## Gus Miftah's Contemporary Da'wah Rhetoric Style on the Iced Tea Seller from Communication and Legal Perspectives: A Case Study

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#### Article history

Received: 08 October 2024 Revised: 21 November 2024 Accepted: 23 December 2024

#### Keywords

Contemporary Da'wah Rhetoric The Case of Gus Miftah and the Iced Tea Seller Communication and Law

#### Abstract

The current study aims to examine the Contemporary Da'wah Rhetoric of Gus Miftah's preaching. However, the focus of this research is on the case of Gus Miftah and the Iced Tea Seller which went viral because Gus Miftah used impolite and offensive words in his preaching. The method used in this journal is Normative Law Research using a statutory approach. The results of this research are 1. The rhetoric of Da'wah in Islam does not only focus on the way of speaking, but also on morals and sincerity in preaching. 2. So far, Gus Miftah, in his preaching method, often uses jokes and impolite words, because the target of Gus Miftah's initial preaching was towards marginalized people, which then carried over to the stage where he lectured. 3. From a legal perspective, speaking or preaching using impolite words can be caught in the Law on Defamation or Insults in accordance with Article 310 of the Criminal Code if it is intended to insult you, but in the case of Gus Miftah said was actually a joke, not an insult. Meanwhile, from the Communication Science perspective, what Gus Miftah said was very unethical for a preacher to say.

## 1. Introduction

Rhetoric is a term traditionally given to a technique of using language as an art, which is based on wellorganized knowledge (Nurjanah et al., 2023) and is also often said to be a multidisciplinary science, giving rise to diverse rhetorical interpretations. Some call it science, art, speaking techniques and the beauty of language (Hasanah, 2020).

The term rhetoric was originally introduced by Aristotle (384-322 BC) "The function of rhetoric is not to persuade but to see the available means of persuasion in each case" which means "Rhetoric functions not to persuade, but to see the existing means of persuasion in a case." Yuliyanto (2022) said that Aristotle's understanding was born as a refinement of Rhetoric according to his teacher Plato. Likewise, Plato perfected the meaning of Rhetoric from his teacher Socrates. However, it cannot be denied that Rhetoric has actually existed since humans were born on earth, namely since the Prophet Adam AS was on Earth.

The rhetoric of da'wah also has a very important role in conveying Islamic messages to society. Rhetoric, as the art of speaking or persuasive communication, is the main element in da'wah to influence, invite and guide people towards understanding and practicing religious teachings. Since the time of Rasulullah SAW, da'wah rhetoric has been used effectively to communicate the message of Islam to various groups, either through oral, written or deeds. Therefore, rhetoric is one of the main tools for a preacher in carrying out his missionary duties.

In the context of modern da'wah, rhetoric does not only include the ability to speak persuasively, but also involves mastery of the congregation, choosing da'wah methods, and using technology as a supporting medium (Ufairah, 2024). This is caused by the times and advances in information technology which have changed the way in which da'wah messages are delivered. Dai or preachers are required to have rhetorical skills that are relevant to the characteristics of today's congregation so that the message conveyed can be well received and understood.

A preacher not only focuses on the content of the da'wah, but also on the way it is delivered so that he is able to build an emotional bond with his audience. Like Gus Miftah, a preacher who markets his preaching in night clubs, thugs and even prostitutes. Gus Miftah's style of lecturing to prostitutes and night clubs made him famous as a brave preacher who was able to embrace thugs and prostitutes. Recently there was news about Gus Miftah's scandal with an iced tea seller. At that time Gus Miftah was giving a lecture in the field of Drh. Soepardi, Mungkid, Magelang Regency, Central Java and in the middle of his lecture, an iced tea seller passed by, whose congregation then asked Gus Miftah to buy up, but Gus Miftah didn't buy up instead he said something dirty to the trader "Your iced tea is sik okeh ra "Still, yo kono didol stupid" after these words were uttered, the congregation and the people on stage suddenly laughed. But the video went viral Many netizens commented that the words made by Gus Miftah were inappropriate for a preacher to say, especially since Gus Miftah was recently appointed as the President's special envoy. This incident attracted the author to examine more deeply the preaching rhetoric used by Gus Miftah.

Previous research is a reference for the author to expand the theory used in analyzing this research. From the review of these studies, the author did not find any research with a title that was identical to the research conducted. However, the author uses several studies as references to enrich the study material. The following are several journals that are relevant to the research being conducted by the author.

In a journal written by Sartina (2020) entitled "Gus Miftah's Da'wah Communication in Yogyakarya Flower Market Localization". The results of this research are, the method used by Gus Miftah to attract attention is with a cultural and structural approach with several steps carried out. One of them is by using a relaxed, humorous delivery method that does not make them feel bored and does not offend their feelings (Sartina, 2020). In his preaching he also understands the psychological, social, economic and cultural characteristics that exist in them, so that the preaching he gives can be well received by them. Good preaching rhetoric and being able to see the needs of the congregation allows the preacher to instill religious values in a way that inspires, educates and enlightens without seeming pushy.

Nevertheless, the challenges of da'wah rhetoric in the contemporary era cannot be ignored. Changes in people's mindsets, diversity of congregations, and the influence of global culture are factors that influence the effectiveness of da'wah. Rhetoric that is irrelevant or too stiff often makes the congregation less interested and ignore the message of the da'wah, therefore the preacher needs to keep up with developments in information, have a characteristic delivery, can add songs or jokes that are appropriate to the context, so that the congregation who listens can be interested and The message conveyed can be well received. Therefore, innovative and adaptive rhetorical strategies and approaches are needed, in accordance with current developments and the needs of the people. The preacher must also be in the middle of resolving the problems of his congregation, and must not be too critical of defending the right side or defending the left side. He must be the calmer between the two.

This research aims to examine the rhetoric of da'wah from an Islamic perspective as well as the rhetoric of da'wah conveyed by Gus Miftah as well as Communication Law Opinions regarding da'wah using jokes and dirty words. By understanding the principles of rhetoric and also the challenges in contemporary da'wah, it is hoped that this research can contribute to preachers in developing da'wah methods that are more communicative, persuasive, relevant, and of course no one will be harmed by the lectures delivered. In the end, good preaching rhetoric will be an effective means of building religious understanding and creating positive behavior in everyday life.

#### 2. Method

This research includes library research, namely research carried out by reading books, literature and studying various theories and opinions that are related to the problem being studied. This research includes normative law research as a type of research using the statue approach (Dewi, 2022) to identify the case that occurred between Gus Miftah and the iced tea seller which is currently viral. By reviewing the law regarding communication. The type of research used in this research is descriptive qualitative, namely a type of research that focuses on events that are heard, felt and created in a narrative or descriptive manner.

#### 2.1. Source of Legal Materials

This research was conducted qualitatively. According to Moleong (2016), data sources for qualitative research are obtained from words or writings that are reviewed by researchers to obtain the

expected data (Moleong, 2016). Normative juridical research is an approach that is based on basic legal materials by examining theories, concepts, legal principles and statutory regulations related to this research.

In this qualitative research, there are 2 materials used to collect data, namely primary data sources and secondary data sources. Primary data sources were obtained from:

- 1. Criminal Code (KUHP) here we focus on article 310 concerning Defamation
- 2. Knowledge in Communication

Meanwhile secondary data was obtained from:

- 1. Contemporary Da'wah Rhetoric Book
- 2. Articles
- 3. Website

4. Legal Dictionary (Undari Sulung eta Mohamad Muspaw 2024).

## 2.2. Methods for Collecting Legal Materials

The method for collecting legal materials in this research was carried out through literature study, namely by collecting various data sourced from books, scientific articles, written works, websites, as well as statutory regulations relevant to the research object. Apart from that, the documentation method is also used to obtain data related to research variables, such as notes, transcripts, books, newspapers, magazines and other documents (Nurita et al., 2024).

## 2.3. Legal Material Analysis Method

To analyze this research, it was carried out qualitatively using the statue approach. Which is based on the laws relating to this research.

#### 3. Result and Discussion

As we know, rhetoric is a science that has multiple interpretations, so there are many different opinions regarding the meaning of rhetoric. But according to Socrates, Rhetoric is the ability to speak to seek the truth through dialogue (Kunci et al., 2009) so that someone who has knowledge of Rhetoric is able to attract and even invite the person they are talking to to follow their wishes. Rhetoric knowledge is widely possessed by lawyers, judges, businessmen, politicians as well as preachers (Nurjanah et al., 2022). The rhetoric used varies according to the environment and the times that are increasingly developing.

#### 3.1. Gus Miftah's Da'wah Rhetoric

Rhetoric in Islam can be found in Islamic teachings through tracing one of the main sources of Islam, namely the Al-Qur'an and hadith (Abdullah et al., 2018). In the Islamic world, Rhetoric is closely related to the Rhetoric of Da'wah. In the context of da'wah, rhetoric is used as a means to invite people to the truth in a wise way and in accordance with Islamic values. The Qur'an itself encourages the use of good communication in conveying messages, as in Surah An-Nahl verse 125:

Meaning: "Call (humans) to the path of your Lord with wisdom and good lessons, and refute them in a good way. Indeed, your Lord, He is the one who knows better who goes astray from His path, and He is the one who knows better who is guided. "

In Islam, rhetoric does not only focus on the art of speaking, but also includes morals, aqidah and sincerity in preaching. Rasulullah SAW is the best example of da'wah rhetoric. He used a gentle approach, wise words, and adapted his preaching message to the psychological and social conditions of his

congregation. His ability to understand his congregation made Islamic preaching accepted by various groups, from ordinary people to prominent figures at that time. Rhetorical challenges in Islam in the modern era are very diverse.

In this era of globalization, preachers face new challenges, such as more critical congregations, the influence of global culture, and the use of digital media. Therefore, rhetoric in Islam must adapt to technological developments and the characteristics of modern society, without abandoning the essence of Islamic teachings themselves. Thus, rhetoric in Islam is an important tool that every preacher must master to convey messages that are correct, wise and relevant, so that Islamic teachings can be accepted and understood by all levels of society.

Gus Miftah is known as a preacher who uses a unique, relaxed and inclusive approach to preaching rhetoric. He often preaches in unusual places, such as nightclubs and nightlife environments, with the aim of reaching out to those who are often marginalized from conventional preaching. Gus Miftah's preaching rhetoric stands out because of his use of simple and humorous language, so that his message is easily accepted by various groups of society.

Apart from that, Gus Miftah uses an inspirational approach by conveying stories of life and Islamic values relevant to the context of his congregation. He emphasized that da'wah must touch all groups regardless of background, because Islam is a religion of rahmatan lil alamin which is full of love. Even though his approach sometimes causes controversy, he remains consistent with his principle of bringing Islam closer to anyone who needs spiritual guidance.

In each of his lectures, Gus Miftah also often uses slang words, but also a few impolite words, such as stupid, dancuk, slut, unclean, he even insulted his congregation. But the congregation knew that the one brought by Gus Miftah did use a different delivery style, lots of jokes and a few dirty words. Because the preaching rhetoric brought by Gus Miftah started in a marginal place, it carried over when Gus Miftah lectured to the general public.

Gus Miftah's missionary journeys in marginal places led him to become a famous preacher, and he was invited on television and lectures even abroad. In fact, he has also brought many people to embrace Islam, one of which is the famous YouTuber in Indonesia, namely Deddy Corbuzier, who converted to Islam in 2019. In the data I got, Deddy Corbuzier before he converted to Islam, he had studied Islam for a long time with Gus. Miftah for almost 8 months, which made Deddy Corbuzier steady with Gus Miftah's understanding of the Islamic religion (Tamami, 2022).

The impact of the da'wah brought by Gus Miftah can be seen in the increase in religious awareness among his congregation and friends, including those who were previously far from religion. He proves that da'wah carried out in a relevant, empathetic and non-judgmental way can bring positive change in society. His approach also inspired many people to see Islamic da'wah as something inclusive and flexible, without losing its essence. Gus Miftah's commitment to preaching resulted in him being appointed as a delegate in the field of religious harmony and the development of religious facilities together with 7 other figures, including Raffi Ahmad on October 22 2024 at the State Palace (CNN Indonesia 2024).

From this it can be concluded, although the presentation delivered by Gus Miftah can follow developments in society and is very inspiring, in preaching you must remain respectful and there must not be jokes that insult or demean other people. Good da'wah is da'wah that is delivered in a relaxed, clear and appreciative manner to the listeners.

# 3.2. Gus Miftah's Case with an Iced Tea Seller, Legal Perspective and Da'wah Communication

From a legal perspective, the preaching used by Gus Miftah against the iced tea seller with dirty words is classified as defamation. Defamation cases are classified as cybercrime cases (Rhamdhatul Muthia and Ridwan Arifin 2019). This defamation can be intentional or unintentional. In Gus Miftah's case, the words "Your iced tea is okay, okay? Still, yo, you're stupid." The word "Idiot" is classified as defamation. As explained in article 310 paragraph 1 of the Criminal Code which states:

"Anyone who deliberately attacks someone's honor or good name, by making accusations about something, with the clear intention of making it known to the public, is threatened, for defamation, with a maximum imprisonment of nine months or a maximum fine of three hundred rupiah."

In this case, it was seen that Gus Miftah mocked the iced tea seller, accompanied by laughter that seemed to insult the iced tea seller. Which then invited everyone on stage to laugh. In fact, for those who saw it, this incident was considered harassment and defamation for iced tea sellers. For ordinary people, Gus Miftah's words lead to denigrating iced tea sellers. However, according to KH Syarif Rahmat on the Indonesian Lawyers Club YouTube channel, "People who don't know the characteristics of Gus Miftah's preaching will say that this word is a reproach, even though in his previous preachings he also used this word as a joke that his congregation would always wait for."

This statement was denied by Kiai Novel Bamukmin who said "That the words that Gus Miftah uses in his lectures can be dangerous for other preachers, because it is considered that the preachers easily use those words, so it is worrying whether the preachers in their preaching are not teaching them to act and speak well? "Kiai Novel Bamukmin also said that Gus Miftah often said these impolite words among many people. The worst thing was when Gus Miftah said something rude to sinden Yati Pesek "Kulo niku grateful Bude Yati is elek, milo dadi sinden, ayu dadi lonte to niki," (SINDOnews Team 2024) and there were many more people who had been insulted by Gus Miftah.

Meanwhile, from the perspective of da'wah communication science, there are several codes of ethics related to da'wah, including (1) Qawlan Balighan (words that leave an impression on the soul); (2) Qawlan Maysura (light words); (3) Qawlan sadidan (true and honest words); (4) Qawlan Layyina (gentle words); (5) Qawlan Karima (noble words); and (6) Qawlan Ma'rufa (Good words)(Rosyada, Sunan, eta Yogyakarta 2020) as a reference in conveying da'wah. Da'wah that uses dirty words can have polemic value and trigger ethical problems among preachers, thereby reducing the image of Islam as a religion that is rahmatan lil 'alamin (Mahdaniar 2022). In delivering Gus Miftah's preaching, it is very important to apply the code of ethics for preaching, in his preaching Gus Miftah often uses dirty words towards his congregation so that his preaching has violated the code of ethics for preaching, namely you have to say good things, say things that are noble, say things that are gentle. As a medium for conveying religious messages, da'wah ideally aims to educate and inspire the congregation without degrading the values of politeness and ethics in communication, however, if in his preaching he uses dirty words, even in the form of jokes, it will tarnish the message conveyed by Gus Miftah.

In terms of the effectiveness of preaching, the use of impolite language can also create a negative impression of the image of the religion being represented. Even though the initial aim may be to bring the religious message closer to certain congregations, there is a risk that other congregations will feel uncomfortable or judge the preaching to be less respectful of religious values. Therefore, it is important for preachers to consider an ethical communication approach and not violate legal norms in conveying their preaching messages.

In Gus Miftah's case against the iced tea seller, the jokes made by Gus Miftah were considered unethical in communication science on the YouTube channel conveyed by Ustadz Felix Siauw. He said that preaching accompanied by dirty words violates ethics in preaching, so that the message the preacher wants to convey to his congregation is incoherent. Because in preaching to the congregation there must be good feedback and it can make the congregation become better individuals with the kindness shown by the preacher (Fauzi and Librianti 2021).

Although maybe in the context of talking between close friends there are sometimes dirty words which are considered as friendly language, but in the context of preaching we have to differentiate between talking with friends and talking with the congregation. Because in preaching, if we as preachers say dirty words, it is the same as us setting a laborious example to our congregation. Therefore, it is important for preachers, especially Gus Miftah, to re-filter the words they will convey to their congregation so that they do not get used to talking dirty even though it has become a habit of preaching to be delivered so far, because Da'wah delivered in a good way will easily reach the hearts of the congregation.

#### 4. Conclusion

From the results of this research it can be concluded that Da'wah Rhetoric in Islam does not only focus on the art of speaking, but also includes morals and sincerity in preaching. So that the Prophet Muhammad SAW deserves to be an example in the application of good Dawah Rhetoric.

Every preacher definitely has his own way and style in delivering it, like Gus Miftah who delivered his preaching with lots of jokes, which attracted the congregation who attended. However, in conveying these jokes there may be some impolite words, because the targets of Gus Miftah's preaching are marginalized people who are far from Islam, so Gus Miftah also has to deliver his preaching in the language usually used by marginalized people. However, if Gus Miftah delivers the lecture to marginalized groups like the one that is currently viral, then he should adapt it to the language of his congregation. Because Gus Miftah is an example for his congregation in conveying his preaching.

If we refer to the law regarding speaking or preaching, disrespectful words can be included or categorized as insulting and defamation articles, which in this case are stated in article 310 paragraph 1 of the Criminal Code. However, Gus Miftah's case is different from the insults and defamation contained in this article, because the target of Gus Miftah's preaching was from the start to marginalized people, of course many impolite words were used and that has never been questioned in the past. However, if we look at it from Communication Science, preaching accompanied by impolite words is considered unethical, because the preacher should set a good example but in reality he uses impolite words. This creates a bad example for the congregation. This is what Ustadz Felix Siauw said on his YouTube channel.

## **Author Contributions**

The author's contribution to the research described in this scientific article consists of: searching for legal materials and related references, as well as analysis in discussing the background and legal issues. The distribution of author contributions is Dwi Ratna Cinthya Dewi and Durrotu Fikriyah who are in charge of searching for legal research materials, editing and Amri who is in charge of analyzing background discussions and legal issues, editing and reviewing.

## Funding

No funding support was received.

## **Declaration of Conflicting Interests**

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

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