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Analysis of Shafi'iyah Scholars' Thoughts On Bribery (Risywah)

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Abstract

This research was conducted to find out how to develop the bribery law by the Syafi'iyah scholars who established the unlawful bribery law. However, in the study, some Syafi'iyah scholars provided legal relief by considering the situation and circumstances. This research was conducted to answer the relevance of risywah practice for Indonesia today. This study uses a qualitative research method with a literature approach. The results of the study stated that in the current context, the practice of bribery is a natural thing to do in every aspect of life, especially in the bureaucracy because people definitely like it or don't like it.

Keyword: *Bribery (risywah); Shafi'iyah; Law Enforcement*

Abstrak.

Penelitian ini dilakukan untuk mengetahui bagaimana cara mengembangkan hukum suap oleh para ulama Syafi'iyah yang menetapkan hukum penyuapan haram. Namun, dalam studi, beberapa ulama Syafi'iyah memberikan keringanan hukum dengan mempertimbangkan situasi dan keadaan. Penelitian ini dilakukan untuk menjawab tentang relevansi praktik risywah untuk Indonesia saat ini. Penelitian ini menggunakan metode penelitian kualitatif dengan pendekatan literatur. Hasil penelitian menyatakan bahwa dalam konteks saat ini, praktek penyuapan adalah hal yang wajar untuk melakukan dalam setiap aspek kehidupan, terutama dalam birokrasi karena pasti suka atau tidak suka orang-orang harus melakukan praktek tersebut.

Kata Kunci: *Suap (risywah); Syafi'iyah; Penegak Hukum*

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A. INTRODUCTION

Risywah is a public crime (*jarimatul 'ammah*) that has become entrenched and common in our country. It is entrenched because it becomes a common thing in many lines of people's lives, from the official class to the people's class. In addition, *risywah* is considered normal because many people do it. Currently, many people do not care about doing *risywah* in transactions, work, and even in law for personal or group interests.

They assume that it is legal and even considered as lawful sustenance to be enjoyed. The mafia in this country can be above the law because of bribes that gag the mouths of judges who are fond of consuming illicit assets. The culture of Corruption, Collusion and Nepotism (KKN) in this country has become fertile because it is supported by a culture of bribery/*risywah* which is deeply rooted.

The biggest factor that causes this is the culture of *risywah* in the bureaucracy, which is often masterminded by unscrupulous individuals. On the other hand, *risywah* is often understood as a gift for an objective form of appreciation for closeness and love. However, people often do *risywah* under the pretext of giving gifts. Today is rife with gifts to employees, especially government employees, or gratuities. These prizes include giving money, rebates (discounts), commissions, interest-free loans, travel tickets, lodging facilities, tour trips, free medical treatment, and other facilities.

In the world of education, the phenomenon of *risywah* can occur between lecturers and students, especially about the acquisition of grades and graduation. So, often people do not understand and cannot distinguish between *risywah* and gifts. Indeed, this is one of the devil's most telling tricks. They change the name of something that is haram with a name that looks beautiful, such as *risywah* instead of a gift or parcel, usury is replaced with flowers, adulterers are replaced with commercial sex workers and others. Finally, the culture of *risywah* spreads because the perpetrators argue that they give gifts. Therefore, one should be careful (*wara*) in accepting gifts, especially for judges, officials, or anyone who has policies in an agency or institution.

Therefore, how the scholars define *risywah* and how the scholars determine the law of *risywah* which according to *jumhur* is haram and it is permissible to carry out *risywah* acts under certain conditions and actions similar to *risywah* itself will be discussed in this paper.

B. METHODS

The type of research is library research, namely research procedures that produce descriptive data in the form of written or spoken words from people or observed behavior. Another term in law, this research is also called normative legal research. This research is qualitative and descriptive-analytic, namely managing and describing data systematically, understanding and analyzing data. After the data is collected, then proceed with the description of the data first. The approach used is juridical-normative, namely analyzing the system.

C. RESULTS AND DISCUSSION

1. Meaning of Risywah

Scholars have defined *risywah* both etymologically and terminologically. In detail, the definition of *risywah* in language (etymology) Bribery in Arabic is called *risywah*. In *Lisan al-Arab Ibn Mandzur* mentions the word Abul Abbas related to the origin of the word *risywah*.³

الرُّشْوَةُ مَا خُوذَةُ مِنْ رِشَا الْفَرُخِ إِذَا مَدَّ رَأْسَهُ إِلَى أُمِّهِ لِتَرْقَهُ

"The word *risywah* is taken from the context of a baby bird sticking its head into its mother's mouth while asking for food in its mother's beak to be fed." As for in *Mu'jam al-Wasith* it is mentioned that the sentence *risywah* comes from a meaningful word.⁴

According to Abdullah Ibn Abdul Muhsin, *risywah* is something given to a judge or a person who has the authority to decide something so that the person who gives obtains legal certainty or obtains his desire.⁵ *Risywah* is also understood by scholars as giving something that is a tool of persuasion to achieve a certain goal. According to the MUI, bribery (*risywah*) is a gift given by one person to another (official) to approve invalid acid (not true according to sharia) or invalidate a right act. So, from the various definitions above we can conclude about the definition of *risywah* in terminology, namely: A gift either in the form of property or other objects to the owner of an office or policyholder/power to legitimize (or launch) the invalid and invalidate the right or benefit from the path that not illegal.

2. Quranic Verses and Hadith about Risywah

Risywah is a crime that is forbidden in Islam as well as a reprehensible act in human life. It is said to be a crime because it is in practice loaded with manipulation and cruelty towards others. In Al-Qur'an there are several verses that are directly related to *risywah*. The following are the verses about *risywah*:

a. Surat Al-Baqarah verse 188.

وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ وَتُدْלוּهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ

Means: "Do not some of you eat up your property among yourselves in vanity, and do not you bring the business property to the judge, that ye may eat up from the property of others by (the way of committing) sin, while you know. "

³ Ibnu Mandzur, "Lisanul Arob", (Beirut: Dar al Shodir), Cetakan I, Juz 14, h. 322

⁴ Ibrohim Musthofa, Ahmad az Zabat dkk, "al Mu'jam al Wasith, Daru al Dakwa" (Majma: Lughoh arobiyyah), Juz 1 h. 148.

⁵ Abdullah Ibn Abdul Muhsin, "Suap dalam Pandangan Islam", (judul asli: Jarimah alRisywah fiy Syari'ah al-Islâmiya), penerjemah: Muchotob Hamzah dan Subakir Saerozi, (Jakarta: Gema Insani Press, 2001)

Quoting the opinion of Imam Asy-Syaukani in *Fath al Qadir* al Qurtubi explains:⁶ “This verse is general for all people, as well as the prohibition of eating what is forbidden of all kinds of property. It is not exempted from the above prohibition other than that specified by the proposition about the permissibility of consuming the property. If there is a proposition that denies the prohibition, then he does not include taking it in a void way but in a right way. He consumes the property in a way that is lawful and not unlawful even if the owner is not willing as in the case of the debt settlement court when the debtor does not want to pay it and then is forced to pay it. Similarly, the handing over of property is obligatory for zakat and alimony of a person who has obligated according to syar “i. In essence, property that is forbidden by sharia to be taken from its owner, then it includes consuming property in an invalid way even if the owner is willing.”

b. Surat A-Maidah verse 42.

سَمْعُونَ لِلْكَذِبِ أَكْلُونَ لِّلَسُحْتِ فَإِن جَاءُوكَ فَاحْكُم بَيْنَهُم أَوْ أَعْرِضْ عَنْهُمْ وَإِن تُعْرِضْ عَنْهُمْ فَلَن يَضُرُّوكَ شَيْئًا وَإِن حَكَمْتَ فَاحْكُم بَيْنَهُم بِالْقِسْطِ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

Means: “These are people who love to listen to lies and consume illegally. If they come to you, decide between them, or turn away from them. if you turn away from them then they will not harm you in the least. If you judge between them, judge between them with justice. Lo! Allah loveth the righteous.

Imam at Tabari in his commentary mentions the narration from Qotadah related to the asbabun nuzul of this verse, namely:⁷ “(That this verse came down) relates to the judges of the Jews who always listen to lies and accept bribes.” In interpreting this verse, Imam at Thabari said, Allah SWT said in this verse while explaining that such are the characteristics of the Jews that I (Allah SWT) attribute to you, O Muhammad SAW. Their nature is always to hear a lot of false words and lies. They said to each other, “Muhammad SAW is a liar and not a prophet. Among them, some said while lying, “Indeed the law of adulterers who have been married (*muhsan*) in the Torah is whipped and tahmim (not stoned), and other than lying and they receive *risywah* from it.”

c. Hadiths of the Prophet about Risywah

In a hadith narrated:⁸

عَنْ أَبِي هُرَيْرَةَ قَالَ لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الرَّائِيَّ وَالْمُرْتَبِيَّ فِي الْحُكْمِ

Means: *From Abu Huraira Allaah anhu, he said: Messenger of Allah sallallaahu 'alaihi wa sallam cursed the bribe giver and bribe takers in law.*

⁶ al Qurtubi, “*al Jami’li Ahkamil Qur’an*”, (Mesir: Dar al Kutub al Mishriyyah, 1964), Cet II, h. 29.

⁷ Ibnu Jarir ath Thobari, *Jamiul Bayanan Ta’wil ‘Ayi al Qur’an*, Juz 4, h. 309.

⁸ HR. Ahmad, no. 9011, 9019; Abu Dawud, no. 3582; Ibnu Hibban, no. 5076.

And for an action similar to bribery (*risywah*) in a hadith narrated:⁹

Once the Prophet *sallallaahu 'alaihi wa sallam* hired someone from the Banu Asad whose name was Ibn Lutbiyyah to take care of zakat. The man came and said, "This is for you, and this is a gift for me." Spontaneously the Prophet *sallallaahu 'alaihi wa Sallam* stood on the pulpit while Sufyan said with the editor 'ascend the pulpit', he worshiped and praised Allah and then said,

مَا بَالُ الْعَامِلِ نَبَعْتُهُ ، فَيَأْتِي يَقُولُ وَيَأْتِي يَقُولُ فَمَا جَلَسَ فِي بَيْتِ أَبِيهِ وَأُمِّهِ فَيَنْظُرُ أَيُّهُدَى، وَالذِي نَفْسِي
بِيَدِهِ لَا يَأْتِي بِشَيْءٍ إِلَّا جَاءَ، إِنْ كَانَ بَعِيرًا لَهُ رِغَاءٌ، أَوْ بَقْرَةً لَهَا خَوَارٌ، أَوْ شَاةٌ تَعِيرٌ، ثُمَّ رَفَعَ يَدَيْهِ حَتَّى رَأَيْنَا
عَفْرَتِي إِبْطِيهِ " أَلَا هَلْ بَلَّغْتُ «ثَلَاثًا

"What is the matter with a zakat manager that we sent, then he came and said," This is for you and this is a gift for me! " Try to just sit in his father's house or his mother's house, and see if he receives a gift or not? For the sake of the Essence in which my soul is in His hands, it is not for a person to come with a gift like a worker before but he will come with him on the Day of Judgment, then he will carry the gift around his neck. If the gift he takes is a camel, then the sound of a camel will come out. If the gift he takes is a heifer, then the sound of a cow will come out. If what is a goat, then the sound of a goat will come out. he is carrying then he raised his hands until we saw the white of his armpits while saying, "Know, did I not tell you?" (he repeated it three times)".

From these hadiths, it is clear that Rasulullah SAW did not only curse people who did *risywah* or bribes. Reprimands are also addressed to people who receive *risywah*. So, it is very clear that the law of *risywah* is haram for both those who give and receive it.

3. Methods of scholars in Establishing the Law of Risywah

Shafi'i in establishing the law of Shafi'i scholars has a stage developed by Imam Shafi'i that is that the basics of *ijtihad* which later became the foothold among Shafi'i scholars are as follows:¹⁰ Zahir al-Quran as long as no evidence confirms that what is meant is not zahir, Sunnah of the Prophet, *Ijma'*, *Qiyas*, (he rejected the policy of *Istihsan* and *Istislah*) and *Istidlal*.

Imam Syafi'i is also known as a very critical scholar and he also did not use the *Qaul sahabi* as the basis of argument. Because the *ijtihad* of the companions has the possibility of being wrong. When the *ijtihad* of the companion happened to match the hadith that was developing at that time, then the companions were happy, but on the contrary when their *ijtihad* contradicted the hadith, then the companion abandoned his *ijtihad* and returned to the existing hadith.

As for the verse found in QS. Al-Maidah: 42

سَمِعُونَ لِلْكَذِبِ أَكْثُونَ لِلصُّحُفِ

⁹ HR. Bukhari no. 7174; Muslim no. 1832.

¹⁰ Agus Miswanto, "Ushul Fiqh: Metode Istinbath Hukum Islam", (Yogyakarta: Magnum Pustaka Utama, 2019), h. 234.

That the meaning of "shut" is the illicit property and while the result of *risywah* is illicit property due to al Qurtubi.¹¹ "illicit wealth" is called *Suht's "Suht"* because it eliminates and destroys obedience. called the illicit property "*Suht*" because it takes away honor.

Furthermore, in the hadith of the Prophet, it has been mentioned that "the prophet cursed bribes and bribe in the lawmakers" and the Prophet condemned acts that resembled *risywah*, namely giving gifts to officials sent by the Prophet to take care of zakat.

Imam ash-Shan'ani in *Subulus as salam* also said,¹²

والرشوة حرام بالإجماع سواء كانت للقاضي أو للعامل على الصدقة أو لغيرهما، وقد قال الله تعالى:
وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ وَتُدْخُلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ
تَعْلَمُونَ

"Bribery is illegal according to the consensus", either for a qadhi / judge, for employees who deal with *sadaqah*, or otherwise. As Allah Ta "ala says, " Let not some of you consume the property of others among you in a false way and (do not) bring (the matter) of the property to the judge so that you can consume part of the property of others with (way of committing) sin when you know "

From the opinion of the Shafi'i scholars presented can be concluded that the act of *risywah* is illegal because of the way to get the property falsely, and therefore they agree that it is haram to act *risywah* with *ijma'* and there is no difference of opinion among the scholars (*jumhur*).

4. Acts Similar to Risywah

There are several terms in shari'ah terminology that have a meaningful relationship with the term *risywah*. These terms will be mentioned as follows:¹³

First, Mushana'ah. In al-Mu'jam al-Wasith it is mentioned, the word *mushana'ah* has the meaning of doing something for another person so that the person does something else for him in return for his treatment. The term *mushana'ah* is often used as a metaphor for *risywah* behavior. Classical scholars often refer to *risywah* with the term *mushana'ah*.

In line with the meaning put forward by Ibn al-Atsir who defines the *risywah*

الْوُضْلَةُ إِلَى الْحَاجَةِ بِالمُصَانَعَةِ

"It is something that conveys the need by way of bribery"

¹¹ Al Qurtubi, Juz 6, h, 183.

¹² Muhammad bin Isma'il al-Amir as-Shan'ani, "*Subulus Salam Syarh Bulughil Maram min Jam'I Adillatil Ahkam*", terjemahan. Jakarta: Darus Sunnah, 2012.

¹³ Bahgia, "*Risywah Dalam Tinjauan Hukum Islam dan Undang-Undang Tindak Pidana Suap*" (Mizan: Jurnal Ilmu Syariah). Vol 1, No 2/2013, h. 164.

Second, Suht. Word "*Suht*" linguistically means everything bad from any form of business. While according to the terminology, such means any illicit property that should not be cultivated and eaten. It is said *suht* because this property can remove obedience and eliminate it. The word *suht* is mentioned in QS. al-Maidah: 42. The scholars of tafsir interpret the word *suht* which is a Jewish habit as *risywah*. However, the word *suht* is a word that is still common, that is, all kinds of illicit property that should not be taken and eaten, *suht* includes usury, bribes, confiscation, gambling proceeds, stolen property, prostitution fees, sorcerer's dowry, and all forms of property that obtained from a false path. While *risywah* is more special and is part of *suht*.

Third, Gifts A. A gift means something given to another person out of an attitude of glorification and love. It is said *ahdaytu lahu wa ilaihi* "I gave him a gift". And the meaning of *At-tahaadi* is to give gifts to each other and the jama'nya *Hadaaya* and *Hadaawa* is the language of the people of Medina. However, not all practices of giving and receiving gifts can be justified in the Shari'ah. Among the gifts that are not allowed in Islam are gifts given to policy controllers, holders of authority and authority, people in charge of public service, and judges who want to decide a case. This is due to the motivation and hidden purpose of the gift, which is to gain benefits, employment, protection, support, and help. If it is in that form, then it is no longer a gift as defined, but a form of bribe. Al-Qardhawi mentioned that naming a bribe with the term gift would not change its status from haram to halal.

Fourth, Grant. It is a gift given to someone without expecting a specific reward and purpose? The difference with *risywah* is that Ar-Raasyi is the giver of a bribe to give something because there is a specific purpose and interest, while *Al-Waahib* or the giver of a grant gives something without a specific purpose and interest.

Fifth, Shadaqoh. It is a gift given to a person because he expects pleasure and reward from Allah SWT. As well as zakat or infaq. The difference with *risywah* is that a person who gives alms gives something only because he expects the reward and the pleasure of Allah alone without the worldly element that he expects from the giving.

5. When Is It Possible to Do Risywah

The division of *risywah* can be divided into two, namely haram *risywah* and halal *risywah*. For the haram has been explained above and as for the type of *risywah* that the scholars, especially the Shafi'i scholars, namely Ibn Taymiyyah in his book *majmu 'fatwa* quote a hadith narrated by Imam Ahmad ibn Hanbal that the Prophet once gave a sum of money to people who always asked- ask him.¹⁴

"From Abu Sa'id al-Khudriy, he said Umar said, O Messenger of Allah, I heard Fulan and Fulan do well with praise while they both told that you gave two dinars. Umar said, The Prophet (peace and blessings of Allaah be upon him) said, but for the sake of Allaah the So -and -so is not like that, I gave him ten to a hundred, what he said was not like that. By Allah, one of you will surely

¹⁴ Toha Handiko: "*Sanksi bagi Pemberi dan Penerima Gratifikasi Perspektif Hukum Pidana Islam*", QIYAS Vol. 1, No. 1/ 2016, h. 125

come out (rise) by carrying the requested item from the side in the lower part of his armpit, meaning under his armpit will emit fire. Umar asked, O Messenger of Allah, why did you give them the money? Rasulullah replied, what I did will not make them bored, but they will continue to ask, while Allah is not pleased if I have a stingy nature " (Narrated by Ahmad).¹⁵

Based on this hadith, there is an opinion about the existence of a form of bribe that can be justified, that is, a bribe made by a person to obtain the rights that he deserves or to reject harm. The original law of *risywah* is haram. Under certain conditions, *risywah* is allowed but with the following conditions:¹⁶

First, condition of emergency referred to in this point has two meanings in particular and in general. The description is as follows:

- a. Emergency in a special sense is an essential interest that if not met, can lead to terrible difficulties that lead to death.
- b. Emergency in the general and broader sense refers to something essential to protect and maintain the basic objectives of sharia.

In the language of Imam Syatibi something is called essential because without it, the community will be complicated by chaos, and in the absence of some of them, man will lose his balance and will be deprived of his happiness in this world and his success in the hereafter. Thus, it can be observed that the main concern of the definition of emergency according to Imam Syatibi is to protect the basic purpose of sharia, which is to protect religion, life, lineage, intellect, health, maintain and protect dignity and self-respect. The emergency has conditions that must be met, including: (1) The emergency must be real and not speculative or imaginative, (2) No other solution has been found to overcome the suffering except that, (3) The solution (in this case the *risywah* taken) should not violate the sacral rights that trigger murder, apostasy, confiscation of property, or having fun with the same sex, (4) There must be a strong justification for performing such *rukhsah/relief*, (5) In the view of experts, that solution should be the only solution available, (6) To take away obligations and rights lost, (7) Not excessive and become a habit, (8) To get masalahah *rajihah* (real benefit) not *dzoniyyah* (estimate), (9) Do not allow it, but deny it and always beristighfar and pray to God because it is forbidden. To take away obligations and rights lost when dizhalimi.

The type of bribery that the scholars declared halal by al-Syaukani is explicitly rejected, bribery in its specific forms and for any purpose remains haram because the hadith about the very famous *risywah* cannot be assessed except with acceptable evidence (strong and can be accepted), not just by unstable estimates and judgments.¹⁷ In this case, the author agrees more with al-Syaukani without having to criticize the opinion of the majority of scholars who have agreed to legalize the type of *risywah* whose purpose is to defend, demand, and fight for rights and or to reject injustice. Because of the current context of Indonesia, if we follow the opinion of the majority of

¹⁵ Lihat Ahmad ibn Hanbal, *Musnad Ahmad*, jilid III, h. 4

¹⁶ Haryono *Risywah (Suap-Menyuap) dan Perbedaannya dengan Hadiah Dalam Pandangan Hukum Islam Al Masalahah* Jurnal Hukum dan Pranata Sosial Islam, h. 442.

¹⁷ al-Syaukani *Nail al-Autâr*, jilid IX h. 172

scholars, it will be very vulnerable to the government's failure to eradicate KKN practices in this country.

D. CONCLUSION

After discussing the risywah, the author concludes that the evidence used in banning *risywah* is Al-Qur'an and the hadith of the Prophet, which is found in QS. Al-Baqarah: 188 and QS. Al-Maidah: 42 and the hadith of the Prophet who commanded the actions of an officer of the amil zakat who received a gift. The methods in establishing the law of risywah used by Shafi'i scholars, among others, are; (1) Zahir al-Quran as long as no evidence confirms that what is meant is not zahir, (2) Sunnah of the Prophet, (3) Ijma', (4) Qiyas, (he rejected the policy of Istihsan and Istislah), (5) Istidlal.

And for the method of understanding used by Syfi'iyah scholars is through; *First*, Mantuq. That the meaning is written in QS. Al-Baqarah: 188 that Allah SWT "*forbids consuming wealth in a false way*" and through the understanding of this mantuq that all kinds of ways to get wealth falsely is haram and risywah is one of them. *Second*, Understand. That the meaning of Surat Al-Ma'idah: 42 explains consuming haraam, and it is understood that the property illegally it is a treasure that can be by way of vanity as mentioned above, there are even clerics interpreted as saying that the meaning of *Shut* it is a bribe.

REFERENCES:

Books:

- Al A'sqolani, Ibn Hajar "*Fathul Bari (Tahqiq Ibnu Baz dan Muhibbuddin al Khotib)*", Beirut: dar al Fikr.
- Al Qurtubi, "*al Jami'li Ahkamil Qur'an*", Mesir: Dar al Kutub al Mishriyyah, 1964.
- Al-Syaukani *Nail al-Autâr*, jilid IX.
- As-Shan'ani, M. "*Subulus Salam Syarh Bulughil Maram min Jam'I Adillatil Ahkam*", terjemahan. Jakarta: Darus Sunnah, 2012.
- Ath Thobari, Ibn Jarir. *Jamiul Bayanan Ta'wil 'Ayi al Qur'an*, Juz 4.
- HR. Ahmad, no. 9011, 9019; Abu Dawud, no. 3582; Ibnu Hibban, no. 5076.
- HR. Bukhari no. 7174; Muslim no. 1832.
- Ibn Hanbal, A. *Musnad Ahmad*, jilid III.
- Mandzur, I. "*Lisanul Arob*", Beirut: Dar al Shodir, Cetakan I.
- Miswanto, A. "*Ushul Fiqh: Metode Istimbath Hukum Islam*", Yogyakarta: Magnum Pustaka Utama, 2019.

Muhsin, A. *“Suap dalam Pandangan Islam”*, (judul asli: *Jarimah alRisywah fiy Syari’ah al-Islâmiya*), penerjemah: Muchotob Hamzah dan Subakir Saerozi, Jakarta: Gema Insani Press, 2001

Musthofa, I, dkk, *“al Mu’jam al Wasith, Daru al Dakwa”* Majma: Lughoh arobiyyah, Juz 1.

Romli, S. *“Nihayatul Muhtaj”*, Berut: Dar al Fikr, 1984.

Journal:

Bahgia, *“Risywah Dalam Tinjauan Hukum Islam dan Undang-Undang Tindak Pidana Suap”* (Mizan: Jurnal Ilmu Syariah). Vol 1, No 2/2013.

Haryono *Risywah (Suap-Menyuap) dan Perbedaannya dengan Hadiah Dalam Pandangan Hukum Islam Al Maslahah* Jurnal Hukum dan Pranata Sosial Islam.

Toha Handiko: *“Sanksi bagi Pemberi dan Penerima Gratifikasi Perspektif Hukum Pidana Islam”*, Jurnal QIYAS Vol. 1, No. 1/ 2016.