

Pradana Boy Zulian

Fatwa in Indonesia

An Analysis of Dominant Legal Ideas
and Mode of Thought of Fatwa-Making
Agencies and Their Implications in
the Post-New Order Period

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Fatwa in Indonesia

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Cover design: Coördesign, Leiden

Lay-out: Crius Group, Hulshout

Amsterdam University Press English-language titles are distributed in the US and Canada by the University of Chicago Press.

ISBN 978 94 6298 185 0

e-ISBN 978 90 4853 162 2 (pdf)

DOI 10.5117/9789462981850

NUR 717

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Acknowledgements

This book is a revised version of my Ph.D thesis at Department of Malay Studies, National University of Singapore (NUS). It is a result of a long struggle and sacrifice. As many people and parties have contributed to its completion, in this occasion I would like to record my deepest gratitude to those who have made the completion of my study possible. First and foremost, I would like to offer my thanks and gratitude to my supervisor Associate Professor Noor Aisha Abdul Rahman, Head of Department of Malay Studies, for her thorough and professional supervision. She has helped me a lot in shaping the focus of this thesis and guided me to sociological concepts in understanding religious thought and dynamics. Apart from academic matters, Professor Aisha has also provided me with a lot of help in difficult time of my study.

I also thank National University of Singapore (NUS) for providing me with a “Research Scholarship” for my Ph.D studies. It is by this scholarship that my study at NUS became possible. I would like also extend my gratitude to all lecturers at the Department of Malay Studies who have shared their knowledge and expertise during my studies at NUS: Associate Professor Syed Farid Alatas, Associate Professor Maznah Mohammad, Associate Professor Syed Khoiruddin Aljuneid, Dr. Suriani Suratman, and Dr Sher Banu. Special thanks is due to Dr Azhar Ibrahim, who is not only a lecturer at the department, but also a partner in knowledge. His brotherly friendship has been very important to me during my studies at NUS. I have also to record my thanks to the administrative staff at the Department of Malay Studies, Kak Rasmidah dan Kak Dahlia, for their assistance pertaining many technical matters of my studies.

I also would like to thank Professor Muhadjir Effendy, rector of Muhammadiyah University of Malang, Indonesia, who is currently Minister of Education and Culture of the Republic of Indonesia, for his support and permission for me to pursue my Ph.D studies. My colleagues at Faculty of Islamic Studies, Muhammadiyah University of Malang, Indonesia (whom I cannot name one by one), have also been helpful in many ways to the completion of my studies. My family is the most “affected” by my studies. Many thanks to my wife Lailatul Fithriyah Azzakiyah for her patience, understanding and support during the long journey of my academic adventure; and all my children (Bintan Failasufa, Rahbar Zaravet Kavihilghafoor and Izdad Efcharista Kautsar Omniyya) who have often passed their family time without me, as I have to spend unlimited hours devoted to my studies. I also thank my parents and parents-in-law for their *doa*.

Lastly, I have to thank Amsterdam University Press (AUP) for publishing this book. My thanks as well as apology to Series Editor Saskia Gieling, for her guide and patience to remind me for the completion of step by step of this publication.

Introduction

Background

This book seeks to examine Islamic legal opinion (*fatwā*) in the post-New Order (*Orde Baru*) Indonesia issued by three major *fatwā*-making agencies (*dār al-iftā'*) in the country namely *Majelis Ulama' Indonesia* (MUI), *Majelis Tarjih Muhammadiyah*, and *Lajnah Baḥth al-Masāil Nahdlatul Ulama'* (LBM-NU). It elucidates the key features of these agencies and the distinctive methods they utilize in crafting their legal opinion (*fatwā*). It also examines major factors conditioning the genesis of legal opinion (*fatwā*) selected. Nevertheless, it should also be made clear from the outset that this book does not aim at in-depth socio-historical analysis conditioning the making of legal opinion (*fatwā*). Another central issue analyzed is how competing modes of thought condition as well as reflect the production of legal opinion (*fatwā*) within the respective agencies. Furthermore, how legal opinion (*fatwā*) serve as a site for competing mode of thinking of dominant agencies within the Muslim community of Indonesia will be explored.

The overriding interest of this book is in understanding the implications of Islamic legal opinion (*fatwā*) on Indonesia's plural society and the extent to which it facilitates adaptation to the demands of rapid social change confronting the community. While there has been a vast number of legal opinion (*fatwā*) pronounced by these organizations within the period selected, this book will focus on legal opinion (*fatwā*) that have strong implications on the lives of Muslims within Indonesian society as they attempt to adapt and adjust to the demands of change and challenges of the plural society in which they live. Legal opinion (*fatwā*) on sectarianism and interreligious relations, major aspects of rituals and religious practices as well as those dealing with issues of modernity will be examined.

In Indonesia, *fatwā*-making agencies are integral to Islamic groups or movements. For example, Muhammadiyah and Nahdlatul Ulama'(NU) are equipped with *fatwā*-making bodies called *Majelis Tarjih* and *Lajnah Baḥth al-Masāil* respectively. Other organizations such as *Persatuan Islam* (Persis) also founded the *Dewan Hisbah* which is responsible for the production of legal opinion (*fatwā*) within the organization.¹ In some organizations

¹ For study on *Persatuan Islam* and the *Dewan Hisbah*, please refer to Howard M. Federspiel, *Persatuan Islam: Islamic Reform in the Twentieth Century Indonesia* (Singapore: Equinox Publishing, 2009); Syamsul Falah, *Pandangan Keagamaan Persatuan Islam: Studi atas Fatwa-Fatwa*

such as *Hizbut Tahrir Indonesia* (HTI) where no specific *fatwā*-making institution exists, the organization nonetheless frequently functions as the *fatwā*-maker for its members.

The three organizations discussed in this book are highly influential in society. Of these, the most prominent are *Majelis Ulama' Indonesia* (MUI) which is active in producing legal opinion (*fatwā*) relating to various issues for contemporary Muslim society in Indonesia as a whole. MUI is a state-affiliated religious body that represents both the state and the majority of Muslim groups in Indonesia. As MUI is an organization representing almost all Muslim groups in the country, Muhammadiyah and Nahdlatul Ulama' constitute part of this umbrella organization. MUI provides a forum for discussion for Muslim scholars and leaders and is seen as the most competent council in giving guidance and rules on religious problems and questions (*iftā'*).² In general, MUI proclaims itself as a successor of the Prophet (*warathatu al-anbiyā'*) which functions to fulfill his legacy. Hence, it assumes the roles as *fatwā*-giver (*mufti*), guide and servant for the community (*ri'āya wa khādim al-umma*), a movement for reform and improvement (*al-iṣlāḥ wa tajdīd*) devoted to inviting people to do good and forbidding evil (*amr bi al-ma'rūf wa nahy 'an al-munkar*).³ In its specific function as a *fatwā* agency, MUI established a special agency responsible for dealing with Islamic legal opinion (*fatwā*) called the *Fatwā* Commission (*Komisi Fatwa*).

Historically, MUI is founded in May 1975 as the representative body for Muslims nationwide. As the ruler strongly supported the creation of MUI at that time, many believe that MUI is a politically created religious institution aimed by the regime at gaining legitimacy from the religious scholars (*ulamā'*) in justifying strategic and potentially controversial policies it introduced.⁴ The ruler's (Suharto) support for its founding was formulated regarding concern for the unity of Indonesian Muslims in meeting and resolving challenges they face with the backing and participation of the clerics (*ulamā'*).⁵ Through this political will, MUI was finally established

Dewan Hisbah Tahun 1983-1997: Laporan Penelitian (Bandung: Pusat Penelitian: IAIN Sunan Gunung Djati, 1998); and Uyun Kamiluddin, *Menyorot Ijtihad Persis: Fungsi dan Peranannya dalam Pembinaan Hukum Islam di Indonesia* (Bandung: Tafakur, 2006).

2 Majelis Ulama Indonesia, *Himpunan Fatwa MUI Sejak 1975* (Jakarta: Penerbit Erlangga, 2011), 13.

3 See MUI's website, www.mui.or.id.

4 The current chairman of NU, Said Agil Siradj, is among those who believe in this conviction. See Iip D Yahya, *Ajengan Cipasung: Biografi K.H. Moh. Ilyas Ruhiat* (Yogyakarta: LKIS Pelangi Aksara, 2006), 197.

5 Atho' Mudzhar, *Fatwas of the Council of Indonesian Ulama: a study of Islamic legal thought in Indonesia, 1975-1988*, Ph.D. Thesis, University of California, Los Angeles, 1990, 92.

with branches spreading across all Indonesian provinces and regencies which have expanded to more than thirty. As a country with a majority Muslim population, matters relating to Islam occupy a central place in politics. Although the administration of religious affairs in Indonesia has been formally assigned to the Ministry of Religious Affairs (*Kementerian Agama*), at the practical level, this ministry does not deal with specific issues confronting Muslims. Since such a role is assumed by MUI, it can be maintained that MUI represents the state and its legal opinion (*fatwā*) stands as the formal legal position of the state on issues relating to Islam.

The other organization which this book focuses on is Muhammadiyah. This group has been widely associated with a puritan-reformist strand of Islam, and for such a reason it is also often associated with Wahhabism and Salafism. However, this description might fail to describe the whole range of Muhammadiyah movement. To some extent, especially regarding faith, the association of Muhammadiyah with Wahhabism is not misleading. Similarly, the terms Salafism might also be applied to Muhammadiyah, when it refers to a group which adheres to the principle of returning to two primary source of Islamic law, the *Qur'ān* and *Sunna* or Prophetic tradition.⁶ It has also been rendered as the representative of the reformist Islamic movement in Indonesia. Some scholars studied this movement have also pointed to its current conservative inclinations. Founded in 1912, Muhammadiyah was set up as an Islamic movement aimed at purifying Islam as practiced by Javanese society at the beginning of 20th century, featured by the syncretic amalgamation of Javanese traditions with Islamic teachings.

Although currently labeled as puritan, studies reveal that in its initial phase, Muhammadiyah was often described as accommodative towards local tradition. Its rigidity in dealing with local cultures and traditions only occurred about a decade after its foundation. This paradigmatic shift is believed to have been conditioned by the establishment of the *Majelis Tarjih*. Consequently, in addition to being a think-tank of this organization, *Majelis Tarjih* is also frequently identified as the agent of puritanism within this group. This ambiguous nature of *Majelis Tarjih* is relevant to understanding its mode(s) of thought and how it is reflected in legal opinion (*fatwā*) issued. *Majelis Tarjih* is founded in 1927 with the core function of issuing legal opinion (*fatwa*) or legal determination for certain problems. Nevertheless, it should also be emphasized here that *Majelis Tarjih* does not deal only with religious issues in a narrow sense. Rather, it also claims to deal with

6 More detail and comprehensive discussion on the multiplicity of Muhammadiyah's orientations will be presented in Chapter 6 of this book.

all contemporary problems by referring to the principles of the *Qur'ān* and *Sunna*,⁷ and urges for legal reasoning (*ijtihad*) in resolving contemporary issues confronting Muslim societies.

The other movement, Nahdlatul Ulama', has been long known as the representative of traditionalist Muslim groups in Indonesia. It is for this reason that it is selected in this book. Interestingly, its characterization as a traditionalist is currently questioned given competing mode of thought that have merged within the movement. The extent to which this development within NU impacts upon legal opinion (*fatwā*) will be scrutinized. Within NU, the *Baḥth al-Masā'il* has played a very significant role in constructing a religious strand of NU since its foundation in 1926. The literature on the history of this body indicates that in its initial phase, *Baḥth al-Masā'il* was primarily a kind of discussion that took place in Islamic boarding school (*pesantren*) as part of a mechanism in solving problems within society. As a kind of activity, its inception is concurrent with the founding of NU.⁸ Subsequently, it was formalized as an independent body within NU called *Lembaga Baḥth al-Masā'il* or *Lajnah Baḥth al-Masā'il*.⁹

Historically, NU is founded partly in response to the ascendancy of the new political power in Saudi Arabia which marked a shift from the Shafi'ite-oriented to a Wahhabi-inclined political leadership. This change of power was seen as a potential threat to traditionalistic Islam and its practices as Wahhabism served as the ideological basis for the new regime which harbored hostility to traditions maintained by traditionalist groups. At about the same time, the call for religious reforms in Indonesia had begun to take place spearheaded by several groups. It has inevitably created anxiety among traditional Muslim leaders which culminated in the foundation of NU. NU's formal institutionalization rendered it both as community (*jamī'a*) adhering to the traditional practice of Islam as well as organization (*jam'iyya*), meaning those who formally joined NU as its members. For both, NU developed a specific understanding of religion conditioned by as well as reflecting its predominant mode of thought.

Apart from their significance in the life of Indonesian society, these three *fatwā*-making agencies also reflect the interplay of competing mode of thought in the formation of their legal thought as reflected in the

7 See the official website of Majelis Tarjih, <http://tarjih.muhammadiyah.or.id/content-3-sdet-sejarah.html> accessed on 3 April 2012.

8 See Martin van Bruinessen, *Kitab Kuning, Pesantren dan Tarekat: Tradisi-tradisi Islam di Indonesia* (Bandung: Mizan, 1996), 34.

9 Ahmad Zahro, *Tradisi Intelektual NU: Lajnah Baḥth al-Masā'il 1926-1999* (Yogyakarta: LKIS), 69.

fatwā-making processes as well as the substance of legal opinion (*fatwā*) issued. The selection also provides a view of their impact on the making of legal opinion (*fatwā*).

Legal opinion (*fatwā*) relating to religious beliefs and practices posed by challenges in the advancement of scientific knowledge is a case in point. It can be illustrated by the legal opinion (*fatwā*) on the determination of the beginning of Islamic calendar called *hijriya*, particularly in reference to the Holy Ramadan (fasting month) and annual religious festival following Ramadan called *Idul Fitri* or *Eid*. For decades, *Idul Fitri* has not been celebrated concurrently by different groups of Muslims, Islamic organizations, and government. It should be borne in mind that in the Indonesian context, managing religious matters is part of the government's responsibility.¹⁰ Not surprisingly, *Eid* celebration is always preceded by an official meeting held by the Ministry of Religious Affairs that involves representatives from all Islamic organizations in Indonesia including MUI. The meeting popularly known as *Sidang Isbat* is designed to determine the exact date of *Eid*. Once an agreement is achieved, the Minister of Religious Affairs will officially announce the date.

It is usually the case that the government's decision differs from some Islamic organizations. This dispute is due to different methods adopted each party in determining the new date of the Islamic calendar that is based on the lunar system.¹¹ The most notable disputants are Muhammadiyah and Nahdlatul Ulama'.¹² As widely known, the former adopts the method of

10 According to classical Islamic jurisprudence, a product of *ijtihad* is not binding. However, to prevent any dispute, state or government's intervention is often required. Ibrahim Hosein, a respected Indonesian scholar, argued that government should only be allowed to intervene in social matters and not in matters of worship. See Ibrahim Hosen, *Fiqh Perbandingan Masalah Nikah* (Jakarta: Pustaka Firdaus, 2003), 13-15.

11 For an example of how the dispute is examined by Indonesian scientists, please refer to Farid Ruskanda, *Seratus Masalah Hisab dan Rukyat* (Jakarta: Gema Insani Press, 1996). See also, Farid Ismail, *Selayang Pandang Hisab Rukyat* (Jakarta: Direktorat Pembinaan Peradilan Agama, Departemen Agama Republik Indonesia, 2004); Syamsul Anwar, *Hari Raya dan Problematika Hisab-Rukyat* (Yogyakarta: Suara Muhammadiyah, 2008); Heri Ruslan, "Penetapan Awal Bulan, Seperti Apa Aturannya?", *Dialog Jumat Republika*, 5 November 2010; and Farid Ruskanda (et. al), *Rukyat dengan Teknologi: Upaya Mencari Kesamaan Pandangan tentang Penentuan Awal Ramadhan dan Syawal* (Jakarta: Gema Insani Press, 1994).

12 Other smaller Islamic organizations such as *Persatuan Islam* have their method of determining the new Islamic calendar determination. However, in general, they follow the government's decision in determining the day of *Eid* celebration. Although Nahdlatul Ulama' members follow government's decision, some NU-affiliated *pesantren* celebrated *Eid* and performed *Eid* prayer on the same day with Muhammadiyah's decisions. This fact is based on personal observation.

calculation (*hisāb*)¹³ based on astronomical and mathematical principles, while the latter believes in the direct vision (*ru'ya*) of the crescent (*hilāl*) method. NU rejects calculation (*hisāb*) alone based on a conviction that this method was never practiced during the Prophet Mohammad's lifetime.¹⁴ The 2011 *Eid* was not an exception. However, unlike previous years, the controversy in that year was much more intense. Muhammadiyah, which celebrated *Eid* on August 30, 2011, a day earlier than government's decision, was blamed as the source of tension and confusion among Indonesian Muslims since it firmly insisted on the results of its legal reasoning (*ijtihad*). The controversy intensified as the meeting (*Sidang Isbat*) was broadcasted live by some Indonesian national television stations. Comments were obtained from Thomas Jamaluddin, a scientist interviewed in the program, who maintained that Muhammadiyah's method is out-dated. Muhammadiyah's insistence in adopting the method it employed was also blamed as the factor for the irreconcilable dispute.¹⁵ The scientist further asserted that by using a more advanced technology the dispute can be avoided. In other words, according to him, it is the reluctance of Muhammadiyah to adopt a more modern technology that had worsened the situation. As a result, unlike other Muslim countries such as Malaysia, Saudi Arabia, United Arab Emirates and Qatar, Indonesia had two versions of the *Eid* in that year: Muhammadiyah's *Eid* coincided with the majority of Muslim countries while NU and the government's version was a day later.¹⁶

While the *Eid* celebration ran peacefully despite differences and controversies on the grass-root level, the dispute resumed at another level. Having been accused of employing an out-dated method, Syamsul Anwar of Muhammadiyah's *Majelis Tarjih* maintained in defense that the method

13 Etymologically, *hisab* (Arabic) means calculation. It is a derivative form of *h-s-b* means "to calculate. For an explanation on *hisab*, see Susiknan Azhari, *Ensiklopedi Hisab Rukyat*, (Yogyakarta: Pustaka Pelajar, 2005).

14 A detailed explanation of Nahdlatul Ulama's position regarding *ru'ya* can be found in A. Aziz Masyhuri, *Masalah Keagamaan: Hasil Muktamar dan Munas Ulama Nahdlatul Ulama Kesatu/1926 s/d Ketigapuluh/2000* (Depok: Qultum Media, 2004), 52-53.

15 <http://tempointeraktif.com/hg/kesra/2011/08/28/brk,20110828-353968,id.html>; see also <http://nasional.inilah.com/read/detail/1769952/perbedaan-idul-fitri-karena-penyimpangan-astronomi>; <http://www.muhammadiyah.or.id/id/news-392-detail-penjelasan-majelis-tarjih-dan-tajdid-pp-muhammadiyah-soal-penetapan-idul-fitri-besok.html>. Accessed on September 10, 2011.

16 Based on Decree of Minister of Religious Affairs of the Republic of Indonesia, Number 148 Year 2011. The copy of the document can be accessed through: <http://kemenag.go.id/file/dokumen/keputusanmenagn0148tahun2011tentangpenetapanisyawal1432h.pdf>. Accessed on September 10, 2011.

used by NU which the government endorsed is much more out-dated.¹⁷ Moreover, some commentators even confidently argued that if the moon's appearance is considered, Muhammadiyah's version of *Eid* day is much closer to the truth.¹⁸ However, none of the government officials and others who endorsed the opposite position responded to Muhammadiyah.

This description is an actual example of how modes of thought influence legal opinion (*fatwā*). It has long been acknowledged that the calculation (*hisāb*) method is regarded as modern since it is based on astronomical and mathematical calculations while direct sight vision (*ru'ya*) only accepts the direct vision of the crescent, although the vision also involves the use of advanced technology. The debate, therefore, has wider implications on the debate on compatibility of Islamic law and modern science. The difference in method mirrors different modes of thought of groups concerned.

In studying legal opinion (*fatwā*) issued by these selected *fatwā*-agencies, this book confines itself to the period of post-New Order Indonesia for several reasons. The foremost is the collapse of New Order reign in 1998. This collapse has ushered considerable changes in political and religious life in Indonesia. Two most significant and particularly relevant of these are political openness or political liberalization and freedom of religious expression. Suharto's New Order (*Orde Baru*) was featured by authoritarianism and strict political surveillance. When the regime collapsed, political openness was clearly manifested in the mushrooming of political parties. In the first election in the post-Suharto Indonesia (1999), forty-eight parties participated with a significant number of them being Islamic political parties. Although the number of participating political parties fluctuated from one election to another, they nonetheless indicate the climate of political liberalization in the country. Moreover, political liberalization is also featured in the emergence of democracy in Indonesian political life. Relatively transparent elections and freedom of speech are among a few consequences that have accompanied the new climate of political change.

Post-Suharto Indonesia also manifests in the emergence of more open space for diverse religious expressions, especially from Muslim groups, including more formalistic and bold expressions of demands for Islamic

17 <http://www.dakwatuna.com/2011/09/14341/otoritas-dan-kaidah-matematis-refleksi-atas-perayaan-idul-fitri-1432-h-tanggapan-atas-kritik-thomas-djamaluddin/>. Accessed on September 10, 2011.

18 <http://lemlit.uhamka.ac.id/index.php?pilih=news&mod=yes&aksi=lihat&id=53&judul=purnama-dan-awal-bulan-qomariyah.html>. Access was done on September 10, 2011.

law and legal principles in government and administration.¹⁹ Accordingly, Islamic organizations in Indonesia found spacious room to freely elaborate and express their positions, principles, and attitudes regarding significant issues affecting Indonesian society. Martin van Bruinessen, for instance, noted that the face of Islam in post-Suharto Indonesian society diametrically differ from the previous era.²⁰ Space has also witnessed a “conservative turn” evident in religious violence and interreligious conflicts as well as the emergence of transnational Islamic movements attempting to influence mainstream Islamic organizations such as Muhammadiyah and NU.²¹

This changing condition has also impacted on religious discourse and practice of Islamic law in Indonesia. Inevitably, Islamic law has been witnessing a considerable shift from earlier decades. During the era of political authoritarianism and oppression under Suharto’s New Order (*Orde Baru*) in which political restriction was an integrated feature of the regime, open expressions of Islam in public space was perceived as a threat to the stability of the state. Moreover, in the early days of Suharto’s ascension to power, the relationship between Islam and the state was characterized by hatred and suspicion. When massive student demonstration in 1998 forced Suharto to step down from the presidency and many restrictions were lifted, a new phase of Indonesian politics was revealed. It was accompanied by the unprecedented challenge to Muslims who continue to seek religious guidance and rulings from the religious elite in resolving uncertainties and complexities of life encompassing many domains. While this has been ongoing long before the fall of Suharto, the changing context created less restriction on the expression of religious opinions including the domain of law and legal thought. This fact signifies the basis for selection of post-New Order Indonesia as the point of departure for this study.

19 For more discussion on Islamic law dynamic within the context of contemporary Indonesian setting, please refer to Jan Michiel Otto (ed), *Sharia Incorporated: A Comparative Overview of the Legal Systems of Twelve Muslim Countries in Past and Present* (Leiden: Leiden University Press, 2010), especially Chapter 10. A comparative perspective on the subject can also be found in ArskalSalim and AzyumardiAzra (eds), *Shari’a and Politics in Modern Indonesia* (Singapore: ISEAS, 2003).

20 Martin van Bruinessen, “Introduction: Contemporary Developments in Indonesian Islam and the “Conservative Turn” of the Early Twenty-First Century,” in Martin van Bruinessen (ed), *Contemporary Developments in Indonesian Islam: Explaining the “Conservative Turn”* (Singapore: ISEAS, 2013), 1-3.

21 *Ibid.*

About This Book

This book does not deal with determining theological validity or correctness of legal opinion (*fatwā*) from a religious perspective. Rather, it seeks to analyze legal opinion (*fatwā*) as ideas emanating from diverse and competing groups within Indonesian society. As a study of the group thought, some aspects of the sociology of knowledge are useful in guiding the approach of this thesis. Essentially, the sociology of knowledge maintains that ideas, beliefs, and values within society are never coincidental or arbitrary nor do they emerge in abstract. On the contrary, they are rooted in concrete socio-historical contexts. In Mannheim's words, the sociology of knowledge "seeks to analyze the relationship between knowledge and existence" and "trace the forms in which this relationship has taken in the intellectual development of mankind."²² Contrary to understanding ideas in abstract or as "narratives" which "simply sets out to show their development,"²³ the sociology of knowledge examines ideas as conditioned by the background of social groups within a given social structure and historical context. As Mannheim explicates "... there are modes of thought which cannot be adequately understood as long as their social origins are obscured."²⁴

Understanding the socio-historical basis of ideas requires identifying specific human agencies responsible for its making, their interplay, and ramifications within a given society. For Mannheim, man's ideas do not exist independently from social groups of which he is a part of. Man "speaks the language of his group; he thinks in the manner in which his group thinks." Divergences in ideas do not simply represent the plurality of divergent conceptions of the world. On the contrary, they reflect unconscious situational motives in group thinking or the worldview and interests of social groups. In Mannheim's words, "it is not men in general who think, or even isolated individuals who do the thinking, but men in particular groups who have developed a particular style of thought in an endless series of responses to certain typical situations characterizing their common position. On the contrary, they act with and against one another in diversely organized groups, and while doing so, they think with and against one another. These persons, bound together into groups, strive in agreement with the character

22 Karl Mannheim, *Ideology and Utopia: An Introduction to Sociology of Knowledge* (London: Routledge & Keagan Paul, 1949), 237.

23 Kurt H Wolff (ed), *From Karl Mannheim*, (New Brunswick and London: Transaction Publishers, 1993), 260.

24 Karl Mannheim, *Ideology and Utopia*, 2.

and position of the groups to which they belong to change the surrounding world of nature and society or attempts to maintain it in a given condition.”²⁵

Two dominant styles of thought which Mannheim developed in unmasking thought are ideology and utopia. The concept of ideology reflects the idea that dominant groups can in their thinking become so intensively bound to a situation that they are simply no longer able to see certain facts which would undermine their domination. In particular circumstance, the collective unconscious of certain groups obscure the real condition of society both to itself and others and thereby stabilize. The concept of utopian thinking “reflects the opposite discovery of the political struggle, namely that certain oppressed groups are intellectually so strongly interested in the destruction and transformation of a given condition that they unwittingly see only those elements in the situation that tend to negate it. Their thinking is incapable of correctly diagnosing an existing condition. They are not at all concerned with what really exists; rather in their thinking they already seek to change the situation that exists ...”²⁶ These aspects of the sociology of knowledge contribute to explain the social basis and meaning of competing or conflicting religious opinions. It avoids the inadequacy of seeing religious thought merely as a reflection of certain theological viewpoints and avoids the pitfall of labeling.

Based on some aspects of this approach, this book examines competing ideas among dominant Muslim groups in Indonesia in formulating legal opinion (*fatwā*) and Islamic legal thought as not mere reflections of divergent opinions that emerge in a vacuum.²⁷ Rather, legal opinion (*fatwā*) is viewed as conditioned by styles of thought and religious orientation of the specific agencies that enunciate them. These styles of thought characterizing legal opinion (*fatwā*) functions not only as a reflection of the life situation of the group that expresses them, but also reveals their basic intention which it to promote and defend what exists or radically transform it. As Mannheim explains:

(...) the ideas expressed by the subject are thus regarded as functions of his existence. This means that opinion, statements, propositions and systems of ideas are not taken at their face value but are interpreted in

²⁵ *Ibid*, 3.

²⁶ Mannheim, p.36.

²⁷ On the role of social circumstance in the forming of knowledge, see Peter L Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in Sociology of Knowledge* (Garden City, N.Y., Doubleday, 1966).

the light of the life-situation of the one who expresses them. It signifies further that the life –situation of the subject influence his opinions, perceptions, and interpretations.²⁸

The approach used in this study thus examines how modes of thinking or religious orientations characterized as reformist/ progressive, traditionalist and revivalist manifested in significant *fatwā*-making agencies impact upon *fatwā*-making and their ramifications on society.²⁹

This book utilizes numerous primary and secondary sources including books, journal articles, academic exercises and other materials obtained from traditional and new media. Apart from relevant theoretical and empirical works, both contemporary and historical, primary data on legal opinion (*fatwā*) issued by respective *fatwā*-making agencies in Indonesia provide another major material for this book. In this respect, I visited the office of MUI in 2012 and 2013 to obtain primary information relating to legal opinion (*fatwā*). Also, the MUI official statements covered widely by various Indonesian media and websites were also utilized.

28 Mannheim, p.50.

29 Kurt H Wolff (ed), *From Karl Mannheim*, (New Brunswick and London: Transaction Publishers, 1993), 260.