KETERIKATAN FATWA KEPADA MAZHAB SYAFI’I: ANALISIS TERHADAP FATWA-FATWA JEMA'AH ULAMA MAJILIS AGAMA ISLAM DAN ADAT ISTIADAT MELAYU KELANTAN

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ABSTRACT

Generally, religious rulings (fatwa) in Malaysia are based on Shafi’i madhhab as adherence to provisions of enactments of respective state in Malaysia. However, recently there are changes in fatwa. This might be due to development of education system, exposure of ulama and public to openly discussion of Islamic rules, public interest and their necessity to a certain view as a wise solution that meets the reality and contemporary needs. Therefore, the article attempts to analyze factors that lead to upholding of Shafi’i madhhab in fatwa as well as to identify rooms for other views of other madhhab in issuing such a fatwa. This is a library research whereby primary sources is a collection of fatwa of Religious council of Kelantan. Those data then have been analysed by using content analysis method. The findings of this research are, the restriction to Shafi’i madhhab in Kelantan is confirmed in taking place of previous years, however in nowadays there is a room for different views of