

**The Contextualization of the Traditional Islamic Book on Contemporary Issues
(Analysis of the Money Laundry Case)**

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ABSTRACT

This research is a research library, and belongs to qualitative research. The research approach is used with a normative approach. The results reveal that the role of the traditional islamic book is still very important and contextual. The use of analogy and comparative methods is applied in determining law, both state and religion. Looking for common ground then concocting through long dialectics. The orientation is to apply religious law without touching or even changing plural local wisdom, either in the order of customary law or national law. The contextualization of the traditional islamic book here is a form of effort to maintain human social relations, as well as to eliminate the rigid paradigm in understanding the traditional islamic book and in its application. Money laundry in the view of the traditional islamic book is prohibited because of the correlation with the use of booty.

Keywords: Contextualization, Money Laundry

INTRIODUCTION

Contextual study to traditional islamic book has been assessed as an appropriate method of understanding to find out the substantive messages of the book in accordance with the author's intent. This judgment is given because it is realized that a book was written or printed not in a vacuum. The traditional islamic book, which is generally an elaboration and understanding of the teachings of the Qur'an and al-Sunnah, is a reflection of many things that surround the author, including socio-cultural conditions, socio-political conditions, thought tendencies, and motives. - other related motives. It is realized that the language or symbol of writing is unable to facilitate all the will of the author and the dimensions that surround it. The thoughts in the classical scriptures, thus, come together with and according to their own situations and conditions. Thus, renewing the understanding of shari'ah is an effort to describe the teachings of Islam, in accordance with the demands of changing conditions to realize the benefit of the people, both in the world and in the hereafter through classical books.

The contextualization of this traditional islamic book uses a social historical approach of thought, in this case Islamic legal thinking. According to M. Atho 'Mudzar, what is meant by a social historical approach in Islamic legal thought is an approach that every product of Islamic legal thought is basically the result of the interaction between the author (musannif) and the socio-cultural or socio-political environment that surrounds it. The product of his thought depends on the environment and the situation and conditions in which he is located.

This approach is important to use for at least two reasons: first, to put the product of Islamic legal thought in the right place, and second, to give additional courage to legal thinkers today so that they do

not hesitate if they feel the need to change a product of legal thought because history has proven that Muslims in various parts of the world have done it without feeling out of the framework of Islamic law.

One contemporary issue that is rife in Indonesia and even in other parts of the world is the money laundry case. When investigated further about the meaning of money laundry, there is no uniform and comprehensive definition of money laundering or money loundering, each of the hali uses their respective perspectives. However, there are several definitions regarding money laundering (money loundering). In general, these meanings or definitions are not much different from one another. Black's Law Dictionary provides an understanding of money laundering as a term used to describe investment or other transfers of money flowing from rocketing, drug transactions, and other illegal sources into legitimate channels so that is original source cannot be traced. (Money laundering is a term to describe investment in legal fields through legal channels, so that the origin of the money can no longer be known). Money laundering is the process of erasing traces of the origin of money from illegal or criminal activities through a series of investment activities or transfers carried out many times with the aim of obtaining legal status for money invested or destroyed into the financial system.

This form of money laundering activity is very dangerous and detrimental to society. According to the Government of Canada in a paper issued by the Department of Justice Canada entitled *Electric Money Laundering: An Environmental Scan*, published in October 1998, the negative impacts caused by this money laundering activity can be in the form of:

1. Drug dealers and dealers, smugglers, and other criminals can expand their operations. This will increase the cost of law enforcement to eradicate it and the cost of health care and treatment for victims or drug addicts.
2. Money laundering activities have the potential to undermine the financial community as a result of the large amount of money involved in these activities. The potential for corruption increases with the circulation of enormous amounts of illicit money.
3. Money laundering reduces government tax revenues and indirectly harms honest taxpayers and reduces legitimate employment opportunities.
4. The easy entry of money into Canada has attracted unwanted elements by reducing the quality of life and raising concerns about national security.

Based on the enigmas above, the writer needs to offer a legal solution to the problems that occur through the traditional islamic book approach, because the traditional islamic book is the main guide in discussing Islamic law in the community. This research is also carried out so that we can see the correlation and closeness to the discussions and thoughts of the scholars who have been recorded hundreds of centuries ago with cases that occur today.

DISCUSSION

1. Thinking Model Traditional Islamic Book

There is no concrete data on the origin of the term *Kitab kuning* in the culture of the archipelago. Only in its use is the term commonly used to refer to written works in Arabic (*Arabic Book*) compiled by scholars several centuries ago and because of that they are often called classical books. In general, the books although from the point of view of their content are quite comprehensive and can be said to be academic, but from a systematic point of view they are still very simple and do not recognize reading signs such as: periods, commas, question marks and so on. Transition from one sub-topic to another, not by using the new paragraph system, but by using articles or similar codes such as: *tatimmah*, *muhimmah*, *far'un*, *tambihon* and so on. Also the binding system uses the *koras* system..

Masdar F. Mas'udi said that so far three terminologies regarding traditional islamic book: The traditional islamic book is a book written by classical Islamic scholars which is continuously used as a reference by Indonesian scholars, such as *Tafsir Ibn Katsir*, *Tafsir al-Khazin*, *Tafsir Jalalayn*, *hadith* books, such as the *Shahih Bukhari*, *Shahih Muslim*, and so. Characteristics in Arabic, generally do not wear a scarf, even without the period and comma.

- a. The traditional islamic book is a book written by Indonesian scholars as an independent written work, such as those written by Imam Nawāwī, Abdur Rauf al-Singkili (Syiah Kuala), Imam Aḥmad Khātīb al-Mangkabawī and others.
- b. The traditional islamic book is a book written by Indonesian scholars as a commentary or translation of books by foreign scholars. Such as the books of sabīl al-muhtadīn, siyarus salikin, sirāt al-mustaqīm and others.

According to the author's analysis, the naming of the traditional islamic book is because in general the books were printed on yellow paper, because of the technological advances that developed at that time, namely they were only able to print paper in yellow and sometimes the sheets were not bound, so it was easy. taken the necessary parts without having to carry a whole book. Usually the students only bring certain sheets to be studied. Because the writing form is "bald", the traditional islamic book is not easy to read, let alone understood by those who do not master Arabic grammar. Need special skills and trained to read it. The traditional islamic book format usually has its own form, which often consists of two parts, the eyes occupying the margins, and the syarah which occupies the middle part broadly. For the paper size, the quarto size is usually used.

The position of the traditional islamic book in the pesantren is complementary to that of the Kyai. The Traditional islamic book is a codification of the values adopted by the pesantren community, while Kyai is a complete personification (or should be) of that system of values. A new Kyai is called a Kyai, if he really has understood and explored the contents of the teachings contained in the traditional islamic book, and practices them with full sincerity and sincerity. The level of depth and practice of the traditional islamic book is one of the most representative criteria for measuring the degree of a Kyai to another Kyai. And in the eyes of the santri a traditional islamic book will be used as a guide for thinking or behavior when it has been presented in the presence of the Kyai, or at least the exemplary Kyai has stated his diploma (permission) for that, this is why a (senior) santri is able to read The books themselves, said Kali, still feel the need to present them in front of a Kyai who according to the santri has manifested the contents of the womb and piwulang (teachings) of the Book to be served.

Among the pesantren community, there is still a strong belief that the teachings contained in the traditional islamic book are still valid and relevant, legal guidelines for life and life, meaning that these teachings are believed to be derived from the book of Allah and the sunnah of the apostle, and are not left behind as complementary elements. is a noble tradition of ṣāliḥ salaf scholars. Relevant means that the teachings are still suitable and useful for achieving happiness in this life, as well as "later". Herein lies the difference between the "traditional" pesantren community and other Islamic societies which are called "modern" dichotomies, which have recently been increasingly criticized.

The pesantren community, who study the traditional islamic book, believe that the guidelines for life are the Book of Allah and the Sunnah of the Prophet, but they will only guide it through the interpretations and descriptions that have been attempted by trusted scholars in the past. On the other hand, the so-called 'modern' group wants to guide these two sources, not by means of the interpretations of the scholars, but through interpretations or descriptions that are made on their own. In other words, the difference was more or less a matter of means, not goals. But against this background, the group predicated "modern" can hardly give appreciation to the traditional islamic book, nor the scholars who have compiled it.

As a comprehensive teaching system, the overall coverage of the traditional islamic book covers a very broad range of aspects, including beliefs in metaphysical matters, as well as in the form of views and values of personal, family and community life, all of which are expected to lead to at one point the goal is the formation of a human quality with noble character (insān Kamīl) both towards God, himself and others..

In approaching the issue of aqidah, especially those related to the divine aspect, the Traditional Islamic Book agrees to follow the principles of sunny teaching (ahlu sunnah waljamaah) as formulated by Abū al-Hasan al Asy'arī (873-935) and Imam Muhammad al-Matūridi (852-944). From the point of view of the substance of the teachings, this school is intermediate between the understanding of Qadariyah and Muktazilah and Jabariyah. Imam Al-Ghazālī through his works, especially ihya ulūm al-Dīn, which has

made Asy'ari's understanding become increasingly popular and developed and eventually is practically the only theological system that is known and accepted in almost the entire Islamic world, without exception. pesantren community, so that almost all pesantren in Aceh even in Indonesia adhere to the ideology taught by these two great theological figures.

Except for those circulating among khawas such as the book *Sirāj al-Thālibīn*, the work of Sheikh Dahlan Jempes al-Jawī, the book *Ihya al-Ulūm al-Dīn* itself and for those who are a little more open like the book *al-Khushūn al-Hamīdiyah*, most of the Traditional Islamic Books do not provide complex and abstract discussion of divine matters. In contrast to the Traditional Islamic Book for khawas and other works of philosophy enthusiasts, the more popular Traditional Islamic Book is not interested in speculating, for example whether God is a substance or not. With the spirit of *Taslīm*, resigned, they followed the instructions of a hadith which says:

تَفَكَّرُوا فِي خَلْقِ اللَّهِ ، وَلَا تَفَكَّرُوا فِي اللَّهِ

“Think about God's creatures, don't think about His Essence.”

From the expression of this hadith, it is understood that God is the One and Only One, *mukhālif lil ḥawādīs*, (there is nothing in the sky or on earth that resembles Him. God is the One who is not asked why; is not related to the dimension of time; He is beyond reach. human thoughts and fantasies.

Following the formula of Al-Asy'ari which was later completed by Abu Bakr al-Baqīlani (w, 1012), The Traditional Islamic Book always enters the discussion regarding divinity by parsing what is called the mandatory nature 20, the impossible nature which is also 20, and one *jaiz* (choice) quality, namely the freedom for God to do or not do something that may be slightly affected by the pattern of philosophical approach used by Asy'ari and also Al-Ghāzalī when polemicizing with his opponents from among philosophers, the Traditional Islamic Book also underlines the usefulness of the argument of *aqli* (reasoning) in addition to *naqli*'s arguments in explaining divine qualities, although still in simple appearance. The *naqli* argument is an argument that is mixed from logical truths, while the *naqli* argument is one that is compiled on the basis of the truths of revelation, the Qur'an or the Hadith.

This flexible attitude or flexibility in matters that do not directly concern the field of *ushul al-din* (the basic principles of belief) is also seen in the way in which they treat power. According to the theory in the Traditional Islamic Book, the highest power and true sovereignty are in the hands of Allah. Just as humans were created to serve Him, so the power a person has must also be devoted to realizing His demands and words.

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

“All of you obey Allah, obey the Messenger of Allah also to those who hold power among you.” (Q: IV – 58).

In this verse Allah makes obedience to the leader in third place after obedience to Allah and His Messenger. However, the leader here does not come with the word '*ta'atilah*' because obedience to the leader is a follow (*tābi* ') of obedience to Allah and His Messenger. Therefore, if a leader orders to commit immorality to Allah, there is no longer the obligation to listen and obey.

According to the commentators, in language such a sentence structure means that submission to the ruler is limited as long as it does not conflict with the provisions of Allah and His Messenger.

But as is generally understood by the majority of people, most of the contents of the writings in the Traditional Islamic Book are not interested in getting too far involved in (practical) political matters, including regarding issues that are very basic to almost all political societies. According to the Traditional Islamic Book criteria, the requirement for a leader is that he must act fairly and be competent in carrying out the duties of his power. According to Al-Mawardī, the most influential theorist in the world of political thought of the sunni, the task of a ruler (caliph) revolves around: upholding justice in the midst of society protecting and advancing religious life, guaranteeing the security and safety of the State, protecting the lives and property of all the people. , upholding the basic rights of the people, punishing mistakes and abuses, regulating the distribution of *zakat* and enforcing proper government and financial discipline. Because the measure of a power is the quality of justice that is upheld, then in its own way, the Traditional Islamic Book thinking agrees that the people can be critical of the power that acts oppressive (oppressive).

But in line with the political times of the sunny, the Traditional Islamic Book never approved of acts of rebellion or treason against legitimate rule. They are more receptive to the status quo than having to choose chaos and anarchy whose results are not necessarily better. According to Al-Ghazali, basically the rulers who do wrong must be impeached. But if this is not possible, for example, if it is supported by a very strong army and if it is forced it will give birth to anarchy and civil war, then it must be allowed to run and be accepted as an emergency option. The decision of the Islamic Boarding School Ulama (NU) to give president Sukarno the title *waly al-amri dlarur bi al-syawkah* can be explained from the concept of Al-Ghazali's thought earlier.

Talking to the Ulama as the leader of the Ummah, Al-Ghazali said that there are three options for unjust rulers: first, the ulama join the power and participate in strengthening its ranks. Second, the authorities came to the ulama to steal sympathy. Third, the cleric avoided having any contact with that power. According to al-Ghazali, the first option is *haraam*, because it is tantamount to strengthening the wrongdoing done. The second option is *makruh*, it should be avoided, because it is said that people are not able to maintain their stance and eventually fall into the ranks of the first group. And the third option which is also called *uzlah* (step aside), is the safest and wisest choice. In this way, the ulama naturally frees himself from the touch of power, but in his heart he steadfastly hates his arbitrariness, and for the sake of religion and the people he prays to God that such rulers will be immediately guided, or torn down to be replaced by other just powers. . In this case the Prophet's hadith was quoted as narrated by Abdullah bin Umar:

إِتَّقُوا دَعْوَةَ الْمَظْلُومِ فَإِنَّهَا تُصْعَدُ إِلَى السَّمَاءِ كَأَنَّهَا شَرَارَةٌ

Beware of the prayers of those who are wronged, because they will be lifted up into the sky as if they were sparks.

Reluctance to enter into power, for example by occupying certain positions, seems not only because they do not want to be involved in the wrongdoing (coorruption) - however small - which often adorn every form of power, but because power itself is often not in line with the *zuhud* spirit (simple life) which is very emphasized by almost every Traditional Islamic Book. Position and property are, for almost everyone, two sides of the same coin. Reflecting on the pattern of life of the Prophet SAW, the Traditional Islamic Book does not insult worldly life, but never consider it as something that must be taken seriously. Worldly wealth needs to be sought just to fulfill a natural life. Do not someone fall into poverty, but also do not accumulate more than the required limit.

Material wealth is sought as a means to sustain life, not an end in life itself. The true goal of life that must be pursued, also by making use of the worldly wealth we have, is the pleasure of Allah. Imam Hasan al-Basri said:

ليس الزهد في الدنيا بتحريم الحلال ولا إضاعة المال، ولكن أن تكون بما في يد الله أوثق منك بما في يدك

This means: asceticism towards the world does not forbid what is lawful or defamatory of money. But the mental attitude that worldly wealth is no more guaranteeing prosperity and happiness than the merits of goodness received by Allah.

Therefore, if in many Traditional Islamic Books there is a discussion of human activity in the economic field, as found in almost all *fiqh* books, then the objective of the discussion is not about how a person with his efforts can achieve the maximum benefit. but how can the effort be carried out honestly, not harming oneself and not harming others, so that what is obtained from the business is lawful sustenance and brings blessings as to fulfill worship to Allah.

2. The Traditional Islamic Book Study About the Legal Status of Money Laundry

Money Laundry is caused by the result of using haram assets, resulting in very much profit, therefore, the first explanation that must be discussed is the definition of haram assets in terms of the explanation in the Traditional Islamic Book nass, as below:

والكسب الخبيث هو أخذ مال الغير لا على وجه إذن الشرع ، فيدخل فيه القمار والخداع والغصب وجدد الحقوق وما لا تطيب نفس مالكة ، أو حرمة الشريعة وإن طابت به نفس مالكة كمهر البغي وحلوان الكاهن وأثمان الخمور والخنازير وغير ذلك

While the characteristics of these haram assets are explained in the text at that point.

وإن ظن أنه يستعمله في حرام كالحرير للبالغ ونحو العنب للسكر والرقيق للفاحشة والسلاح لقطع الطريق والأفيون والحشيشة وجوزة الطيب لاستعمال المخدر حرمت هذه المعاملة

If it is suspected that he is wearing unclean clothes to a child who is already baligh, selling wine to get drunk, selling a slave to be used in immoral work, selling weapons to robbers, selling marijuana for purposes that are forbidden, then the law is haram to sell goods. the item.

Haram assets are assets that are obtained through methods that are not permitted by the Sharia. The assets can be divided into two categories, namely: first, assets owned by illegally controlling the rights of others. There are many ways, including stealing, robbing, cheating, extortion, harassment of the rights of others, and so on. Second, assets that are owned through businesses that are prohibited by religion even though they are mutual, such as buying and selling containing elements of usury and other usury practices, illegal transactions, selling prohibited objects such as narcotics and liquor, the results of haram performances such as performances musical instruments, and jokes, bribes, and so on.

Thus, assets controlled in such an unlawful way, if used to buy other assets (developed) or money laundry, the legal provisions are described in the following classic text.:

والغاصب إذا اشترى بالمال المغصوب عرضاً أو فاد فيه ربحاً لم يخل عقد ابتياعه من أن يكون بعين المال أو يغير عينه. فإن كان بعين المال فالشراء باطل، لأن العقد على المغصوب باطل، ومع بطلان الشراء يفوت الربح فلا يحصل للغاصب ولا للمغصوب منه. وإن كان الشراء في دمة الغاصب والثمن مدفوع من المال المغصوب فالشراء صحيح لثبوته في الدمة، والربح مملوك بهذا الإبتتباع لصحته

A usurper seizes the property of another person, then the spoiled property is used as business capital so that he can make a profit, then the transaction is carried out with the illegal property or not. If it is carried out with other illicit assets, the sale and purchase transaction is null and void. So as to abort all the benefits it has. Conversely, if the sale and purchase transaction is carried out in a usurper's dhimma, and at the price of the booty, then the transaction is valid and the profit can be owned.

إذا غصب رجل دراهم، وتصرف فيها، وظهرت أرباح في ظاهر الحال، أو تصرف المودع على خلاف الإذن، وربح، فإذا فعل ذلك، فهو غاصب، فالمنصوص عليه للشافعي في الجديد، وهو القياس الذي لا حيد فيه أن تيك التصرفات إن وردت على الأعيان المغصوبة، فهي منقوضة، وإن تعددت، وبلغت مبلغاً يعسر تتبعها، وإن كانت الأعيان المغصوبة قائمة، فهي مستردة، والبياعات الواردة عليها فاسدة، والأعيان المأخوذة في مقابلتها مردودة على ملاكها. هذا في التصرف الوارد على العين. ولو اشترى الغاصب في ذمته شيئاً، وأدى الثمن من الدراهم التي غصبها، فبيع المتاع في الأصل واقع للغاصب؛ إذ ورد على الذمة؛ وتأدية الثمن من الدراهم المغصوبة عدوان، وتلك الأعيان متبعة مستردة حيث تُلقى، على قاعدة الغصب. وإذا ملك الغاصب ما اشتراه في الذمة، ثم ارتفع السعر، وباعه، فالربح له؛ فإنه ربح على ملكه الصحيح. وهذا هو القياس الذي لا يخفى مدركه. ونص الشافعي في القديم على أن الغاصب إذا تصرف في الدراهم المغصوبة، وانفق أرباح بسبب تصرفه، فإنه يُجيز تلك التصرفات، ويفوز بالأرباح، واعتمد في ذلك مصلحة كلية؛ من جهة أن تتبع التصرفات الكثيرة في الأمتعة التي تداولتها الأيدي، وتشتتت في البلاد عسر، وقد لا يوصل إليه، هذا وجه. والآخر: أن لو لم نجوز هذا، فقد يتخذ الغضاب ذلك ذريعة إلى تحصيل الأرباح؛ فإن الشراء في الذمة، وتقد الثمن من الدراهم المغصوبة متيسر لا عسر فيه

If a man seizes a number of dirhams (currency), then uses it and gets a profit, or uses the entrusted (young ') property and makes a profit, then according to jadid's opinion (Shafi'i fatwa in Egypt) in the Shafi'i school of thought that the exploitation of the spoils is prohibited. And all the forms that have been generated are returned to their owners. This applies to its direct utilization of the other spoiled dirhams. Meanwhile, if the contract states that the payment is in the buyer's responsibility (dhimma), then the sale and purchase will be legally punished, but the payment is canceled if it is paid with the money from the spoils. According to Qadim's version, the profit belongs to the person who is confiscated, that is, the owner of the property that is confiscated, this profit cannot be owned by the usurper. This opinion presents two reasons for the legal basis. First: when what happens is the growth of property in the form of fruits produced from the booty tree and in the form of children produced from spoiled cattle, then it belongs to the owner, does not belong to the usurper, then this is the case if the profits obtained from the capital from the confiscation of people's assets other things that are not in the form of fruit and cattle, then it also belongs to the owner of the property that is confiscated and does not belong to the usurper. Because in both cases the development of the property of the person who was confiscated occurred together. Second: Whereas every cause which is forbidden (such as seizing) which for this reason conveys possession of a property, then the cause which is forbidden becomes a barrier to owning property. It is the same as if the heir is a murderer, when the law of killing is forbidden, then this makes him prevented from getting an inheritance. Because don't get an inheritance it gives a chance to kill. Likewise the usurper,

where when the law of seizing is forbidden, then he is prevented from obtaining a profit from the capital of the spoiled property. Because if he can have a profit by taking away, then it is the same as giving the opportunity to confiscate with the aim that when the property has been made a profit, later he will return the booty as well.

Muhammad al-Zarqâ 'in Syarhul Qawâid al-Fiqhiyyah said,

ان الشيء المحرم الذي لا يجوز لأحد اخذه ويستفيد منه يحرم عليه أيضا أن يقدمه لغيره ويعطيه إياه سواء على سبيل المنحة ابتداء أم على سبيل المقابلة.

Money laundering increases its status from being merely haram and immoral to become *jarîmah* (a criminal act) when it is threatened with a punishment.

في الذمة ونقد من المغصوب َوَفَلْنَا بِالْجَدِيدِ (المَقْرُرُ فِي الْمَذْهَبِ الظَّاهِرِ عِنْدَ مَنْ لَهُ أَدْنَى الْإِمَامِ بِهِ وَهُوَ أَنَّ الرِّبْحَ لِغَا صِيبِ اشْتَرَى لِصِحَّةِ شُرَائِهِ وَإِنَّمَا الْفَاسِدُ تُسَلِّمُهُ فَيُضْمَنُ مَا سَلَّمَهُ

Imam Syāfi'i's *jadīd* opinion explained that the profit from the use of the spoils of the property owner (*malik*) if the transaction is carried out with 'ain property that is haram, but if it is carried out in the usurper's *dhimmah*, then the profit belongs to the usurper..

واعلم قبل الشروع فيهما أنه إذا اتجر الغاصب في المال المغصوب ففيه قولان (الجديد) أنه إن باعه أو اشترى بعينه فالتصرف باطل وإن باع سلماً أو اشترى في الذمة وسلم المغصوب فالعقد صحيح والتسليم فاسد ولا تبرأ ذمته عما التزم ويملك ما يأخذ وأرباحه له (والقديم) أنه يتبعه والشراء بعينه منعقد موقفاً على إجازة المالك فإن إجازة فالربح له وكذا إذا التزم في الذمة وسلم المغصوب وتكون الأرباح للمالك

If a usurper trades with the capital from the spoils, there is a difference of opinion: a strong opinion (*jadīd*) if the sale and purchase of the property is illegal, then the use of the property is illegal, on the other hand, if the transaction occurs in the usurper's *dhimmah* (dependents), the contract is valid, while the price is *fasid*. Whereas a weak opinion (*qadīm*), buying and selling which is done on the booty, everything returns to the owner whether it is done with 'ain' the property or on account of it..

AUTHOR'S ANALYSIS

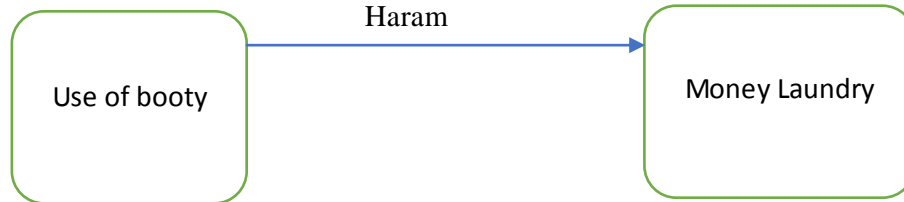
The forms of crime today are many and varied, one of which is money laundry. This crime is classified as a major crime and can have an effect on the country's stability. The background of someone committing a money laundering crime (money laundry) is so that the origin of the money cannot be known or can not be traced by law enforcers. In this crime, the perpetrators must pay attention to several things:

- a. The true ownership and true source of laundered money must be hidden. There is no point in doing money laundering if everyone knows who owns the money if the money appears at the end of the money laundering process.
- b. The form of money must change. Funds originating from drug trafficking are almost certainly cash. This cash must be able to be converted into other forms of payment, for example in the form of checks.
- c. The traces left by the money laundering process must be disguised or obscured. The purpose of money laundering will be futile if other people can follow the course of the money laundering process from the beginning to the end of the process.
- d. Continuous supervision must be exercised over the money. In the end, many people who show up while the money is being laundered know that the money is dirty money (dirty money) and if they can take it or steal it, there is little chance that the owner of the money will be able to take legal action against the act. The origin of the laundered money can still be traced, which will lead law enforcers to arrest predicate crimes, namely crimes that produce money laundered through the money laundering process.

From the search for the Traditional Islamic Book text above, and also by paying attention in general to the description of money laundry, the link between the Traditional Islamic Book text and the money laundry is part of the use and development of other people's property described in the Traditional Islamic Book. The legal provisions of this money laundry transaction are prohibited and forbidden. All proceeds obtained from this transaction must be returned to the owner of the property. In contemporary studies today, the proceeds of illicit money crimes such as corruption, the proceeds from

methamphetamine and other proceeds of crime are used to buy land, build buildings, buy cars and other types of activities. All profits are returned to the owner of the property if it is still known, if not then used for public facilities and interests. The use of facilities and personal interests is prohibited and illegally related to the property. For example, paying zakat, pilgrimage fees, and paying debts.

As the correlation between the two as illustrated in the diagram below:



CLOSING

The role of the Traditional Islamic Book is very important, it supports the concept of madzhab development. The use of analogy and comparative methods is applied in determining law, both state and religion. Looking for common ground then concocting through long dialectics. The orientation is to apply religious law without touching or even changing plural local wisdom, either in the order of customary law or national law. The contextualization of the Traditional Islamic Book here is a form of effort to maintain human social relations, as well as to eliminate the rigid paradigm in understanding the Traditional Islamic Book and in its application. Money laundry in the view of the Traditional Islamic Book is prohibited because of the correlation with the use of booty.

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