkunagara IV in Surakarta'; another hand, in fainter pencil, has crossed out the name Mangkunagara and altered it to 'Rn M.N. Wiryokusuma'.²⁷

Having presented some viewpoints concerning the authorship, Robson is of the opinion that this issue is still questionable.²⁸

The problem of the authorship brings about another issue, particularly the exact date of the *Wedhatama*. Robson, although he is in doubt about the authorship, seems to believe that the *Wedhatama* was composed in the late 1870s. In his own words, Robson says: "The date of the *Wedhatama* is not known with any certainty, but it can be placed in the late 1870s, toward the end of Mangkunagara IV's reign. It is the work of a mature writer and thinker."²⁹

2. *The language and the style of the text.*

The original text of the *Wedhatama* was written in the classical Javanese language called *kawi*. The term *kawi* was Sanskrit in origin, the

²⁴ *Ibid.*, p. 5.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*, p. 6.

²⁹ P.J. Zoetmulder, *Kalangwan: A Survey of Old Javanese Literature* (The Hague: Martinus Nijhoff, 1977), p. 101.

original meaning of which is "he who is endowed with insight, the seer, the sage."³⁰ But, later on, the word *kawi* was addressed to the "more special meaning of 'poet'."³¹ And this later meaning "was commonly used in old Javanese."³² Nonetheless, it should be noted, according to Robson, that the term *kawi* addressed to the *Wedhatama* should be differentiated from that understood by the Balinese scholars which refers also to "the language as Old Javanese," for the term *kawi* does not refer to all Old Javanese.³³ This remark of Robson is understandable, due to the fact that other areas such as Bali "has also made its contribution to Old Javanese literature."³⁴ For this reason, perhaps, Zoetmulder then writes: "up to what time it should still be called 'Old' Javanese is a question which is not easy to answer."³⁵

The style of the *Wedhatama* was composed in several poetic meters known as *macapat*.³⁶ The *macapat*, according to Steenbrink, was a common style of both *suluk* and *serat* in Javanese literature.³⁷ The formal elements in *macapat* meters "are the number of lines in each stanza, the number of syllables per line, and the final vowel sound in each line."³⁸ The *Wedhatama* is composed in four styles. The first part of the *Wedhatama* is named *pangkur* and consists of fourteen stanzas each of which has seven lines. The second part is called *sinom* which consists of eighteen stanzas each of which has nine lines. The third part is called *pucung* and consists of fifteen stanzas each of which has four lines. The fourth is named *gambuh* and consists of twenty five stanzas each of which has five lines.

According to Atmosaputro and Hatch, the *Wedhatama* is well known for its complexity, beauty, and richness in word play, onomatopoeia, and alliteration. The following is one of the examples given by Atmosaputro and Hatch:

³⁰ *Ibid.*

³¹ *Ibid.*

³² Robson, *Wedhatama*, p. 3.

³³ Zoetmulder, *Kalangwan*, p. 21.

³⁴ *Ibid.*, p. 7.

³⁵ Steenbrink, *Mencari Tuhan*, p. 208.

³⁶ Atmosaputro and Hatch, "A Translation," p. 157.

³⁷ *Ibid.*, p. 160.

³⁸ Robson, *Wedhatama*, p. 13.

An example of world play in the poem is found in stanza eight of the Pangkur section. The first and second lines are "sojaning djiwangga nira djer katara lamun potjapan pasti." *Sojja* has several meanings in Javanese, two of which are "defect" and "diamond." *Katara* can mean either "is visible" or "shines". The *ira* suffix can denote either a second or third person possessive. So this passage can be translated either "the diamond of your being surely shines when you converse," or "the diamond of his being surely is visible when he converses." In our translation, the context calls for the choice of the latter for the English translation, but in the Javanese text, the double meaning provides a lively paradox.³⁹

3. The Translation

As has been mentioned, the original text of the *Wedhatama* was written in the Javanese language, called *kawi*. This text was later translated into, at least, Indonesian, Dutch, and English. The translation into Indonesian dated in 1975, a translation that seems to be "the work of a *panitia* (panel)" rather than an individual.⁴⁰

The translation into Dutch was done through a competition by the Java Institute in 1935. Three prizes were prepared for the three winners: £200 for the first winner, £100 for the second, and £50 for the third. G.W.J. Drewes, R.M.A.A. Koesoemo Octoyo, and R.Ng.Dr. Poerbotjaroko were chosen as the judges for the competition. It was informed then, that the result was unsatisfactory. No prize was given, for none of the seven entries which had been received by the judges could translate the *Wedhatama* into good Dutch or showed a "failing to understand the text at all."⁴¹ The second competition was then held in December 1936. In this competition, the judge Poerbotjaroko was replaced by M. Koesrin, while Drewes was replaced by C.C. Berg. This competition was held for almost two years, and by "August 1938 twenty six translations had been received."⁴²

In 1941 the judges decided and announced that the winner was Dr. P. Zoetmulder, "a Dutch Jesuit living in Yogyakarta" (under the pseudonym of Resi Tjipta ning).⁴³ This translation, according to Robson, has served as a basis for the interpretation into English which for the first time was done by M.F. Hatch together with Suranto Atmosaputro (a

³⁹ *Ibid.*, p. 12.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² *Ibid.*, p. 13.

⁴³ *Ibid.*, p. 15.

translation which is also used in this paper). Hatch also made a second translation as a part of his dissertation at Cornell University in 1980. To my knowledge, Robson's translation is the third effort to translate the *Wedhatama* into English. Robson claims that his translation is an effort to make a better translation compared to those of Hatch. Nonetheless, he is also aware of the possibility of the coming of a better translation from his. He says: "I have the impression that there may still be places where someone more talented than I will have the task of improving on the translation and interpretation some time in the future."⁴⁴

4. *The Teaching*

The *Wedhatama* generally introduces four main ideas: *ngelmu* (knowledge, science), *laku* (rule of life, discipline, ascetic practice), *ngelmu* and *laku*, and *sembah catur* (four kinds of worship).

The concept of *ngelmu* is introduced in the first section, *pangkur*, which consists of fourteen stanzas. This *ngelmu* has a deep meaning with "the extra nuances of valuable, esoteric knowledge, knowledge useful for the spirit, hence philosophy or philosophy of life."⁴⁵

It is also argued in this *pangkur* that the *ngelmu* here is seen as something fit for Javanese people (*kang tumrap neng tanah Jawa*). The author, accordingly, is aware of the distinctiveness of his (Javanese) identity which is, to some extent, different from others. This first section, according to Robson, indicates that the teaching is addressed to young men, and more specifically to the family of the ruling class in the palace (*kraton*).⁴⁶ Reading the original text, Robson's opinion is true that the teaching is addressed to the young people by using the words *kulup*, *kaki*, *putra*, *putraningsun*, and *sutengong*.⁴⁷

The second section, *sinom*, is intended to provide the idea of *laku*. that is: what should be done and what should not be done by people of the palace in order to have an ideal life. Here the author presents the figure of Senopati, the man who established the Mataram Dynasty, as the

⁴⁴ *Ibid.*

⁴⁵ See, *pangkur*, stanza 8 line 7, stanza 9 line 5, stanza 11 lines 1 and 7; *sinom*, stanza 11 line 9; *gambuh*, stanza 1 line 3; stanza 7 line 4; stanza 16 line 6; stanza 18 line 4; and stanza 24 line 3.

⁴⁶ Robson, *Wedhatama*, p. 15.

⁴⁷ *Ibid.*, p. 15, 35.

perfect example of a man. Senopati has been reported to have been a ruler who ruled over both the "men and the invisible realm of the spirits, led by Ratu Kidul."⁴⁸

Another point stressed in the *sinom* is the importance of keeping the identity of being Javanese. Accordingly, being a Muslim does not necessarily put away their own identity. This aspect will be discussed later.

The third section, *pucung*, concentrates on the combination of the ideas of *ngelmu* and laku, illustrated in the first two lines of the first stanza:

- *ngelmu iku*
- *kalakone kanthi laku*

meaning: "Knowledge goes together with practice,"⁴⁹ or "This knowledge is achieved through practice."⁵⁰

In this section, it is clearly suggested that the *ngelmu* is coming from the Almighty, the Great God (Hyang Wisesa, Batara Gung). This *ngelmu* is achieved through asceticism (*tapa*). It is said, for example:

- *Basa ngelmu*
- *Mupakate lan penemu*
- *Pasahe lan tapa.*⁵¹

(meaning: "But as for knowledge/Its acceptance is achieved by considered judgment/And it is made effective through asceticism").⁵²

This *ngelmu*, according to the author, is useless without putting 'into action by means of discipline.'⁵³ The result of this is "overcoming selfish desires and cultivating peace in mind."⁵⁴ Like in the previous section, it is also emphasized that becoming a good Muslim does not mean

⁴⁸ Atmosaputro and Hatch, "A translation," p. 173.

⁴⁹ See *pucung*, stanza nine, line one, two, and three.

⁵⁰ Robson, *Wedhatama*, p. 37.

⁵¹ *Ibid.*, p. 15.

⁵² *Ibid.*

⁵³ *Ibid.*, p. 16.

⁵⁴ *Ibid.*

losing the Javanese identity. The Arab is by no means the best creation of God.

The last section, *gambuh*, is devoted to the concept of worship which, according to the author, consists of four kinds: "that pertaining to the body, thought, soul, and essence."⁵⁵ It seems to be true that the idea of worship is likely similar to the concept well known in the field of mysticism: *shari'ah*, *haqiqah*, and *ma'rifah*. It is explained, for example, that worship pertaining to the body is understood as the first step and for the beginner, that is, the practice of daily prayer of a Muslim started with the ablution with water (*wudu*). The other worships are explained by Robson as follows:

The second kind is worship with the heart: 'it is a great discipline, belonging to a king' At this stage there is no longer an outward washing using water, but an inward purification consisting of reducing the desires of the heart, leading to calmness and mindfulness. The third kind, worship with the soul, involves a process of absorption into the universe, or identification of the microcosmos with the macrocosmos, so that the individual consciousness fades away and the worshiper is confronted with his real self. This is not all, as a flame or star remains, representing 'what contains and is contained.' Finally, the worship of the essence is so esoteric that nothing can be said about it, only that it comes through inner firmness.⁵⁶

C. Some Comparison between the Translations of Atmosaputro and Hatch and of Robson

As has been mentioned earlier, up to the present time there are three English translations of the *Wedhatama*. The first translation was done by Atmosaputro and Hatch, second by Hatch in his dissertation, and the third, being the last, is the translation done by Robson. The first translation of Hatch (together with Atmosaputro) is, according to Robson, better than the second one in his dissertation.⁵⁷ Robson has claimed that his translation is "an attempt to face the challenge of making something better."⁵⁸

This section is intended to provide some comparisons between the two translations, the first translation of Hatch and the one of Robson.

⁵⁵ *Ibid.*, p. 13.

⁵⁶ *Ibid.*

⁵⁷ Atmosaputro and Hatch, "A Translation," p. 160.

⁵⁸ Robson, *Wedhatama*, p. 7.

The translation of Hatch was based on the manuscripts in the library at the Mangkunagaran Palace in Surakarta,⁵⁹ while the translation of Robson was based on the third part of "the Volledige werken (Complete works) of K.G.P.A.A. Mangkunagara IV under the guidance of the Pigeaud in 1928."⁶⁰ Some differences, as we shall see, have been found between the two.

It would be reasonable to understand if Robson, as has been mentioned, claims that his translation is an effort to make a better translation, for his translation published later in which Hatch's translation had been used as one of the sources. Nevertheless, it is too simplistic to say that a later publication of a work "must" be better than the earlier one. This is supported by the fact that the first translation of Hatch, according to Robson, is better than the second one. What we would like to emphasize here is that it is open to any one who has a good qualification in Javanese literature to determine whether or not the translation of Robson is better than that of Hatch. This essay is beyond this capability. Basing itself on both translations, this essay is aimed only at looking at how far the difference between the two extends.

First of all, it should be acknowledged here that Hatch's translation uses the old character of Indonesian language (*ejaan lama*), while Robson's uses the new one (*ejaan baru*). Here are a few examples: *adji=aji*, *djinedjer=jinejer* *jekti=yekti*, and *gonjak ganjok=gonyak ganyok*. Moreover, the style of transliteration is somewhat different. For example, the dot (.) under the character in Hatch's translation is written "dh" in Robson's, such as *Wedatama=wedhatama*, *ngandar andar angendukur=ngandhar andhar angendhukur*, *kandane=kandhane*, *pasti=pasthi*, *dahar=dhahar*. Interestingly, in the *sinom* stanza nine, line nine, the word *ngumandangin* Hatch's translation is written *ngumandang* (not *ngumandhang*) as in Robson's. It also happens that the words *simuda mudar* (in *pucong* stanza twelve, line five) in Hatch's translation is written as *si Mudha mudhar* in Robson's. Here, the word *si* is separated from *Mudha*, and the character "m" is capitalized.

Some words are also different from each other. Take the following examples. First, it is found in the *gambuh*, stanza one, line three that it is

⁵⁹ *Ibid.*, p. 54.

⁶⁰ See Robson's translation, p. 21.

written in Hatch's the word *dingin*, while in Robson's it is written *dhihin*. Secondly, it could be found in the *gambuh*, stanza seventeen, line two and five that Hatch has written the words *prelu* and *maot*, while in Robson's it is written *parlu* and *amot*. Some note seems to be important to be addressed relating to the word *maot* or *amot*, for it seems that the translation of the two words is quite different. In order to present a rather complete picture, it should be useful to quote the words in context. The words are found in the following passage:

Hatch: *sutjine lan awas emut/mring alaming lama maot* (the ritual cleansing is with watchfulness and attentiveness to eternity).

Robson: *sucine lan awas emut/mring alaming lama amot* (its ablution consists of insight and mindfulness, indulgent toward the past).

In this, Robson writes: "*alaming lama amot* is unclear to me. *Lama* means *lawas*, which is 'old, former,' as well as 'long (of lime)'. One of the meanings of *amot* is 'suited, capable, tolerant.'⁶¹ However, it is very likely that both the words *maot* and *amot* are derived from Arabic *mata* (m,w,t) meaning: dead. If this is true, the translation of Hatch would be correct, and Robson's is, at least, questionable if not wrong.

There are still some other differences. In general, the meanings of the translations are similar to each other, but the words and/or the passage of the English used for the translation is completely different from each other. Take the following example, taken from *sinom*, stanza thirteen:

Marang ingkang asung pangan
Yen kasuwen den dukani
Bubrah katur ing tyasingwang
Lir kiyamat saben ari
Bot Allah apa Gusti
Tambah tambah solahingsun
Lawas lawas graita
Rehne to seta priyayi
Yen muriha dadi kaum temah nistha

⁶¹ *Ibid.*, p. 31.

The translation in Hatch is as follows:
by him who gives food.
If I was late, I got a scolding
Broken and confused in my heart
like the end of the world, every day
which should I put more weight on, God or king?
I didn't know what to do.
Gradually I realized that,
because I was a son of a *prijaji*,
if I wanted to be a *kaum*, that would be contemptible.

Compared it to Robson's translation:
By him who supplied my daily bread
And if I was late I would be blamed;
My heart was disturbed and puzzled,
And each day was like the Day of Judgement.
Which was more important, God or my lord?
I was always in a quandary as to what to do.
By and by I realized
That as I was the son of an official,
If I should strive to be a *Kaum* I would degrade myself-

To my knowledge, although the translations use different words or passages, both have a similar meaning, and it could also be true that Robson's translation is better than Hatch's in terms of the use of the English composition at least due to the fact that Robson's appears later than Hatch's.

It also seems to be important to address here the notes or comments to the translations given in the last part of the translations. Hatch presents limited notes or comments on the translation, no more than twelve notes, where most, if not all, refer to the terms used in Islam such as Qur'an, Consensus, Mu'adhdhin, Mosque, Prophet. Robson, on the other hand, presents quite extensive notes and comments in six pages and no less than sixty notes, ranging from the short comments to a quite long one. Unlike Hatch, Robson does not confine his notes to the Islamic religious terms, but rather covers any aspect which, at least according to Robson, needs clarification or further information.

D. The Impact of the *Wedhatama*'s Teaching on Islamic Legal Thought in Indonesia

Considering the teaching of the *Wedhatama*, one may question as to what extent the impact of its teaching on contemporary Java or even on Indonesia in general particularly in relation to Islamic legal thought. This section is therefore an attempt to discuss such an issue.

One may argue that there is no clear indication that the teaching of the *Wedhatama* has a certain impact on contemporary Indonesia. Nonetheless, it would not be an exaggeration to suggest that, as we shall see, the importance of a local identity and cultural heritage emphasized in the *Wedhatama* is similar to that advocated by the contemporary Indonesian reformers of Islamic law.

One significant point of the *Wedhatama* to be emphasized here is the teaching which stresses the distinct identity of the Javanese people. It is expressed, for example, in the *pangkur*, stanza one, line five and six, that: "In the hope that they may prosper in their practice of noble sciences/That pertain to the land of Java."⁶² This notion is emphasized in the second section, *sinom*, stanza ten, which reads:

If you insist on imitating
The example of the Prophet,
Oh, my dear, you overreach yourself:
As a rule you will not hold out long.
Seeing that you are Javanese,
Just a little will be enough.
Do not set your heart on praise from others,
Imitating precisely and acting just like a scholar of Islamic law;
Providing you are firm in your aspiration, you will surely be
blessed.⁶³

In other place, the author talking a noble man portrayed in the figure of Senopati who was proud of his identity as a Javanese. In line with this, the author also introduces the man who is seen as being lost his identity as a Javanese. In the *pucung*, stanza six, seven, and eight, the author says:

⁶²See Robson's translation, p. 21.

⁶³Robson, *Wedhatarna*, p. 18.

Though not yet qualified,
They are in a hurry to show off;
The way they interpret Arabic texts
Is like a Sayyid from Egypt:
Every time they belittle the abilities of others.
Such persons
Can be reckoned as frauds:
Where is their common sense?
Oddly enough they deny their Javanese soul,
And at all costs bend their steps to Mecca in search of knowledge.
They do not comprehend
That the core of the essence which they seek
Is closely lied to their own self;
Providing you practice hard,
It makes no difference if you are here or there.⁶⁴

Based on these passages, Robson presents an important question concerning the attitude of the author toward Islam. Robson finally comes to the conclusion that "the message of the *Wedhatama* is one of cultural identity,"⁶⁵ and he elaborates more clearly that the principal teaching of it is: "We are Javanese, and we should be true to ourselves and follow our own way in the realm of spirituality in order to find the power that our ancestors had and which is our right by inheritance. This is the *Wedharama*, 'the highest wisdom'."⁶⁶

Thus, Robson tends to underline the view that preserving the Javanese identity is of much more importance than imitating other people including the Prophet. Robson says: "For the Javanese, and by this in fact he means the Javanese nobleman, a better example to follow is that of Senopati, rather than the Prophet."⁶⁷ This statement needs some clarification. It is true that the author emphasizes the importance of the Javanese identity, but it does not mean that he made a clear separation between Javanese teaching (Senopati) and Islamic teaching (the Prophet). It is very likely that the author tends to argue that Islamic teaching as portrayed in

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*, p. 17.

⁶⁶ See Robson's translation, p. 41.

⁶⁷ Robson, *Wedhatarna*, p. 18.

the figure of the Prophet is very important for any people in any place and time. But the author immediately qualifies that Javanese people should interpret the Prophet's teaching in accordance with the Javanese culture and identity, and Senopati was presented as a clear example of this point. It is supported by the fact that in the fourth section, *gambuh*, stanza seven and eight, the author clearly indicates the importance of the shari'ah. He says, for example:

As for Islamic law,
It can also be called a discipline:
Firstly it calls for regularity, and in the second place for diligence.
Its use, my son,
Is to keep refreshing the body in order to improve it.
For when the body is refreshed,
Muscles, flesh, skin, bones and marrow,
This passes on to the blood, causing peace of mind.
The peace of mind becomes focused
And banishes inner confusion."⁶⁸

These passages have been addressed to the worship pertaining to the body, then followed by the worship pertaining to the heart, soul, and essence which are likely similar to the mystical concept about *shari'ah*, *haqiqah*, and *ma'rifah*.

Robson is certainly correct when he argues that the cultural identity (an important point of the *Wedhatama's* teaching) has become one of the serious issues among Javanese, or among Indonesian people in the present lime. Robson says:

It is an irony of history that now, more than a century later and long after the departure of the colonial power, a similar situation can be said to obtain. There is a challenge from fundamentalist Islam on the one hand, and from the materi-

⁶⁸Joseph Schacht, *An Introduction to Islamic Law*, (Oxford: Clarendon Press, 1986), 1. See also his "Islamic Religious Law," in *The Legacy of Islam*, eds. Joseph Schacht and C.F. Bosworth (Oxford: Clarendon Press, 1974), 392. In a different way, J.N.D. Anderson says: "It is, indeed, impossible to understand the Muslim mind, Muslim society, Muslim ideals, politics, and reactions, without some knowledge of that of law which, in theory at least, still molds and pervades them all" (see his "The Significance of Islamic Law in the World Today," *The American Journal of Comparative Law*, 9, 1960 : 187).

alist West on the other. As a result there are those who seek a solution in a return to what is best in their own cultural heritage.⁶⁹

Robson's thesis is quite interesting, and it would be useful here to cite some examples of the issue particularly concerning the reform of Islamic law in contemporary Indonesia. The subject of Islamic legal thought has been chosen here due to the fact that some scholars have considered it as "the epitome of Islamic thought, the most typical manifestation of the Islamic way of life, the core and kernel of Islam itself."⁷⁰

For the sake of brevity, our discussion will be confined to the two figures who have been considered among the important scholars who led the reform of Islamic legal thought in Indonesia, Muhammad Hasbi Ash-Shiddieqy and Hazairin.

In 1949, Hasbi (1904-1975) wrote an article as a polemic addressed to Soekarno, the first president of Indonesia, in which he divided fiqh into three categories: *Fiqh Qur'any*, that is, the rules which are based on the Qur'anic provisions; *Fiqh Nabawy*, that is, the rules which are based on the Sunnah of the Prophet; and *Fiqh Ijtihady*, that is, the rules resulting from the ijtihad of Muslim scholars. In the field of *Fiqh Ijtihady*, according to Hasbi, Indonesian Muslims should follow the views which are appropriate to the Indonesian culture and tradition.⁷¹ Twenty one years later, in 1961, Hasbi emphasized his view, saying: "we need to formulate certain fiqh based on our own identity."⁷² Based on these statements of Hasbi, some scholars have the opinion that it was Hasbi who

⁶⁹Nourouzzaman Shiddiqi, "Muhammad Hasbi Asti Shiddieqy Dalam Perspective Sejarah Pemikiran Islam di Indonesia" (Ph.D dis. Institute of Islamic Studies Sunan Kalijaga Yogyakarta, 1987), p. 1.

⁷⁰Hasbi Asih Shiddicqy, *Syari'at Islam Menjawab Tantangan Zaman* (Yogyakarta: IAIN Press. 1961), p. 41. See also Shiddiqi, "Muhammad Hasbi:" p. 1.

⁷¹For an information about the history and the important position of the religious court in Indonesia, see Daniel S. Lev, *Islamic Courts in Indonesia: A Study in Political Bases of Legal Institution* (Berkeley: University of California Press, 1972).

⁷²Shiddiqi, "Pembinaan Hukum Islam di Indonesia," p. 2. See also Deliar Noer, *Administration of Islam in Indonesia* (Ithaca: Cornell University Press, 1978), 43; M.B. Hooker, *Islamic Law in South East Asia* (Singapore: Oxford University Press, 1984), p. 251 & 261. Since 1989, the situation has changed. According to the law no. 7 of 1989, the religious court no longer needs the approval from the national court concerning any matter within its jurisdiction, and the subordination of the religious court to the national court was then abolished (see Munawir Sjadzali, "Peradilan Agama Nggak 'Mbawang' Lagi," Panji Masyarakat, July 1992: 55).

for the first time advocated the so called *Fiqh Indonesia* ("Indonesian Fiqh").

There are many reasons as to why Hasbi proposed his idea about "Indonesian Fiqh." Hasbi was certainly offended by the fact that Indonesian Muslims tended to neglect the provision of Islamic law and looked for other laws dealing with their legal problems. During this period, the position of the religious court (*Pengadilan Agama*),⁷³ for example, had not much importance relating to the promotion of Islamic law, for any decision made by the religious court could not be applied before receiving approval from the national court (*Pengadilan Negeri*).⁷⁴ In practice, it was quite often that in dealing with the Muslim legal problem, the national court based its decision on the local custom (*adat*) instead of the provision of Islamic law. In other words, the decision of the religious court could hardly be applied to the Indonesian Muslims.⁷⁵ This situation, in the eyes of Hasbi, is quite questionable, for the Indonesian Muslims were (and are) the largest Muslim population in the world even compared to that in the heartland of Islam.⁷⁶ For this very reason, Hasbi then made an effort to search the background of the unfavorable condition.

According to Hasbi, the most important reason of the above condition is that there were quite a number of the provisions of Islamic law practiced in Indonesia were derived from *ijtihād* based on Middle East (*Timur Tengah*) culture.⁷⁷ It is understandable therefore that certain provisions of Islamic law seemed to be strange to Indonesian Muslim society.⁷⁸ Hasbi emphasized elsewhere that it is impossible to force the law which is based on the culture of the people of Mecca, for example, to be practiced in Indonesia.⁷⁹ In a reply to Boland, Hasbi said:

⁷³ Shiddiqi, "Pembinaan Hukum Islam di Indonesia," p. 2.

⁷⁴ *Ibid.* pp. 2-3.

⁷⁵ *Ibid.* See also A Syadali, "Pemikiran Prof. Dr. TM Hasbi Ash Shiddieqy Tentang Fiqh Bagi Umat Islam Indonesia" (an essay presented in the Seminar held in the Faculty of Islamic Law, Institute of Islamic Studies Sunan Kalijaga, Yogyakarta, 7-8 July 1986), 2.

⁷⁶ Sjadzali, "Fiqh Bagi Umat Islam Indonesia," p. 2. See also Shiddiqi, "Sejarah Pemikiran Islam di Indonesia," p. 444.

⁷⁷ Shiddiqi, "Sejarah Pemikiran Islam di Indonesia," p. 466.

⁷⁸ Sjadzali, "Fiqh Bagi Umat Islam Indonesia," p. 2.

⁷⁹ Hasbi Ash Shiddieqy, *Beberapa Permasalahan Hukum Islam* (Jakarta: Tintamas, 1975), p. 37. See also Shiddiqi, "Sejarah Pemikiran Islam di Indonesia," p. 472.

As you know, I am a supporter of the "new idjtihad" and even advocate the creation of our own madhhab. That is to say, in Indonesia we have to proceed from the Indonesian situation, and can only use those elements of Islamic law which are suited to modern Indonesia. Muslims who, for example, live in Holland ought to look there for an interpretation of Islamic precepts which suit the situation there. It is for this reason that I not only speak of an Indonesian madhhab like Hazairin but of national madhhabs, suited for us in Indonesia, for Muslims in Holland, and so on.⁸⁰

Therefore, it was obligatory for Indonesian Muslims, according to Hasbi, to promote the provision of Islamic law which is appropriate to Indonesian culture.⁸¹ As a consequence of this, Indonesian Muslims need not always follow the Shafi'i madhhab, a madhhab followed by the majority of Indonesian Muslims, and can follow another madhhab which are applicable in Indonesia. Take as an example, according to Hasbi, the case of inheritance law. Based on the Shafi'i madhhab, a grandson cannot receive any part of the inheritance of his grandfather because his father died some time earlier than his grandfather. This rule, based on Indonesian culture, seems to be unjust. Hasbi suggested then that the view of the Dahiri madhhab concerning the necessary testament (*wasiyyah wajibah*) is a more suitable practice in Indonesia in which the grandson can receive a part of his grandfather's inheritance.⁸²

There is still another reason, says Hasbi. Most, if not all, Indonesian Muslims have seen the provision of Islamic law elaborated in the books of fiqh as a final formulation and need not to be changed. They rarely come through the original sources of Islamic law, the Qur'an and the Sunnah of the Prophet. Hasbi suggested that Indonesian Muslims should have direct access to the Qur'an and the Sunnah of the Prophet without ignoring the distinctive culture of Indonesian Muslims. Or, to use more popular terms, Indonesian Muslims should back to the Quran and the Sunnah of the Prophet.⁸³ Hasbi acknowledges the importance of the provisions of Islamic law provided by the classical and medieval scholars.⁸⁴ However, it should be understood, according to Hasbi, that some

⁸⁰The slogan "back to the Qur'an and the Sunnah of the Prophet" has become popular in modern Indonesia.

⁸¹Muhammad Hasbi Ash Shiddieqy. *Al-Ahkam: Hukum Hukum Fiqh Islam*, third edition (Medan: Islamiyah, 1953), p. 1.

⁸²Shiddiqi. "Sejarah Pemikiran Islam di Indonesia." p. 435-436.

⁸³Hazairin, *Hukum Islam dan Masyarakat* (Jakarta: Bulan Bintang, n.d.), p. 8.

⁸⁴*Ibid.* See also Bismar Siregar, "Prof. Mr. Dr. Hazairin Seorang Mujahidin Penegak

of those provisions were influenced by certain circumstances; thus, they seem to be limited in time and place.⁸⁵

In line with Hasbi's concept is the Islamic legal doctrine presented by Hazairin (1906 1975). Hazairin was concerned with the relationship between customary law (*hukum adat*) and Islamic law. He had a solid background in anthropology which enabled him to have a deeper understanding of Islamic law.⁸⁶ He sought to develop a theory of Islamic law which would be appropriate for the Indonesian people. According to Hazairin, most, if not all, of the provisions of Islamic law practiced in Indonesia are based on the classical jurists' views which are influenced by Arab culture.⁸⁷ Therefore, the Indonesian people need to interpret the Islamic law according to the particularities of their own culture. Hazairin proposed an "Indonesian Madhhab" or "National Madhhab."⁸⁸ This notion has been advocated since 1950.⁸⁹

Hazairin provided two examples, the wali for the marriage contract and the rule of inheritance (*warith*). The rule of wali, according to Hazairin, is rooted in the Arab tradition of *'asabah* which assumes that the status of a man is "more important" than that of a woman. This rule, says Hazairin, was appropriate to the Arab people whose family structure was patrilineal.⁹⁰ This is not the case with the Indonesian people. Unlike Arab custom, the Indonesian social structure can be generally divided into three family structures, patrilineal, matrilineal, and parental.⁹¹ He concludes that certain provisions of Islamic law which are applicable to Arab society need not always be regarded as literally binding

Hukum Berdasar Ke Tuhanan Yang Maha Esa," in *Pembaharaan Hukum Islam di Indonesia* (Jakarta: UI Press, 1981), p. 4.

⁸⁵ Hazairin, *Hukum Kewarisan Bilateral Menurut Qur'an dan Hadith* (Jakarta: Tintamas, 1982), p. 1.

⁸⁶ Hazairin, *Hukum Islam*, p. 7. See also Abubakar, "Ahli waris Sepertalian," p. 7.

⁸⁷ Hazairin, *Hukum Islam*, p. 7-8. See also Abubakar, "Ahliwaris Sepertalian," 323.

⁸⁸ Hazairin, *Hukum Islam*, p. 8.

⁸⁹ Hazairin, *Kewarisan Bilateral*, 2. See also Anwar Harjono, "Hukum Kewarisan Bilateral Menurut Al Qur'an; Komentar Singkat Atas Teori Prof. Hazairin," in *Pembaharuan Hukum Islam di Indonesia*, p. 62.

⁹⁰ Hazairin, *Kewarisan Bilateral*, p. 1. See also Harjono, "Komentar Singkat," p. 62; Abubakar, "Ahliwaris Sepertalian," p. 40 & 42.

⁹¹ Hazairin, *Kewarisan Bilateral*, pp. 11-14, 17. See also Harjono, "Komentar Singkat," p. 65.

upon Indonesian Muslims.⁹²

Moreover, Hazairin has devoted much effort to the modernization of the law of inheritance (*warith*). Having read some classical jurists' views, Hazairin was of the opinion that the rule of inheritance widely known in Indonesia was the result of the classical jurist's *ijtihad* in the context of their particular cultural background.⁹³ For this very reason, says Hazairin, Indonesian Muslims should try to reinterpret the provisions of the law of inheritance laid down in the Qur'an and the Sunnah of the Prophet. Hazairin therefore tried to exercise *ijtihad* on the issue. He collected all the verses of the Qur'an which, in his mind, related to the issue. Then he tried to interpret them and finally came to the conclusion that the general principle of inheritance according to the Qur'anic teaching is bilateral or parental.⁹⁴ This is, according to Hazairin, partly based on al Nisa' 11-12, 23-24, and 176. In this principle, women are accorded a status equal to that of men (e.g. the status of the son is equal to that of the daughter). This principle, says Hazairin, is at variance with some scholars' interpretation based on local Arab culture. The family structure of Arab society, argues Hazairin, was clearly patrilineal. Thus, the man was accorded a more privileged status than the woman. Accordingly, the man was given more rights to inheritance compared to the woman. An example of this is the position of grandson or grandfather. A grandson will receive inheritance only if he is related to the grandfather patrilineally. It is also said that a grandfather will receive inheritance only if he is related to his grandson patrilineally.

E. Concluding Remarks

Some important points are to be made in this final remarks.

It is likely true to postulate here that the *Wedhatama* has provided a contribution of the highest significance to the knowledge of Javanese people in particular and of Indonesian people in general, particularly the emphasis on the importance of their own cultural identity.

⁹²Hazairin elaborated his concept of inheritance in detail in his *Hukum Kewarisan Bilateral Menurut Qur'an dan Hadith*.

⁹³See generally the works of J.N.D. Anderson, especially his *Islamic Law in the Modern World* (New York: New York University Press, 1959) and his *Law Reform in the Modern World* (London: The Athlone Press, p. 1976).

⁹⁴Steenbrink, *Mencari Tuhan*, pp. 224, 230.

It would not be an exaggeration to say that the importance of cultural identity has become one of the significant issues not only in Indonesia but also in any other country. In the field of Islamic legal thought, for example, there is a clear tendency that each country has made an effort to formulate the provision of Islamic law in accordance with their own cultural identity. Egypt, Pakistan, and Tunisia are among those countries which, to some extent, have a different formulation of Islamic law because of their different cultures. In classical and medieval works on Islamic law (*kitab al-fiqh*), we have such terms as *al-fiqh al-hijazi* (Islamic law in Hijaz), *al-fiqh al-misri* (Islamic law in Egypt), *al-fiqh al-iraqi* (Islamic law in Iraq) and the like. In contemporary Indonesia, it has often been advocated that "Indonesian identity" is a very important factor relating to the interpretation of Islamic teaching. Hasbi and Hazairin are among those who are involved in such effort, especially in the field of Islamic legal thought advocating the term "Indonesian Fiqh" or "National Madhhab."

Basing itself on the teaching of *Wedhatama*, this essay argues that the issue of Fiqh Indonesia ("Indonesian Fiqh") or Islamic law which is based on Indonesian identity (*hukum Islam yang berkepribadian Indonesia*), promoted by both Hasbi and Hazairin, is nothing but a continuation of the teaching of the earlier scholars works, at least, as reflected in the *Wedhatama*. Nonetheless, it seems to be true that there is limited, if any, attention paid to the works of earlier Indonesian scholars in the field of Islamic legal thought. It is supported by the fact that Hasbi and Hazairin did not mention even a single word of the earlier Indonesian views in their scholarly works. More than this, Western scholars, according to Steenbrink, are more involved in the study of the mystical aspect (*tasawuf*) and theology (*ilmu kalam*) rather than Islamic legal thought.

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