

Some Conceptual Thoughts on Positions of *Ulemas* in Aceh

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Abstract

Positions of ulemas in Aceh (Indonesia) are very specific and unique in the present context because in some instances, these positions are significantly different from the ones in any other provinces in Indonesia. The ulemas have dual roles as the protectors and the savers of Islam; in addition, their multi-functions can be referred to as clerics, community leaders, and stability guardians. Therefore, their positions are very high and they are exalted and even particularly adhered by local people to exceed their obedience to the government and other elites in the society. In the past, ulemas worked together with the king to run the Islamic Empire which adopted Islam as the state system. In the Samudera Pasai Islamic kingdom the ulemas functioned as advisors to the Sultan, as mufti (fatwa giver), as qadhi Malikul Adil (justices). In the Reform era they become equal partners in the government.

Keywords: Positions, ulemas, multi-functions, Islamic Empire, mufti

1. Introduction

Ulemas are entitled as the heirs of the Prophet (*warasatul anbiya*) and have noble position in Islam, in the Islamic community and in governmental affairs and they must be obeyed and complied with. In non-religious society, *ulemas* are only viewed as symbol and are concerned with religious matters but they are not involved in governmental affairs. This paper attempts to describe the positions of *ulemas* in Aceh since their positions as the clerics for the Acehnese people are really significant and these positions might be different with other different communities in Indonesia. People in Aceh consider *ulemas* the figures who are venerated because of their scholarship, leadership, protection, solution, wisdom, and capabilities to receive sadness from people and solve their problems. Their status were accepted since Islam came for the first time in Aceh; therefore, *ulemas'* perfectness exceeds the respects given by society to government officials as well as other elite groups in Aceh. *Ulemas* can be classified as the highest elites in society.

2. Discussion

2.1 Definition of *ulemas*

The term *ulemas* comes from the Arabic word and is the plural form of the word 'alim' meaning 'people who understand, or are fully aware of'; in addition, this term can also mean a 'scientist' or an 'expert' in Islamic religious sciences. The word 'alim' also has plural form 'alimun' meaning 'knowledgeable' or as stated in Encyclopedia of Islamic Law (2000: 1840) 'persons who have the quality of a broad and deep knowledge.' Those who are knowledgeable in Islam or in the Islamic scientific matters are hoped to be closer to Allah. This term undergoes a change through times and this change is influenced by socio-cultural as well as economic and political conditions. Shihab (1994: 382) argued that *ulemas* are persons who have knowledge about the verses of Allah both in *kawniyah* (natural sciences) and in *qur'aniyah* (about the Holy Qur'an). With these two conditions they understand the truth of Allah and induce fear, submission, and piety.

Arkoun (1996: x-xi) said that *ulemas* are people who deal with a variety of disciplines that focus on the problem of meaning and interpretation of the text and the phenomena. At first the *ulemas* refer to all people who are involved in a variety of disciplines or sciences, but in the 2nd century in Islamic calendar some varieties of sciences come to appear. There is then a separation among the sciences: religious and general ones. In the religious science itself the separation happens and then religion is divided into the science of *fiqh*, monotheism, morality, and mysticism.

Syukri (no year: 54) calls the ulemas who knows a lot about the science of *fiqh* is named 'faqih' atau 'fuqaha' (plural from of faqih) and those who are knowledgeable in theology are termed 'mutakallimin.' Hasan (1982: 2) indicated in the early days of Islam the term '*ilm*' has the same sense as *fiqh*. Along with the complexity of the Muslim communities, *fiqh* gradually narrows and is confined to issues relating to the law or even more narrowly confined to the legal literature, and '*ilm*' is then understood as knowledge of all things. What public understand about *ulemas* is only concerned with *fuqaha*. Meanwhile, Ibn Qayyim (1993: 51) agrees to what has been proposed by Imam Shafi'i, for examples, (i) those who can deliver *fatwa* should be people who comprehend the Holy Qur'an's *naskh* (which deletes) and *mansukh* (which are abolished), know the *muhkam* (clear understanding), and identify the *mutasyabih* (the vague), understand *ta'wil* (meaning deviation) and *tanzil* (the origin); (ii) the *ulemas* must be aware of *al-Hadith*; (iii) the *ulemas* should be smart in Arabic grammar; (iv) the *ulemas* have to recognize the scientific tools which are related to necessary to the contents of Al-Quran and al-Hadith; and (v) the *ulemas* must comprehend the differences of opinions among the other ulemas in various places in the world.

Furthermore, Imam al-Ghazali (in Rusjdi Ali Muhammad, 2003: 79) distinguishes the *ulemas*' personalities into two categories: (i) those who are busy with the world and (ii) those who care for the hereafter. The first category only think of benefits from the world. For instance, collecting materials and wealths and never pay attention to the hereafter; they are greedy. He quoted al-Hadits and *atsar* (statements which are especially addressed to Muhammad's companions) which threaten with harsh the *ulemas* who have such orientation and personalities. The *ulemas* who pay themselves for the afterworld can be seen from their characters which show their attention on public matters, people's activities, and people's changes. These *ulemas* are not greedy and not money-oriented. Their sincere orientation is only to worship, to improve human life into better conditions, and to achieve righteousness.

The majority of *ulemas*, such as Ibn 'Asyur and Thaba' Thaba'i (see Shihab, 1994), lay their definition on *ulemas* as special persons who learn deeply the religion. Thaba' Thaba'i argued that the *ulemas* refer to those who know Allah, qualities and deeds so that their hearts become quiet by making zero the doubts and unstability. They are aware that all their personalities and activities will be questioned by Allah. Al-Ghazali (no year: 79) quoted Ibn 'Assyria as saying that the *ulemas* are the persons who well know Allah and His characters and Law. Therefore, Al-Sabuni (2001: 527) argued that the *ulemas* are persons who fear Allah very much because of their understanding to Him. In the context of the *ulemas* in Acehnese, these *ulemas* are the specific persons who understand religion in depth, open to the world of science and practice it to get perfection, have precious characters and can become references for the local communities.

2.2. Ulemas and their criteria

Since there are various criteria proposed by Moslem scholars about the *ulemas*, the writer here adopts the criteria as suggested by Prof. Dr. Wahbah Zuhaili (in Muhammad, 2003: 75-76):

a) master the Holy Qur'an; b) understand the *ijma'* to protect them from not saying statements which are contradictory with the *ijma'*; c) fluency in Arabic which make them easy to learn well the laws from the Qur'an and as-Sunnah; d) mastery in the science of *Fiqh* etymology since this science becomes the basics for making decision (*ijtihad*); e) know the *naskh* (which abolishes) and *mansukh* (which are abolished); f) have the capabilities to know the issues surrounding the *qiyas* (analogy), including its requirements, its illat (causes of law) and its methodology of *istimbath* (study/analysis) of Qur'anic texts; and g) knowledgeable in *maqasid al-shari'ah* (the meaning of why an Islamic law is brought down to earth) to determine the law. The purpose of *maqasid al-shari'ah* is to look after human beings' interests by taking the necessary benefits and by throwing out the unnecessary ones.

2.3. Positions of ulemas in Aceh community

Based on the sociological research, the positions of *ulemas* in Aceh community can be described as follows:

a. Ulemas as formal leaders

The people of Aceh consider the *ulemas* as formal leaders but not as informal ones; they not only know the religious matters but also do they understand the praying matters, the reading of incantations, and the problems of local society. The *ulamas* as leaders should master in the the science and management, be faithful to protect the public, be able to seek solutions dealing with various issues.

What is interesting is that they must keep their good attitudes all the time, fulfill every request and invitation from society, always care for the people's affairs, and live and mingle together with community. When they are not careful to the society, they are not trusted anymore as the *ulemas*. Therefore, the *ulemas* become the figures who always bring wind of change or developments. From the beginning, the *ulemas* in Aceh had more power in the mastery of many areas of sciences and today the *ulemas* well comprehend the schools of cross *fiqh* and have good management of leadership.

b. Ulemas, the shapers of Islamic community in Aceh

Ulemas can be entitled as the Muslim community shapers because of their roles since the coming of Islam in Aceh. They worked hard to teach Islam to local people and luckily, they were successful to form Islamic community. Not only did they introduce Islam but also did the *ulemas* educate the local people how to farm, to make trading, to govern, to perform martial arts and to maintain health, and to learn sociology and communications. They also recorded success to learn the local culture and as a result, these *ulemas* could communicate well to the people and the king in Acehnese. By so doing, Islam could be easily accepted and even it became a role model for the kings. Historically, King Meurah Silu converted to Islam and changed his name into Malikussaleh and then Islam could spread among locals in Samudra Pasai Kingdom and this spreading was without confrontations.

However, to establish Islamic community, culture, social relations, and religious leaders required long, tortuous and struggling period. All these could change Acehnese to purely become Muslims and no other religion was accepted in past rather than Islam. Aceh was then identical with Islam and no other religion but Islam. A little change has come during the Reform era when some Acehnese converted to Christianity. Another bad news during this era was always heard that there were programs to swallow the faith of Islam among Muslims. From this incident, what can be learnt is that to form a religious and cultured society should be supported by strength and power which had been carried out by King Sultan Malikussaleh in his Samudera Pasai Kingdom and by King Sultan Iskandar Muda in his Aceh Darussalam Kingdom. The formation patterns that bring Acehnese to become pure Muslims are done through education and inheritance of Islamic Shari'a which are promoted by familiarization, application, and integration of all public elements in one hand. On the other hand, the patterns are adopted through teaching the correct Aqeedah, forming a commendable morals and worship and teaching the Islamic mindset. Furthermore, one key point in the formation pattern is the *ulemas'* approaches to keep the atmosphere stable.

Minor problems exist from indigenous cultures but these can be handled then. The people of Aceh are very impressed with their *ulemas* and people always hope that their descendants later became pious, clever and rich. In short, the *ulemas* become noble aspirations by the people. Unluckily, a few *ulemas* want Islam a religion for life in various aspects of social life in one hand and on the other hand, other *ulemas* want to make this religion pure which is based on al-Quran and Hadith as primary sources and these two sources should be separated from the local cultural customs. After the Reform era, a local regulation of Law No. 44 of 1999 was issued and based on this regulation, the role of the *ulemas* is determined to be legal formal and this condition was not given during Dutch and Japanese colonization. With this legislation status the *ulemas* are legally responsible to shape the Acehnese into Islamic society. Systematic programs to bring the Acehnese into Islamic spheres again are carried out by the establishment of Qanun Asyi Meukuta Alam (literally 'the application of Islamic Sharia') which is monitored and erected by Sharia institution which is named Wilayatul Hisbah (WH for short). This WH functions as the Sharia police who have the right to arrest people who are not wearing Moslem dresses. Aceh people should also be shaped through education; therefore, teaching programs are primarily based on religious values and these programs are applicable in schools. During Acehnese Kingdom in the past all Sultans were involved in the establishment of Islamic school buildings and in the creation of educational curriculum. One of them was Sultan al-Dhahir Malikul who himself participated in a study which was held at a hall in his palace.

In the early period of Reform era and after Aceh was declared as a province with Islamic Law, the local provincial government has determined the priority programs from 2000-2005. These programs were about the implementation of Sharia Law. Religious teaching programs should be adopted by all people living in Aceh. For common people, religious teaching was conducted in the mosques, homes, and mushallas. For employees either civil and non-civil servants, education was held in government offices. Right now, all these programs are successfully applied in all regencies and municipalities.

The initial implementation of these programs are criticized by the *ulemas* because the government can not run them optimally as they are expected. Since these programs are meant to establish the learning culture and national character building so Governor of Aceh Province in 2010 instructed to strengthen the learning of Qur'an (*mengaji*) after the evening Maghrib Prayer. Some *ulemas* argued that this kind of *mengaji* can shape the 'love of Qur'an' by society and can avoid people from illiteracy. Not only reciting the Holy Qur'an through this "mengaji" but also is this program to advance the science of religion in society who believed that religious knowledge is an obligation. The "mengaji" should be held in every mosque, meunasah, and recitation hall and school students should take part. Each place is organized by regency administration. The "mengaji" provides some tutorials, for example, about the faith, worship and morality, and about legal application. In the past, such tutorials were delivered by teuku, *ulemas* at their homes and their contents were related to the fundamentals of religious knowledge, such as, how to pray, how to read the Qur'an, and teach and memorize the pillars of faith and the pillars of Islam. Then, the next steps focused on *Tahsin* (improvement of reading the Qur'an), on basic Arabic and on reading books written in Arabic. Those who completed all steps were allowed to pursue to *meudagang to dayah* (higher level) boarding schools. This level is divided into four types, such as, type A, B, C, and D. Each type is provided with certificates.

All districts and/or cities in Aceh should hold this flagship program and therefore, this program should be run by people who have sufficient capacity about knowledge of religion. The basic concept of this program is the term ASWAJA (a short form of *ahlu sunnah waljamaah*) which is based on the school of Shafi. The people targeted in this program are elderly and youth; children of school spend hours of study at Madrasah Diniyah and study hall.

c. Positions of *ulamas* in the formation of Islamic empires in Aceh

Ulemas had contributions and were directly involved in the formation of Islamic empires in Aceh, such as, Peureulak, Samudera Pasai, Tamiang, Lingge, and Aceh Darussalam kingdoms. The last empire could successfully unite small Islamic kingdoms in Aceh during those days through long processes. *Ulemas* were then the founding fathers in those empires and their influences could be seen in the inclusion of Islamic law. This law is still adopted and has been approved by local and central governments. How the positions of *ulemas* are to be important in shaping the Acehnese kingdoms could also be seen from what they did in planting the religious values in various aspects of life so that all elements of society supported and were submissive to the kingdoms. The key the *ulemas* play in this case is that when community have healthy mental and are really aware of Islam, Islamic law can be accepted with open heart. Local *ulemas* were helped by merchants who came from Arab, Persia and India.

In regard with Aceh Darussalam kingdom, Smith (1957: 38) stated that this Islamic kingdom of Aceh was prominent in the world at the time and could be aligned with Morocco, Istanbul, Isfahan and Agra. When Aceh was occupied by Dutch and then Nippon who were disbelievers, *ulemas* still asked the two to allow Aceh people to implement Islamic Shariah. In the early days of Indonesian independence Acehnese *ulemas* were not reluctant to suggest central government to apply Islamic law sharia law in Aceh although their suggestions created political instability and brought negative impacts; one of the impacts was the birth of Darul Islam movement lead by Daud Beureueh who was an *ulema*. This movement was cleaned by forces by Jakarta but in the sixties, *ulemas* scholars again begged Jakarta to grant privileges to Aceh to implement sharia law and the request was rejected but Jakarta only considered Aceh as an autonomous province. This autonomy was viewed by local *ulemas* as a form of Jakarta's reluctance to Islamic law. In the Reform era *ulemas* and politicians in Aceh echoed the formalization of Islamic law and the implementation of this law. Their efforts were successful and Jakarta issued decree No. 44 in 1999 about Aceh's autonomy, decree No. 18 in 2002 on special autonomy and later refined by decree No. 11 in 2006 concerning the Government of Aceh. Islamic sharia becomes the solution Aceh people.

d. *Ulemas* in the application of Islamic law in Aceh

No doubt the application of Islamic law in Aceh is tightly suggested by local *ulemas* so that local people become more familiar with this law and prefer undergoing it in everyday life. This condition means that there is a logical consequence when a person who has declared themselves as Muslims and Islam as his/her ideology of life, he/she should respect the *ulemas*. First of all, the Islamic law concerns the personal affairs, such as, *as-sholah* (prayer), fasting, *zakat* (alms) and *hajj* (pilgrimage). Then, it is related to laws for family and society. Islamic law regarding with individual compulsion becomes the main attention since this law shapes the people's characters and how Islam can stand upright is supported by family and society.

Islamic clerics in the past taught laws on their own initiatives or on orders and instructions came from kings. During Samudera Pasai kingdom, there were three forces, such as, power, Islamic monarchy, and knowledge. These three aspects adduced well-known *ulemas*, such as, Shamsuddin As-Sumatrani who served as Qadhi Malikul Adil (Supreme Court of Justice) in Aceh Darussalam kingdom, and Fatahillah who spreaded Islam in Banten and who later founded the city of Jakarta. Other evidence in which the clerics have helped the establishment of Islamic law seems to be related to codification of Islamic law which is then determined as *qanun* (regulations). Some of them were *Qanun al-Asyi* (also called Customes of *Meukuta Alam*), *Qanun Sultan Sarakata Syamsul Alam* (also named Qanun Aceh), and the book of *al-Hukkam Safinat fi Takhlīs al-Khaśām* (see Rijal, 2007: 142). *Qadhi Malik al-Adil*, who monitored and evaluated the application of Islamic sharia in the kingdom, was appointed by Sultan who was also an *ulema*.

Some works produced by local *ulemas* aware of course related to Islam, such as, *Tarjuman al-Mustafid* (the translation of Qur'an in Malay) and *al-Tullāb Mir'at* (book of law). Lombard (1991: 204-212) noted some books, for example, the *Mir'at al-Mukmin* by Shamsuddin As-Sumatrani, the *Bustan al-Salatin* authored by Nurudin ar-Raniry, and the *Taj al-Salatin* (unanimous) which was believed to have been given to Sultan Aceh. He also noted a book named *Hikayat Aceh* (Aceh folklores) which told the greatness of Aceh Sultans. All the works had contributed to the development of Aceh to become big kingdom and to the acceptance of Islamic sharia.

2.4. Positions of *ulemas* in government system in Aceh

Based on legal aspects in Aceh, *ulemas* are positioned as formal leaders who can categorized as advisers, qadhi and qadhi Malikul Adil, and mufti. With these categories, they have the right to look after the implementations of Islamic law and give color to Islamic law in the government. Their other important tasks are to lead the preach, to teach religion, and to serves as community leaders. As advisors to the king in the past, *ulemas* were requested to give advices and opinions by the king about the advancement of the kingdom and the religion. Therefore, Aceh kingdom was so famous for its role as center for knowledge in Asia and South-east Asia. When working as Qadhi Malikul Adil, *ulemas* determined the fair decision when there was somebody guilty. They worked as the substitutes of king and what they decided might be based on Qur'an and Hadith. As mufti, *ulemas* carried out some deep researches and comprehensive study about the problems appearing in the society. They proposed systematic answers to such problems.

Rijal (2009: 48) noted that Aceh Darussalam Islamic empire began in the 15th century and lasted for five centuries and the kings started from Mughayat Sultan Ali Shah (1511-1530) to Alaidin Sultan Muhammad Daud Shah (1874-1904). All kings had good and intimate relationship with *ulemas*. Each King or Sultan was always accompanied by *ulemas* everyday and their relationship could be described as *dwi-tunggal* (two but one). Sultan Iskandar Muda (1607-1636), for example, was escorted by a great *ulema* named Shamsuddin As-Sumatrani who came from Samudera Pasai and he was well known to have very deep knowledge of Islam. He was also an expert in *siyasa* (war strategies) and in governance. When Sultan Iskandar Muda died, Sultan Iskandar Thani became the sultan of Aceh and he was accompanied by Sheikh Nuruddin Ar-Raniry who came to Aceh from Ranir (India) after studying Islam in Middle-East and became Qadi Malikul Sultan Adil. Sultan Tajul 'Alam Safiatuddin was escorted by Sheikh Abdurrauf as-Singkili.

Sufi (2008: 62-63) stressed that the positions of *ulemas* in Aceh empire could be seen from the official structures ranging from the highest level in the center of the kingdom to the lowest level in the village (*gampong*). In the village level, the village head was accompanied by an *ulema* named as *teungku mum gampong*. This *teungku* was also called "imam desa" (village religious leader). In the community level, the *imum mukim* was placed there. Meanwhile, Suyanta (no year: 65) argued that there were 24 positions in the Sultan Iskandar's reign. Five of those positions were filled by assistants who were close to and had great influence on Sultan. The first was the coordinating minister for the royal vizier who was entitled as "orang kaya Maharaja Sri Maharaja." Next was Qadhi Malikul Adil (Attorney General) who was in charge for religious law. Then was the minister of war who was called as admiral who served as a military controllers. Next was Imam al-Mulk who was an advisor to the sultan and the fifth was Keurukon Katibul who was better known as Katib Muluk or royal secretary. Two of the positions, such as Qadhi Malikul Adil and Imam al-Mulk, were handled by *ulemas*.

The relationship between Sultan and *ulemas* was significantly harmonious mutually reinforcing. With regard to the interpretation of religion and Islamic law, this was carried out by *ulemas* who had strong authority. Brakel (in Suyanta) further explained how the Sultan as *umara* (leader) got legitimacy could be seen from two theories.

First, the concept of unity between religion and politics, between *din* (religion) and *siyasah* (strategy), between mosque and state, and between spiritual and temporal sector. From this concept, the existence of a Muslim ruler or leader became something a must because the Qur'an ordered Muslims to obey the leader, Allah and His Messenger. Second, there has been relationship between the sultan and the sovereign God, meaning that the sultan was the extension of God. In Aceh, mystical affinity became the manifestation in the form of *sarakata* recognition agreement which stated that the sultan was considered the shadow of God on the earth (*zilullah fi al-`Alam*) and the *sikureung* stamp added the impression that the sultan got the sovereign power from God's mandate.

2.5 Ulemas as agents of change

History notes that *ulemas* always bring wind of change and wind of development to society. Since in the past they had more power and control over many areas of science and mastered Islamic *fiqh* knowledge, *ulemas* also acquired the management of leadership. What they did successfully were related to the forming of kingdom, of Islamic rules and regulations, to establish Islamic educational institutions, to fight colonialism, to seek independence, to invite investors, and to determine the Islamic law in Aceh.

3. Closing

Ulemas are special people who deeply understand religion, dominate the world of science and apply it perfectly. They also have high characters and deserve to become the examples in community. Some criteria to be *ulemas* are: mastering Qur'an, understanding *ijma*, knowledgeable in Arabic and in *fiqh*, to know science, *nasikh* and *mansukh*, *qiyas*, and *maqasid al-shari'ah*. Today, the positions of *ulemas* become the formal and non-formal leaders. Furthermore, their positions are relevant to the shapers of culture, civilization and religiously conducive situations.

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