PROCEEDINGS

INTERNATIONAL CONFERENCE ON ISLAM AND

MUSLIM SOCIETIES (ICONIS) 2019

Indonesian Civil Islam: Intertwin Among Moderatism,

Conservatism, and Populism

Laras Asri Resort & Spa

Salatiga, 6 -7 August 2019

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Theme:
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Venue:
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Date:
6 - 7 August 2018

Keynote Speakers:
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WELCOMING SPEECH

Director of Magister Program State Institute For Islamic Studies (IAIN) Salatiga

Assalamu'alaikum Wr. Wb

The emergence of conservativism and populism, most specifically in Post-Suharto Indonesia, challenge the notion of "Indonesian Civil Islam" and the project of "re-hermeneuticization of Islam" in Indonesia. The emergence of social media contributes to the increased participation of the citizens in effecting public policy, on the one hand, but on the other hand, it has an impact to the strengthening of conservativism, most specifically among millennial generation. It is worth remarking that conservative Muslims are active in social media, and accordingly considered as "new religious authorities". They are outspoken in claiming that they are representing the Muslim community (al-ummah al-islamiyyah). Such propaganda and claim are quite attractive for many Muslims across the country, and consequently lead to the fragmentation of the Muslim community and Indonesian nation.

The Indonesian Conference of Islam and Muslim Societies (ICONIS) will constitute a contribution in unravelling recent challenges and prospects of "Indonesian Civil Islam". It is hoped that this conference not only contributes in purely theoretical domain, but also has significance in practical level, at least in providing policy recommendations for strengthening "Indonesian Civil Islam".

The ICONIS is one of leading programmes of the Postgraduate School of State Institute for Islamic for Islamic Studies (IAIN) Salatiga. Our postgraduate School and our university are concerned with the transformation from a teaching university to a research university. A research university mainly deals with knowledge production, knowledge sharing, and knowledge shopping. During the ICONIS, the scholars are involved in these three interrelated ventures. The scholars are concerned with "moving of bodies and ideas". They have to be active, both physically and intellectually, so that they may pay a significant contribution for the scholarly world. The undertakings of the scholars will have an implication, not only for the accreditation of their respective university, but also the reputation of their university.

Salatiga, July 2019
Best Regards,

Asfa Widiyanto
Director of Magister Program

WELCOMING SPEECH

Rector of State Institute For Islamic Studies (IAIN) Salatiga

Assalaamu'alaikum.w.w
His Excellency Minister of Religious Affairs, Mr. Lukman Hakim Saifuddin,
Honourable Key Note Speakers
Honorable Rectors of UIN and IAIN all over Indonesia
Honourable all dignitaries, the guests and selected participants that I cannot mentioned one by one
All beloved committee of ICONIS 2019

First of all let us thank be to Allah almighty, who has blessed us in the historical moment especially at IAIN Salatiga today so that we can attend and join the second International Conference on Islam and Muslim Society (ICONIS). *Shalawat* and *salam* regard to the prophet Muhammad peace be upon him, the last prophet and messenger.

Ladies and gentlemen,
Personally as well as Rector of IAIN Salatiga, I would like to say welcome to IAIN salatiga. I also would like to express my gratitude H.E Minister of Religious Affairs, all rectors, elected participants and the committee who get involved in organising of this program, International Conference of Islam and Muslim Society. This event is the second round which the first one was carried out in 2018.
I realise that this conference is positively appreciated by many researchers but the committee should consider finding the relevant articles to be presented here. After that, the committee in cooperation with International Journal on Islam and Muslim Society (IJIMS) will select some articles to be published at IJIMS, which has been indexed by SCOPUS as well as awarded Quartile One (Q 1) in Islamic Studies and Humanities Journal. This achievement may not be gained without any taking apart of researchers and readers who actively cited and circulated of the journal among colleagues. Therefore I really appreciate and salute for researchers and participants who keep joining of this conference as one of a means of knowledge sharing.
I hope that this conference will be useful for academicians to share their research and publish it at the most prestigious journal such as IJIMS. It is an honour and privilege for me to here with all of you. Finally let us begin this conference by reciting *Basmallah* together. I wish we will have a fruitful discussion and conference in the near future with you all, thank you.
Wassalaamu'alaikum.w.w.

Rector
Prof. Dr. Zakiyuddin

COMMITTEE REPORT

The honorable
Rector of IAIN Salatiga
The honorable keynote speakers
Dr. Khairudin Aljunied
Dr. Kamaludeen Bin Mohamed Nasir
Dr. Mohd Roslan Bin Mohd Nor
Hammam, Ph.D
Dean, the leaders of IAIN Salatiga
Participants and Presenters
The distinguished Guests

Assalamu `alaikum wr. wb.
Praise be to Allah SWT for His blessings and grace that this conference can be held this year. Shalawat and salam always be handed over to our Prophet Muhammad SAW.

The International Conference on Islam and Muslim Societies (ICONIS) 2019 was organized as the effort of the IAIN Salatiga Graduate Program to realize the vision as one of the " Referral Center of Islamic Studies " in Central Java and Indonesia. We continue to work hard on the road map to achieve the milestones of that vision. This conference is also an annual program that will be continuously implemented as a meeting place for scholars from various fields of social sciences and humanities who have concern for Islamic studies. We benefit from this conference as a vehicle to build collaborative networks between universities, as well as capturing quality articles for the publication of Indonesian Journal of Islam and Muslim Societies (IJIMS). Thanks to Allah SWT, this journal has been indexed by Scopus since August 13, 2017, and become the first journal in Indoensia who has been indexed by Scimago Journal Ranking (SJR) with the best Quartile 1 or Q1 on 31 May 2019.

The honorable audience, In this conference, there are 57 presenters coming from various institutions in Indonesia and collaborators from the National University Of Singapore (NUS) Singapore, Department of History, National Cheng Kung University (NCKU) Taiwan, University of Malaya, Malaysia, and Nanyang Technological University Singapore. On behalf of all the rector IAIN Salatiga and committee of ICONIS, I would like to extend our warmest welcome to all keynote speakers and presenters from UIN Suska Riau, Institut Agama Islam Negeri Bengkulu, IAIN Kudus, UIN Walisongo Semarang, Police Science College, State Institute For Islamic Studies Of Jember, Sebelas Maret University Surakarta, Diponegoro University, State Islamic University Of North Sumatra, University 17 August 1945 Cirebon, IAIN Pontianak, UNJ, UIN Sunan Kalijaga, Yogyakarta, Reseach Center For Society And Culture, Indonesian Institute Of Sciences (PMB-LIPI), UIN Syarif Hidayatullah Jakarta, Department Of Malay Studies, , STAI Nur El Ghazy Bekasi, University Of Muhammadiyah Mataram, State Islamic University Of Sulthan Thaha Saifuddin Jambi, Universitas Islam Nahdlatul Ulama Jepara, State University Of Malang, University Of Mataram Indonesia, UIN Raden Fatah Palembang, Wiraraja University, Universitas Islam Negeri Sunan Gunung Djati, Bandung, Fakultas Ekonomi Dan Bisnis UIN Antasari Banjarmasin, Faculty Of Islamic Studies, Universitas Islam Sultan Agung, State Islamic Institute Of Madura, State Islamic University (UIN) Raden Intan, Lampung, Indonesia, Faculty Of Social Science And Political Science, Universitas Muhammadiyah Yogyakarta, Institut Agama Islam Negeri Palopo, University Of Halu Oleo, *Institut Agama Islam Negeri (IAIN) Kerinci,* Universitas Airlangga, University Of Ahmad Dahlan, Andalas University Padang, Institut Pesantren KH. Abdul Chalim, Universitas Pancasakti Tegal, IAI Hamzanwadi NW Pancor, IAIN Pontianak

Finally for all presenters, keynote speakers and participants, we would like to say "welcome and enjoy the conference".

Wassalamu `alaikum wr. wb.
Chair of Committee
Noor Malihah, Ph.D

Religiosity Dynamics of Tabut Community in Bengkulu

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Abstract

This study aimed to identify religiosity dynamics of Tabut culture community in Bengkulu. Tabut culture community is minority group in Bengkulu who keep trying to defend their anchestor's culture. The inherited culture is known as Tabut. Tabut Culture can be defined as Syi'ah culture heritage which is still preserved and practiced by Sunni's group. The Tabut performance with its 13 rites is held in 1-10 Muharram month annually aiming to celebrate Islamic Hijriah New Year, to commemorate all martyrs in Karbala field especially Hussein and to commemorate Islam glory. Based on observation result and data in the field it is concluded that there are two religiosity dynamics existing in this community. The first group is those whose religiosity getting increased due to their participation in every Tabut rites. Second group is those whose religiosity level is not influenced by Tabut rites or in other words whether the diversity increases or not is not due to Tabut culture.

Keywords: *Religiosity, Dynamics, Tabut Community.*

Introduction

Syi'ah is a group considered as dilemmatic in Indonesian religion life today. In one side, Syi'ah clerics used to be important figures in Islamization process in Nusantara (Indonesian Archipelago) while in other hand, Syi'ah has religious comprehension which is difficult to trace in Indonesian muslim religiosity. Syiah heritage which can be seen in Indonesia until today is Karbela tragedy celebration.

Karbala Tragedy or Asyura day is incidence of Husain and his 70 families were slaughtered brutally by Yazid bin Mu'awiyah soldiers from Umayyah clan in Karbala Field, Damaskus. Based on historical record, Husain was beheaded and his head was paraded around Damascus city to be shown off the public as threat for whoever followed Ahl a-Bayt thought.[1] Donaldson (1993) in his writing stated that people Husain death was a national calamity and Husain blood spilling in karbale was believed to have sacrifice value.

Commemoration of Karbala tragedy considered as Syiah thought is not only in Indonesia. Rabbani (2013) in his study found that based on history, Malaka King Sultan Alauddin Riayat Syah leadership is

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[1]Dicky Sofjan, *Sejarah dan Budaya Syiahdi Asia Tenggara* (Yogyakarta: Sekolah Pascasarjana Universitas Gadjah Mada, 2013), p. xxi.

influenced by Syiah and Persia akidah. It is evidenced by practice of Syiah tradition and rites in some South Asia countries including Indonesia, Thailand, and Philippines.[2]

The existence of Karbela tragedy in Thailand and Philippine is known more as Asyura tradition. Until today, it can be seen in Thailand and Philippine because of King and ruling government support. Meanwhile in Indonesia, the commemoration of Karbala tragedy which initially could be found in some areas in Indonesia, today it can only be found in Bengkulu known as Tabut and in Pariaman known as Tabuik. The lost of Asyura tradition in some areas of Indonesia is due to the accusation that Asyura tradition contains Syiah thought and lack of support from local governments.

Herawansyah (2014) in his study stated that Tabut in the beginning was not only developing in Bengkulu but also in Painan, Padang Pariaman, Maninjau, Pidie, Banda Aceh, Meulaboh and Singkil. Further development of the rites was vary where most of areas showed rejection and further dissapeared due to abandonment by its supporters. Tabut which is still exist until today can be found in Bengkulu City and Pariaman of West Sumatra where it is called Tabuik. The difference between the two traditions resides in the rites and the date of performance. Tabut festival in Bengkulu is accompanied by series of rites performed by Tabut descendants and held every Muharram month while Tabuik in Padang is performed only as a festival without rits and sometimes held out of Muharram month.

The purpose of Tabut festival in Bengkulu which is held for 13 days in overall is firstly to welcome Hijriyah New Year; secondly to commemorate all martyrs who died in Karbala Field especially Al-Hussein; thirdly, to commemorate Islam glory which reached its peak between VII and XIII Centuries (Syafril, 2016).

As previously stated, Tabut celebration is frequently related to Syiah school hence perception in public still exist that the group who performs Tabut tradition is Syi'ah followers. Based on O.L Helfrich writing in "*Het Hasan-Hosein Taboet Feest in Bencoelen*" written in 1888, it was explained that Tabut festival was introduced to Pariaman and Bengkulu not by local Muslims but by some *Sepooy* soldiers who incidentally were Syiah followers coming from Delhi, India. The coming soldiers were for accompanying Sir Stamford Raffles to West Coast of Sumatera, particularly Pariaman and Bengkulu areas in 1795-1824.[3]

Despite finally Bengkulu and Pariaman people adopted Tabut culture, it didn't mean that Muslim in these regions converted to Syiah. It was evidenced from Ronkel study (1914) (in Azra, 2013) about muslim religiosity life in Bengkulu and Pariaman where he concluded that there were no signs of Syiah influence both in Bengkulu and Pariaman despite muslims there performed Tabut tradition.

This opinion was supported by initial data gained by researcher in field. There was rejection from Tabut family on negative perception by public that their tradition was Syiah let alone syirik. One of sacred Tabut figures in Bengkulu stated that:

> "this tradition is purely containing Islam thought, not Syiah, let alone syirik. If there were *kemenyan* burning and praying to be recited when the rites was performed where in some cases

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[2]Muhammad Ali Rabbani, Faktor Syiah dalam Masuk dan Tersebarnya Islam di Asia Tenggara Melalui Arab, India, Persia, dan Cina, dalam Dicky Sofian (ed) *Sejarah dan Budaya Syiah di Asia Tenggara* , (Yogyakarta: Sekolah Pascasarjana Universitas Gadjah Mada, 2013), p. 33

[3]R. Michael Feener, Tabut: Muharram Observances in The History of Bengkulu. Studia Islamika: *Indonesian Journal for Islamic Studies*, 6 (2): 87-130. (1999) dan dalam Azyumardi Azra, "Kaum Syi'ah di Asia Tenggara: Menuju Pemulihan Hubungan dan Kerjasama" Dalam Dicky Sofyan (Ed). *Sejarah dan Budaya Syi'ah di Asia Tenggara.* (Yogyakarta: Sekolah Pascasarjana Universitas Gadjah Mada, 2013), pp: 5-31

making some persons lost of conscience was so natural incidence and showed the "miracle" of Tabut tradition." (initial interview with informant SY, 2015).[4]

Zubaedi (2008) in his study stated that Tabut culture has experienced cultural assimilation, accommodation, and interaction processes in very intense way between rites with Syiah nuances and local cultures of Bengkulu people. Due to these processes, Tabut experiences revitalization through indigenization or cultural metamorphosis. The revitalization process is marked by Tabut change which initially was held in context to practice Syiah doctrine into a local wisdom or merely as cultural Syiah practice.[5]

To support Zubaedi's (2008) based on researcher's initial study by viewing acculturation strategy used by Tabut society it was found that Tabut as a culture was shaped from long acculturation process named integration. Integration was done by preserving initial culture, in this case Tabut culture, but also accepting new culture from society they encountered, in this case Bengkulu society."[6]

Based on the explanation above it can be said that Tabut community in Bengkulu despite they preserved and performed Syiah culture annually still practicing and believing in Sunni thought as believed by majority in Bengkulu and even in Indonesia as a strategy they used to keep survived.

Tabut as a culture with 13 rites performed every year by some of Tabut community members is not only considered as merely containing cultural value but also religious value. The religious value existing in Tabut culture surely will influence religiosity dynamics of Tabut culture proponents. Based on the explanation, researcher is keen to identify religiosity dynamics in Tabut community in Bengkulu. Thus by identifying religiosity dynamics in Tabut community it was expected that attitude and perception of general public on Tabut community could be changed where so far it has been controversially debated among people.

Religiosity Dynamics

Religion and religiosity are two inseparable but differentiable things. Religion is collection of doctrines, tenets, and laws which have been formalized and believed as collection of God commandments for human being. Meanwhile, religiosity is defined as quality of contemplation and attitude of individual based on religiosity values he/she believes. Doctrine and contemplation quality in any religion followers are inseperable. Both show life dynamics in religious practice.[7]

Mukti Ali stated that religion is faith reflection which consist belief and revelation of belief in life (dogmatic reflection and statement). Religion consists of faith and faith statement in real practice. The faith reflection is contemplation on religion tenets while reflection on the religion tenets is about how the

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[4]Dalam Nelly, Marhayati. Dinamika Kelompok Minoritas dalam Mepertahankan Tradisi Studi Pada Keluarga Tabut di Bengkulu. Prosiding Temilnas IPS. (Jakarta: 2015)

[5]Zubaedi. Revitalisasi Tabut Untuk Membangun Kerukunan Umat Beragama Bengkulu di Bengkulu. *Jurnal Harmoni*. Depag RI. Vol. VII. No.27. (Juli-September 2008).

[6]Nelly Marhayati & Suryanto," The acculturation strategy of The Tabut community in Bengkulu", *Studia Islamika*, Vol. 24, No.3. (Desember 2017)

[7]Adeng Muchtar Ghazali & Busro, "Pendidikan Islam dalam Dinamika Kehidupan Beragama di Indonesia.", *Intizar*, Volume 23, Nomor 1, (2017. pp. 93-112)

individual faith being manifested in social life. Religious life is not merely psychological and private matters but it also relates with belief on the faith and how to implement it in daily social life.[8]

Emile Duerkheim (1976) has differentiated term "religion" and "religious phenmomenon." Religion relates to faith or dogma while religious phenomenon is religious behavior and mental attitude. This difference in essence is more functional menaing that it views religion from its function in social life. The religion fcunction in social life can be viewed from: 1) its functon among society; 2) its function as interpretation system of the world which translates self and space concepts and individual tasks among society; 3) religion as society center; and 4) religion as constitutive part of society.

Furthermore it is said that in addition to have social function, religion also has accommodative nature embodied in the way religion approached by individual and influenced by environment, social, culture and politic where individual lives. In addition, religion as a belief system can be part and center of value system existing in any culture and becomes booster for society member behavior in to be in accordance with his/her culture and religion values.[9]

Difficult thing in understanding religiosity is the rise of religion in "inner being" and "sense" in each individual as member of a community or society. The inner being and religiosity sense experience constitute a very subjective act and cannot be measured by thought strength. In more extreme perspective, faith in any religion is considered as inner being speculation. The sense of believe and disbelieve on God existence is merely an inner being speculation which cannot be evidenced scientifically. However for specific individual or society, faith on God is more beneficial since it will tranquil the inner being.[10]

Furthermore, Ridwan (2011) stated that Indonesian people with tradition basis are tend to believe the existence of inner being attitude. They consider religion as important part to be involved in every life aspect. Scopes of life require people to involve religiosity aspect hence religion could grow and develop along with tradition in society.

The tradition is also called institution since it is used as reference for norm in the society. Parsudi Suparlan (in Jalaluddin, 2012) stated that sociologists identify primary institution. The primary institution is fundamental norm framework in human life. Primary institution relates to honor and dignity, personality and society preservation. Therefore it cannot be changed easily. It puts emphasis the importance of belief and collectivity and has closed or personal nature, like institution of family, kin, religiosity, friendship or companionship.[11]

Based on explanation above it can be said that religious tradition is contained in primary institution. It is due to the tradition contains elements related to Divinity, religious act, mystical feelings, worshiping and belief on eternal values. Hence, religious tradition is difficult to change because in addition to community support it consists of some noble values related with community belief.

Religious tradition with one's religious attitude is to influence each other. The religious attitude as something individual or personal in nature will support the religious tradition building. While religious

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[8]Benny Ridwan, "Potret Organisasi Keagamaan dan Respon Terhadap Dinamika Kehidupan Keberagamaan di Salatiga.", *INFERENSI, Jurnal Penelitian Sosial Keagamaan*, Volume. 5, No. 1, (Juni 2011. pp. 101-120)

[9]dalam, Adeng Muchtar Ghazali & Busro, "Pendidikan Islam dalam DInamika Kehidupan Beragama di Indonesia.", *Intizar*, Volume 23, Nomor 1, (2017. P. 93-112)

[10]Benny Ridwan, "Potret Organisasi Keagamaan dan Respon Terhadap Dinamika Kehidupan Keberagamaan di Salatiga.", *INFERENSI, Jurnal Penelitian Sosial Keagamaan*, Volume. 5, No. 1, (Juni 2011. P. 101-120)

[11]Benny Ridwan, "Potret Organisasi Keagamaan dan Respon Terhadap Dinamika Kehidupan Keberagamaan di Salatiga.",

tradition as life environment will provide values and norms of religious behavior pattern to individual or in other words, it will shape a behavior pattern embodied in his/her religious attitude.

Sosis (2007) stated that many anthropologists tried to give understanding that religious belief and rites to perform in religious tradition will shape point of view and influence individual daily life.[12] Surely it includes religious attitude or life.

Religious attitude built from religious tradition will influence the way of thinking, sense, or judgment on everything related to religion. In Robert C. Monk view (in Jalaluddin; 2012) religious tradition has two main functions which also have double roles for community and individual. The first is that it functions as strength able to create stability and unity in community and individual. While the second, it functions as agent of change in society or individual even in situation where conflict occurs.[13]

Mutual influence between religious tradition and religious attitude of individual in society is very interesting to study particularly its deeper effect. It is conducted by observing religious tradition in any regions with religiosity dynamics of society where a tradition actor lives. Attitude of individual religiosity in society that hold specific belief as Monk stated above will become proponent in building of religious tradition.

This is the belief community with Tabut culture in Bengkulu held so far. Tabut tradition by part of its proponent is believed to have religious values that according to them has indirect influence upon their religiosity and daily situation. However, as part of long acculturation process, the existence of inherited culture and its effect on diveristy among its community member is adapted to native people real condition. Inherited culture with Syiah nuance has to adapt with the native culture which is Sunni hence assumption of the culture tradition proponents have to be evidenced by viewing religiosity dynamics occurred among them.

Tabut Culture Community

Based on the previous explanation it is stated that Tabut culture is inherited from Syiah culture in order to commemorate the martyr of Imam Husain bin Ali bin Abi Thalib who had been brutally killed in Karbala Field. Figure considered as the initiator of Tabut culture in Bengkulu was Syekh Burhanuddin or Imam Senggolo. Title of Imam or Syekh designated to Tabut performer strengthens the assumption that Tabut culture was inherited from Muslim figure with Syiah school.

However, despite with the fact that Tabut culture was coming from Syiah follower, today Tabut culture proponents gradually want to abolish public perception that Tabut culture which they held annually contained Syiah tenets and values.

Result of initial interview by author with one of sacred Tabut figures stated that:

"This tradition is purely containing Islam thought, not syiah, moreover Syirik. If any *kemenyan* burning exist and prays being recited during the rites hence some trance condition occurs it is so natural and indicates "miracle" of Tabut tradition."[14]

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[12]Richard Sosis., 2007. *The Adaptive Value of Religious Ritual.* dalam Aaron Podolefsky dan Peter J.Brown. *Applying Cultural Antrophology.* 7 ed. New York: Mc Graw Hill. p. 205

[13] Jalaluddin. p: 231

[14] Result of interview with informant SY, 16 September 2015

Since 1993, Tabut family has formed organization within which groups of family who perform Tabut tradition are gathered or known more as Tabut Harmony Family (KKT). The establishment of KKT aimed to organize and preserve Tabut rites and continuity of sacred Tabut performance. Member of KKT consists of Imam Senggolo descendants and public outside of Imam Senggolo descendants who have passion in preserving and developing Tabut tradition. This opinion was supported by author interview with one of sacred Tabut performance head (Anwar, 2015) from Berkas village where in the interview he stated that:

> "one reason KKT was established is to preserve Tabut tradition and the members are not limited merely to Imam Senggolo descendants. As long as these persons have great interests and passion to preserve tabut they can be part of KKT member. It is done since pure descendants of Imam Senggolo particularly the young generation are so few having interest in Tabut tradition performance".[15] (in Marhayati, 2015)

Furthermore, Tabut culture is performed by Imam Senggolo descendant who has had acculturation with native people of Bengkulu. Based on study of the previous studies, acculturation strategy which has been long practiced in Tabut community is integration since Tabut society are still preserving their original culture but also receive or open to change based on the native society situation in Bengkulu.[16]

Based on several sources and history record, it is stated that Tabut family ancestors came to these regions in two ways: by voluntarily coming and intended to settle in order to preach islam and in this case was Imam Senggolo and his relatives, and the second by involuntarily coming as slave or labor. However, both groups understood their position and existence. Hence, to be accepted by natives they did assimilation by marrying natives and taking change in culture and behavior.

Zubaedi (2008) stated that intense cultural assimilation, accommodation, and interaction have been occurred between rites with Syiah nuance and Bengkulu local culture hence Tabut experiences revitalization through indigenization process or cultural metamorphosis. The revitalization process is marked by change of Tabut which was initially held in context to practice Syiah doctrine transformed into a local wisdom or merely cultural Syiah practice.[17]

Research Method

Study on religiosity dynamics is traced through ethnography approach aiming to comprehend and describe cultural social phenomena existing in Tabut community of Bengkulu. This approach is considered be able to dig more information with wider sources.

Ethnography study is based on assumption that culture is learned and shared among society members therefore it needs to be described and understood. Despite the focuses were on perspective of community to be studied (emics) and researcher perspective (ethics), they are correlated.[18]

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[15]Interview result with Anwar, 5 Januari 2016. Dalam Nelly Marhayati, "Dinamika Kelompok Minoritas dalam Mempertahankan Tradisi: Studi pada Keluarga Kerukunan Tabut di Bengkulu.", *Prosiding Temilnas IPS*, Bali, (2015), ISBN: 2503-0965.

[16]Nelly Marhayati & Suryanto, "The Acculturation Strategy For Tabut Community in Bengkulu.", Studia Islamika, Volume 24, Number 3 (December, 2017). pp. 403-433

[17]In Poniman, *Dialektika Agama dan Budaya Dalam Upacara Tabut*. Bogor: IAIN Press, 2014.

[18]E. Kristi Poerwandari, Pendekatan Kualitatif Untuk Penelitian Perilaku Manusia, Jakarta: LPSP3 Fak.Psikologi Universitas Indonesia, 2011.

Analysis units in study on collective continuity behavior in cultural preservation are individual and group which starting from observation on group culture behavior and continued by observing group cultural behavior and then performs data digging on the individual about collective continuity behavior of group member in culture preservation. Then the data obtained from individual as member of group were analyzed and the result was used for group the individual belongs.

Informant characteristics derived from Tabut Harmony Family are: sacred Tabut performer, descendants of Tabut performing Family, having active participation during Tabut tradition performance. Informants in this study were 6 persons representing 17 groups of sacred Tabut.

Selection of 6 informants were based on suggestion from KKT head as in his opinion not all performers from Tabut tradition understood the meaning of the rites they performed. Most of them didn't understand about the meaning of Tabut rites they routinely performed every year where they would say they knew it as it was.

Data were collected using participant observation where researcher listened, viewed and participated directly in every culture activity committed by Tabut community. During participant observation, researcher also collected data using ethnography interview based on Spradley's (1980).[19]

The collected data were analyzed by four step analysis including domain, taxonomy, componential, and thematic analyses. In ethnography study in every analysis step, researcher still could collect data both interview data and other secondary data where finding in these analyses could be used as questions material for further stage of analysis. Like quantitative study result which requires data validity and reliability tests, qualitative test also requires data validity test. In this research qualitative data validity test were performed by performing data triangulation, member checking and auditing.

Findings in the Field

Before elucidating findings about religiosity dynamics in Tabut culture, 13 rites in tabut culture and values contained within each according to some informants would be presented.

a. Value contained in Tabut rites

In overall, informants stated that value contained in Tabut rites is to preach Islam since it is the essence of Tabut festival performed by their ancestors since hundreds years ago in the first settlement time in Bengkulu. As stated by informant AQ:

> "…..The point is Islam preaching… that is the most important.. so, to preach Islam, syech Burhanuddin initiated this ceremony with purpose to convey islam teaching. So, when he came to Bengkulu, a long time ago, okay, Islam had not been entering Malay yet,.(but) entering Bengkulu was in seventh century, in eighth century Islam was here.. but it yet. Yet.. ehmm… well socialized.. so by the Tabut culture, Islam was thought by Syech Burhanuddin with the thirteen rites…"[20]

Furthermore for meaning or value contained in the 13 rites of Tabut are following:

> "…if like praying, we muslims are obliged to pray, to always remember Allah,, the praying is good.. we beg His permit so in the ceremony we beg for safety, not begging to other than Him, many had misunderstood, in Tabut many people did… People thought that we asked something to Jin, asked

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[19] James P. Spradley, *Participant Observation.* USA: Holt, Rinehart and Winston, 1980.
[20] Result of interview with informant AQ, 14 Januari 2017

other things,, in fact we didn't.. nothing at all.. we kept praying to God, Allah subhana wata'ala.. then for *ambik tanah* (taking earth), it is also reminding us,ee prophet Adam was made from earth.. and we do too as recited in Quran. During forty days our spirit was given.. but prophet Adam was initially made from earth, from the essence of earth and given with spirit..that's the story.. and also for *duduk penja*, as you (researcher) saw yesterday.. keep praying, in *penja* position.. penja *is* directing toward Allah.. for praying, also for *menjara.. menjara* is preserving tahuid, sometimes we have to struggle until our life end, *menjara* is performed at night, long walking at night, as if we experienced the moment by ourselfe, like it.. for *meradai, meradai is kind of...emm...*public emphaty.. ee emphaty for muslims who were lost at the war..so what is like the emphaty...so, as human being we have to help each other.. then *arak penja* and *arak jari-jari..*so we remind it again.. *arak sorban* is like *arak jari-jari..*if gham... meaning that despite with our mourning, we kept remembering Allah as creator... Gham means silence.. silence and mourning... Pakistan ordo language.. the writing is Gham.. reading Gam. *Then gabut naek puncak..gabut naek puncak* is connecting between lower building and upper building. After being connected that is the Islam.. it will be always toward the peak. Despite once it was down, as muslims we have obligation to raise Islam up (laughing). Then *senja. Senja* is worshiping or giving respect.. so as young man, it is a warning for young man.. no matter clever we are, we have to respect the older one.... Like that. Then *tabut tebuang,* Tabut tebuang is tabut parade as our anchestor said it was toward the grave, until burying... In fact... (thinking) it is different. I interpreted it as different. But sometimes some people thought like Mamu that it was a pilgrim.. I don't think so... in Tabut parade, there is earth inside, *penjanyo..*to me it is burial...."[21]

Based on informant AQ description above, meanings or values of 13 Tabut rites are following

1. Pray to Allah swt, performed before Tabut festival is an obligation as a muslim with meaning of asking savior both in this world and afterworld and safety during the Tabut festival.
2. *Ambik tanah*, this rite contains value that as human being we are warned about our origin that we were created from earth.
3. *Duduk penja*, this rite contain value of praying to Allah, viewed from penja position which is set directing upward like hands open to the sky like in praying position.
4. *Menjara*, contains value to live tauhid by jihad even if sacrificing the soul.
5. *Meradai*, contains value of raising emphaty sense from community to muslims due to lost in battlefield.
6. *Arak penja* or *arak jari-jari*, contains value which remind us to al-Husain struggle and his death in Karbala war by the finding of Husain's fingers after he was killed by Yazid.
7. *Arak Seroban*, is similar to previous rites which contains meaning that al-Husain *sorban* had been found which then been paraded to his followers.
8. *Gam day*, contains sorrow value. It is sorrow due to al-Husain death but it has to remind Allah as the Creator.
9. *Tabut Naik Puncak*, contains value that Islam is always toward the peak despite once it used to fall down, as muslims we have duty to rise Islam to the peak.
10. *Soja*, contains value of mutual respect and appreciation where no matter smart a young man he has to respect and appreciate the older one and vice a versa .

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[21] Result of interview with informant AQ

11. *Tabut Tebuang* is understood as funeral day. However, some define it as a tomb pilgrim.
12. *Cuci penja,* contains value of self cleaning according to Sunnah that muslim shouldn't annul his wudhu.

Other informant EEN in responding meaning of 13 Tabut rites showed less detail information than previous informants. The informant only understood partly the value contained in Tabut culture despite he participated the rites every year. All they did in the rites were considered as merely following what ancestor inherited to them. The informant considered Tabut as just a culture hence it cannot be blamed or considered as against Islam tenets.

> "....Indeed it doesn't have any meaning, but it has been passed for generations from our ancestors. Performing the rites, the culture, indeed previously the religion (Islam) had not been developing well. Ehm, the praying was in accordance with those recited by Tabut carrier. It was named praying for safety (words emphasized) or Yasinan (words emphasized) in our comprehension it is the way we send our praying for the Prophet's grandson (Husain) and to commemorate Islam struggle. Just it, the praying and to symolize that human in essence was made from earth, it is the philosophy. *Duduk penja* is comparable with we prepare, prepare for war. *Penja* is equal to weapon. Ehm...sword. Just like that. That's all I know. I don't know more details But I define the Tabut as a culture, nothing more. Never misunderstand it. *Menjara* can be defined as a context where we live now. W visit each other. We are living in a group, aren't we? Visiting our neighbor and also getting visited. The Tabut festival is not funded by government, so we raise money from those who support the culture, the general public. That's the fund raising. And *Jejari* based on the story is about searching for Husain body. The only parts to be found were his fingers and then his sorban. Then it is generalized in *arak gedang* (complete parts). *Gham is* mourning and silence day lasting until 03.00 PM. After that the process run to the peak, in Ashar time, it was the peak (Interview, January 21ˢᵗ 2017).

However, informant kept trying to explain the values of some rites as much as he knew:
1. Do'a selamat, contains value of sending praying for Prophet grandson that is Al-Husain and to commemorate Islam struggle history.
2. Ambik Tanah, contains value that human being is derived from earth.
3. Duduk penja, *penja* by informant is described like a sword and the value contained in *duduk penja* is preparation for war.
4. Menjara, according to informant it contains value as form of silaturrahmi
5. *Meradai,* contains value of fund raising to community for Tabut ceremony
6. Arak penja and arak eroban, according to informant contains avalue as search of al-Husain body where in the first day of searching his fingers were found and in the second day his sorban was found. The peak is in the third day of *arak gedang* defined as recollected al-Husain body parts.
7. Gham, contains value of sorrow day or tranquilling time

The third informant, MT gave slightly different meaning of Tabut rites including meaning from *duduk penja, arak seroban* and *arak penja.*

> "if taking earth the meaning is, trully meaning iss.. it is Husain oath.. derived from earth will return to earth....emh before going to Karbala field, he visited his grandfather (Prophet Muhammad) tomb and taking earth from his grave, and then he departed, it is the meaning of earth taking...its history. If *duduk penja* means celebrating 1 Muharram, then for arak-arak jari, it was the first time to be

found fom Husain (his fingers), arak Sorban is when the sorban being found, arak gedang when the complate parts of Husain body where gathered. It was the bodily series, it was arak gedang, it was started from 1 to 10 Muharram. Formerly Dol-dol were not sounded except from 1ˢᵗ Muharram, then at 5ᵗʰ Muharram the dol-dol were sounded again In menjara night, it was like war. But here, it was understood as silaturrahmi. We visit each other. Meradai means giving food to children who perform the Tabut, since in the past Calendar had not been mae so Meradai was used to mark Tabut time. Gam day is the mourning day hence in this day no sound is allowed. The body parts, fingers, sorban, the head.. that's all the Arak gedang about. Soja means to respect the older man by younger one. Tabut tebuang mens to clean self. After all we were destined to be burried.[22]

Like the previous informant, informant MT didn't much understand about meaning and values contained in every Tabut rites. However, based on the interview above, his explanation can be concluded as follows:

1. praying and *duduk penja* rites, defined by informant as in addition to celebrate 1 Muharram or Islamic New Year it is also performed in order to send praying for Prophet Muhammad and his companions.

2. *Ngambik tanah*, is defined by informant as depiction of al-Husain story where he put earth in Prophet Muhammad tomb before departing to meet Abu yazid and having value that human being is derived from earth and will return to the earth.

3. *Arak jari-jari and arak seroban*, informant stated that the meaning of this rite is related to the finding of Husain's fingers and Husain's sorban.

4. *Menjara*, contains silaturrahmi night, to visit each other among groups of Tabut families.

5. *Meradai* is to raise fund from public and defined as public care and concern on Tabut tradition and also to signify that this tradition has begun and would be processed.

6. Gham is defined as mourning moment hence ringing *Dol* is prohibited.

7. Then it was continued by *arak gedang* where all body parts of Husain has been collected.

8. Soja contains honor value on the older people from the younger and vice a versa.

9. meaning of *tabut tebuang* is self cleaning.

SY informant as KKT leader who had written book about Tabut showed his disappointment on Tabut family. According to him, he had tried to socialize the meaning of Tabut rites but due to majority of Tabut family members were lazy to read until now only few of them understood the Tabut rites meaning. In general, meaning contained in Tabut rites is to commemorate the martyir of al-Husain in Karbala war and to commemorate Islam glory. Informant did very disagree if the Tabut tradition be connected to Syiah teaching.

"Most of Tabut community has not been socialized, some said it was custom but they don't know exactly what they do, what the meaning, and everything, I know exactly what it is (Tabut ceremony), so I make the details, I socialize it to everyone so they understand, but sometimes they don't read it. I have written it but they don't write. So far they don't understand. (interview line 6). The point is that they are wrong about the essence, custom for people to focus on heroic things, it doesn't have any correlation with the heroism,.. martyrdome (heightening the tone).. the focus is martyr. Hero

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[22]Result of interview with informant MT, January 1ˢᵗ 2017

could be Christian, or Kafir could also be hero. So, Syuhada is different, al-Husain syahid (martyr), so the martyrdome of Husain we commemorate and we pray so it wouldn't happen again. But why to be martyr? For tauhid sake! That's the point Commemorating al-Husain and all martyrs in Karbala Field. (interview of line-10). Yes, commemorating Islam glory era, automathically by expectation that Islam would again be glorious. The point is the Islam. But misunderstanding by other clerics is occurring. That Syiah is heretic. It's devastating. Actually Syiah is political in nature. Muhammad followers are loving HIS family and becoming Ali's successor. That's the different, why Ali? Because Ali is considered free from any sins since the beginning. It's different with Abu Bakar and others. He was used to have sins, it doesn't mean Abu Bakar is hated, but he and they were not as pure as Ali. Then the hatred created hoax news. Is that true prophet descendants be heretic? Impossible. In fact, they were preserving the thought, Husain descendants struggled and ready to die.".[23]

Informant SY explained his disappointment on Tabut family that reluctant to read the book he wrote about history and meaning of Tabut rites Informant also revealed his disappointment to Islam clerics for labelling those who performed Tabut tradition as Syiah.   Based on informant explanation above, in general 13 rites of Tabut contains value or meaning so specific where many people had not been knowing even among Tabut family it remained unknown. The different opinions were occurred about value contained in every Tabut rites due to the different perceptions about it. Previously it has been stated that there is difference in perception about Tabut culture. One opinion stated that Tabut had Religion and Culture values and other stated that the Tabut merely contained Culture value.

Based on informant opinion there is difference in initial perception abut meaning or value of Tabut culture. Three informants stated that Tabut culture contained religion and culture value while three others stated that Tabut was purely culture. The difference of both views can be seen in the following diagram:
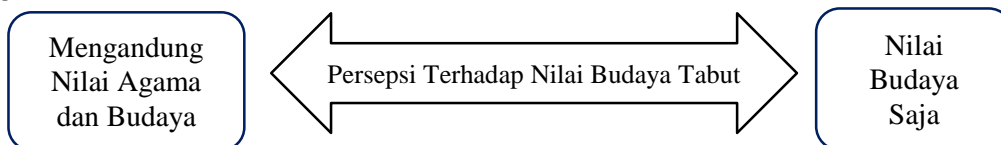
Figure 1: Diagram of Perception on Tabut Culture

The values contained in Tabut rites which constitute the most important part of Tabut festival can be figured in following table:

Table 1 : Table of Value contained in Tabut rites

No	Ritual	Nilai
1	Do'a Selamat	Meaning is to always remember Allah SWT, pray for safety in the world of afterworld particularly during Tabut rite practice
2	Ambik Tanah	Means that all humans are from earth and will return to earth

[23] Interview result with informant SY, January 14th 2017

3	Duduk Penja	Means to pray to Allah swt.
4	Menjara	Contain value of silaturrahmi and jihad for Tauhid
5	Meradai	Contains value of public empathy
6	Arak Penja dan Arak Seroban	Contains value of respect to Husain who died in Karbala field.
7	Gham	Contains value in mourning day due to Husain death in Karbala Field
8	Soja	Contains value of respect each other between the young and old men
9	Tabut Naik Puncak	Contains value of Islam glory
10	Tabut Tebuang	Contains pilgrim and removing bad deed of human
11	Cuci Penja	Contains value of self cleaning.

Religiosity Dynamic in Tabut community

Based on previous explanation it is found that four informants consider that Tabut culture is merely containing cultural value while two other informants consider Tabut culture is not merely containing cultural value but also religious value.

The difference in perception about Tabut cultural value also influences religiosity dynamics of Tabut community in their daily activity. The four informants considering that Tabut is only having cultural value state that their religiosity level is not influenced by Tabut rites and culture. Meanwhile, two other informants considering that tabut having cultural and religious value state that their religiosity level is influenced by Tabut rites and culture.

Question about religiosity has definition whether tradition and rites of Tabut influence informant's life and religiosity in his way of thinking and behavior. Responses of informants are following:
Informant AQ recognized that since he followed Tabut rite in 2011, he had desire in his heart to keep digging the truth within Tabut tradition, to keep improving the rites into the truly Islam value. The impulse was exists due to awareness in his self that as one of Islam preacher descendant he had obligation to continue his ancestors struggle by means not only performing Tabut rites but also digging, seeking for each meaning behind the rites and to eliminate any rites against Islamic values.

Following is complete response of informant AQ:
"Since two thousands and eleven. Since I was forty years old (laughing). So, previously I just followed, just joined... previously, then two thousands and eleven, Mamu had not been here. Mamu was no longer in Bengkulu, I was appointed as leader despite I wasn't ready. Two thousands and eleven Mamu had been a leader but the members were so few... So. I was appointed here, all activities I handled and one asked me a question that time whether I still had Punjab lineage and

incidentally I did but was different than him who got his lineage from Empu Sendok in Jakarta. Once there was a riot as the tomb would be destroyed but it failed nah, I also have the similar lineage "Brother, we both are descendants of Islam preacher in Indonesia, so have you been doing deed like our ancestors?" Nah, since then, Insya Allah, we tried to do the same as our ancestors. By that way we got more guidance. It has not been right yet not one hundred percent right.. but its okay, just do it. It was the message, just do, if the time is coming, we will give more than this.".[24]

Different than informant AQ, informant EEN and MT stated that Tabut tradition and its rites had no effect on their religiosity. The change occurred in their way of thinking and behavior like in religiosity was not due to Tabut. According to EEN informant he just considered Tabut as culture hence he thought that it had no influence. The influence on his religiosity was happening more from his participation in one organization named "Life Guardian". Following is informant EEN response:

nothing...it doesn't have any influence to me. But I don't know if others do. And even if it so, sometimes it's too excessive.. I give a picture... it is not good to be excessive, it is just enough to be culture. I have been studying it. Since I join in *Life Guardian* I can answer every problem".[25]

Meanwhile according to informant MT, behavior and mindset about his religiosity is increased due to worship as obligation and has to be fulfilled not because of the Tabut rites. Complete statement by informant MT is following:

"....Not due to Tabut... actually if we know the meaning we should improve our faith. The faith improves not due to Tabut.. but it is our obligation (to improve it).. so the faith is about an obligation... sholat is obligation.. not due to Tabut.".[26]

Meanwhile, informant SY response confirmed AQ response that Tabut rites will influence daily and religiosity behaviors of Tabut family particularly values contained in every rites being performed. Following is complete statement by informant SY:

"Definitely the rites have influence. So I enter, attach this in order people to read it, related to liquor, drugs, and surah in Quran. (give example verses about liquor and recite it), but if any Allah writing exist I kept it so not being trampled, I avoided writing Allah in caligraph, so we take only those that relate to ummat benefit, then we attach it (line-15). Yes, our Islam sense improved, we contemplated it and it is improved..[27]

The effect will appear in practice of faith and Islam which will keep improved by participating in Tabut rites and culture tradition. It happens because by the rites performance love of Islam particularly love to prophet family will be heightened.

Meanwhile SM informant stated that effect of culture tradition and Tabut rites appears merely in social behavior but not in religiosity behavior. Following is statement of informant SM:

"If social problem there is effect, like gathering, mutual help; then we can observe whether someone works unconditionally or not... It is so clear that it cannot be correlated with religion. Religion is religion, it has the right guide. But it is tradition passed for generations it is wrong assumption that it was a religion."[28]

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[24]Result of interview with informant AQ, January, 14th 2017
[25] Result of interview with informant EEN, January 21st 2017
[26]Result of interview with informant MT, January 1st 2017
[27]Result of interview with informant AQ, January, 14th 2017
[28]Result of interview with informant SM, February 2016

Effect of Tabut rites and culture on religiosity is not exists because Tabut is culture which doesn't have religious values at all and it is only tradition inherited from generation to generation. Meanwhile religion has its own rules and guidance.

Further response from informant JNI showed that he responded in deeper way about effect of Tabut rites and culture on his thinking and daily behavior as one of Tabut family members. According to the informant, positive meaning influencing his daily behavior includes people commanded to learn, to help each other since all have equal position. In more clearly way, informant JNI responded as follows:

"yes the influence exists. So it is directed toward us, we are asked to learn, for example when some have problem we have to help each other.. that's the point...remember that we are created from earth and will return to the eart.. so don't be arrogant, if personal value includes beautiful attitude, giving, help each other, but I disagree if it is considered as religious rite as many people misunderstand, so you can make your own interpretation, take the good one and leave the bad one. So I say we just perform culture like *duduk penja*, it is not wrong if before the group comes we have dzikir (remembering Allah), nah we ask boarding school students about forty students to recite sholawat, we gave them uniform, we sell this culture so people don't consider it as amateur culture"[29]

Other influence of Tabut culture and rites for example from *ambik tanah* rites contains value of warning that human being is God creature mad from earth and will return to earth so human may not be arrogant. In addition, value of helping each other also exists. However one thing informant didn't like was the assumption that Ritual Tabut constituted a religious rite. This assumption makes Tabut culture existence considered as controversial tradition among Bengkulu people.

Based on informant opinion above it can be concluded that Informant stated the Tabut rites was influencing religiosity and daily life where not only he considered Tabut as culture but as also contained religious values which could influence his daily life and religiosity. Informant who considered that Tabut was merely a culture and had no religiosity value didn't get significant influence from it in his religiosity and daily life.

Following is figure of Tabut community religiosity dynamics in Bengkulu
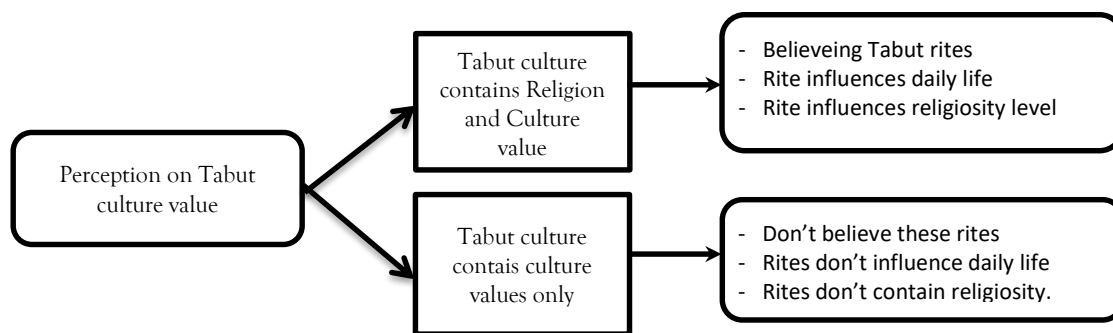
Figure 2: Religiosity Dynamics in Tabut Community

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[29]Result of interview with informant JNI, May, 9th 2017

Based on the diagram above, when informant states that Tabut culture contains Religion and Culture values, then they will believe the rites and the rites itself will influence their daily practice and religiosity. It is evidenced by informant statement that after following Tabut rites every year, his religiosity sense gets increased. While one informant stating that Tabut culture was only containing merely cultural value had opinion that the rites was not in conflict with Islam tenets and influenced his mentality where he considered that Tabut culture changed his personality to be caring more and felt that he had equal position with others. Other informant stated that Tabut culture merely contained cultural value didn't believe in Tabut rites, didn't perform rites outside of Tabut month and the Tabut rites also didn't influence his mentality. Such informant tended to consider that Tabut culture was merely culture inherited generation to generation that keep preserved because of anchestor's message.

Conclusion

Based on the explanation of findings above, it can be concluded that religiosity dynamics occurred in Tabut community is influenced by Tabut community perception on their culture. There were some informants considering that Tabut culture could increase individual religiosity because their perception on Tabut culture was considered to contain religion and culture values, but informants who considered that Tabut culture was merely containing cultural value, their religiosity was not influenced by Tabut culture as they frequently practiced. Based on this research, it can be stated that the height of Tabut community religiosity doesn't depend on Tabut culture as they believe as generation to generation heritage and merely contains cultural value, but not in conflict with Islam tenets in Sunni school and has long been held by majority of Bengkulu. That cultural tradition frequently practiced doesn't influence public or community religiosity in which the tradition be practiced. It is due to perception difference exists in understanding value existing in culture that Tabut community practice.

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Moderate Muslim by Baha'i Religious Community : A Case Study in Pati Regency in Central Java

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Abstract

This article based on research carried out in Januari-Juni 2019 among the Baha'i religious community in the village of Cebolek Kidul, Pati Regency, Central Java. Data of this article were collected through interviews, observations, documentations, and focus group discussion by qualitative approach. In Cebolek, there are 27 people of 9 families. Baha'i is an independent religion that was first known in Persia in 1840s and came to Indonesia in 1870 brought by joint medical experts in the UN program so that the villagers of Cebolek knew the Baha'i teachings through the Baha'is. In the era of the Old Order and the New Order, Baha'i organizations were banned by the state so they sought protection from NGOs and government institutions even though their efforts were unsuccessful. In the era of President Gus Dur, the president revoked the ban, although negative views by the public and the government still exist today. In the midst of their life, the Baha'is in Cebolek Village have now been responded positively by Nahdliyin (NU) in the form of (1) tying the tomb and attending the funeral when the Baha'i died, (2) praying (reading tahlil) at the house of Baha'i after the funeral. The Baha'is feel comfortable because of the following reasons: (1) NU embodies the teachings of ahlussunnah wal jamaah, (2) there are no 'defenders of Islam' in the Baha'i, (3) a way of thinking figur NU is moderat, (4) Baha'is always ready to give the construction of public facilities and places of worship for the NU. Baha'i people who have funds and land, provide capital to their neighbors (NU) who wish to raise cattle, work on rice fields and shrimp farms with a profit-sharing system. Good interaction between the financiers and the capitalists creates positive interactions in the neighborhood. Convenience was preserved because the Baha'i: (a) began to do good with NU in the cultural forum of rural residents accommodated by NU, (b) together with the Baha'i institution, opening themselves to the public for their teachings, and (c) no longer complaining about their problems to NGOs and the government.

Keywords: *Baha'i, nahdliyin, social interaction, positive response.*

Introduction

The life of religious people with same religious or different religious communities often occurs due to the awareness of differences in the teachings or interpretations of religious teachings with excessive fanatical attitudes. The starting point for religious people to not feel the most right and blame the religion of others is to understand the teachings of each religion as knowledge. This knowledge is used as a medium to make people aware that every religion teaches virtue in a humanitarian context. The occurrence of religious fanaticism as a result of not realizing that each religion has teachings that are believed by its people so that it is not used as material to make fun of other religious followers. Awareness in understanding this matter is

the key to success in realizing tolerance. The problem is, refusing to understand the teachings of religions (as knowledge) becomes a problem that must be discussed by prioritizing awareness. The facts found by the author, the realization of tolerance between moderate Muslims (nahdliyin) and the Baha'i religious community is a result of natural social interaction. Both parties are aware of differences in faith (akidah) but accept and understand each other because of family, neighboring, and good friendships and mutual needs in their lives. However, the civil rights service of the Baha'is by the Pati Regency local government has not been fulfilled.

This paper based on research conducted by author in Januari-Juni 2019 experienced by the people of the religion of Baha'i in the village of Cebolek Kidul, Margoyoso, Pati, Central Java. Civil Rights of Baha'i believers have not been fulfilled by the government. Some acts of discrimination[1] against Baha'i people are: the refusal of the Office of Civil Administration to issue marriage. Their marriage was performed before their religious leader. However, according to officers of Civil Administration Office of Pati, Baha'i is not officially recognized religion in Indonesia. According to Article 2 (1) of Law No. 1 Year 1974 on Marriage, a marriage is valid when it is between people of the same religion (faith). Another discrimination felt by Baha'i people is related to religious education at formal school. Baha'i children who go to formal school have to join class of one of "Pancasila" (six) religions. Other students have to convert to other religion. Problem has also occurs when a Baha'i person die, the dead is not allowed to be buried in the same cemetery as their Muslim neighbors. Moreover, their religion is not written in their ID card as the mandate of Act No. 23 2013 about Civil Administration.

The Baha'is civil rights have not been fulfilled due to (1) incomplete understanding of regional government officials in Presidential Decree No.1/PNPS/1965 Article 1 paragraph (1) that the state does not limit the number of religions, all religions have the right to live in Indonesia, provided the teachings are not contrary to legislation, (2) the first point is due to not understood the contents of the legislation, only based on inherited from generation to generation on the basis of 'hearing'. On the other hand, local government officials maintain that understanding without deepening efforts so that the legal content has no meaning. Both of these are a sign that academics need to be concerned to give enlightenment to the public, especially to state administrators through research results so that the government serves, respects and fulfills the rights of religious people, regardless of religion, especially minorities who are vulnerable to being treated unwise by government and majority.[2]

Research Method

This research was conducted from Januari to Juni 2019 in the village of Cebolek Kidul, Pati, Central Java. It describes social interaction between Baha'i people in Pati, Central Java by nahdliyin. The technique of collecting data from the field was done through in-depth interviews, participant observation, documentary studies, and focus group discussion. Interviewed informants were religion groups and people as actors. This research is qualitative in nature.

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[1] Act No. 39/1999 Article 1 (3) discrimination is every restriction are directly or indirectly based on the distinctions among human beings on the basis of ethnic, groups, the social status, economic gender, the belief that a reduction of the deviation of human rights and basic freedoms in the aspects of life.

[2] Moh Rosyid. *Memotret Agama Baha'i di Tengah Lemahnya Perlindungan Pemda: Studi Kasus di Pati Jawa Tengah.* Vidya Samhita. Jurnal IHDN, Vol.2 No.2 2016.

Religious Rights

In the context of religion in Pancasila country there was no force that all people as individuals should be religion that determined? Pancasila put all religions (anything religion) on the main position and constitutions quicker by the scriptures of all religions. Pancasila does not prohibit a person for the liberal-minded (free), a secular atheist, etc. But the mind is not to be applied in the life of nationhood and statehood. Article 29 (1) The Constitution of the state based on the deity of the One True God. Article 71 of Act No. 39 The year 1999 about Human Rights the government is obligated to protect religious people. Thus the consequences, Indonesia acknowledge the existence of religion (anything) and facilitate all religion to grow, the same position in front of the law and the state does not interfere with the religious beliefs, but the state protect its citizens are religious anything.

The people of Indonesia have a high concern on religious traditions and are determined to make a modern and democratic country so that the traditions and aspirations of religion is given a special place in the structure of the government of the existence of the ministry of religion. This is a unique characteristic of Indonesia, need to be proud of even though it has been analyzed for academic study because the public understanding of the need to explore. For example how the relationship of religion and the state? Is it true that the state limits the amount of religion? How does the country address the plurality of know and trust flow? Why is the office which oversees the dominance of certain religion only because as the majority, whereas the name of the Office of Religious Affairs (KUA). Thus the things that need to be discussed are as following:

First, religion is one of personal rights. Treaties: the International Covenant on Civil and Political Rights and the International Covenant on Civil and Politic Rights (ICCPR) are international human rights treaties: passed in 1966 and start to apply 1976. ICCPR and ratified in Act No. 11/2005 on Ratification of International Civil and Political Rights. In it contains two key words. First, *derogable rights* that can be reduced/limited assured by the state for citizens include the free together peacefully; the rights of organizing including forming and to become a member of the labor unions; and the right to free holds/expression including free to seek, receive and give information and ideas of all kinds regardless of the limit (orally or writing). The country can be turned over the obligation to fulfill the rights when threatens the life and not discriminatory. This is for the sake of national security, public order, health, general morality and respect the freedom of others. Second, *non-derogable rights* (absolute right) should not be reduced assured by the state despite the emergency situation in the form of basic rights: *rights to life*; *rights to be free from torture*; *rights to be free from slavery*; free from the detention for failing to fulfill the Covenant (debt); free from retroactive punishment; as the subject of the law; and the right to freedom of thought, confidence and religious. Religious freedom is one of the rights which are called as universal *inaliable*, *involable*, and *nonderogable human rights*. When the state violates denounced as human rights offenders (*gross violation of human rights*).

Second, before great religion (number of reinstatement of many) exist in this land the people of Indonesia have local religion, just mentioned religion Kaharingan in Kalimantan, Tolotang in Sidrap South Sulawesi, Mappurondo in West Sulawesi, Tona'as Walian in North Sulawesi, Marapu in Sumbawa, Buhun and Sunda Wiwitan in Sundanese, Parmalin in North Sumatera, Kejawen in cental Jawa, religion Adam for Samin people, etc. The local religion is discriminated by the state with an excuse in between local religion 'rogue'. The suspicion that has been handed down by the regime of the past can be curtailed slowly whereas religious minorities and religion facilitated local country as rivalry facility majority religion. Bridging the desire of the citizens who are still staying religion that has not been written explicitly in the legislation and local religion, wise steps that must be understood the government is treating him in the form of a directorate under the Ministry of religion. During this, Kemenag are not able to maintain a distance

(closeness) that same between great religion (majority) with minorities. It is time for the government to carry out the legislation namely respect (*to respect*), protect (*to protect*), and fulfill the rights (*to fulfill*) the religion of its citizens especially unknown to the general public because it is not a referral widely.

Understanding the teachings of religions needs to be prepared to think loosely so that judgments of other religions are not susceptible to infringing (takfir). The principle of believing in religious teachings is related to tolerance (1) the truth of religious teachings for self and not blaming the teachings of other religions, (2) tolerance is only in the area of humanity, not in the aspects of aqidah (faith) / teachings of religion, (3) realize and understand that each religion (one's own religion and the religion of others) upholds human values so that it needs to put forward the similarity of human values, not the similarity of faith because it is susceptible to misunderstanding, (4) the basic character of tolerant people is wise, namely realizing that God's design in His creatures is made different in terms of ethnicity, religion, race, and intergroup (SARA) so that no one forces the will to equate differences. Religion is the right to believe in the inner (internal) expressed in life (external) so that it creates social order and social harmony, (5) realizing the four needs of the state's role in the frame of human rights in the form of protecting, respecting and fulfilling the rights of citizens in religion, (6) religious leaders need to develop an attitude of humility, respect other religions, not impose their beliefs on other parties to build freedom and harmony among the religious followers of the Pancasila and the 1945 Constitution. Arrogant religious figures mean that they do not understand their religious teachings correctly. People who know about God will be humble because they realize that humans have limited abilities, (7) contextual conflict management needs to anticipate latent and open conflict with approaches, meetings, and dialogues from the heart to the heart which soothes the inner atmosphere between religious and internal people. The basic human values of justice, harmony and brotherhood are upheld. That as a basic capital fosters a sense of togetherness even though it is different from SARA.

The Religion of Baha'i in Indonesia

The religion of Baha'i came to spark in Indonesia on 24 July 2014. Minister of Religious Affairs, Lukman Hakim Saifuddin, wrote in his Twitter account that he was studying religion Baha'i, whether it may be accepted as the new religion in Indonesia or not. The study was done after the Minister of Domestic Affairs (Gamawan Fauzi) sent a letter to the president asking on Baha'i matters related to civil administration. @lukmansaifuddin Twit on 24 July 2014 at 19:55 briefly "Indonesian government add a list of the new religion that was officially recognized, after Islam and Christianity, Catholics, Hindus, Buddhists, and Khonghucu. The government said that the Baha'i is a religion whose existence recognized by the constitution". The reason for recognition as a religion was explained in 10 serial twit. After received a letter from the Minister of Domestic Affairs, President answer: "Baha'i is the religion of the many religions that developed in 20 countries. Baha'i is a religion, not a heretical movement of other religion.

Minister of Religious Affairs, Lukman Hakim received a letter from the Minister of Home Affairs, Gamawan Fauzi (No. 450/1581/SJ dated March 27, 2014) and answered him with a letter Number MA/276/2014 dated July 24, 2014 concerning an explanation of the existence of Baha'i in Indonesia. The Minister of Religious Affairs' letter contains (1) Baha'i religion is one of the developing religions in 20 countries, based on the study of the Ministry of Religious Affairs' Research and Development Agency, Baha'is are in 11 cities, with details: Jakarta (100 people), Bandung (50 people), Palopo (80 people), Medan

(100 people), Pati (23 people), Bekasi (11 people), Surabaya (98 people), Malang (30 people), and Banyuwangi (220 people), (2) Baha'i is included in the religion protected in articles 29, 28 E, and 281 of the 1945 Constitution, (3) get full guarantee from the state, in the field of population, civil registration, education, law, etc. in accordance with the law. However, the Minister of Home Affairs has not continued the Minister of Religious Affairs' letter to the regional head so that the Baha'i people have not been served as the Minister of Religious Affairs response to the Minister of Home Affairs. Data researcher Indonesian Ministry of Religious Affairs Research and Development, Nuhrison M. Nuh in 2014, there are 23 in Pati, 25 Baha'i people in Bandung City, 30 in Bandung Regency, 11 in Bekasi, 50 in Tangerang Regency and South Tangerang.[3] The civil service rights of the Baha'is in Pati have not yet been realized, even though the written explanation of the Secretary General of the Ministry of Religious Affairs, Bahrul Hayat, Number SJ/B.VII/1/HM.00/675/2014 dated February 24, 2014 to the Director General of Civil Affairs of the Ministry of Home Affairs. Letter content: (1) Baha'i is a religion, not a religion. Therefore, according to Article 29, Article 28E, and Article 28I of the 1945 Constitution, Baha'i religious people have the right to live and worship according to their teachings, (2) Baha'is receive full guarantees from the state and are allowed, as long as they do not violate the provisions of the applicable laws, (3) in terms of population services, in accordance with Law No. 23/2006 jo with Law No. 24/2013 concerning Population Administration, Baha'is have the right to obtain population and civil registration services. However, the Ministry of Home Affairs has not yet issued a letter to the regional head so that the civil rights of the Baha'is have not all been served by the state, such as applications for marriage certificates.

Baha'i as a religion is protected by the constitution according to Article 28 E and 29 1945 '45. According to Penpres Number 1/PNPS/1965 religion Baha'i besides six religion guaranteed by the state and left the existence along not violate the legislation. The president was accompanied holds the Baha'i as Indonesian citizens entitled to the ministry of population, law, etc. from the government.[4] On the same day at 22:55 president was accompanied to clarify the news recognition Baha'i as the new religion. He questioned the obligation of the state recognize a faith as a religion or not religion. The president was accompanied twitter account asserts, he does not mention the Baha'i as the new religion. But, Kemenag examines and explores the role of the government. The context of statehood, what the government is entitled to recognize or not recognize a belief that religion or not religion. The state is not entitled to recognize or not recognize a religion which was adopted its citizens because of religion is in the heart of every individual that must be protected by the state for the reinstatement of whatever religion. In addition to the factors twitter president was accompanied be the cause of the exile the name Baha'i due to writing books about Baha'i, both written by the institutions Baha'i and non-Baha'i and become public reading. The distribution of the books about Baha'i long before the President was accompanied twit, as that obtained the author. It is easier to know the name of the Baha'i when social media has become a routine menu in public access news and science.[5]

The religion of Baha'i is independent religion that exists in various countries that aimed at uniting all races and nations in one universal teaching. The Baha'i is the followers of Baha'ullah (means that the glory of the Lord which have found as the figure who promised all ages. The promise is the Baha'i have

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[3] In Central Java, the Baha'i is in Pati, Purwodadi, Magelang, Klaten, Karanganyar, Surakarta, while in DIY is in Sleman and Bantul.

[4] *Republika.co.id*, 24 July 2014.

[5] Moh Rosyid. *Agama Baha'i dalam Lintasan Sejarah di Jawa Tengah*, Pustaka Pelajar: Yogyakarta. 2015.

arrived with the existence of Baha'ullah (National Spiritual Assembly, February 2008). The existence of religion Baha'i described allusion seems to be the existence of the succession of spring, cold, and harvest. The rising of the sun illuminates the nature, when the sun sets the earth covered the darkness. The sun rises again the next day. The dark ages have vanished because of the new age. In a moment the rules of ordinary human beings will cover the truth of every religion. The farther away from the purity of the teaching of the Lord, is diseased more spiritual life. In the past the sun of righteousness is shining through Krishna, of Buddha, Christ, Muhammad, and so on. At the time of the dark this is the Sun of righteousness arise again to illuminate the darkness, namely through Baha'ullah.[6] As a religion, Baha'i have 17 teachings, namely keesan Lord, harmony and tolerance between the religious unity of mankind, the nature of the spirit and of life after death, Outstanding traits that exalted, the life of pure and holy; prayer required, fasting and prayer; loyalty to the government consultation as the basis of decision-making, justice and equity for all people, work is worship, education required for every man, promotes the development of women, harmony between science and religion, promote social-economic development, unity in diversity, and of human nature and hab (National Spiritual Assembly, February 2013). Among Holydays of Baha'i are Naw-Ruz (March 21st), Ridvan (April 21st, April 29th, May 2nd), the Chapter's declaration of his mission (May 23rd).[7] The religion of Baha'i came to Indonesia in Makassar around 1878 carried by the merchants of Persia and Turkey namely Jamal Effendi and Mustafa Rumi. It was part of efforts of Baha'i believers to spread Baha'i all over the world. According to Sasmita, on 1955 Iranian citizens from among the doctors came to Indonesia are placed in remote areas. Through them, religion Baha'i developed until now. The name Baha'i was foreign for some people because they heard only once or never. The religion of Baha'i came to Indonesia in Makassar around 1878 carried by the merchants of Persia and Turkey namely Jamal Effendi and Mustafa Rumi. It was part of efforts of Baha'i believers to spread Baha'i all over the world. According to Sasmita, on 1955 Iranian citizens from among the docters/medicine came to Indonesia are placed in remote areas. Through them, religion Baha'i developed until now. The name Baha'i was foreign for some people because they heard only once or never.[8]

Baha'i People in Cebolek Kidul, Margoyoso, Pati Central Java

The beginning of the Baha'i religion was embraced by the residents of Cebolek Kidul Village, when Dasuki, a teacher (Civil Servants) in elementary school, a resident of Cebolek Kidul Village, Margoyoso Subdistrict, Pati, served in the Pamotan Village/District, Rembang, Central Java. He met with Baha'is, dr. Kamsi is a medical expert from Persia who is serving in Indonesia a representative from the United Nations in dealing with malaria outbreaks in Indonesia. The Baha'i teachings were introduced to Dasuki by dr. Kamsi in the 1970s, Dasuki responded positively. The following year, Sutiyono, a resident of Cebolek Kidul Village serving as an elementary teacher in Pamotan, was introduced by Dasuki to dr. Kamsi regarding the Baha'i teachings. Sutiyono responded because Baha'i teachings were considered to teach the virtues of life. When Sutiyono served in his hometown, Cebolek Kidul Village, the Baha'i teachings were introduced to

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[6]Hushmand Fathea'zam. *Taman Baru*. Terjemahan dari The New Garden oleh Majelis Rohani Nasional. September. 2009, p.11.

[7]Moojan Momen. *The Baha'i Faith A Short Introduction*. Onewolrd Publication: England. 1999, p.74.

[8]Ira Sasmita. *Baha'i Faith: the oneness of God, unity of religions and the unity of Mankind*. Interfidei Newsletter No.9/IV April-Juli 2010, p.23.

his core family environment and to his siblings. Finally, the Baha'i religion was embraced by the late Sutiyono family until Juni 2019 in Cebolek there are 27 people of 9 families.[9]

Predicted, believers in Indonesia were between 3 thousands soul, the amount of certain undetected because of a column of religion in his KTP written width (according to the ACT ON Adminduk), distribution in 130 s city, in 28 provinces between the other three of the Island of Java, Bali, Sumatra, Riau, Papua, Sulawesi except in Bengkulu, Southeast Sulawesi, North Maluku and North Kalimantan. The religion of Baha'i for the public has not yet other than this as a result of the Decision of President Sukarno 264 Number 1962 on the Prohibition of 7 organizations, Organisasi Liga Demokrasi, Rotary Club, Divine Life Society, Vrijmetselaren-Loge (Loge Agung Indonesia), Moral Rearmament Movement, Ancient Mystical Organization Of Rosi Crucians (AMORC) and Organisasi Baha'i. President Gus Dur revoked the Presidential Decree Number 69 of 2000 dated May 23, 2000 concerning Revocation of Presidential Decree Number 264 of 1962. Regarding the revocation of Gus Dur, Presidential Decree Number 264 is deemed no longer in line with the principles of democracy; even though in reality the Presidential Decree Number 264 of 1962 was no longer effective. However, to provide more legal certainty, it is necessary to explicitly revoke Presidential Decree Number 264 of 1962.

Pasca-Kepres, believers not get civil rights as a whole. This result (1) the understanding of local government forces against Penetapan Presiden RI Number 1/PNPS/1965 just yet. The explanation of Article 1 paragraph (1) that the country does not limit the number of religion. All religions are entitled to live in Indonesia. Public ignorance due to inherit in their generations on the basis of the 'endengar'ds local government officials understand without effort to explore the explanation of Article 1 Penpres Number 1/PNPS/1965. Both of these as markers, academics must provide the enlightenment on the public through the research result in order for the government to serve, respect and fulfill the rights of religious anything religion.

The internal efforts of Baha'i be (1) National Spiritual Assembly/MRN institutions (overshadowing the Baha'i at country level) do construction with routine visit on the Baha'i in the area (Local Spiritual Assembly) and (2) the Porch of Judgment Day (International Level Assembly) always give attention on each MRN. As a result of the effort done by the Baha'i with (1) adapt with their surroundings that non-believer so that no exclusive, (2) respected by social organizations across the religion, (3) distribute books about Baha'i on the public through the forum of brotherhood, friendships, and scientific forum; (4) organized a non-formal education ala Baha'i in his neighborhood. Education is called the Institute of affect that learning materials surrounding the ethics of life. Until I wrote this script, implementation has been going since early 2016 whom participants are Muslims and Baha'i people including 10 children every week in the house of a Muslim neighbor. The master of the house acceptable because contiguity emotional, (5) introduce self Baha'i with invite neighbors and agonizing in the event of the religious festivals Baha'i, even though it is not responded local non-Baha'i (Muslims), and (6) sue in writing on the government.

First, a petition signed by Abdul Djamali dated April 11 1990 directed at the Vice President Sudharmono. Soon after, on December 23, 1989 5 believers of Baha'i Pati were summoned by the government of Pati. In the forum, meeting led by elements of the office of the Attorney General of Pati, R.A.R. Pido. He stated that the religion of Baha'i was prohibited government based Kepres Nomor 264

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[9]The population of the Cebolek Village at December 2018, 4.362 population, 2.176 man and 2.186 woman.

Tahun 1962 so it is forbidden to serve even in their own home. Parliament of Pati ordered to monitor the Baha'i in the village of Cebolek Kidul. The threat of violation of the regulation is 4-6 years imprisonment and a statement on the seal to comply with Kepres that must be submitted to the sub-district Margoyoso on 26 December 1989. It is a burden for Baha'i.

The head of the SMPN 1 Margoyoso, Pati, Moch. Gozali provide the letter No. 195/103.18/SMP.24/E.90 on 17 September 1990 subject letter of objections to his son (Abdul Djamali) follow practical activities Islamic religious education in the Mosque/Musalla to Abdul Djamali. The letter to Abdul Djamali was also followed with a letter of application with a list of activities which are allowed and which are not permitted along with the obvious reasons. Abdul Djamali responded with a petition to policy allowed does not follow the supporting activity Islamic religious education outside the school event dated 20 September 1990. The letter typed manually signed Abdul Djamali as parents of Purbadi Nugroho and a copy must be on the teachers Islamic religious education grade 1 SMPN Margoyoso. The substance of the letter to Purbadi Nugroho allowed does not follow the verses and Friday prayers with the canons interfere with the development of the soul as the growth/Baha'i and the obligation to serve apply for that has an adult. The Principal of SMPN 1 Margoyoso lifted the letter number call 083/103.18/SMP.2A/F.91 18 February 1991 subject of consultation between Abdul Djamali with principals and Purbadi Nugroho.

There was a letter signed by Abdul Djamali dated 27 February 1991 aimed at Abdurrahman Wahid subject petition protection and the wisdom of the school. The complaints letter revealed the chronology since Purbadi Nugroho schools at SMPN 1 Margoyoso that are required to accept the Islamic religious education. On 25 February 1991 based on the results of consultations Kepala SMPN Margoyoso with a Secondary Pati that learners must choose one of the five religions. Similar letter dated 26 February 1991 from Abdul Djamali sent on the head of the office of Central Java Depdikbud region and the same letter on 27 February 1991 sent on the Head of Commission IX DPR RI.

Abdurrahman Wahid in his letter headed 'Abdurrahman Wahid Nahdlatul Ulama Kramat Raya 164 Jakarta 10430' dated 2 March 1991 aimed at Utoyo Mardi, S.H Semarang is the nature of personal letter. The contents of the letter Gus Dur explained that he visited the mother of Abdul Djamali Sukarni (wife) from Cebolek Kidul, Margoyoso, Pati cry to cultivate so that his son, Purbadi Nugroho Grade 1 students A SMPN Margoyoso can be allowed to follow the lessons and the test religious lessons in schools.

Complaints continue when Abdul Djamali sent a letter to the Head of the complaints Regional Offices of the Ministry of Education and Culture Central Java. Letter of protection and policy school dated 23 February 1991 signed Abdul Djamali. The Petitioner describes the problems faced by his son, Purbadi Nugroho grade 1 A SMPN Margoyoso, Pati. People of the religion of Baha'i follow the lessons of the religion of Islam in schools. At the end of November 1990 during the final tes, Purbadi worked test the Islamic religious education, by the Islamic religion teachers, the script taken by reason of the question the education of children as religious people Baha'i in the process. Until 16 February 1991 the subject on religious education of Purbadi Nugroho has not been completed.

The Director General of Department of Education and Culture RI to respond to the letter (blind carbon copy) on Abdul Djamali. The letter Nomor 439/F6/H.5/1991 March 4 1991 signed the Director Permadi loading suggestions to prompt settlement and wisdom in the office of the Attorney General Land Pati (PAKEM) and to the Office Depdikbud Pati. Complaints of Bahai continued with a petition of defending the rights of religious freedom to the Director of the institution of human rights defenders, HJC Princen and to Djohan Effendi dated March 29 1993 signed Abdul Djamali. Load teams is the seizure of

Abdul Djamali book entitled *information about religion Baha'i* and the *relationship of religion Baha'i with other religions in the world* by the police when Djamali Tayu take pictures coffee date 16 March 1993. By waiting for the process photographed coffee then the book left in the photo location coffee. When left that, books were seized by the police. When Abdul Djamali take fotokopian, he brought to the Police Tayu to sign a letter of foreclosures books. On 18 March 1993 Abdul Djamali and Hadi Sunarto called by Pasi Intel Kodim 0718 Pati, Sutriswoto. Intel is explained that the Baha'i prohibited government based Kepres 264/1962 Number. On the other hand, Abdul Djamali was selected as the chairman of the Board KUD Margoyoso and Hadi Sunarto as chairman of the Supreme Audit Agency KUD Margoyoso selection of 17 February 1993. When appointed by the Head of the office of the Ministry of co-operatives Pati, both states pledged in accordance with the provisions of the religion that we embraced. The statement by the Kodim Pati is considered egregious citizen. Various efforts are part of the efforts to attract sympathy on the public. But the effort does not produce the optimal because the protection of local Muslims who established. Baha'i people also wrote a letter to the government, appealing for their religious identity, however the letter did not receive expected responses. In contrast, by sending the letter, Baha'i people were accused of situating Muslims in Cebolek Kidul village vis-à-vis the government. After the Reformation, Baha'i people struggle to gain public attentions in several ways: 1) distributing information on Baha'i through public meetings; 2) initiating non-formal religious class for Baha'i people and people of other religions; 3) inviting neighbors and friends during Baha'i religious celebration. Afraid of those actions, some Muslims leaders react in two ways: 1) intensifying religious meetings to strengthen Muslims' faith while keep referring Baha'i as a non recognized religion; 2) supporting the Village government when the later is feeling cornered by NGO supporting Baha'i people.[10]

Nahdliyin's Response to the Baha'is in Pati

The Baha'i social behavior in Cebolek Kidul Village adapts and adopts the traditions of the local Muslim nahdliyin. This tradition is commonly practiced by rural people, such as paying homage to men, visiting neighboring homes that are grieving women with something (usually rice), visiting sick people to hospitals or home after returning from hospitals, visiting when neighbors give birth to babies, visiting people after returning from the pilgrimage, fulfilling the selametan invitation (praying for salvation) (i) the cycle of life, that is, from the bride or circumcision, to the delivery of the baby, to the post-death slametan on a daily basis, that is, post 7 days, 40, 100 and 1000 days, (ii) Thanksgiving (syukuran), for example after being spared from disaster, getting a gift, passing a school exam, etc. Tradition is carried out because of two religious communities (Islam and Baha'i) who are fellow Javanese who preserve Javanese traditions acculturated by Muslim nahdliyin. Positive interactions are bound by friendship, neighbors, brotherhood, and work partners. This has a positive effect on the behavior received by Baha'is from local Muslims. First, the local Muslim community dug up the tomb and attended the funeral when the Baha'i died, even though there were two grave diggers in Cebolek Kidul Village, the first group was not pleased to reverse the tomb under the pretext of different religions, while the second group reversed the tomb under the pretext of humanity. Secondly, praying for the house of Baha'i Islam/NU (read tahlil) after the funeral for five meetings. The Baha'is also attended the post-mortem prayer at the funeral home. Third, the Baha'i funeral

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[10]*Moh Rosyid. Resolusi Konflik Umat Agama Baha'i dengan Muslim: Studi Kasus di Pati Jawa Tengah.* Jurnal Harmoni Badan Litbang Kemenag RI, Vol.18, No.1, Januari-Juni 2019.

is separated from Muslim funerals by local Muslims, with special land provided by the village government. This happens because public cemetary are only inhabited by Muslims, not allowed to bury the Baha'i people. The positive impact is that the tomb for the Baha'i who are on the edge of the community's shrimp ponds looks broad, not as crowd as the Muslim/public cemetary. Fourth, in the Baha'i there is a non-formal education program (Ruhi Institute) which material is about the ethics of life, as taught by each religious teaching. This education was responded by local Muslims by providing their homes for discussion between Baha'i children and local Muslim children. The Ruhi Institute program since 2018 is no longer running because the Baha'is who are tutors moved and settled in Bandung, West Java.

The wise behavior of the people in Cebolek Kidul Village towards the Baha'is who are responsive because (1) realizes the NU teachings, namely Muslim characters that embody ahlussunnah waljamaah (aswaja), (2) the absence of 'Islamic defenders' in the Baha'i community, (3) A way of thinking figur nahdliyin is moderat, (4) Baha'is begin to do good with local Muslims, (5) Baha'is and Baha'i institutions open themselves to the public for their teachings, and (6) Baha'is are no longer suspected of trying to fight local Muslims with NGOs and the government.

First, realize the value of Aswaja in behaving. Aswaja according to the Central Leadership Team of the Ma'arif NU Education Institute, which is the understanding or theology that provides solutions to the problems of Muslims related to ikhtilafiyyah (differences in interpretation) in terms of aqidah/belief. Substantially, Aswaja covers three aspects in Islam, namely faith (akidah), fiqh (worship and muamalah), and morality/akhlak (ihsan)[11] Aswaja's attitude includes tawasuth/i'tidal, tasammuh, tawazun, and amar ma'ruf nahi munkar. According to Ridwan, tawasuth/i'tidal is an attitude of life that adheres to an attitude of justice, straightness and avoidance of tatharruf (extreme); tasammuh which is tolerant of differences in religious, social and cultural matters; tawazun that is balancing in interacting with others and with God; and amar ma'ruf nahi munkar is sensitivity to do good, be useful to others, and reject things that undermine the value of life.[12] According to Marjani, this principle is practiced by the elite level of NU because of the individual's awareness of pluralistic reality as a manifestation of NU's tolerance on the dimensions of religious plurality.[13] The awareness of the NU elite was used as a pioneer of nahdliyin behavior at the lower level which was realized through a forum of Islamic activities and transformed in culture. According to Said, the nine guardians (wali songo) da'wah gave birth to the Aswaja Islamic community, the Indonesian Islamic community, and the Javanese Islamic community. This gave birth to a transformative religious tradition in which wali songo built a tradition-based society with acculturation.[14] According to Sodiqin, Islam is not a product of culture, but Islamic teachings color various aspects of culture. In implementing its teachings, Islam requires the media to transform its universal values into the practical level of life. With this, the diversity of Islamic culture arises due to differences in the interpretation

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[11]Tim Pimpinan Pusat Lembaga Pendidikan Ma'arif NU. *Nahdlatul Ulama Ideologi Garis Politik dan Cita-Cita Pembentukan Umat.* PP LP Ma'arif NU: Jakarta. 2004, p.21.

[12]Nur Khalik Ridwan. *NU dan Neoliberalisme Tantangan dan Harapan Menjelang Satu Abad.* LKiS: Yogyakarta. 2008, p.35.

[13]Dustiana Isya Marjani. *Wajah Toleransi NU Sikap NU terhadap Kebijakan Pemerintah atas Umat Islam,* terjemahan oleh Iwan Febrianto *The Tolerance of NU: Responses to the Government's Polices in Islamic Affair in Indonesia (1984-1999).* RMBooks: Jakarta.2012, p.161.

[14]Moh.Said. NU: *Memelihara Jamaah dan Mengelola Jamiyyah (sebuah Refleksi)* dalam NU dalam Tantangan Lokal dan Global Refleksi Konfercab PC NU Kudus: Kudus, 2013, p.63.

and grounding of Islamic teachings. So Islamic culture is actually the result of a combination of Islamic teachings that are understood by the people and their culture or the translation of the universality of Islamic teachings into the locality of culture. The diversity of Islamic culture should be understood as a real authenticity of Islam. But there are those who understand it as a deviation of religious teachings. This cannot be separated from two things, namely the different perceptions of Islamic culture and the cultural reality of the colored Muslim community.[15] According to Halim, the character of people who hold Aswaja is an attitude of giving relief, ease, and tolerance (tasamuh). This character is a tradition for nahdliyin in his life.

Second, there are no 'defenders of Islam' in the Baha'i community in Cebolek Village. According to the Setara Institute Team, the 'defenders of Islam' movement included the forum of Muslims (FUI), fronts of Islamic defenders (FPI), garis (Islamic Reform movement), FAP (anti-apostasy fronts), FUI (ukhuwah Islamiyah forum), and tholiban as Radical Islam organization that ideas and actions threaten and require changes in the basic pillars of the nation to become khilafah with acts of violence in the name of Islam and the majority, the target of the action is persecution.[16] Thus, now there is no party hostile to the Baha'is, whereas in the past, the enemies of the Baha'i were the Old Order and New Order governments.

Third, A way of thinking figur nahdliyin is moderat. According to Rumadi, pillar moderat religion at three pillar (a) thinking moderat in thought (*fikrah*) religion at teology, fikih, and tasawuf. This be marked by combination tex by contex, (b) movement (*harakah*) by dakwa put forward affection and nirviolence, (c) religion practical dialog by tradition. Three pillar moderat figur application by Baha'i.[17]

Fourth, the positive response from Muslims was initiated by the efforts of the Baha'is who were always ready to give the construction of public facilities and local places of worship for the nahdliyins. Baha'i people who have funds and land, provide capital to their neighbors (Muslims) who wish to raise cattle, work on rice fields and shrimp farms with a profit sharing system. Good interaction between the financiers and the capitalists creates positive interactions in the neighborhood.

Fifth, the Baha'i and Baha'i institutions open themselves to the public for their teachings so as not to arouse suspicion. Public can access The Website Baha'i among others bahaiindonesia. org; www.bahai.org; bahaiteaching.org; bahaiblog.net; www.twodoves.net; www.bic.org; www.bwc.org; and www.bahai.com. After the Reformation, Baha'i people struggle to gain public attentions in several ways: 1) distributing information on Baha'i through public meetings; 2) initiating non-formal religious class for Baha'i people and people of other religions; 3) inviting neighbors and friends during Baha'i religious celebration. Afraid of those actions, some Muslims leaders react in two ways: 1) intensifying religious meetings to strengthen Muslims' faith while keep referring Baha'i as a non recognized religion; 2) supporting the Village government when the later is feeling cornered by NGO supporting Baha'i people.

Sixth, the Baha'is are no longer suspected of trying to fight local Muslims with NGOs and the government, not as this situation has been faced by Baha'i people since the Old Order era. During the Old Order, Baha'i as an organization was banned by Presidential Decision No 264 of 1962. During the New Order era, Baha'i people suffer from the government policy which suppressed them even more. Some of

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[15]Ali Sodiqin, dkk. *Dasar Teologis Integrasi Islam dan Budaya Lokal* dalam *Islam dan Budaya Lokal*. Pusat Kajian Sejarah dan Budaya Islam (PKSBI) Jurusan Sejarah dan Kebudayaan Islam UIN Sunan Kalijaga: Yogyakarta. 2009, p.2.

[16]Ismail Hasani dan Bonar Tigor Naipospos (Ed). *Wajah Para 'Pembela' Islam*. Pustaka Masyarakat Setara: Jakarta.2010, p.22.

[17] Rumadi Ahmad. *Penguatan Moderasi Beragama*. Artikel Harian *Kompas*, Senin 8 Juli 2019, p.6.

government officials were threatened of fire for declaring as Baha'i people, some of them were sent to jail accused of religious blasphemy and some others were under surveillance of the Army. This policy has forced some Baha'i people to convert to other religion such as Islam. However, some others remain as Baha'i believers and asking protection such as from the Directorate of Faith of Ministry of Education and Culture, Vice President of Indonesia Sudharmono, the leader of NU Abdurrahman Wahid, Human Rights activists, the Chief of Indonesian National Police and also President Soeharto. This attempt was a failure. Rather, Baha'i people were accused of putting Muslim community in Cebolek in conflict with the government. The regulation was then annulled by President Abdurrahman Wahid with Presidential Decision No 69 of 2000. However, Baha'i attempts have also received positive responses from their surrounding community. They do not feel intimidated by the government and their relationship with their neighborhood is getting better. One example, when a Baha'i passed away, their male nahdliyin neighbors came to the house and female Muslim neighbors were reciting *tahlil* for three days at the deceased home.[18]

Conclusion

The discrimination against the people of the religion of Baha'i started assumption one by state officials who understand that the country only confirms certain religion. Based on the explanation of Article 1 Penpres Number 1/PNPS/1965 that citizens entitled religion and religion are not limited in number by the state as long as the teachings of religion (anything) is contrary to the legislation. The religion of Baha'i for the public has not yet other than this as a result of the Decision of President Sukarno 264 Number 1962 on the Prohibition of 7 organizations, Organisasi Liga Demokrasi, Rotary Club, Divine Life Society, Vrijmetselaren-Loge (Loge Agung Indonesia), Moral Rearmament Movement, Ancient Mystical Organization Of Rosi Crucians (AMORC) and Organisasi Baha'i. President Gus Dur revoked the Presidential Decree Number 69 of 2000 dated May 23, 2000 concerning Revocation of Presidential Decree Number 264 of 1962. Regarding the revocation of Gus Dur, Presidential Decree Number 264 is deemed no longer in line with the principles of democracy; even though in reality the Presidential Decree Number 264 of 1962 was no longer effective. To give certainty the Presidential Decree Number 264 of 1962 was revoked.

Baha'i is an independent religion although sometime people mistaken as a religious sect. Baha'i was first known in Persia in 1840s and came to Indonesia in 1870 brought by medical experts joint a UN's program and merchants so that the residents of Cebolek Village through the Baha'i people knew the Baha'i teachings. In the era of the Old Order and the New Order, Baha'i organizations were banned by the state so they sought protection from NGOs and the government even though their efforts were unsuccessful. In the era of President Gus Dur, the president revoked the ban, although the negative views of the public and the government have not yet been completed. In life, the Baha'is in Cebolek there are 27 people of 9 families. In the community, the Baha'is were responded positively by local Muslim followers (1) digging graves and attending funerals if Baha'i people died, (2) pray (recite tahlil) at the house of the Baha'i after the funeral. Positive behavior is due (1) realizing the teaching of ahlussunnah waljamaah, (2) there are no 'defenders of Islam' in the Baha'i community, (3) the Baha'is began to do good with local Muslims in the cultural forum of rural residents accommodated by nahdliyin, (4) the Baha'is and their teachings are open to the public, and (5) the Baha'is no longer complain about their problems with NGOs and the government.

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[18]*Moh Rosyid. Resolusi Konflik Umat Agama Baha'i dengan Muslim: Studi Kasus di Pati Jawa Tengah.* Jurnal Harmoni Badan Litbang Kemenag RI, Vol.18, No.1, Januari-Juni 2019.

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SALAT CONTESTATION

Shifat Shalat al-Nabiy by al-Albany and Its Impact on the Islamic Moderation in Indonesia

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Abstract

Especially after the reformation, Salat not only became a means of sacred-personal communication between a Muslim and his God, but also became a means of social contestation. This paper analyzes how the *Shifat Shalat al-Nabiy* by al-Albany triggered a particular contestation between *Albaniyyin* and *Nahdliyyin*; how the contestation affected the Islamic moderation in Indonesia; and how to deal with it. Through content analysis and critical discourse analysis it was found that the salat contestation occurred in two forms. *First*, theoretical contestation, namely the contestation related to the claim which salat manual is most appropriate to what was practiced by the Prophet Muhammad (PBUH). By using the *Syafi'i Madhhab* books, the *Nahdliyin* believe that their manuals of salat are valid. While the *Albaniyyin* by using the *Shifat Shalat al-Nabiy* by al-Albany claimed their manual was more valid because it followed the instructions of the Prophet Muhammad (PBUH). *Second*, practical contestation, namely contestation related to the practice of each salat manual. The most extreme of these contestations is that there are some who do not want to congregate except with their community. Both theoretical and practical contestations have a negative impact on the Islamic moderation. The indications include the *first*, the emergence of exclusive attitudes in religion. Each felt that their method of prayer is most in accordance with the guidance of the Prophet Muhammad (PBUH). *Second*, the potential for conflict between elements of society, which is not only related to ritual problems but also extends to social problems. To reduce the negative impact of the contestation, dialogical efforts need to be pursued continuously.

Key Words: *Shifat Shalat al-Nabiy, Syafi'i Madhhab, Theoretical-Practical Contestations, Albaniyyin, Nahdliyyin*

Introduction

Shifah Shalat al-Nabiy by al-Albany has a very important position for the *Albaniyyin*. *Albaniyyin* is a plural word which means the Salafi Wahhabi community which has more bigotry on al-Albany than other figures.[1] The importance of the book for them can be seen through several reasons. *First*, for them the book is the work of a figure they believed to be highly qualified in the field of hadith. In fact, as other ritual worship, prayer cannot be separated from the guidance of the Prophet Muhammad (PBUH), that was excavated through the hadith. *Second*, by using the book they can "straighten" anyone whom they say is not in accordance with what was guided by the Prophet Muhammad (PBUH). Based on the traditions that are

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[1]Andi Dermawan, "Dialektika Dakwah, Politik dan Gerakan Keagamaan Kontemporer", *Jurnal Dakwah*, Volume 14, Number 2, 2013, 159-175.

very popular and they understand them textually, the Prophet Muhammad (PBUH) ordered the companions to perform the prayer as they saw him did it, *Shallu Kama Ra`aitumuni Ushalli*, which is also included in the cover section of the book.[1]

The desire to "straighten" the procedure of prayer of anyone whom they think is not in accordance with the guidance of the Prophet Muhammad (PBUH) is what causes friction with other parties. On the one hand, they believe that the procedures of their prayer are the most correct, because they are most in accordance with the guidance of the Prophet Muhammad (PBUH), so they want to share the "truth" with others. This exclusive belief was also strengthened by al-Albany's own statement on the introduction to the book. He asserted that this book is a guide to prayer that is not bound to a particular fiqh school (*madhhab*), but only relies on the hadiths that are accepted (*maqbul*). He also asserted that the madhhab pursued by the experts of the hadith is superior than the madhhab of the jurists.[2] Therefore, they want to preach it to parties outside of them. On the other hand, those outside them also believe that the procedures for their praying so far are also in accordance with the guidance of the Prophet Muhammad (PBUH). Moreover, so far they have not faced any problems, because they have guidance from their clerics, both in writing and through hereditary practices.

Such friction had happened before in Saudi Arabia. Through his book, al-Albany presents a number of differences with the Hanbali madhhab, for example the addition of *wa barak tuh* in *salam* and a certain way of holding hands when standing. Even there his book caused friction which was called by Stephane Lacroix as great scandal.[3] Because the impact is not only related to certain individuals and groups, but extends to the level of nation and state. The impact is not only related to religious aspects, but also ideological and political aspects.

In Indonesia, the friction between al-Albany's followers and those outside them seems not to be as powerful as what happened in Saudi Arabia. This is for several reasons. *First*, in Saudi Arabia the Hanbali Madhhab is the official state madhhab. While in Indonesia, the State does not formally determine the madhhab that must be followed. In Nahdliyyin circles, they were given the freedom to choose one of the four existing schools, namely Hanafi, Maliki, Syafi'i and Hanbali. Although their dominant practice is following the Shafi'i madhhab, but the paradigm of diversity in madhhab has been firmly planted in their minds. *Second*, the cultural characteristics of the Indonesian people that promote harmony are able to reduce various friction, which in other countries can be very massive and open. Friction that occurs, including because of differences in religious understanding, is able to subside along with the emergence of shared awareness about the importance of maintaining harmony. Open conflict and even physical contact can occur at the beginning, but a number of cases show that it will not last long. In other words, there is a cultural mechanism that is able to alleviate various possibilities of contestation so that it is not widespread and systematic.

However, this contestation is still important to observe, especially related to its impact on Islamic moderation. The importance of maintaining the moderation of Islam can be seen from several reasons.

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[1]M. Nashiruddin al-Albani, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004.

[2]M. Nashiruddin al-Albani, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, 43.

[3]Stephane Lacroix, "Betwaeen Revolution and Apoliticism", in Roel Meijer (ed.), *Global Salafim*, London: Hurst & Company, 2009, 26-48.

First, Islamic moderation (*tawassuth*) is one of the core teachings of Islam, in addition to balance (*tawazun*), justice (*'adl*) and tolerance (*tasamuh*). *Second*, the level of pluralism of the Indonesian people is very high, not only in terms of cultural background, but also ethnicity and beliefs. If not anticipated, the negative impact of the prayer contestation toward the moderation of Islam will strengthen, especially this negative impact is also supported by political factors.

Understanding the Salat Guidance of *Albaniyyin*

Three versions were found for the work of al-Albany regarding the prayer. The first is entitled *Shifat Shalat al-Nabiy Sallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Kaannaka Taraha*, published in the third edition of Maktabah al-Ma'arif Riyadl in 2004 about 192 pages, including a table of contents and references. Second, the same version with the first, but with more pages, which is 225. This is because the layout is slightly different, but the contents of both are exactly the same. These two versions are revised version of the same book that was printed before by al-Maktab al-Islami Publisher, that al-Albany was very disappointed because according to him there were many fatal errors. Third, the full version entitled *Ashl Shifat Shalat al-Nabiy sallallaahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Kaannaka Taraha*. According to the publisher's introduction, this title was taken from one of the names given by al-Albany. This is a version equipped with *takhrij*, *ta'liq* and *syarh* toward the previous version. This version consists of three volumes with a total page reaching 1218 including a table of contents and a number of indexes. In the introductory section from the publisher, it was found the information that, in addition to this full version, al-Albany also has a concise version entitled *Talkhis Shifat Prayer al-Nabiy*.

According to al-Albany himself, he wrote this book in two parts. The first is the part of *matan*, and the second is the part of *syarah*, which he calls *al-ashl*.[1] Due to technical considerations for publishing, both parts are printed separately. The first part is the first and second versions, while the second part is the third version. For the concise version not found. Thus, to understand the manual of prayer according to al-Albany is not enough just to understand the first part which he calls the *matan*, but also needs to understand the second version which he calls *al-ashl* or *syarah*. Because in this version of *syarah*, his personal thoughts can be found more explicitly.

Broadly speaking, this book is organized into a number of parts, namely introduction, content, closing and index. In the introductory section, there are a number of things that need to be underlined. First, related to the background of the writing of the book, he stressed that he had not found a complete book containing the guidance of prayer as was done by the Prophet Muhammad (PBUH). Therefore he must write for those who want to pray in accordance with the guidance of the Prophet Muhammad (PBUH) a complete book from *takbir* to *salam* in a way that is easy to be understood. This reason is certainly subjective. Because what he meant "not finding the prayer manual" was in the manual sense of prayer based on the collection of hadith texts. Regarding the collection of hadith texts about this prayer, it is also subjective, because what he means is hadiths have the quality of *maqbul* according to his method. In reality, there are a lot of prayer manuals written by the ulama' of fiqh according to their madhhab. The ulama' of hadith have also hadiths collection about prayer in separate chapters.

Second, related to the method of writing, he asserted that he was not attached to any fiqh schools. He called this method as madhhab *al-muhaddisin*. He quoted al-Laknawy's opinion stating that in most of

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[1] M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004. 19.

the problems of *ushul* and *furu'*, Muhaddisin's opinion was more valid than the other's opinion.[1] He also commented on al-Subuki's opinion which stated that the correct prayer can be seen through two standards. First, avoid different opinions as much as possible. Second, holding fast to the authentic riwayah from the Prophet Muhammad (PBUH). Al-Albany insists that what must be held is the second, because this is in accordance with the orders of the Prophet Muhammad (PBUH) to pray as he did.

On the basis of these methods, he filled in his book by selecting the *riwayah* listed in the books of hadith and books of fiqh. The jurisprudence books he referred to were not to be guided, but rather to be used as a comparison and assessment material. The final result that he used are hadith texts which he valued as *maqbul*. He realized that this choice would cause reactions from many parties. This method confirms his position as one of the *anti-madzhab* figures (*al-lamadzhabiyyah*, borrowing the term al-Buthi).[2]

In the content section, he presents sub-sections as written explicitly in the title, namely from *takbir* to *salam*, such as facing the Ka'bah, standing up, praying by sitting for the sick, praying on the boat, standing and sitting at the evening prayer and salam obligations.[3]

In the closing section al-Albany stated that all the descriptions related to the procedure for the prayer of the Prophet Muhammad (PBUH) apply to men and women, without any difference. According to him, there is no sunnah that distinguishes between male and female prayer. He quoted Ibrahim al-Nakha'i as saying: "Women perform prayers as men do." Hadith that states women bring their hands closer together when ruku' and sujud is dla'if. Likewise, another hadith which contains the differences in the procedures for praying for women from men, the quality is dla'if. To reinforce this opinion, he added the hadith of al-Bukhari from Umm al-Darda' which stated that she sat (in prayer) as a man sat, even though she was a deep knowledge of hers religion (*faqihah*).[4]

This point, although simple, shows a strong character about the exclusivity of the prayer system built by al-Albany. This point adds the exclusivity points that have been described in the previous section, namely in the introductory section and the contents one.

In terms of systematics, this book has two main characteristics. *First*, the sub-chapters are fully adapted to the hadith texts. The systematizatin he does is similar to what is referred to as *al-tarjamah* in the books of hadith. Al-Tarjamah in the books of hadith means the title given to a number of hadiths which have similar themes.[5] In practice, one hadith can be given by more than one title. Because one hadith is indeed possible to contain more than one theme. This is what underlies the existence of repetitions in the books of hadith. *Second*, closer to the systematics of hadith books than fiqh books. This is not only because of the academic background of al-Albany who pursues hadith, but also related to the paradigm which, as stated, he does not want to be bound by any fiqh madhhab. Perhaps because of avoiding the religious affiliation, he chose the *shifat* term to name his books, including *Shifah Shalah al-Nabiy*.

The implications of this *shifah* term are very clear, namely his desire to escape from attachment to the madhhab of fiqh. Even if it is examined more closely, he is actually pioneering his own madhhab,

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[1]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004. p.43.

[2]M. Said Ramadlan al-Buthiy, *al-Lamadhhabiyyah Akhthar Bid'ah fi Zamanina*, Beirut: Dar al-Fikr, 1975.

[3]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004. pp.75-188.

[4]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.189-190.

[5]Muhammad bin Ismail al-Bukhari, *al-Jami' al-Shahih*, Beirut: Dar al-Fikr, 2005, I, p.5.

namely Madhhab al-Muhaddisin. Therefore there are researchers who call him the neo-Ahl al-Hadith. Even what he has done can be called the most successful Ahl al-Hadith movement in its history.

This is different from the works of Yusuf al-Qardlawi, for example, which, although more dominant based on hadiths, still used fiqh term.[1] So that a lot of his work begins with the fiqh term, such as *fiqh al-zakat*, *fiqh al-shalat*, and others. It is also different from Sayyid Sabiq who still used fiqh term in his *Fiqh al-Sunnah*.[2]

In terms of the quality of *riwayah*, the *maqbul* qualifications that he uses are of course the maqbul according to the Hadith research method that he uses. So in many hadiths, what he judges *maqbul* can be judged by others to be not *maqbul*. This is closely related to his method of hadith research. Compared to the conventional ulama' of hadith, he has similarities in terms of being equally strict adhering to the criticism of *sanad*. The criteria and standards are also the same. But compared to them, al-Albany also concentrated on matan research. Being compared with contemporary ulama' of hadith, he has similarities in terms of both concentrating on matan research. The difference is, he also concentrated on the research of sanad. In addition, his research in terms of matan is also simpler, namely by referring only to the *naqli* propositions. In contrast to the contemporary ulama' of hadiths who in carrying out matan research, besides relying on the *naqli* arguments also use the arguments of *'aqli*.[3]

In terms of *riwayah* comprehension, al-Albany seems to rarely present some riwayah containing a number of alternations. This is related to the paradigm of truth. For him, truth is one, not diverse. Even the correct method of prayer for him is single. This he discussed at length in a separate sub-chapter, which he called "confusion and response". At the first point, he responds to people's questions to him, related to riwayah "*ikhtilafu ummati rahmah*". This riwayah confirms that the variety of choices, especially regarding furu'iyyah problems is a necessity.[4]

Toward this question, al-Albany presents two answers. First, the hadith above is not valid, even *la ashla lah* (does not have a reference). Then he quoted al-Subuki's opinion: "I did not find a sanad for the hadith, dla'if or maudlu'." Furthermore, al-Albany said that the true riwayah is "*ikhtilafu ashhabi lakum rahmah*" (cross opinion among my companions is a mercy to you), and "*ashhabi ka al-nujum fa bi`ayyihim iqtadaitum ihtadaitum*" (my companions are like stars, so to whom you follow, you will still get instructions). According to al-Albany, these two hadiths are not valid. The first is very weak and the second is maudlu'. Therefore he included both of them in his *Silsilah al-Ahadis al-Dla'ifah wa al-Maudlu'ah* (Hadith number 58, 59 and 61).[5]

`Secondly, in addition to dla'if quality, the above hadith contradicted to the Qur`an, al-Karim. The verses that contain the command to agree and the prohibition on crossing opinions in religious subject are very much. For example, he quoted Surah al-Anfal verse 46, al-Rum verses 31-32 and Hud verses 118-119. Based on those verses, it is very unlikely that crossing opinions is mercy.

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[1]Yusuf al-Qardlawi, *Fiqh al-Zakah*, Beirut: Dar al-Fikr, 2003.

[2]Sayyid Sabiq, *Fiqh al-Sunnah*, Beirut: Dar al-Fikr, 2005

[3]Kamaruddin Amin, "Nashiruddin Al-Albany on Muslim's Shahih: A Critical Study of His Method." *Islamic Law and Society*, volume 11, number 2, 2004, pp.149–76.

[4]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.58-73

[5]M. Nashiruddin al-Albany, *Silsilah al-Ahadis al-Dla'ifah wa al-Maudlu'ah*, Beirut: al-Maktab al-Islami, 1985.

Based on the two answers, al-Albany concluded that the hadith above is not valid, both in terms of *sanad* (based on the first answer) and *matan* (based on the second answer).

Contestation of Salat Guidance Validity

As already stated, that al-Albany claimed not to be bound by any of the fiqh schools. So it is natural that his book contains a number of points drive theoretical contestations related to the procedures for this prayer. This section will contain two important points. First, a few examples of differences between the contents of *Shifat al-Nabiy* and a book of Syafi'i madhhab generally followed by the Nahdliyyin, namely *Kifayah al-Akhyar*,[1] which is the syarah of most widely used syllabic of the Shafi'i fiqh book, entitled *Matn Fath al-Qarib*. It is called generally, because normatively they recognize the three other madhhab, but in practice the dominant one they follow is Madhhab Syafi'i. Second, a description of each argument, which in this paper is referred to as theoretical contestation, the end of which is the most valid contestation. Both will be presented simultaneously through examples which will be complemented by their respective arguments.

Broadly speaking, each argument is taken through two methods. First, taking arguments based on what is written (explicit). For the al-Albany, this explicit argument can be taken from the *sharah* version. In this book, each point is accompanied by an explanation. As for the Shafi'i madhhab, explicit arguments were taken from *Kifayah al-Akhyar*. Second, taking arguments based on what is not written (implicit). At al-Albany, this argument can be taken from the matan version. Every hadith stated is always based on consideration of certain meanings, at least as stated in the title. In the *sharah* version, this type of argument can also be found. Because not infrequently al-Albany adds riwayah, in addition to the riwayah that is on the *matan* version. In *Kifayah al-Akhyar*, this argument can be taken in the matan section, namely *Fath al-Qarib*, which is written in bold letters and with *syakal*. Both methods of taking this argument are equally important, because the two books referred to here are born in the context of mutual contestation. Thus, each description has its own context.

To facilitate identification, the description will be divided into two parts, namely the pillars of *qauli* sections (sayings or readings) and the pillars of *fi'li* sections (actions or movements).

Some Examples of Pillars of Qauli

Pillars of qauli which will be discussed here are ones which are read by *jahr* (loudly) in the congregational prayer. *Sirr* (not aloud) reading will not be discussed because it does not have the potential to cause contestation. Therefore what will be discussed are *takbir*, *fatihah* and *salam*. In addition to the three pillars of qauli, there is reading that also cause contestation, even though they are not included in the category of pillar, namely *qunut*. In addition to those related to the implementation of prayer, there is also reading, namely *zikr* after prayer.

First, *takbiratul ihram*. Regarding this matter, he stated a number of hadiths which mention the obligation to read takbir, both for people who pray alone and pray in congregation. Especially when in congregation, takbir of imam must be aloud so that they can be heard by *ma'mum*. He also put forward a riwayah which states that when the Prophet Muhammad (PBUH) was ill, he recited takbir in a voice that could not be loud, so Abu Bakr aloudened his *takbir* so that the *jamaah* knew that the Prophet Muhammad

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[1] Abu Bakar bin Muhammad al-Husaini, *Kifayah al-Akhyar fi Halli Ghayah al-Ikhtishar*, Beirut: Dar al-Fikr, 1994.

(PBUH) had recited takbir.[1] In *Kifayah al-Akhyar*, this description of takbiratul ihram is longer, concerning its legal status, a number of problems and the opinions of the ulama'.[2] One of the differences between the *Shifat Shalat al-Nabiy* and *Kifayah al-Akhyar* is that in the second, there is an explanation of the legal status of reading (*qauli*) and action (*fi'li*). Perhaps this is the reason why the Albaniyyin take all readings and actions seriously stated in the guide, because they consider all as obligatory, at least *sunnah* in the sense of something highly recommended to be followed because it originates from the Prophet Muhammad (PBUH), not the *sunnah* in terms of law qualifications.

Second, *fatihah*. Regarding this *Fatihah*, al-Albany asserts that after reading the istiftah prayer, the Prophet Muhammad (PBUH) read *isti'adzah*, then read *Basmalah* in a non-aloud voice. He also stated that the Prophet Muhammad (PBUH) recited Fatihah verse by verse, namely the *waqaf* in each verse. Next he put forward a number of riwayah related to the primacy of this surah.[3] For Nahdliyyin, what was put forward by al-Albany is not unusual. Because they are accustomed to hear that in *Fatihah* recitation, there are those who read *Basmalah* and some who don't. For those who read *Basmalah*, there are those who read it aloud as the next verses, there are also those who read it slowly.

Third, *qunut*. Regarding this qunut, he presents two sub-chapters. First, reciting qunut in the five daily prayers because there is a great disaster that falls (*nazilah*). Related to this, he put forward a riwayah which states that when the Prophet Muhammad (PBUH) prayed badly or kindly to someone, he read qunut on the last rakaat after bowing. He read it aloud, raised both hands and the people read amin. Secondly, reciting qunut in the Witir prayer. In this regard, he put forward a riwayah stating that the Prophet Muhammad sometimes read qunut in the Witir prayer.[4]

Fourth, *salam*. Related to this, he put forward a riwayah stating that the Prophet Muhammad said when looking right at "*assalamu'alaikum wa rahmatullah*" so that his right cheek could be seen, and stamped when he turned to the left "*assalamu'alaikum wa rahmatullah*" so that his left cheek could be seen. Sometimes he added "*wa barakatuh*". Sometimes when looking to the right he says "*assalamu'alaikum wa rahmatullah*", and when looking to the left just say "*assalamu'alaikum*". Seeing this description, it is rather surprising that the addition of *wa barakatuh* in Saudi Arabia caused a great polemic.[5] Because in this guide al-Albany only says "sometimes" related to these additions. This is because, as already mentioned, the Albaniyyins take all the descriptions listed in this guide seriously, without any classification of legal status.

Fifth, *zikr* after prayer. Regarding this, al-Albany does not provide detailed descriptions. Because the contents of this book only end in the description of *salam*. There is also no description of *zikr* after prayer. This chapter of *salam* in the version of *Sharah* is only described longer in relation to similar *riwayah* and a number of additional comments that have nothing to do with zikr after prayer. While in the Nahdliyyin prayer guides, there are many descriptions of zikr after prayer.

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[1]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.86-87.

[2]Abu Bakar bin Muhammad al-Husaini, *Kifayah al-Akhyar fi Halli Ghayah al-Ikhtishar*, Beirut: Dar al-Fikr, 1994, I, pp.85-87.

[3]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.97-98.

[4]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.179-180.

[5]Stephane Lacroix, "Between Revolution and Apoliticism", in Roel Meijer (ed.), *Global Salafim*, London: Hurst & Company, 2009, pp.26-48.

Some Examples of Pillars of Fi'li

Pillars of fi'li which will be discussed here is standing, bowing, prostration and sitting between two prostrations. In addition, there are activities that are not part of the pillars of fi'li, but are related to the implementation of prayers, namely the position of each individual in congregation and putting barriers during prayer.

First, standing up. Related to this, he stated the riwayah that the Prophet Muhammad (PBUH) stood wether in the prayer of the Fardlu and the Sunnah, because he followed the command of Allah Almighty in Surat al-Baqarah: 238. While doing *safar*, he performed the Sunnah prayer on the vehicle. During a time of extreme fear (read: war), the Prophet Muhammad (PBUH) recommended that the people pray while walking or driving, as stated in the verse. When sick, he prayed fardlu while sitting.[1]

Furthermore, al-Albany presents a sub-chapter related to prayer while sitting for those who are sick, praying on a boat, standing up and sitting at night prayers and praying in sandals.

Second, *ruku'*. Regarding this, al-Albany presents a riwayah that after completing reading al-Fatihah and surah, the Prophet Muhammad (PBUH) paused for a moment, then raised both hands as when takbiratul ihram, then takbir and ruku'. He continued, that in *ruku'* he put his hands on both knees until all the joints found a comfortable position.[2]

He further elaborated on several sub-chapters related to this *ruku'*, namely the character of ruku', the obligation of the thuma`ninah in ruku', the reading of ruku', lengthening the ruku' and the prohibition on reading the Qur`an on ruku'. With regard to the characteristics of ruku', he put forward riwayah stating that the Prophet Muhammad (PBUH) placed both hands on both knees, in conditions such as grasping and in a state of open fingers. He also stretched between his knees and flattened his back in a way that stretched forward.[3]

Third, prostration (*sujud*). Regarding prostration, he put forward a riwayah stating that the Prophet Muhammad (PBUH) took the feast and went down to bow down. When going to prostrate, the Prophet Muhammad (PBUH) recited takbir and stretched both hands from stomach. Sometimes he raises both hands when going down.[4] He then put forward several sub-chapters, including resting on both hands before knees during prostration, the obligation of thuma`ninah in prostration, prostration readings, the prohibition of reading the Qur`an in prostration, prolonging prostration, the virtue of prostration, prostration above land and on the mat and wake up from prostration.

With regard to relying on both hands before both knees at prostration, he put forward a riwayah stating that the Prophet Muhammad (PBUH) put his hands on the ground before both knees. This is called "khurur". He also put forward a riwayah which states that the Prophet Muhammad (PBUH) said: "If one of you prostrates, then do not come down like the descent of a camel, and let him put his hands before his knees." In prostration, he rested on both hands with close radius and expose it to the Qibla direction. He made both palms parallel to both shoulders, sometimes parallel to both ears. He also pressed his nose and

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[1]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, p.77.

[2]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.128-129.

[3]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.129-130.

[4]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.139-140.

forehead to the ground. So there are seven organs made by the Prophet Muhammad (PBUH) as prostrations, namely two palms, two knees, two soles of the feet, forehead and nose. Furthermore, regarding zikr in prostration, al-Albany presents a variety of zikr that are more numerous than the variety of zikr in ruku'. If in the ruku' he presents seven types of zikr, then on this prostration he presents twelve kinds of zikr. Still about zikr in this prostration, he also stated the prohibition on reading the Qur`an in prostration. He also put forward a riwayah stating that the Prophet Muhammad (PBUH) said: "The closest situation a servant has with his Lord is at prostration. Therefore multiply the prayer in prostration."[1]

In regard to prolonging prostration, he put forward a riwayah that the Prophet Muhammad (PBUH) ordered to extend prostration like the length of bow. Sometimes his prostration is longer than his bowing because there are certain reasons. Then he quoted the riwayah of some of his companions about his prostration for a longer time because there was one of his grandchildren who climbed his back. There were some companions who forbade his two grandchildren to have his presence on his back. But he forbade and asked them to leave both. Even he said: "Whoever loves me, then let him also love these two children."

Fourth, sitting between two prostrations. Related to sitting between two prostrations, sometimes the Prophet Muhammad (PBUH) performed *iq'a`*, which is to occupy both heels where the soles of the feet are standing with the tips of the fingers pinned to the ground. Based on the riwayah he stated, this position is rarely carried out by the Prophet Muhammad (PBUH). What often is sitting *iftirasy*, which is sitting in a position to make the left foot as the seat and the right foot where the fingertip treads to the ground.

Fifth, the attitude of each individual during the congregation. Al-Albany does not express how the position of each individual in congregation, especially related to the position between individuals. In general, the Albaniyyin understand the density in the congregation textually, namely by nudging between the little fingers of the foot. Even in this prayer guide, al-Albany does not say it.

Sixth, the attitude of the imam before and after the prayer. Albaniyyin in general, namely the imam, before starting the prayer will face *ma'mum* and make arrangements. Then after praying, he would sit facing *ma'mum* while making his own zikr without sound and ending it with his own prayer too. Even this was not stated by al-Albany in this guidebook. For Nahdliyyin, facing *ma'mum* for the imam is also common. Also for the position after prayer. Although not a few imam from the Nahdliyyin who finished their prayers did not face the congregation. Some face to the side.

Regarding these two points, Albaniyyin use the explanation of al-Albany outside this guidebook, which is in his other books. In general, this book contains guidance for the perpetrators of prayer, not in the capacity as imam. He gave information about the imam in the riwayah related to the Prophet Muhammad (PBUH). In other words, al-Albany does not specifically mention the sub-section related to the guidance of congregations in prayer.

Based on the six things above, it can be said that each will stick to the truth they believe in. There will be no willingness to acknowledge that there are parts that are wrong with him, acknowledge the truth of the parts to other parties, then accept them as an effort to correct and improve themselves. Theoretical contestation will produce an effort to strengthen each other's arguments. Each will still maintain their existence in the public space.[2]

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[1]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, p.147.

[2]Zuly Qodir, "Public Sphere Contestation: Configuration of Political Islam in Contemporary Indonesia", *Indonesian Journal of Islam and Muslim Societies*, Volume 1, Number, 1, June 2011, pp.123-149.

Contestation of Religious Social Identity

Al-Albanyyyin, like Nahdliyyin, also had limitations in practicing their prayer guides. What they practice is not entirely in accordance with the guidelines they have. There is an element of inconsistency in each group. Before describing the struggle for socio-religious identity, it will first be stated about the inconsistencies of each group.

Inconsistencies in the Implementation of Guidelines

First, related to lengthening prostration. In the guideline it is stated that the Prophet Muhammad (PBUH) ordered to lengthen bowing, i'tidal, prostration and sitting between two prostrations in relatively the same way.[1] It is not only prostration that is recommended to be extended. But in practice, both Albaniyyin and Nahdliyyin practice prolonging prostration, more than the length of the bow. In terms of duration, Albaniyyin are longer than Nahdliyyin. It can even be said that those who practice prolonging prostrations from the Albaniyyin are more numerous than the Nahdliyyin. Because in Nahdliyyin, fast and short duration prayers are more common, especially in *tarawih* prayer.

Prolongation of prostration like this is certainly not *ushul*, but *furu'*. Because what is required is prostration accompanied by thuma`ninah. But this extension then relates to their kind of ritual identity. For the Nahdliyyin, the people who ended their prayer with prostration for quite a long time, usually they immediately identified themselves as Salafis. On the contrary for Albaniyyin, the people who pray fast will be identified as Nahdliyyin.

Second, related to *qunut*. In the guide book it was stated that the Prophet Muhammad (PBUH) read qunut when there was a severe disaster. He read qunut for all five daily prayers. He also read qunut on witir. But the practice, almost never found there are Albaniyyin who read qunut.

The qunut reading by the Nahdliyyin is at the dawn prayer, without any connection to the existence of a severe disaster (*nazilah*). In the qunut *nazilah*, they read it in any prayer, as guided by the Albaniyyin. The conflict between reading qunut or not ever happened long before between Nahdliyyin and Muhammadiyyah, a religious organization known as the *tajdid* paradigm. Even in the past the conflict was quite fierce, so it often creates tension in society. But over time, the difference is increasingly understood. That is, Muhammadiyyah did not question of qunut by Nahdliyyin. On the other hand, Nahdliyyin also did not mind the lack of qunut by Muhammadiyyah. Even the reduction of tension was marked by the willingness of each party to be willing to congregate behind others. A follower of the Muhammadiyyah did not feel guilty when in the dawn prayer became makmum behind the imam from Nahdliyyin. Because for him it's easy, just waiting when the imam and others read qunut. Likewise, when someone from Nahdliyyin became a ma'mum behind Muhammadiyyah, there was no guilt when he did not read qunut. Because he realized that reading of qunut was sunnah.

The contestation between Albaniyyin and Nahdliyyin related to the reading of the qunut seems to have also shifted as happened between Nahdliyyin and Muhammadiyyah. Although each of them will associate the reading of qunut to strengthening identity, but the understanding of each is quite high.

Third, related to sitting position between two prostrations. As has been stated, that which is often done by the Prophet Muhammad (PBUH) is *iftirasy* sitting. But in this prayer guide al-Albany presents a riwayah stating that sometimes the Prophet Muhammad (PBUH) performed *iq'a`*, which occupied both heels and erected both feet. In the matan version, al-Albany provides a very brief explanation. He explained

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[1]M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha*, Riyadl: Maktabah al-Ma'arif, 2004, pp.128-154.

the long description on the sharah version. In the version of sharah, he explains that position is sitting at the tip of the toes. The toes are facing the Qibla direction and both feet are standing. In the syarah version, the subtitles made are choices between *iftirasy* or *iq'a`*.[1]

He put forward a number of riwayah which state that such sitting position is part of the sunnah of the Prophet Muhammad (PBUH). This sunnah status is emphasized based on a riwayah of companions who question the position and regard it as the culprit's ignorance.[2] In the version of the sharah, a riwayah of the prohibition of *iq'a`* was also stated. Through *tarjih*, al-Albany concluded that this position was a sunnah. But in practice some Albaniyyin always practice it in the sunnah prayers. While on fardlu prayers they used the *iftirasy* position. For some Nahdliyyin, this position is rather strange because they rarely meet. Even in the prayer manual they used, they did not find a similar explanation. In *Kifayah al-Akhyar*, for example, it was found an explanation that there were two sitting positions in the prayer, namely *iftirasy* and *tawarruk*. Although there is an explanation that there are no specific provisions regarding sitting in prayers, those two types of sitting are commonly done, without any slight explanation about the position of *iq'a`*.[3]

Affirming Identity: Exclusive Appearance

There are a number of traits that characterize the Albaniyyin community, as well as other Salafi communities. Theese characteristics as a whole produce an exclusive appearance, both related to the appearance of the body and what they wear.

First, bearded. The length of this beard is related to the command of the Prophet Muhammad (PBUH) to shave the mustache and lengthen the beard. They understand and practice it textually. Even there is an impression that they are making efforts to make beards long, even though the Indonesian people rarely have long beards. Secondly, a robe. It is rather difficult to find a normative argument related to this robe, in contrast to lengthening the beard and shaving the mustache above and shortening the pants as will be mentioned. Presumably, they want to emulate how the Arab societies get dressed. This imitation not only has a psychological impact in the form of self-affiliation with the Arab nation which is a nation where the Prophet Muhammad (PBUH) was sent, but also the confirmation of physical identity.

For Nahdliyyin, the way they dress is relatively simple. There is no special identity. What they use in prayer is not much different from what they use outside prayer. Only in the past few decades there has been a tendency to wear *koko* clothes during prayers and other religious events. Some people call it *takwa* clothes. Although, this shirt is actually an adaptation from one type of clothes worn by Chinese people. But through the civilization process, it became agreed that the clothes were ones that were more often used in religious activities.

Third, *cingkrang* pants. These pants are related to the teachings on the prohibition of *isbal*, which is to lengthen clothes. This prohibition actually applies to all types of clothing, not only down clothes such as pants, but also top clothes such as clothes and headscarves.[4] In practice, they only avoid lengthening their pants, becoming shorter than the size in general, so they are often referred to as *cingkrang*. Some of them

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[1] M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha (syarah)*, Riyadl: Maktabah al-Ma'arif, 2004, pp.801-807.

[2] M. Nashiruddin al-Albany, *Shifat Shalat al-Nabiy Shallallahu 'Alaihi wa Sallam Min al-Takbir Ila al-Taslim Ka Annaka Taraha (syarah)*, Riyadl: Maktabah al-Ma'arif, 2004, pp.802-804.

[3] Abu Bakar bin Muhammad al-Husaini, *Kifayah al-Akhyar fi Halli Ghayah al-Ikhtishar*, Beirut: Dar al-Fikr, 1994, I, p.98.

[4] Muhammad bin 'Allan al-Shiddiqi, *Dalil al-Fallihin Syarh Riyadl al-Shalihin*, Beirut: Dar al-Fikr, 2013, I, p.230.

just avoid the long pants during the prayer. Therefore if they wear long pants, they will fold them. In addition, they do not avoid extending the upper garment, even the clothes they wear are longer than the size of the clothes in general.

For Nahdliyyin, wearing pants during prayer can be said to be rare. Even for some of them, wearing pants while praying is taboo, it can even be used as an excuse to identify the wearer as not part of Nahdliyyin. But later the impression of the taboo began to disappear. It's just that the pants they wear are not as *cingkrang* as those worn by Albaniyyin. The back of the movement reappeared to wear a *sarung*, not only in religious, but also outside events. *Sarung* is identified as one of the physical characteristics of the santri.

Fourth, black brow. This is related to one of the verses, namely Surat al-Fath verse 29 which contains the characteristics of the companions of the Prophet Muhammad (PBUH), that one of them is the existence of prostration marks on their faces. The meaning of prostration marks on the face with black forehead is one of a number of meanings given by the interpreters. In addition to such physical meanings, there is also a meaning that is non-physical, namely cheerfulness and brightness of the face due to one's closeness to Allah Almighty. Apart from the possibility of such non-physical meanings, they choose to understand and practice physical meaning. So that the black forehead is part of their physical identity.

Maintaining the Moderation of Indonesian Islam

Although the contestation that took place between Albaniyyin and Nahdliyyin in the beginning was quite hard, it even had implications for the harsh daily interactions among them, but it did not last long. This is most likely caused by two important things. *First*, the character of Islam which from the beginning entered the Archipelago did prioritize moderation and tolerance. It was understood together that Islam came to the Archipelago peacefully. Although some say that this peaceful way is the only choice. Because it is not possible to use warfare, considering that the broadcasters are traders who are very small in number compared to the people, besides their low skills in fighting. But what needs to be underlined is the sophistication of the early Islamic disseminators in conveying Islamic teachings to the people who have established religion. Through a cultural strategy, the disseminators of Islam to the archipelago did not use radical methods, but in polite and moderate ways.

Second, the cultural capital of the Indonesian people who also prioritize harmony. This character of loving harmony is an inseparable part of Archipelago society. This value is also in line with Islamic values. So it is natural that Islam is easily accepted. Although some say, that Islam has been accepted by the people of the Archipelago is Islam that has been Javanesed. Therefore, until now there are still two growing schools. The first is the school that wants to bring the way of the people of the Archipelago to become as Islamic as the early Muslims. Because they consider that the preaching of the early propagators of Islam has not yet been completed. The second is the school which states that this is the model of the Islamic community of the Archipelago. Their Islamicism has been established, so there is no need for change.

The wise choice does not seem to be the first or second school, but by looking for the advantages of each. The Islamicity of the Nusantara community has indeed been established, but in certain parts that are not substantive it needs to be continually improved. The philosophy is that Islam always consists of two aspects, namely aspects of normativity and historicity.[1] In the two school above, the first is too dominant of

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[1]Amin Abdullah, *Studi Agama: Normatifitas atau Historisitas?*, Yogyakarta: Pustaka Pelajar, 2006

normativity, while the second is too dominant of historicity. Therefore, both aspects must be balanced. There must be a continuous dialogue between normativity and historicity.

In relation to the contestation of prayer, Muslims must continue to be aware of the aspects of normativity and historicity. The Albaniyyin must realize that there are aspects of historicity in prayer. The acceptance of the aspect of historicity will not reduce their enthusiasm for performing the prayer as practiced by the Prophet Muhammad (PBUH). In practice, some of them have begun to soften. For example, willingness to shake hands after prayer. Even though the Albaniyyin at the place of the Wahhabi Salafi emerged, the tradition of shaking hands after prayer was completely absent, because it was never practiced by the Prophet Muhammad (PBUH). Their reason is simple, namely that the shaking hand they have done is not part of the ritual prayer. Because the prayer ritual ends with *salam*. The prayer guide written by al-Albany also confirms the beginning of the prayer is *takbiratul ihram* and the closing is salam. Although there were also some who gave a new response, namely to avoid shaking after prayer, they shook hands before starting the prayer. Although they argued with the hadith about the suggestion of shaking hands when meeting each other, but if the hadith was interpreted as shaking hands before starting the prayer, it seems that it is not too excessive if it is called as a new *bid'ah*. In other words, there are some of them who try to avoid *bid'ah* with other *bid'ah*.

While for Nahdliyyin, the awareness to return to the essence of the teachings of the Qur`an and the Sunnah also increased. The *Kifayah al-Akhyar* they use as a reference contains the arguments of each readings and actions in the prayer. There are verses and hadiths, besides of course the opinions of the scholars. Although in some cases, the results could have been different between Nahdliyyin and Albaniyyin, but there was the same spirit, namely returning to the Qur`an and the Sunnah, specifically related to ritual worship.

The difference between the two is only related to the method of understanding. The understanding of the Albaniyyins, as confirmed by al-Albany itself, is textual understanding. Whereas Nahdliyyin, even though it cannot be fully referred to as a method of contextual understanding, but the way they understand more loosely, among others, by involving the 'ulama who were more qualified. This is the philosophy of their attitude to practice. The *Kifayah al-Akhyar* they used seemed to teach them, that the *taqlid* they were referring to was not blind, but *taqlid* which was balanced by their willingness to understand the arguments, or what they called *ittiba'*.[1]

Conclusion

The contestation of prayers between Albaniyyin and Nahdliyyin is similar to what Din Wahid called a challenging religious authority.[2] In this context, the Albaniyyin who were newcomers challenged established religious authorities, the Nahdliyyin. This contestation will cause a big problem if it is not anticipated and handled seriously by all parties. Because besides being driven by religious factors, socio-political and economic factors also play a role. Because of that, a continuous dialogue between the two parties is needed.

Through continuous dialogue between the two parties, it is hoped that the impact will be positive. First, the increasing of intellectual dynamics among Muslims. For Nahdliyyin, what has been taken for

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[1]Abdul Wahhab Khallaf, *'Ilm Ushul al-Fiqh*, Beirut: Dar al-Haramain, 2004, 25.
[2] Din Wahid, *Challenging Religious Authority: The Emergence of Salafi Ustadhs in Indonesia*, Journal of Indonesian Islam, Volume 6, Number 2, 2012, 245-264.

granted must be looked from the argument. They must begin to improve their qualifications from just *taqlid* to *ittiba'*.[1] For Albaniyyin, their confidence not to be bound by certain schools of thought must be balanced with sufficient religious scientific qualifications, ranging from mastery of Arabic, the sciences of the Qur`an, Hadith sciences and Ushul Fiqh. With deeper scientific mastery, their argument will be stronger. Second, increasing of awareness of the importance of maintaining unity in diversity. How fierce the contestation is, through continuous dialogue, they will both be made aware of the importance of maintaining and fostering a sense of nationality, especially if each also pays attention to a number of other countries torn apart due to internal conflict.

Albaniyyin as part of the Wahhabi Salafi in Indonesia has the potential to be different from the Wahhabi Salafi in the country of the origin. Namely the existence of awareness to maintain harmony and spirit of tolerance. In Indonesia, the Wahhabi Salafi has the opportunity to experience what is called indigenousism. Namely the entry of the character of the Indonesian nation, which is not existing in their home country. If this happens, the contestation of prayer, including contestation in other religious fields, will not have a negative impact.

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⸺, *Silsilah al-Ahadis al-Dla'ifah wa al-Maudlu'ah*, Beirut: al-Maktab al-Islami, 1985.

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⸺, "Nurturing Salafi Manhaj: A Study of Salafi Pesantren in Contemporery Indonesia." *Wacana* 15, no. 2 (2014): 367–76.

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[1] Abdul Wahhab Khallaf, *'Ilm Ushul al-Fiqh*, Beirut: Dar al-Haramain, 2004, 25.

Agenda Setting Islamic Issues and Politics in Public Elections of Candidates Presidents and Candidates for Vice Presidents in Indonesia 2019

(Second Level Agenda Media Agenda, Public Agenda and Social Media Agenda)

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Abstract

Fighting issues in virtual world information network content is so tight on the political in Indonesia. Political information in Indonesia with Islamic issues is considered capable to boosting electability and winning elections for presidential and vice presidential candidates in Political Indonesia for 2019. This research aims to measuring agenda setting issues Islamic political issues in the election of candidates for President and vice president in Indonesia for 2019. It is clear that pushing the issues of the choice of Islamic themes is more likely to be used by practical political players in Indonesia today.

The theoretical study of this research is political communication with Islamic themes. The grand theory is the Agenda Setting theory of Maxwell Mc Comb and Shaw. More over McComb and Shaw clearly divided the agenda setting into 3 models, that are mass media agenda, public/audience agenda and Government agenda. The mass media agenda is to understand interests of the mass media agenda behind operating content. While the public agenda or audience is to find out what is public thought for anything for; readers, viewers and listeners response to the information content. The Government Agenda is the issue of Government talks behind outstanding content.

This research method is positivistic by processing quantitative data. Independent variable of this research is the mass media agenda and the modifications this research are adding to the social media agenda because it is understood that digital content is also controlled by social media. The dependent variable of this research is the public/audience agenda. The mass media agenda taken from news websites by using search engine (Google) with political and Islamic keywords, then 12.000.000 content is found but only 526 information content is processed. Unlike that information content from Tweeters using the

hashtag #saveourdemocracy netted 546 information contents. For the public/audience agenda carried out by distributing questionnaires to 100 respondents on a campus in Jakarta.

Findings research show that there is average relationship between the mass media agenda and the public/audience agenda. Likewise, there is relationship between the public/audience agenda and the social media agenda. However between the public/audience agenda there is no relationship with the social media agenda. Of the three agenda settings, the most powerful is the mass media agenda (pages/website). The issue that is most highlighted in the information content of political communication is questioning Ulama in the political arena in Indonesia.

Keywords: *agenda setting, political Cmmunication, virtual digital, social media*

Introduction

Internet network has come to human life and changes people behaviour in any situation. Originally people considered the most important element in this world was social capital. In the virtual digital era information be a important thing for human activity and interactivity each other, that's show information becomes social capital. Information becomes so important for the information society in the digital cyber era. With capital information humans interact with each other without being limited by territorial, political, legal and cross-cultural boundaries.

The existence of internet-based smart phones, the connection of people to each other is easier so that the power of interaction becomes powerful with each other. This is the real power that the information society has in today's digital cyber era. [1] In the beginning of the existence of the internet known as the basic principles of humans connected to one another as a powerful force in human civilization. In the next stage, humans enter an addiction situation using social media with the basic concept of people increasingly interacting with each other with the basic principles of sharing information.

It is happened because the rapid changes in mass media and human communication channels, especially the development of media convergence. The mass media convergence process allows the media to embed together with one another which was originally analogous to digital with the implementation of binary principles in electronic media. Changing in communication media presents multimedia in the life of mass communication and telecommunications in the world.

Multimedia has the reliability of presenting hypertext technology which causes human communication media to converge with one another in the same format. Multimedia allows communication media to be able to appear in the same form. Furthermore this change has led to ease in media production and storage. The biggest issue with this new era is the loss of ownership of information content that was once dominated by industry giantsnews and information networks. Ownership has been returned to the public as users of information. Awareness of the loss of private ownership raises the concept of open access to access to information content. It is this information disclosure that was previously discussed in the concept of information democratization in the information society. Unfortunately the application of information democratization has always been identified with the emergence of new Marxism, so that people who are traumatized by communist and Marxist ideologies are reluctant to implement it.

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[1]Lon Safko. *the Social media bible: tactics, tools & Strategies for business success*. 3rd.ed. New Jersey : John Wiles, 2012, 21

The giant bankruptcy of the news network has occurred everywhere, and this indicates that the practice of information sharing is indeed happening and this is the actual application of information democratization. in the digital cyber era, the existence of information cannot be owned alone, ownership is controlled by the community through existing communities.

In future community strength becomes a new awesomeness in the information society. Therefore, it is mentioned that the resurrection of the community in the concept of groups in society becomes real and the next person will be grouped according to the same interests and goals in the information society. The presence of Facebook signifies a new era of community strength in the internet network through social media. There is a shift in the orientation of information fulfillment that originally relied on conventional mass media as a reference to change to information and social media portals. the workings of anarchist principles with no strong control by the State on social media cause deviant practices to emerge, such as; hoaxes or fraud against the contents of content circulating on social media. In order to protect the rights of the state, the state began to impose a number of rules governing this, such as the ITE Law and the Press Law in controlling the content of information in the same interests, namely the context of State security. Fighting that has objectivity values from the content of information continues to perpetuate the strength of its mainstream mass media that are transformed as digital (online) in an effort to reap profits in an effort to be a reference to the existing context of trut, the context of State security.

The main issue of the current cyber digital era is the value of objectivity of information content. The mainstream mass media that is transformed into digital (online) seeks to be a reference to the context of truth. How to dominate information is important in today's digital cyber era. The dominate of information by the giant industrial power of existing information networks still occurs with the mastery of big data of people. This dominance of giant industries has become the central issue of the mass media's partiality in the political world in Indonesia. This dominance led to the confusion of information in the political world in social media. There are a lot of criminal acts took place on social media channels because the presumption was that there were no rules for using the device.

Disputes between camps in the Presidential Election are so strong. a number of riots and political chaos shows the dynamic world of political communication in Indonesia. The condition shows the high awareness of the Indonesian people towards the world of politics and shows the realization of a democratic society in the life of the nation and state. But on the other hand it shows fear of divisions and major conflicts that can occur amidst political disputes. Here we need an attitude of maturity and wisdom from all parties in addressing the development of the political world in Indonesia.

Many issues of Islam are circulating in the political world. The 2019 president and vice presidential election shows that the issue of Islam cannot be separated from politics and even enters into a global political contest.There are relations between political Islam and the international relations.[2] There was an attempt to fight against Muslims in politics by certain parties in Indonesia ahead of the 2019 presidential election. The element of national unity and unity was threatened and this was seen by the circulation of political issues ahead of the presidential election. Therefore it is interesting to see the battle of issues that exist on the internet network as well as on news and content on social media networks.

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[2] Sami Al Khazendar. "Political Islam Movement and International Relations: the Concept and the Practice," Proceeding EUI RSCAS, 2009, 47

Research Problem

Escalation in information technology, mass media, information and social media have changed the face of politics in Indonesia. Islamic issues are central to political disputes. This study wanted to find out whether there were conformities in the measurement of the agenda of internet network media settings in Indonesian political life, especially for Islamic issues. This research examines compatibility between the media agenda which is a representation of agenda made by online mass media, the social media agenda or talk on social media that becomes viral or top trending by nettizen, as well as measuring the public agenda about what the public is gossiping about their daily lives?

Literature Review and Theoretical Perspectives

Similar research reviews the agenda setting on Islamic issues, but more on the second level agenda.[3] The difference is that research is to see news effects from the coverage of news and changes in silence to actual effects on people's opinions and behavior. The study also looked at the relationship between the coverage of the news and the agenda of news settings. Unfortunately the research only saw two agendas, only for the media agenda with the public agenda. On the other hand, this study examines 3 agendas, namely; media agenda, public agenda and social media agenda.

The addition of the social media agenda in this study is considered an important breakthrough especially in the interests of incidental information exposure through social screening in the digital era.[4] This study investigates whether mainstream media can influence the public agenda when channeled through social media. The use of the social media agenda has become an important breakthrough in further research on the agenda of mass media settings. This research does not explicitly establish a stand-alone social media agenda, but rather part of the media agenda. Research innovation setting agenda using analysis of social networking applications is an advanced exploration of research agenda settings. Interrelationships ability among objects and attributes both in the media agenda and public agenda.[5] This study seeks to find a second level agenda setting, which is to look at the similarity of the media agenda with the public agenda as well as the social media agenda. At first the research agenda setting was more focused on political issues, for example the case of watergate scandal.

The mass media have the ability to transfer the salience of issues on their news agenda to the public agenda. Media act as a mediator between the world outside and pictures in our heads.[6] Agenda setting theory is in the study of the effects of mass media on human behavior. Therefore, the research agenda was prioritized for the effect of mass media in concentrating attitudes and public opinion, especially voters in elections in the 1940s. Creating pictures in our heads which were then conceptualized in empirical testing in the 1960s. This is a development after 20 years of this theory.

The research agenda setting examines the measurement of conformity between salience issues in the mass media, the public and the government. Study agenda setting consists of measuring media agenda,

[3]Brian. J. Bowe, Shahira Fahmy and Wayne Wanta. "Missing Reliogion Second Level Agenda Setting and Islam in American newspapers. *International Communication Gazette* 75 (7); 636-652, November 2013.

[4]Jessica T. Feezel. Agenda Setting through social media: the Importance of Incidental News Exposure and Social Filtering in the Digital Era. Political Research Quarterly, December 26, 2017

[5]Lei Guo. "The application of Social Network Analysis in Agenda Setting Research: a methodological Exploration". Journal of Broadcasting & Electronic Media, volume 56, 2012 – issue 4.

[6]Maxwell Mc Comb and Donald Shaw in Em. Griffin, "Agenda Setting Theory," in Griffin, EM (2009). *a First look at communication theory*. 7th.ed. Boston : Mc Graw Hill, 2009, 359.

public agenda and government agenda. But in classical studies measurement is only carried out at level of media agenda and public agenda.[7] Agenda setting studies use multiple factors or images in the minds of the public. Humans tend to only see and read information and news at a glance in accordance with trust in him. This shows the strength and freedom of humans in choosing, sorting, and receiving messages conveyed by the mass media. What people should think about, and the process of the media agenda in fact have implications for the role of mass media at the social level and the transmission of culture.[8]

Agenda Mass media settings are divided into two levels. at the first level it seeks to build public issues that are considered important by the public. At the second level determine aspects of the general issue that are considered important by the public. The second level tells how to frame issues, or framing issues that are on the media agenda and also on the public agenda. This level of conformity is very important to test the existing agendas and more to people's attitudes.[9]

Method

This research implements positivistic paradigm using quantitative data processing methods. Measurement of research is by processing statistical data to test the proposed hypothesis. Research studies are in the theory of the effects of mass media in the study of communication. It was understood that mass media studies discussed the effects of the presence of information, the continued behavior of humans that could be given after exposure to mass media exposure.

In this research, 3 variables are used to test the working hypothesis. First is the mass media agenda, in this research the media agenda is taken on the agenda of news issues from cyber media (online media). Using the search tool http://www.google.co.id with political and Islamic keywords, then 12.000.000 content is found but only 526 information content is processed. All data findings are processed using a factor distribution of ability issues and tone of Islam issues.

Second is the public agenda variable. This section will be divided into several factors; gender, ages, issues, tone Islamic issue. The implementation of the public agenda research by conducting a questionnaire survey of 100 people in the adult category and they are the academic community of a campus in Jakarta. The distribution of the questionnaire was carried out to find out the attitude of choosing voters towards their political picture going forward especially on Islamic issues.

Similar to the previous agenda on the social media agenda seen is the Islamic Issues and tone Islamic Issues. Measuring the social media agenda is a new breakthrough in agenda setting research. The use of the social media agenda is able to know the behavior and subsequent actions of the public after knowing the information from the mass media, and demonstrating their participatory values towards the revolving of existing issues.

Result **and Discussion**

This research was conducted in 3 stages; the media agenda by measuring the news circulating in the virtual digital world, then also monitoring content on social media in this research twiitter especially those

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[7]Maxwell Mc Comb and Donald Shaw in Em. Griffin, "Agenda Setting Theory," in Griffin, EM (2009). *a First look at communication theory*. 7th.ed. Boston : Mc Graw Hill, 2009, 362.

[8]Ilham Prisgunanto. Komunikasi dan Polisi 3.th.ed: Community, Citra, Bias Selebritas, Digital . Jakarta : Prisani Cendekia, 2015, 147.

[9]Guy Golan, Spiro Kiousis and Misti L. McDaniel. Second-Level Agenda Setting and political advertising. Journalism Studies 8 (3): 432-443, June 2007.

that discuss political and Islamic issues. Then proceed with measuring the public agenda by distributing questionnaires to the adult public who are considered to have voting rights as voters. The questionnaire was distributed to the campus academic community in Jakarta as many as 100 people. The distribution of the questionnaire was carried out for 3 months.

Media Agenda

Media agendas always talk about and design mass media at the level of life. The media agenda in research conducts searches on internet networks for special cyber media in the internet. Media discuss and design mass media on an issue. The media agenda in this study was carried out by doing a spell on the internet network for cyber special media.

Islamic Issues

Table 1 - Islamic Issues in Mass Media (Cyber Media)

Any Islamic Issues

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ulama/Theologian	339	64,4	64,4	64,4
	Islamic Party	21	4,0	4,0	68,4
	Islamic Cultural	60	11,4	11,4	79,8
	Islamic Leader (Sosok)	45	8,6	8,6	88,4
	Islamic atribute	61	11,6	11,6	100,0
	Total	526	100,0	100,0	

Image 1 – Islamic Issues in Cyber Media
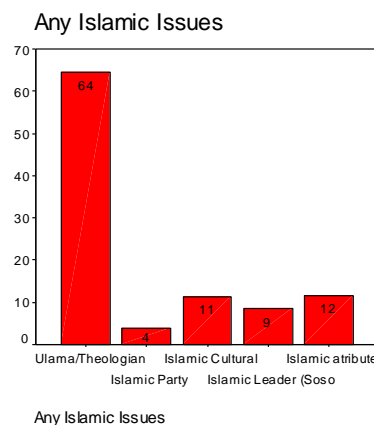
Table 1 shows, it can be seen that dominant issue that dominates cyber mass media is about the clerics who talk about it (64%). While the second issue of news that stands out is that those who talk about Islamic attributes have 61 news that talk about this (11.6%). While the news that addresses issues about Islamic culture is only 60 news (11.4%). News issues about Islamic leadership are also small, only 45 news (8.6%) and the smallest issue is about Islamic parties, only 21 news (4%). It is clear that the issues that dominate cyber mass media are those that talk about scholars rather than other elements.

The figure of Islamic leadership is not seen separately from the ulama because it differs between ulama and leadership in government. Thus it is clear that the issues that dominate cyber mass media are those that talk about scholars rather than other elements. The figure of Islamic leadership is not seen separately from the ulama because it differs between ulama and leadership in government. It is clearly seen that the issues that dominate cyber mass media are those that talk about scholars rather than other elements. The figure of Islamic leadership is not seen separately from the ulama because it differs between ulama and leadership in government.

Tone News Assessment of Islamic Issues According to Respondents

Table 2 – Tone News Assesment of Islamic Cyber Media Reporting

Islamic Tone

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Positif	138	26,2	26,2	26,2
	Netral	98	18,6	18,6	44,9
	Negatif	290	55,1	55,1	100,0
	Total	526	100,0	100,0	

Image 2 - Tone News Assesment of Islamic Cyber Media Reporting

Islamic Tone
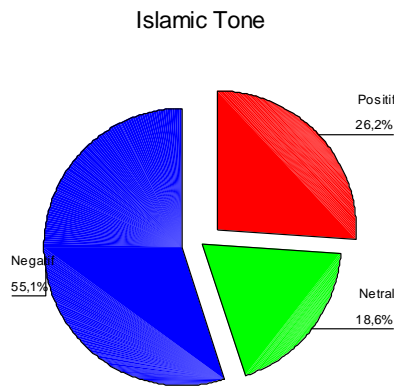
Table 2 shows that the assessment of the issue of Islam in special political reporting on the presidential and vice presidential elections has many negative judgments. Seen there are 290 news (55.1%) that judge negatively about the issue of Islam in elections. For a positive assessment there are 138 news (26.2%). While the neutral rating is 98 news (18.6%). Thus it is clear that more news in online media is negatively assessing Islamic issues. As a result the figure of Islam in the political stage in Indonesia tends to be worse and less able to be an attempt to increase electability of elections.

Islamic Issues in Social Media Agenda

Table 3 – Choice of Islamic Issues in Politics on Social Media

Any Islamic Issues

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ulama/Theologian	54	9,9	9,9	9,9
	Islamic Party	16	2,9	2,9	12,8
	Islamic Cultural	51	9,3	9,3	22,2
	Islamic Leader (Sosok)	357	65,4	65,4	87,5
	Islamic atribute	68	12,5	12,5	100,0
	Total	546	100,0	100,0	

Image 3 - Choice of Islamic Issues in Politics on Social Media

Any Islamic Issues
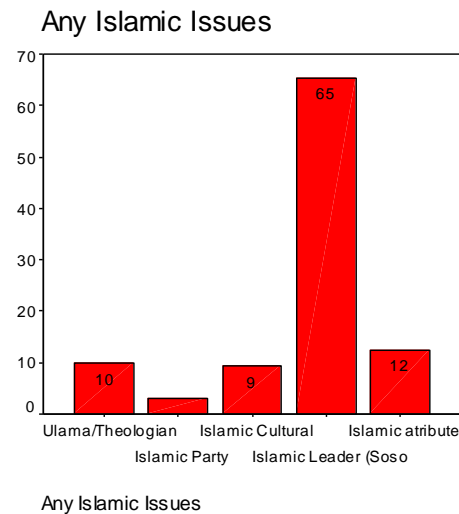
Table 3 shows the dominant issue discussed on social media is around Islamic leadership, there are 357 content (65.4%) discussing this issue compared to other issues. The second issue that is widely discussed is about the use of Islamic attributes in the presidential and vice-presidential elections in Indonesia, there are 68 pieces of content (12.5%) which mention this. Whereas for the third issue that is often discussed about Ulama there are 54 content (10%) which mention this issue. The fourth issue that is often discussed in social media tuitan is about Islamic culture with 51 content (9%). Finally, there are 16 issues regarding Islamic parties (2.9%).

From these findings it is clear that the social composition of the media discusses issues similar to the public agenda which puts the issues of leaders in the government that are dominant in Islam. The findings mention the search for netizens for the ideal and strong Islamic leadership figure for State Government.

This power that can be used to measure the barometer of leaders' issues in Indonesia is still considered an effort to support the Indonesian nation to be better.

Islamic Issues in Social Media

Table 4 – Islamic Issues in Social Media

Islamic Tone

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Positif	112	20,5	20,5	20,5
	Netral	89	16,3	16,3	36,8
	Negatif	345	63,2	63,2	100,0
	Total	546	100,0	100,0	

Image 4 –Islamic Issues in Social Media

Islamic Tone
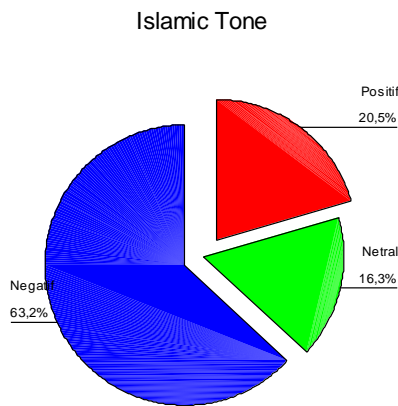
Table 4 show that the assessment of non-citizens on social media about Islamic issues in the Election of the President and Vice-President in Indonesia has many negative answers, there are 345 content that speak so (63.5%). The second most content is that there are 112 positive content (20.5%) while the content that judges neutral is 89 content (16.3%). From these findings, it was explained that a negative assessment of the figure of Islam was so dominant in the election of the President and Vice President. Understanding this content in social media should not be taken seriously because it will more negatively answer these issues.

This tendency will bring the finding that Islamic issues have begun to be negatively responded by nettizens in the election arena. The possibility that this will continue and will further deteriorate the choice of trust in voters if Islamic issues are still used it will reduce the electability of the candidate.

Table 5 – Gender

GENDER

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Man	81	81,0	81,0	81,0
	Women	19	19,0	19,0	100,0
	Total	100	100,0	100,0	

Image 5 - Gender

GENDER
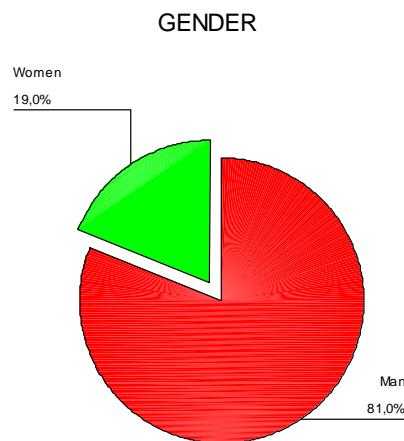
Table 5 show that in this survey the most respondents were male, there were 81 people (81%) who answered this survey. While the rest are women, there are 19 people (19%) who answered this survey. This condition shows that indeed political affairs are dominated by the world of men rather than women. Gender dominance in this survey research shows how powerful the patriarchal world is in the world of politics rather than femininity.

Age of the Respondent
Tabel 6 - Responden's Age

Age?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	<17 tahun	1	1,0	1,0	1,0
	18-25 tahun	52	52,0	52,0	53,0
	26-32 tahun	42	42,0	42,0	95,0
	33 tahun >	5	5,0	5,0	100,0
	Total	100	100,0	100,0	

Image 6 – Responden's Age

Age?
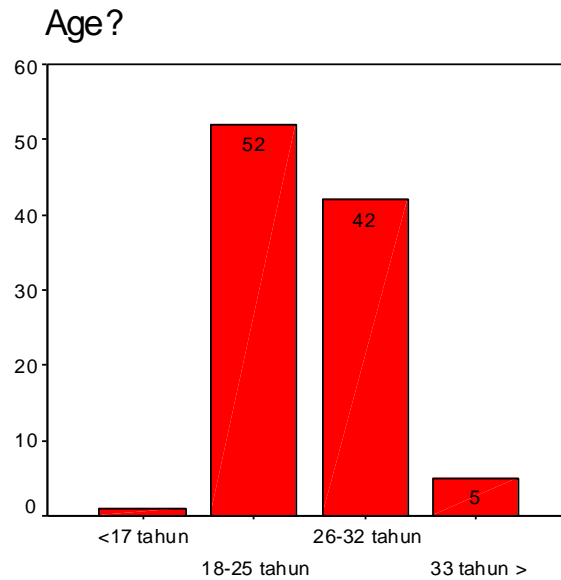
Age?

From table 6 show that the majority of respondents in the public agenda research are those aged 18-25 years, there are 52 people (52%). In contrast, the second largest respondent was in the age range of 26-32 years, 42 people (42%). For the third place, there were 5 people aged 5 years old (5%). While those <17 years old there is 1 person (1%). Thus it is clear that those who answer the survey on the public agenda in this study are those who are mostly voters in elections and have the right to use their votes.

Islamic Issues

Table 7 – Choice of Islamic Issues in the Public Agenda

Any Islamic Issue

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Ulama/Theologian	37	37,0	37,0	37,0
	Islamic Party	18	18,0	18,0	55,0
	Islamic Cultural	3	3,0	3,0	58,0
	Islamic Leader (Sosok)	42	42,0	42,0	100,0
	Total	100	100,0	100,0	

Image 7 – Choice of Islamic Issues in the Public Agenda

Any Islamic Issue

Any Islamic Issue
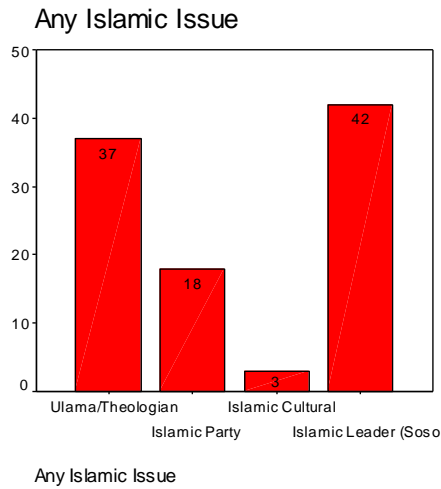
From table 7 shows that the most dominant issue discussed on the public agenda is questioning the Islamic leadership, there are 42 people (42%) who answered this. The second biggest issue is about Ulama, 37 people (37%) answered this. While those who discussed the issues of the Islamic party were only 18 people (18%). For Islamic cultural issues there are 3 people (3%) who answered this. Thus the issues circulating in the public discussion are mostly about Islamic leadership, the longing for the presence of competent and competent Islamic leaders to be the main topic of filling the space in the 2019 presidential election.

Tone Public Assessment of Islamic Issues

Table 8 – Tone Public Assessment of Islamic Issues

TONEISLA

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Negative	27	27,0	27,0	27,0
	Neutral	56	56,0	56,0	83,0
	Positive	17	17,0	17,0	100,0
	Total	100	100,0	100,0	

Image 8 – Tone Public Assessment of Islamic Issues

TONEISLA

Positive
17,0%

Negative
27,0%
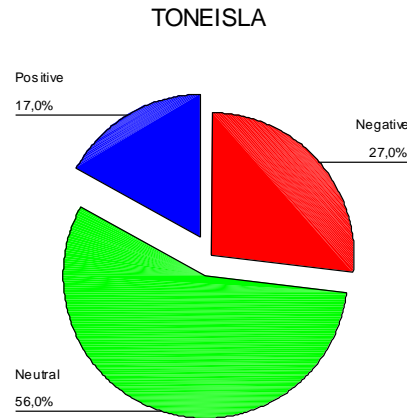
Neutral
56,0%

From table 8 show that the public assessment of the discussion of Islamic issues in the political elections of the President and Vice-President most answered neutral 56 people (56%). Likewise, there were 27 people (27%) who answered the assessment of negative conversations. There is a positive answer that answers 17 people (17%) who rate this. This means that indeed the assessment of Islamic issues was indeed responded neutral by respondents.

Measurement of Agenda Setting Islamic Issues in Politics

Table 9 – Measurement of Agenda Setting Islamic Issues in Politics

		AGPUBLIK	*AGMEDIA*	*AGSOSMED*
N	*Valid*	*100*	*526*	*546*
Mean		*2,5633*	*2,5887*	*2,4969*

Image 9 – Measurement of Agenda Setting Islamic Issues in Politics

Agenda Setting Rating in Internet
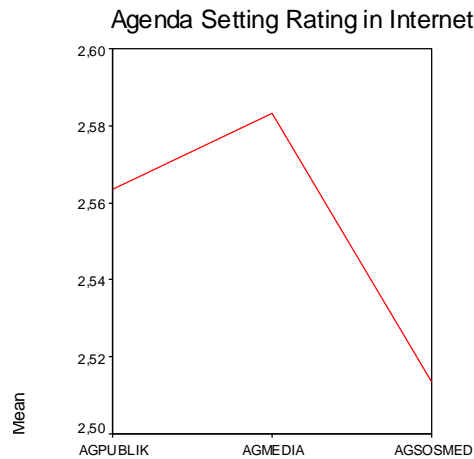
In the measurement of agenda setting there are 3 variables which are measurement factors for agenda setting; media agenda, public agenda and social media agenda. Of the three agenda factors, it will be seen from the mean value in each variable. From the table it appears, that:

Publik Agenda mean (2,56).
Media Agenda nilai (2,588)
Sosial Media Agenda (2,496)

These results indicate the highest variable in the measurement agenda setting is the average value for Agenda Media (2,588) while the smallest is the Social Media Agenda (2,496). This shows that the Media Agenda is so dominant in controlling the issues of Islamic politics in the election arena of the President and Vice President in Indonesia. Concerns on the Social Media Agenda will dominate Islamic issues in the politic is denied in this research.

Test Hypothesis
Measurement Agenda Setting
Table 10 – Measurement Agenda Setting

Correlations

		AGPUBLIK	AGMEDIA	AGSOSMED
AGPUBLIK	Pearson Correlation	1	,667**	,004
	Sig. (1-tailed)	.	,000	,484
	N	100	100	100
AGMEDIA	Pearson Correlation	,667**	1	-,161**
	Sig. (1-tailed)	,000	.	,000
	N	100	526	526
AGSOSMED	Pearson Correlation	,004	-,161**	1
	Sig. (1-tailed)	,484	,000	.
	N	100	526	546

**· Correlation is significant at the 0.01 level (1-tailed).

From table 10 shows the bivariate hypothesis testing for each variable, both the Media Agenda, the Public Agenda and the Social Media Agenda. In the research agenda the measurement setting is done by looking for conformity between the variables in question. From there you will see which variables have strong relationships with each other. With these strong measurements will show closeness and compatibility between one agenda with another agenda.

Strength of Relations/Correlation Between Variables:
- Correlation between Mass Media agenda and Public Agenda, Pearson r value = 0.667 and p value of 0.000 because this value is <0.05, it can be said that the strength of the relationship is in the H1 region with the rejection of H0. Then it can be said there is a relationship between the two. Pearson r value = 0.667 (67%) falls into the strong category. There is clearly a strong relationship between the Mass Media agenda and the Public Agenda.

- Correlation between Mass Media Agenda and Social Media Agenda, r Pearson value = - 0.161 with p value of 0,000 because this value is <0.05, it can be said that the strength of the relationship is in the H1 region with rejection H0. Then it can be said there is a relationship between the two. Pearson r value = -0.161 (-16.1%) falls into the weak and inverse category. Obviously there is a weak relationship between the Mass Media agenda and the Social Media Agenda with an inverse relationship, the more mass media touting information is more negatively responded by nettizen specifically for Islamic issues in Certain hastag.

- Correlation between the Public Agenda and the Social Media Agenda, r Pearson value = 0.004 with p value of 0.484 because this value is> 0.05, it can be said that the relationship between these variables is in the H0 region with H1 rejection. Then it can be said there is no relationship between the two. So clearly there is no connection between the Public Agenda and the Social Media Agenda specifically for Islamic issues in Certain hastag. It is understandable that what is discussed in social media will not relate to the public agenda on Islamic issues in this election politics in Indonesia.

Discussion

This study shows that there is a moderate relationship between the media agenda and the public agenda, especially in assessing the issue of Islamic politics in the 2019 presidential and vice presidential election. This finding is similar to similar research on the agenda of setting on Islamic political issues that have been done before. However, the suggested little support for agenda setting attributes is a medium of attributes linked to the 'object' of Islam. Formation around the world of politics in the context of Islam has a moderate relationship and almost certainly has less contribution in shaping the agenda of political settings.

In this study it was also seen that the issue of leadership in Islam was so strong in discussing the agenda of setting the issue of Islam in politics. The introduction of Islam about leaders is so strong in shaping the political world that exists in the context of the country. There is a strong relationship talking about the agenda of the political setting with the religious aspects that exist in society.

In this study it was also seen that the issue of leadership in Islam was so strong in discussing the agenda of setting the issue of Islam in politics. The introduction of Islam about leaders is so strong in shaping the political world that exists in the context of the country. There is a strong relationship talking about the agenda of the political setting with the religious aspects that exist in society.[10]

Meanwhile this research shows that there is no relationship between the public agenda and the social media agenda. This finding shows that social media cannot be used as a reference in making choices and what they will think about certain issues, especially about Islamic issues in politics. The chaos that exists on social media does not necessarily affect what is on the agenda of the public mind. This is consistent with similar research, indicating that social media facilitates the contribution of individuals in influencing agendas. Much research mentions the level of influence of the social media agenda only at the individual level rather than the broad group or public. Thus it is clear that this study shows that there is still a distrust of voters to use social media to be their main reference in choosing in the Presidential and Vice President elections in Indonesia.

The development of the social media agenda is important because it is indeed a shift from the function of the agenda setting itself. The agenda setting needs to be relocated to the public agenda is taking

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[10] Bar-Ilan Tsuriel Rashi. Agenda Setting, Religion and new media: Chabad Case Study. Journal of Religion, Media & Culture, volume 4, Issue 1 (2015)

a central stage through the new /social media. Thus, it implies, the agenda setting model can be extended or remodeled to include the new/social media due to their influence on the public agenda. Once the importance of the social media agenda into the development of agenda setting research is clearly mentioned in research that has been done and is useful as the sixth function of the development of agenda settings. The sixth category investigates the function of the agenda - process settings in social media and the Internet. More recently, research has examined visual agenda-setting and the third level of the agenda-setting effect. [11]

In this finding, the mass media agenda with the social media agenda has an inverse or conflicting relationship in understanding the existing content. Assumptions show that the social media agenda will respond inversely to the mass media agenda, and vice versa. This condition fits almost the same as mentioned in previous research which shows that there is indeed a relationship and compatibility between the media agenda and the social media agenda, which in this case indicated by the existence of the blog. the Tech coverage on traditional media coverage and not vice versa. There are tests that have strong positive and significant correlations. [12]

Domination on the agenda remains on the mass media agenda for special political and Islamic issues. These findings indicate that the agenda of mainstream mass media and cyber media is still consumed and heard by the public as their main reference in determining attitudes in the election of the President and Vice President. Whereas the public agenda also remains their benchmark for giving choices in the presidential and vice-presidential elections. Although the era has used a lot of smart telephone devices, it is still heard in political issues by the public. In contrast, the smallest content in social media is a public concern in determining the choices in the Presidential and Vice President elections. Domination on the agenda remains on the mass media agenda for special political and Islamic issues. These findings indicate that the agenda of mainstream mass media and cyber media is still consumed and heard by the public as their main reference in determining attitudes in the election of the President and Vice President. Whereas the public agenda also remains their benchmark for giving choices in the presidential and vice-presidential elections. Although the era has used a lot of smart telephone devices, it is still heard in political issues by the public. In contrast, the smallest content in social media is a public concern in determining the choices in the Presidential and Vice President elections.

Conclusion
From this research, it can be concluded as follows;

There is a relationship in the normal category between the media agenda and the public agenda, this shows that there is indeed a conformity and similarity between the public agenda or what the public has discussed or thought with what is described in reporting Islamic issues in Indonesia, especially during campaign period for the 2019 President and Vice President elections.

The measurement of the relationship between the public agenda and the social media agenda is clearly seen especially in the discussion of Islamic issues. The relationship is reversed or opposite to one another. It is understandable that what is discussed and in the public mind is contrary to what is discussed

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[11]Wayne Wanta and Mariam Alkazemi. Agenda-Setting: History and Research Tradition in book International Encyclopedia of Media effects. Patrick Roosler (Editor in Chief) Cynthia A Hoffner, and Lisebet van Zoonen (Associated Editor). New Jersey : John Wiley & Son, 2017.

[12]Nirit WEiss-Blatt. Tech Bloggers Vs Tech Journalist in Innovation Journalism. ECSM 2016-Proceeding of the 3rd European Conference on Social Media, 415-422

in social media. Thus it is clear that social media sometimes overreacts to Islamic issues and even tends to be frontal opposite.

In measuring the agenda setting in looking at Islamic issues in information content on the internet network, it can be seen, the media agenda or what is discussed by mass media (cyber media) is so dominant and special public attention compared to other agendas, such as; public agenda, social media agenda. The strength of mass media is still dominantly affecting what the public thinks of Islamic issues in the political world in Indonesia.

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Islam and Moderatism: Polemics of Marriage Law, Unmarital Children and the Formulation Based on the Principle of Justice in Indonesia

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Abstract

This study aims to find a marriage law product, a unmarital child of a moderate and the novelty of its formulation based on the principle of justice in Indonesia. Article 29 of the 1945 Constitution and Article 3 paragraph (1) of Law Number 1 of 1974 which states that: "In principle in a marriage a man may only have a wife. A woman can only have a husband" is moderate. Constitutional Court Decision Number 46/VIII-PUU/2010 which makes a *sirri* marriage and his child to be unmarital child is a non-moderate. The novelty of an ideal legal formulation based on the principle of justice in Indonesia, namely the rule of law under the 1945 Constitution which refers to Article 29 of the 1945 Constitution must also be moderate.

Keywords: *Marriage* ; *Unmarital child* ; *Moderate* ; *Justice*

Introduction

The *Sirri* marriage is the scourge of women and children resulting from the marriage. Protection of the two is a national and international concern. Because women and children become affected or get the most damage due to *Sirri* marriage. This did not stop at one time but continued and followed where Islam was grounded. However, Islam itself is moderate.

Pros and cons of coloring the sirri marriage.

The pro opinion argues *Sirri* marriage follows the law of Allah SWT so that human law may not make their own rules. It is also reasonable to prevent *freesex* and prostitution, but the author of the principle of *freesex* and prostitution occurs because the bad moral of the ovender has nothing to do with the presence or absence of *Sirri* marriages. Whereas contra opinion views are grounded in gender equality, the writer here does not supporting any gender. The search for the actual meaning in accordance with the text is more important the reason for this research. Do not let *Sirri* marriage actually become a hidden form of colonialism in the field of religion that can destroy Islam itself due to lack of religious knowledge and after studying religion especially Islam is trapped in the discourse of *Sirri* marriage.

Government regulations that apply strictly and pay little attention to aspects of religion and sociology of society often lead to new problems. In Indonesia, marriage is regulated in Law Number 1 of 1974 concerning Marriage. [1]However, the author's polygamy can not be said to accept. Several other writers stated the same thing. For this reason, this research was conducted considering that polygamy gained momentum with the *Sirri* marriage.

Polygamy Licensing Data in Indonesia can be observed in the table, as follows:

Year	Applicant	Granted
2004	1016	800
2005	989	803
2006	1148	776

Source: Ditjen Bimas Islam[2]

Kharlie in essence explained that according to the data almost 80% of applicants for polygamy licensing were granted by the panel of judges in the religious court. He later stated that polygamy was the highest factor in divorce in Indonesia.[3]

Previous research has found that since the reforms in 1998 a variety of new religious ideas have emerged which have debated several issues on liberalism, fundamentalism and moderateism. The study of moderate Islam in Indonesia has gained momentum by searching its foundations in pesantren. Most of them study about moderate Islamic culture in Indonesia through tracing the history of Islamic development from Sufi figures in the Middle East to Walisongo and the manifestation of their teachings in the pesantren.[4] Moderatism has become an important issue since the emergence of the ideas of fundamentalism, radicalism, and even terrorism which are of concern both nationally and internationally.

The importance of this research is that whether or not a search for moderate legal products has anything to do with moderate Islamic character. This effort was made to avoid rules that are far from Islam so that marriage life can really become a worship and a reward field while preventing human damage from understanding wrong creeds .

The phenomenon that exists in the name of Islam gives rise to thoughts that trigger new understanding. Demarcation nationalist may lead to secular and religious may lead to the fundamentalist, radical and even from the political side makes a terrorist.

A problem arising from differences in perspective between reason and revelation, *habluminallah* and *habluminannaas*, creed and muamalah gave rise to regulations that never pulled aside for

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[1] Bgd. Armaidi Tanjung, Free Sex No, *Nikah Yes*, Jakarta: Amzah, 2007, 202

[2] Ahmad Tholabi Kharlie, *Hukum Keluarga Indonesia*, Jakarta: Sinar Grafika, 2015, 320

[3] *Ibid*

[4] Syamsun Ni'am, "*Pesantren:* The Miniature of Moderate Islam in Indonesia", *Indonesian Journal of Islam and Muslim Societies*, Volume 5, Number 1 (June 2015): 111-124.

the sake of realizing *baldatun thoyyibatun ghaffur*. Whereas the moderates themselves, which are the middle ground between nationalists and religions, are dragged into the secular area and even depart from religion. Political study and legal philosophy on Article 29 paragraph (1) of the 1945 Constitution is interesting to do especially if it is associated with marriage law products and unmarital children. This research has never been done by researchers before. This study aims to find the laws of marriage, unmarital children moderatism and novelty formulation is based on the principle of justice in Indonesia .

Reason, revelation, and moderate

Intellect that permeates the entire universe is considered as the basis of law and justice by the *Stoics*.[5] Natural law can always be recognized through out human centuries, because it is a human effort to find the ideal law and justice.[6] This idea emerged from the idea of Thomas Aquinas who was influenced by the teachings of Aristotle. Aristotle also sought to discover values by the application of reason. These ideas are to be found in our human nature rather than in external transcendent values.[7] This is the concept of reason and revelation according to the west from the point of view of natural law. The basic difference of revelation from the west is related to non-muslim religions. Whereas the revelation which became the main source of the Indonesian people was related to the majority of Indonesian people based their activities on the teachings of Islam.

The concept of reason and revelation experienced dichotomy and do not stop being debated also in middle east countries. Revelation and reason bring their followers to the two poles with various naming that face each other and as if they cannot be united. Revelation with the absolute will of God and reason with freedom to act as human beings who are able to act rationally. *First*, Qadariyyah with Jabbariyah.[8] *Second*, Mu'tazilah with Ash'ariyah. Between Mu'tazilah and Ash'ariyah there is a mediator Maturidiyah. But this Maturidiyah in his journey was divided into 2 namely Maturidiyah Samarkhan and Maturidiyyah Bukhara. Maturidiyah Smarkhan is closer to Mu'tazilah and Maturidiyah Bukhara is closer to Ash'ariyah.

The context of Islam in Indonesia is known for its cultural Islam with Islamic revelation.[9] This also happened in Turkey, Tatars and Dobruja in Romania.[10] The cultural approach in spreading Islam as practiced by two large organizations in Indonesia, Nahdatul Ulama (NU) and Muhammadiyah, is similar to the method taught by Walisongo. Local culture and tradition are part of the process of islamization. Whereas puritan teachings by the *Majelis Tafsir Alquran* (MTA) which stood in Surakarta tried to reject the teachings of Islam mixed with traditions before Islam. At first islamization was done through culture by Walisongo but before the process of islamization was completed perfectly it has changed generations. The separation between local culture and Islamic teachings is the mission of this organization.[11]

Demarcation of reason with revelation is reflected in Islamic culture and Islamic revelatioan. Cultural Islam is moderate. But the moderate nature is double meaning between "soft" and "middle ground".

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[5]Khusdzaifah Dimyanti, *Teorisasi Hukum: Studi tentang Perkembangan Pemikiran Hukum di Indonesia 1945-1990*, Surakarta: UMS Press, 2005, 55.

[6]Satjipto Rahardjo, *Ilmu Hukum*, Bandung: PT. Citra Aditya Bakti, 2000, 265.

[7]Raymond Wacks, Understanding Jurisprudence: An Introduction to Legal Theory, New York: Oxford University Press, 2009, 14.

[8]Abd. Rahman Dahlan, *Kaidah-kaidah Tafsir*, Jakarta: Amzah, 2014, 42.

[9]Mujamil Qomar, *Merintis Kejayaan Islam Kedua: Merombak Pemikiran dan Mengembangkan Aksi*, Yogyakarta: Teras, 2012, 70.

[10]Sinziana Preda, "Faith and Practice are Different Matters in Islam", *Journal for the Study of Religions and Ideologies*, Vol. 14, Issue 41 (2015): 174-201, 182.

[11]Bilveer Singh & Zuly Qodir, *Gerakan Islam Non Mainstream dan Kebangkitan Islam Politik di Indonesia*, Yogyakarta: Pustaka Pelajar, 2015, 46-105.

Despite the fact that the term moderate or moderate is not easy to define, there are common features that characterize the moderate mode of religiosity among Indonesian Muslims.[12] Moderate or moderatism is difficult to find the right definition to describe the Muslim community in Indonesia. In principle, moderate in Indonesia is different from moderate in America and western countries in general. Moderately pro-democracy, human rights, pluralism and support for secularism.

Modern European society related to the development of human rights is depicted leading to excessive things about rights. Even between universal human rights with *syariah* each other opposed. For example, male circumcision analyzed the perspective of basic rights and others using the perspective of human rights, including the right to self determination as opposed to religious freedom.[13]

Moderate in 'moderate' vocabulary (English language) means soft or not rigid. Meanwhile, in the vocabulary of Arabic is referred to *as al-wasāt* (*wasatan*) or *tawassut* (middle), *al-qist* and *al-tawāzun* (justice), *al-I'tidal* (harmony), *tasamuh* (tolerance). Moderate interpretation becomes the antonym of radicals or violence in the application of Islamic values . This has been especially strong for America since the September 11 tragedy which destroyed the World Trade Center (WTC) by the al-Qaeda attack.[14]

The concept of moderatism in the context of Islam in Indonesia has three characteristics, including: 1) non-violent ideology in propagating Islam. It's very dangerous because to be a laten or secret and unpredictable; 2) adopting the modern way of life with its all derivatives, we can see all day life including science and technology, democracy, human rights and so on; 3) the use of rational way of thinking like idea; 4) contextual approach in understanding Islam, and; 5) the use of *ijtihād* for the judge or *ulama* (intellectual exercises to make a legal opinion (like court decision, fatwa) in the case of the absence of explicit justification from the Alquran and Hadith).[15] The characteristics of this moderate model are found in NU and Muhammadiyah religious organizations. Both of these organizations support the thinking of the Unitary Republic of Indonesia (NKRI), Pancasila, the 1945 Constitution , and Bhineka Tunggal Ika, making *baldatun thoyyibatun ghaffur* country, and reject secularism. Acceptance of this matter is also supported by the MTA organization.

The term moderate is inherent in Islam. Both can not be separated because it will create excessive understanding. There are basically two principles, that is moderate Islam that means moderate between Jews and Christians including modernization of Islam to understanding and practice against the extremism of both beliefs. Islam emphasizes balance. Another view that Islam does not create disunity and disharmony among Islam community itself as the state, the difference is grace, distinction has meaning in its creation. Including differences in the meaning and interpretating of the Alquran. Understanding Islam in a moderate way means not being radical and liberal.[16]

Moderate types consist of : 1) radical-moderate; 2) *middle-ground-* moderate ; and 3) *soft-* moderate. Organization to 1st point that *Hizbut Tahrir Indonesia* (HTI), *Majelis Mujahidin Indonesia* (MMI), and *Jamaah Anshorut Tauhid* (JAT). Organization for 2nd points, namely Muhammadiyah and NU. Whereas for the 3rd point are members of Muhammadiyah and NU who are exposed to radicalism.[17] Meaning moderate in this research refers to the term "middle way" which is between the religious nationalists, between nationalists with seculer, between religious and tradition, between the religious with the secular

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[12]Masdar Hilmy, "Whither Indonesia's Islamic Moderatism? A Reexamination on the Moderate Vision of Muhammadiyah and NU", *Journal of Indonesian Islam*, Volume 07, Number 01 (June 2013): 24-48, 29.

[13]Wibo van Rossum & Mariette van de Houven, "Paucity and the Need for Value Sensitivity in Dealing with Youth Care: Why Legal and Youth Professionals Should Take Culture and Religious Consideration Seriously", *Journal Utrecht Law Review*, Volume 12, Number 2 (June 2016): 7-23, 13.

[14]*Ibid*; 2-4.

[15]*Ibid*; 28-32.

[16]Mutawali, "Moderate Islam in Lombok: The Dialectic Between Islam and Local Culture", *Journal of Indonesian Islam*, Volume 10, Number 02 (December 2016):.309-334, 313-314

[17]Masdar Hilmy, "Whither..., *op.cit.*, 34.

and the religious with the radicals. However, this research does not attempt to discuss radicalism in this case acts of violence in the name of Islam and only focuses on the development of family law in Indonesia.

The development of Islam cannot be separated from the social and political scope of It's time which can be traced through the formulation of Article 29 of the 1945 Constitution, during the new order in the formulation of the Compilation of Islamic Law (KHI) through Precident Instruction Number 1 of 1991 and Law Number 1 of 1974 concerning Marriage, and in the post-reform era with the issuance of the Constitutional Court Decision Number 46/VIII-PUU/2010 which became a momentum for the development of family law, especially the marriage law and unmarital children.

Theory of Moderatism

Search for a moderate that means middle way or not from the constitution and the rules of the law under it, as follows :

Article 29 of the 1945 Constitution

Article 29 paragraph (1) of the 1945 Constitution states that: "The State is based on the Almighty God." In paragraph (2) states that: "The state guarantees the independence of each population to embrace their respective religions and to worship according to their religion and belief." The consequence is not only one religion that developed in Indonesia. While Islam itself since the formulation of Article 29 there is a dichotomy between nationalist and religious groups. In this case religious groups, especially Islam itself there is still a dichotomy.

The Jakarta Charter states that: "The Almighty God with the obligation to carry out Islamic sharia for its adherents". While Article 29 paragraph (1) states that: "The State is based on the Almighty God." Article 29 paragraph (2) states that: "The State guarantees the independence of each population to embrace their respective religions and to worship according to their religion and beliefs." Jakarta Charter, which was named the Preamble to the Constitution was later endorsed by the *Panitia Persiapan Kemerdekaan Indonesia* (PPKI) on 18 August 1945 do not include the word's obligation to run syariah Islam for adherents.".

The formulation of Article 29 of the 1945 Constitution was accompanied by debates and even up to 4 amendments. The Jakarta Charter became a debate between the nationalist and religious groups represented by Ir. Sukarno and Natsir at independence. Counter to the provisions of Article 29 UUD 1945 still questioning the loss of seven words in Jakarta Charter until the post-reform period.

The separation between state and religion and the union of religion and state is optional. In the end, the *founding father* dropped his choice which brings together between religion and the state, as the formula set forth in Article 29 of the 1945 Constitution. Moderate in the sense of middle ground between the two groups was maintained until today.

Secularization deals with worldly problems, the development of science and technology. A good sign for secularism is the existence of the Prophet's words that: "all of you are more aware of the affairs of your world." However, Muslims must not lose their authenticity as muslims and base on these words without further thought.[18]

Indonesia has not become completely secular since the loss of 7 words in the Jakarta Charter. Pancasila as the philosophy of the Indonesian nation consisting of five precepts was included in the Preamble to the 1945 Constitution. The first precept of Pancasila reads "Godhead of the Almighty". Pancasila is the source of all sources of law in Indonesia. The Pancasila mandate is like the role of religion in various matters or problems of the country and reminds citizens to prioritize religious principles in government and law.[19]

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[18] Jeffrie Geovanie, Civil Religion: *Dimensi Politik Sosial Politik Islam*. Jakarta: Gramedia, 2013, 31–33.

[19] Simon Butt, "Islam, The State and The Constitutional Court in Indonesia". *Journal Social Science Research Network*, (July 2010): 4-5.

In essence Article 1 paragraph (2) of the 1945 Constitution mandates a democratic system and Article 1 paragraph (3) of the 1945 Constitution mandates a nomocracy system. The sovereignty of God as contained in Article 29 of the 1945 Constitution. The Indonesian people embrace the sovereignty of God, as well as democracy and nomocracy in the unity of a modern constitutional system. The Indonesian people realize the understanding of God's sovereignty through the concepts of democracy and nomocracy.[20]

Compilation of Islamic Law (KHI) and Law Number 1 of 1974 concerning Marriage

The pattern of unification between reason and revelation, *aqidah* and *muamalah* and other terms for the submission of muslims to the religion that is embraced is found in family law, especially marriage law in KHI and Law Number 1 of 1974 concerning Marriage. Marriage is not just an engagement relationship as evidenced by a marriage certificate but is a worship in the context of bringing people as servants to Allah SWT. Therefore, it also automatically impacts the inheritance law.

Article 2 paragraph (1) of Law Number 1 of 1974 concerning Marriage states that: "Marriage is legal if it is carried out according to the law of each of his religion and beliefs." Thus for a Muslim it is carried out according to Islamic law. While Article 2 paragraph (2) of Law Number 1 of 1974 states that: "Every marriage is recorded according to the applicable laws and regulations." Marriage is not only seen as something that is legally legitimate but also is declared or has a marriage certificate. Likewise the implicit intention of Article 2 KHI is that: "Marriage according to Islamic law is marriage, which is a very strong contract and *mitsstaqan ghalidzan* to obey God's commands and carry out it is worship." The point of Article 2 of this KHI that marriage is not only a civil relationship or human relations only, but it is a sacred covenant based on religious law. Marriage is a worship that is recommended by Islam so that it is understood as something sacred.[21]

Article 2 of Law Number 1 of 1974 concerning Marriage according to the author is moderate or middle ground between reason and revelation. Article 2 paragraph (1) is the dominant reflection of revelation and Article 2 paragraph (2) is the rationale for a marriage to be recorded. The middle way that takes the model of union between reason and revelation, *aqidah* and *muamalah*. In contrast to Article 26 of the Civil Code which states that: "The law considers marriages only in civil relations. " This article only views marriages as limited very strict.

The rationality of the marriage registration requirement in Article 5 KHI states that: " (1) In order to guarantee marital order for the Islamic community, every marriage must be recorded; (2) The registration of the marriage as referred to in paragraph (1) shall be carried out by the Registrar of Marriage as stipulated in Law Number 2 of 1946 in *conjunction with* Law Number 32 of 1954. "The marriage is regulated in Article 4 KHI which states that:" Marriage is legal if it is carried out according to Islamic law in accordance with Article 2 paragraph (1) of Law Number 1 of 1974 concerning Marriage."

Article 3 paragraph (1) of Law Number 1 of 1974 which states that: "In principle in a marriage a man may only have a wife. A woman can only have a husband." In this case Article 3 paragraph (1) adheres to the principle of monogamy.

The argument states regulate marriage registration in order to ensure and guarantee legal consequences have continued marriage including the rights of women and the rights of children born from the marriage. Human relations with Allah SWT are realized through the implementation and legality of marriage in accordance with the religion of Islam for a Muslim. Human relations with fellow human beings are realized through marriage registration.

Article 1 of Law Number 1 of 1974 concerning Marriage states that: "Marriage is a bond inwardly and outwardly between a man and a woman as husband and wife with the aim of forming a family (household) were happy and abiding by the Deity Almighty." The principle of monogamy is understood that

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[20] Jimly Assiddiqie, *Konstitusi & Konstitusionalisme Indonesia*, Jakarta: Konstitusi Press, 2005, 74.

[21] Neng Djubaidah, *Pencatatan Perkawinan & Perkawinan tidak Dicatat: Menurut Hukum Tertulis di Indonesia dan Hukum Islam*, Jakarta: Sinar Grafika, 2010, 3-20.

polygamy is not prohibited only cores Article 4 that polygamy be done if the wife is unable to perform his duty as a wife, the wife has an incurable disease, and the wife can not have children.

The principle of monogamy in Article 1 of Law Number 1 of 1974 concerning Marriage is a moderate or middle ground between the views of religious groups and the secular. By *syariah* polygamy is allowed, but with strict restrictions. Article 3 KHI states that: "Marriage is aimed at realizing a prosperous domestic life ..." In this case sakinah means peace. The moderate nature at all does not prohibit poligamy allowed by *syariah* but it can occur with the restriction that a very-very tight.

Commentary on the Alquran QS An-Nisā '(4): 3 as a late cleric refused because they view of polygamy is extension of the Arab tradition of pre-Islamic to provide a dominant status to men. In idea he expression associated with Fazhlur Rahman toward QS Ar-Rum (30): 21 and QS Al-Baqarah (2): 187 that requires both husband-wife relationship is based on love and not lust or even only treasure.[22]

Constitutional Court Decision Number 46/VIII-PUU/2010

Pros and cons always coloring Constitutional Court Number 46/VIII-PUU/2010. This decision basically states that Article 43 paragraph (1) of Law Number 1 of 1974 concerning Marriage must be read "Children born outside of marriage have a civil relationship with their mother and mother's family and with men as their father which can be proven based on science and technology and/or other evidence according to law have blood relations, including civil relations with his father's family."

Article 42 of Law Number 1 of 1974 concerning Marriage states that: "Legitimate children are children born in or as a result of a legal marriage." Legitimate marriages as provided for in Article 2 of Law Number 1 of 1974 are valid because it is practiced in Islam for a muslim and is registered. Thus in happen outside of marriage as the purpose of Article 1 of Law Number 1 of 1974 is not recorded or only marriages performed Islam for a muslim. Whereas after the issuance of the Constitutional Court Decision Number 46/PUU-VIII/2010, marriages include is *sirri* marriages.

The principle of monogamy in Article 1 of Law Number 1 of 1974 and Article 29 of the 1945 Constitution without 7 words namely "with the obligation to carry out Islamic sharia for its adherents" is moderate. Although in this case there has not been a case in court this proves that the principles as stipulated in the formation of laws and regulations regarding the clarity of the formula have not been fulfilled.

Article 5 of Law Number 12 Year 2011 concerning Formation of Regulations and Regulations, states that: " In establishing Legislation Regulations, it must be based on the principle of Formation of good Regulations, which include: a. clarity of purpose; b. the appropriate institutional or forming authority; c. conformity between type, hierarchy, and material content; d. can be implemented; e. usability and usability; f. clarity of formulation; and g. openness."

Article 7 U ndang- U ndang Number 12 Year 2011 on the Establishment of legislation, stated that: "(1) The type and hierarchy of legislation consists of: The 1945 Constitution of the Republic of Indonesia; Decree of the People's Consultative Assembly; Government Act/Regulation in Lieu of Law; Government regulations; Presidential decree; Provincial Regional Regulations; and Regency/City Regulations. (2) The legal force of legislation in accordance with the hierarchy referred to in paragraph (1)."

Justice Theory

Penetration moderate Islam in Indonesia is carried out through the constitution, culture, and education.[23] The configuration of Islamic law in national law is the form or form of Islamic law in Indonesian national law that applies to all Indonesian citizens, as evidence that Islamic law is universal

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[22]Bgd. Armaidi Tanjung, *op.cit.* 210-211.

[23]Mutawali, *op.cit.,* 331

or *rahmatan lil ' alamin.*[24] It aims to create a country full of grace and forgiveness with people who behave well and in accordance with the Alquran and Hadith (*Baldatun thoyyibatun ghaffur*).

One of the main parts of this research focuses on the constitution and formulation of marriage law products and unmarital children. The constitution is the answer to moderateism between religious and nationalist. In the discussion that has been done in the previous chapter above that Article 29 UUD 1945 is a moderate. Universal purport *baldatun tayyibatun ghaffur* can towards the establishment of law *syariah* apply to all citizens. This can not be separated from the political influence of certain groups who embrace the understanding that the prophet will come after the Prophet Muhammad who will lead all people. This is a food saver of Islamic faith because the prophet Muhammad is the closing prophet of all the prophets. Has radically exemplified like HTI, JAT, and others including the fundamentalist ideology of the writer here is called Imam Mahdi-ism.

Western hegemony and Islamic fundamentalism are the two main obstacles which divide followers of world religions. Both of these must be eroded to increase awareness of differences as divine phenomena or grace so that it becomes the duty of various religious traditions to respect one another without showing dominance or hatred towards others. Islam is a religion that is very broad covering the way of life for all humans and has a universal nature. However, understanding muslims from one another is sometimes different. Those who understand Islam in the strict sense consider Islam limited to them, namely as religious individuals. They think they are all complete when they have followed the teachings and carried out Islamic duties. While Islam covers every dimension of life whether social, cultural, political, economic, educational, social, and others.[25]

Pancasila does not want a state religion in Indonesia. But that does not mean, Pancasila agrees with the views of liberals who see religion as merely a private matter.[26] The concept of God in Pancasila plays a role as *civic religion* which deals with public morality and does not interfere with morality and personal beliefs.[27] Religion may be a feature of public and political life in these countries, but law and religion are not as interconnected in a tangible way via a domestic legal system, constitutions, official codifications, and courts.[28]

Justice from the wife's point of view of *sirri*'s marriage that the wife is not considered a legitimate wife, the wife does not have a living and inheritance status of the deceased husband, and the wife does not get *gono gini* assets if there is separation. Whereas for children the status of children born only has a civil relationship with the mother and family of the mother, the status of the child is unclear and can even be denied at any time by his biological father, the child is not entitled to the cost of life, education, income and inheritance. Thus *sirri* marriage certainly brings more harm than benefits and cannot realize the purposes prescribed by marriage.[29]

Muhibbuthabry in introducing the views of several experts to express opinions related to Alquran such as QS. An-Nisā '(4): 3, QS An-Nisā' (4): 129, QS Al-Ahzab (33): 50, QS Al-Mu'minun (23): 1-6 about threats to men who cannot do justice to his wives.[30]

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[24]Aran Suadi & Mardi Candra, *Politik Hukum: Perspektif Hukum Perdata dan Pidana Islam Serta Ekonomi Syariah*, Jakarta: Prenadamedia Group, 2016, 2

[25]Hilal Wani *et al*, "An Islamic Perspective in Managing Religious Diversity", *Journal Religions*, Volume 6, Number 2, (2015): 642-656, 644-649.

[26]Otto Gusti Mandung, *Negara, Agama, dan Hak-hak Asasi Manusia*, Yogyakarta: Moya Zam Zam, 2014, 88.

[27]*Ibid*; 20.

[28]Emilia Justyna Powell, "Islamic Law States and The Authority of The International Court of Justice: Territorial Soveregnty and Diplomatic Immunity", *Journal Law and Contemporary Problem*, Number. 1, Volume 79(209, 2016): 216.

[29]Kutbuddin Aibak, *Fiqih Tradisi: Menyibak Keragaman dalam Keberagaman*, Yogyakarta: Kalimedia, 2016, hlm. 116-117.

[30] Muhibbuthobry, "*Poligami dan Sanksinya Menurut Perundang-Undangan Negara Modern*", *Ahkam Journal of Sharia*, Volume XVI (1, 2016): 9-20, 11.

Alquran QS An-Nisā' (4): 129 states that:

<div dir="rtl">ولن تستطيعوا أن تعدلوا بين النساء ولو حرصتم فلا تميلوا كل الميل فتذروها كالمعلقة وإن تصلحوا وتتقوا فإن الله كان غفورا رحيما</div>

Meaning: " And you will never be able to behave fairly among your wives, even if you really want to do so, therefore do not be too inclined (to the one you love), so that you leave the others hanging. And if you make improvements and take care of yourself (from cheating), then surely Allah is Forgiving, Most Merciful."

Formulation of legal products in the field of marriage has determined him to be moderatis Article 29 paragraph (1) of the 1945 Constitution which states that: "The State is based on belief in almighty God" without 7 the phrase " with the obligation of running Islamic law for followers" which is moderate. Thus it can be understood that Law Number 1 of 1974 concerning Marriage especially with the principle of monogamy is moderate. Because religion is not only seen as a private matter.

According to the Indonesian legal system based on Pancasila and the 1945 Constitution, the correlation of Islamic law with national law has provided a legal political foundation and direction for the development of the religious field (religious law) clearly.[31] The formulation of legal products in this case the laws and regulations which are the middle ground between religious and nationalists refer to the source of legality to the Pancasila and the 1945 Constitution. The KHI faces difficulties to be included in the order of the laws and regulations because the form is in President Instruction. In addition, articles which are non-moderate are found.

Article 29 of the 1945 Constitution is moderate. This is examined from the history of the formation of Article 29 of Constitution 1945, which originated from the Jakarta Charter. Article 43 paragraph (1) of Law Number 1 of 1974 concerning Marriage is also of a moderate. Both are moderate.

Some articles that have a tendency towards traditions outside of Islam include: substitute heirs in Article 185 stating that: "Heirs who die earlier than the heir's position can be replaced by his child, except those mentioned in Article 173 "This is also regulated in Article 841 of the Civil Code which states that:" Substitution gives the substitute person the right to act as a substitute in the degree and in the rights of the person he replaces." Substitute heirs, adopted children, and heirs of different religions. strongly suspected to have been influenced by tradition. In this case, it shifted from the basic provisions of Islamic inheritance legal norms, especially in the decisions of judges in religious courts.[32] Both of these characteristics affect several religious court decisions.

Moderatism which means the middle way to give a discourse that the legal product can no longer be drawn toward the secular that is well known pro-western or fundamentalist and even leads to radicalism. Universality that is pinned by western countries by ASEAN countries is made to be diverted or known as " ASEAN Twist ". The country of Japan is one of the countries that always strive to divert foreign laws and is known as the " Japanesse Twist."[33] In this case universalias are dealing with cultural relativity which is subject to the traditions of each nation.

Legal product formulation experience dilema. When the Japanese countries carried out the " Japanesse Twist ", the Indonesian people had the ideology of Pancasila in filtering salty laws. Negotiation with tradition can not be ignored because puritan organizations which try to separate tradition from Islam reveal their form.

The most important part is that on one side the legal system is shaped by religious and cultural backgrounds. One of them is marriage law. Religion and culture influence the legislative body and the

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[31]Kamsi, *Pergolakan Politik Hukum Islam*, 2nd edision, Yogyakarta: Calpulis, 2017, 178.

Also see Article 2 of Act Number 12 of 2011 about the Establishment of Legislation states that: "Pancasila is the source of all sources of state law."

[32]Habiburrahman, *Rekonstruksi Hukum Kewarisan Islam Indonesia*, Jakarta: Kencana, 2011, 13.

[33]Satjipto Rahardjo, *Hukum Modern Tidak Jatuh Dari Langit*, https://youtu.be/sB0JkaEv2Ag, 20 November 2015.

judges including other legal professionals in shaping the law with different cultural communities.[34] On the other hand the Islamic International Court of Justice which was formed at the 5th Islamic Summit in 1987 has not yet operated. Decision of Islamic law in the Islamic Law States (ILS) in is based on religious belief. This makes it difficult for ILS decisions to be handed down by secular courts. But the International Court of Justice (ICJ) has not been interested in this. Prince Bandar bin Salman bin Mohammed bin Saudi Arabia offered the idea of training Islamic law for IC judges to the ICJ president but there was no response.[35]

Conclusion

Legal products and children outside of marriage are moderate. Article 29 of the 1945 Constitution and Article 3 paragraph (1) of Law Number 1 of 1974 which states that: "In principle in a marriage a man may only have a wife. A woman can only have a husband" is moderate. Constitutional Court Decision Number 46/VIII-PUU/2010 which makes a *sirri* marriage and his child to be unmarital child is a non-moderate.

The novelty of a marriage law formulation is an ideal child outside a moderate marriage in Indonesia that is to make it moderate or a middle ground between nationalists and religious and not toward the secular even traditions outside of Islam.

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[34] Marel Jonker at al., "Religion and Culture in Family & Law", *Journal Utrecht Law Review*, Volume 12, Issue 22 (June 2016): 1-6.

[35] Emilia Justina Powel, *op.cit.*, 234-236.

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Raden Umar Said in Revitalizing Inclusive Islam a Tafsir Method to Counter Radicalism and Global Terrorism

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Abstract

Many inclusive Islamic bases are found in the narration of Islamic preaching Islamic scholars of Walisongo, as practiced by Raden Umar Said in Kudus, Central Java. His inclusive Islam was developed through acculturation of Islamic culture with the Hindu-Buddhist tradition that had long developed in Java. In preaching Raden Umar Said did Topo Ngeli (mingling with residents) delivering da'wah material through the works of Sinom, Kinanti, Tembang Macapat, Gamelan, and stories of Carangan and Wayang. However, the basis of inclusive Islam today lacks attention so that society does not recognize the inclusive Islamic narrative in the perspective of Raden Umar Said. This paper examines in depth the basis of inclusive Islam as the narrative of Raden Umar Said's Islamic da'wah which is then used as a basis in building an inclusive interpretation method, namely a way of understanding the texts of the Qur'an with an inclusive approach. To criticize the basis of inclusive Islam used the concept of inclusive Islam Alwi Shihab and using integration the concept of tafsir methods al-Farmawi, a critical attitude towards religious texts using the criticism of the religious text Karl Popper, Richard Niebuhr, and Paul Ricoeur. Elaboration of radicalism and terrorism narratives using the religious radicalism concept of Wilner and Dubouloz and terrorism concept John Horgan. The material narrative of Raden Umar Said's Islamic da'wah was criticized by the phenomenological Hermeneutics concept Edmund Husserl. This study produced several important findings, namely: Raden Umar Said's narrative of Islamic propaganda comprehensively, the basis of inclusive Islam Raden Umar Said, an acculturation model of Islamic teachings with the Hindu-Buddhist tradition Raden Umar Said's perspective, revitalizing the inclusive Islamic base Raden Umar Said in building interpretation methods inclusive, and the function of inclusive interpretation methods in minimizing the development of radicalism and global terrorism.

Keywords: *Inclusive Islam; Inclusive Tafsir Methods; Radicalism; Terrorism.*

Introduction

Raden Umar Said included the fifth-period Walisongo scholar who was determined to be a member of Walisongo replacing his father Raden Said (Sunan Kalijaga) who died in 1531 AD. [1] The name Walisongo was taken from the Arabic language *Waliyun Tsanaun* meaning noble guardian or

matched scholars. This name was given by Sultan Mehmed I Sulaiman Celebi from the Ottoman Turks, for nine scholars who were sent to Java to preach in 1404 AD.[2] Upon arrival in Java, they divided the mission area according to the situation and condition of the mission field and their respective expertise each one.[3] Their names are known based on the place of the mission, such as Raden Paku or Sultan Abdul Faqih (w, 1442) called Sunan Giri because the center of power and the center of the mission were buried in Giri Kedaton Gresik, East Java.[4] Raden Umar Said (w.1551) was called Sunan Muria because of the center of the mission and was buried in Padepokan Colo Muria Kudus.[5]

Initially, the mission of the scholars of Walisongo was centered on Java and then spread to several regions in the archipelago.[6] According to van den Berg,[7] the mission of the Walisongo scholars was carried out in a peaceful manner through acculturation of Islamic culture with Hindu and Buddhist traditions on Java. Allegations of orientation, such as Golda Meil Teacher and Samuel Marinus Zwimer, Islamic mission was carried out with violence and swords were not true.[8] According to De Lacy O'Leary, the accusation of Islam being spread by sword and violence is only a myth, in fact, Islam is spread by a peaceful and friendly way.[9]

According to Thomas Carlyle, Islamic teachings are full of values of equality, humanity, compassion, brotherhood and equal rights.[10] When commenting on Q.S. al-Baqarah verse 177, Dominique Sourdel said, "Islam spreads the essential good in society. Realization of Islamic teachings reveals the continuity of goodness in the world".[11] According to Adam Spencer Metz, Christians can live side by side

[1]J.J. Meinsma, *Serat Babad Tanah Jawi: Wiwit Saking Nabi Adam Dumugi Ing Tahun 1647*, S'Gravenhage, 1903. Hamid Akasah and Aby Azizy (trans.), *Babad Tanah Jawa: Majapahit, Demak, dan Pajang*, Surabaya: Cipta Adi Grafika, 1989. A.R. Kapanjani, *Menyingkap Kisah Keteladanan Perjuangan Walisongo*, Surabaya: Anugerah, 1992. H.J. de Graff, et al., *Cina Muslim di Jawa Abad XV dan XVI*, Yogyakarta: Tiara Wacana, 2004.

[2]Lodewijk Willem Christiaan van den Berg, *Le Hadhramout at les Colonies Arabes dans I'archipei Indien*, Batavia: Impr du Gouvement, 1886. Zainal Abidin bin Syamsuddin, *Fakta Baru Walisongo*, Jakarta: Pustaka Imam Bonjol, 2016.

[3]Slamet Muljana, *Runtuhnya Kerajaan Hindu Jawa dan Timbulnya Negara-negara Islam di Nusantara*, Yogyakarta: LKiS, 2015, 11-15. Hasan Muarif Ambary, Jacques Dumarcay, *The Sultanate of Banten*, Jakarta, Gramedia, 1990.

[4]Aminudin Kasdi, *Kepurbakalaan Sunan Giri: Sosok Akulturasi Kebudayaan Jawa Hindu dan Islam pada Abad 15-16*, Surabaya: IAIN Sunan Ampel, 1987, 31-32. Wiji Saksono, *Babad Tanah Jawi versi J.J. Meisma*, Netherlands: KITLV, 1987, 20-21.

[5]Rachmad Abdullah, *Walisongo: Gelora Dakwah dan Jihad di Tanah Jawa (1404-1482 M)*, Solo: Penerbit Al-Wafi, 2015. Ismawati, "Ziarah Kubur dalam Perspektif Budaya dan Agama," *Jurnal AT-TAQODDUM*, Volume 4, Number 1, (July 2012), 125-142.

[6]Widji Saksono, *Mengislamkan Tanah Jawa:Telaah atas Metode Dakwah Walisongo*, Bandung: Mizan, 1995.

[7]L.W.C. van den Berg, *Le Hadhramout...*; J.J. Meinsma, *Serat babad Tanah Jawi...*

[8]Abdullah al-Tha'il, *Yahudi Sang Penghancur Dunia*, Yogyakarta: Penerbit Mihrab, 2012, 196; Ageng Pangestu Rama, *Kebudayaan Jawa: Ragam Kehidupan Kraton dan Masyarakat di Jawa 1222-1998*, Yogyakarta: Cahaya Ningrat, 2007, 110-113.

[9]De Lacy O'Leary, *Islam at the Crossroads*, London: Luzac, 1923. Clifford Geertz, *The Religion of Java*, Jakarta: Pustaka Jaya, 1981, Denys Lombard, *Nusa Jawa: Silang Budaya Batas-batas Pembaratan*, Jakarta: Gramedia, 1999.

[10]Alice Chandler, "Carlyle and the Medievalism of the North," *Medievalism in the Modern World,"* Essays in Honour of Leslie J Workman, (ed.), Richard Utz and Tom Shippey, Turnhout, Brepols, 1998, 190.

[11]Martin van Bruinessen, *NU Tradisi: Relasi-Relasi Kuasa, Pencarian Wacana Baru,, Pencarian Wacana Baru*, Yogyakarta: LKiS and Pustaka Pelajar, 2012.

with Muslims.[12] Dutch historians, such as L.W.C. van den Berg, H.J. de Graaf, Theodore G.Th. Pigeud, M.C. Ricklefs[13] and Martin van Bruinessen[14] responded positively to the mission of Walisongo's scholars in an inclusive manner and cultural acculturation, as did Raden Umar Said[15].

In mission, Raden Umar Said integrating Islamic teachings with the Hindu-Buddhist tradition in a harmonious and inclusive manner, as reflected in mission making gamelan and puppet as a medium of the mission, preserving Hindu-Buddhist traditions, such as *nelung dina*, *mitung dina*, *matang puluh*, *ngatus dina*, and *mitoni*, composing the Hindu-Buddhist version of Carangan's story into an Islamic narrative nuance, and doing *Tapa Ngeli* or mixing together with the citizens.[16] After the death of Raden Umar Said, the inclusive mission was continued by descendants and several students. Among the descendants who continued the mission in the Colo Muria area, namely Raden Ayu Nawangaih, Kebo Anabrang, Panembahan Penghulu Patih, Panembahan Jogodipo, Prince Sokusumo, Prince Hartokusumo, Prince Martokusumo, and Prince Honggo Kusumo.[17] Among the students who continued the mission in the Colo Muria area, namely Raden Bagus Rinangku, Gadung Prince, Gading Prince, and Sheikh Syazali. This inclusive mission model has continued to be maintained until now, making it a harmonious and inclusive basis for Muslim communities in Colo Muria Kudus.[18]

This study raises the issue: How to revitalize Raden Umar Said's inclusive Islamic concept to develop inclusive interpretation methods in order to minimize the development of radicalism and global terrorism? Theoretically, this study aims to provide an understanding of socio-phenomenological analysis of Raden Umar Said's inclusive Islamic concept in developing methods inclusive interpretation to minimize the development of radicalism and global terrorism. This study practically provides awareness to the public about the dangers of radicalism and terrorism, as well as recommendations for policymakers in stemming the development of radicalism and global terrorism.

Literature Review

Studies related to the propaganda method and culture of Raden Umar Said as a member of the Walisongo scholars have been carried out by researchers, such as Solichin Salam,[19] Abdurrahman Mas'ud,[20] Widji Saksono,[21] H.J. de Graff et.al.,[22] Budiono Hadi Sutrisno,[23] Agus Sunyoto,[24] Budi Sulistiono,[25]

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[12]Adam Metz, *Renaissance des Islam*, Khuda Bukhsh, (trans.), *Al-Hadharah al-Islamiyyah fi al-Qarn al-Rabi` al-Hijri*, Kairo: Dar el-Ketab el-Arabi, 1957, 161. Armand Abel, "Spanyol: Perpecahan dalam Negeri", in Gustave Von Grunebaum (ed.), *Islam, Kesatuan dalam Keragaman*, Jakarta: Yayasan Penghidmatan, 1983, 244-245.

[13]H.J. de Graff, *et. al.*, *Cina Muslim...*

[14]Martin van Bruinessen, *NU Tradisi...*

[15]Nasruddin, "Kritis Terhadap Peranan Ulama dalam Proses Akulturasi Islam dan Budaya Lokal," *Jurnal ADABIYAH*, Volume 15, Number 1, (2015), 48.

[16]Abdurrahman Mas'ud, *et al.*, *Alam Wisata di Kudus*, Kudus: Menara Kudus, 1990, 17. Umar Hasyim, *Sunan Muria: Antara Fakta dan Legenda*, Kudus: Menara Kudus, 1992, 71-72.

[17]Umar Hasyim, *Sunan Muria...*, 36-40. Abdurrahman Mas'ud, *et al.*, *Alam Wisata...*, 18-21.

[18]Ma'mun Mu'min, *Pluralisme dalam Kehidupan Pemeluk Beda Agama di Kudus*, Yogyakarta: CV. Idea Press, 2012.

[19]Solichin Salam, *Sekitar Walisongo*, Kudus: Menara Kudus, 1960. Solichin Salam, *Kudus Purbakala dalam Perjuangan Islam*, Kudus: Menara Kudus, 1977.

[20]Abdurrahman Mas'ud, *et al.*, *Alam Wisata...*

[21]Wiji Saksono, *Mengislamkan Tanah...*

[22]H.J. de Graff, *et. al.*, *Cina Muslim...*

[23]Budiono Hadi Sutrisno, *Sejarah Walisongo: Misi Pengislaman di Tanah Jawa*, Yogyakarta: GRAHA Pustaka, 2009.

[24]Agus Sunyoto, *Atlas Walisongo*, Bandung: Pustaka IIMaN, 2012.

Hatmansyah,[26] Rachmad Abdullah,[27] Sultoni,[28] Zainal Abidin,[29] Susmihara,[30] and Nanang Hasan Susanto.[31] The study of radicalism and terrorism was carried out by Ahmad Rizki Mardhatillah Umar,[32] Azyumardi Azra,[33] Abdul Ahab,[34] A.M. Hendropriyono,[35] Zuhdi,[36] Zulfadli, [37] and Iman Fauzi.[38]

       This study is different from the previous study on four things, namely: (a) spatially this study included historical studies in the socio-phenomenological perspective, (b) temporally this study focused on revitalizing the inclusive Islamic concept Raden Umar Said who lived around the 15th-16th century AD., (c) substantially focused on developing Raden Umar Said's inclusive Islamic concept into an inclusive method of interpretation, and (d) functionally making inclusive interpretation methods as a basis for minimizing the development of radicalism and global terrorism.

Methodology/Materials

       To analyze the problem in this study using several theories or concepts, namely: To criticize the basis of inclusive Islam used the concept of inclusive Islam Alwi Shihab,[39] who views diversity as *sunnatullah*, has a spirit of religious pluralism, a spirit of tolerance, is open to the truth of other religions, and want to do interfaith dialogue. To elaborate on the narrative of inclusive interpretation methods using the hermeneutic concept of the liberation of the Qur'an Farid Esack,[40] who holds that the Qur'an contains a universal spirit of liberation for all humans, with the elaboration of the Qur'an through exegesis (issuing discourse from al- Qur'an or reading out) and eisegesis (inserting "foreign" discourse into the Qur'an or

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[25]Budi Sulistiono, *Walisongo dalam Pentas Sejarah Nusantara*, Surabaya, Walisongo Study Workshop Mara Serawak Technology University, Quds Royal Surabaya Hotel, (May 26-31 2014).

[26]Hatmansyah, "Strategi dan Metode Dakwah Walisongo," *Jurnal AL-HIWAR*, Volume 03, Number 05, (January-June 2015), 10-17.

[27]Rachmad Abdullah, *Walisongo: Gelora Dakwah dan Jihad di Tanah Jawa (1404-1482 M)*, Solo: Al-Wafi Publisher, 2015.

[28]Sultoni, "Nilai-nilai Ajaran Tasawuf Walisongo dan Perkembangannya di Nusantara," *Jurnal KABILAH*, Volume 1, Number 2, (December 2016), 357-378.

[29]Zinal Abidin bin Syamsuddin, *Fakta Baru...*

[30]Susmihara, "Walisongo dan Perkembangan Pendidikan Islam di Nusantara," *Jurnal RIHLAH*, Volume 5, Number 2, (2017), 151-169.

[31]Nanang Hasan Susanto, "The Walisongo's Educational Leadership Through Modelling and Fulfilment of Human Basic Needs," *Jurnal Pendidikan Islam*, Volume 6, Number 2, (December 2017), 311-330.

[32]Ahmad Rizky Mardhatillah Umar, "Melacak Akar Radikalisme Islam di Indonesia," *Jurnal Ilmu Sosial dan Ilmu Politik*, Volume 14, Number 2, (2010), 169-190.

[33]Azyumardi Azra, "Gerakan Islam Militan di Asia Tenggara: Identitas atau Tantangan," *Jurnal CSIS*, Volume 33, Number 1, (March 2014).

[34]Abdul Ahab, *Radikalisme: Pengertian, Sejarah, Ciri,Kelebihan dan Kekurangan*, Jakarta: Ilmu Dasar, 2015.

[35]A.M. Hendropriyono, *Terorisme: Fundamentalisme Kristen, Yahudi, dan Islam*, Jakarta: Kompas Book, 2015.

[36]M.H. Zuhdi, "Radikalisme Agama dan Upaya Deradikalisasi Pemahaman Keagamaan," *AKADEMIKA Journal: Jurnal Pemikiran Islam*, Volume 22, Number 1, (2017), 199-224.

[37]Zulfadli, "Radikalisme Islam dan Motif Terorisme di Indonesia," *AKADEMIKA Journal*, Volume 22, Number 1, (January-June 2017), 173-198.

[38]Iman Fauzi Ghifari, "Radikalisme di Internet," *Jurnal Religious: Jurnal Agama dan Lintas Budaya*, Volume 1, Number 2, (March 2017), 123-134.

[39]Alwi Shihab, *Islam Inklusif: Menuju Sikap Terbuka dalam Beragama*, Bandung: Penerbit Mizan, 1st ed., 1998.

[40]*Farid Esack, Bur Musa Went to Fir'aun, Maitland, The Call of Islam, London: One World Oxford, 1989. Farid Esack, Qur'an Liberation and Pluralism: An Islamic Perspective of Interreligious Solidarity Against Oppression, London, One World Oxford, 1997.*

reading into). A Critical attitude towards religious and religious texts uses religious text criticism Karl R Popper,[41] which requires an open attitude, then is able to take distance and be critical of beliefs, fair, wise, objective, and have aesthetic aesthetics. The concept of the five attitudes of followers of the religion of Richard Niebuhr,[42] namely radical attitude, accommodative attitude, synthetic attitude, dualistic attitude, or transformative attitude. The concept of religious text criticism Paul Ricoeur,[43] who views building an inclusive attitude towards religious understanding, requires three forms of distance taking, namely ideological criticism, demolition, and game analogies.

While the elaboration of radicalism and terrorism narratives used the radicalism concept of Sartono Kartodirdjo,[44] and Ahmad Rubaidi,[45] who viewed an understanding of radicalism, namely having a fundamental ideology, demanding change and renewal of the social system, and violence. Violence is a form of terrorism practice. And the narrative of Raden Umar Said's Islamic mission was criticized with the Phenomenological Hermeneutics concept Edmund Husserl,[46] who argued that understanding texts by freeing themselves from prejudice and letting the text "speak" itself, be neutral, and distance themselves from attitude attitudes over the object.

Methodologically this study uses a type of qualitative research, with a hermeneutic phenomenology approach developed by Paul Ricoeur.[47] According to Ricoeur, this approach seeks to understand a phenomenon systematically, strictly, and deeply, not just on the skin. This method is able to provide a middle ground for contradictions from the qualitative and quantitative paradigms that arise due to explaining or *erklaren* epistemology and understanding or *verstehen*.[48]

Results and Findings

Biography of Raden Umar Said
There are two opinions regarding the name of Raden Umar Sa'id. According to van den Berg,[49] Raden Umar Sa'id, son of Sunan Kalijaga, the marriage to Dewi Sarah *binti* Maulana Ishaq. According to the Great Blood Library Book, Raden Umar Sa'id, the son of Sunan Ngudung or Raden Usman Haji, the result of a marriage with Dewi Syarifah. From these two versions, Abdurrahman Mas'ud (1990) agreed with van den

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[41]Karl R. Popper, *The Open Society and Its Enemies*, Princeton and Oxford: Princeton University Press, 2013, 200-201. B.F. Drewes and J. Mojau, *Apa itu Teologi?*, Jakarta: Gunung Mulia, 2003, 162-164.

[42]Emanuel Gerrit Singgih, *Gerteologi dalam Konteks: Pemikiran-pemikiran Mengenai Kontekstualisasi Teologi di Indonesia*, Yogyakarta: Penerbit Kanisius, 2000, 36-40.

[43]Paul Ricouer, *Du Texte al 'Action: Essais d'Hermenetique II*, Paris: Seuil, 1986.

[44]Sartono Kartodirdjo, *Ratu Adil*, Jakarta: Penerbit Sinar Harapan, 1985, 38. Abdul Ahab, *Radikalisme: Pengertian...*

[45]Ahmad Rubaidi, *Radikalisme Islam, Nahdlatul Ulama Masa Depan Moderatisme Islam di Indonesia*, Yogyakarta: Logung Pustaka, 2007, 33.

[46]Mudjia Raharjo, *Dasar-dasar Hermeneutika antara Intersionalisme dan Gadamerian*, Yogyakarta: Ar-Ruzmedia, 2008. Juhaya S. Pradja, *Aliran-Aliran Filsafat dari Rasionalisme Hingga Skularisme*, Bandung: CV. Alva Gracia, 1987, 87-88. K. Bertens, *Filsafat Barat Abad XX Jilid II Perancis*, Jakarta: PT. Gramedia Pustaka Utama, 1996, 132.

[47]Paul Ricoeur, *Existence and Hermeneutics in The Conflict of Interpretation: Essay in Hermeneutics*, Don Ihde, (eds.), Evanton: Northwestern University Press, 1974. Paul Ricoeur, *Teori Interpretasi: Membelah Makna dalam Anatomi Teks*, Musnur Hery, (trans.), Yogyakarta: DIVA Press, 2014.

[48]Haryatmoko, *Critical Discourse Analysis: Analisis Wacana Kritis: Landasan Teori, Metodologi, dan Penerapan*, Jakarta: PT. Raja Grafindo Persada, 2017, 7.

[49]Umar Hasyim, *Sunan Muria...*, 20.

Berg, he referred to the historical references to authority in Java. He concluded that Raden Umar Sa'id was the son of Sunan Kalijaga and descended from Arabia.[50]

Raden Umar Sa'id lived around the 15th-16th century AD In 1481 he was involved in the restoration of the Great Mosque of Demak, which was carried out by the Kingdom of Demak even though he was still young at that time. In 1531 he was appointed as a member of Walisongo to succeed his father Sunan Kalijaga who died in 1531. The land of struggle and mission of Raden Umar Said was centered on Mount Gundil or Mount Gundul located in the north of the City of Kudus. He changed the name of Gundil Mountain into Muria Mountain, which was taken from the word Moriah the name of a hill in Jerusalem.[51] Because the problem of the Javanese dialect calls it Muria, and Raden Umar Said is better known as Sunan Muria.

Narrative of the Concept of Inclusive Islam Raden Umar Said
The concept of inclusive Islam refers to the model of the mission carried out by Raden Umar Said. In history, it was mentioned that Raden Umar Said mission by way of cultural accountability integrating Islamic lines with Hindu-Buddhist traditions that had long lived and developed in Kudus.[52] In the mission he did *Tapa Ngeli*, literally means meditating by living on the river.[53] According to Abdul Manaf, this word implies Raden Umar Said doing the mission by mingling directly in the midst of society. He drifted together in the life and traditions of the people who were predominantly Hindu and Buddhist.

Through the strategy of *Tapa Ngeli*, Raden Umar Said studied, explored, and lived various aspects of the life of the Hindu-Buddhist community, such as aspects of religion, ritual, tradition, art, economy, social, and culture. He does not eliminate the established structure, but he changes the content and substance of each aspect with Islamic nuances. For example, the *kenduren* ceremony which originally contained Hindu-Buddha teachings, namely worship of gods, reading *mantra-mantra*, and giving offerings to ancestral spirits, then he changed with Islamic nuanced teachings, so the *kenduren* ceremony had the intention of realizing gratitude God, read the verses of the Qur'an and prayers, and give alms to the surrounding community in the form of food (blessing). Raden Umar Said conducted acculturation of Islamic culture and Hindu-Buddhist traditions so that in this way the Hindu-Buddhist community did not feel offended and could accept the presence of Islam as the third religion after Hinduism, Buddhism, and Islam. They live side by side, respect and respect each other as fellow religious people. As a new religion, they knew Raden Umar Said preached Islam in an inclusive manner, namely the delivery of Islamic mission peacefully and harmoniously.

Narrative of Radicalism and Terrorism
Radicalism is an understanding, flow and attitude that longs for total change, is revolutionary by overturning existing and established values drastically through violence and extreme actions.[54] There are several characteristics that can be recognized by radical notions and attitudes, namely: (a) intolerance, which

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[50]Abdurrahman Mas'ud, *et al.*, *Alam Wisata...*, 16.
[51]Solichin Salam, *Kudus Purbakala...*, 47-49.
[52]Anak Agung Gde Oka Netra, *Tuntunan Dasar Agama Hindu*, Jakarta: Departemen Agama, 2005, 10-45. Ageng Pangestu Rama, *Kebudayaan Jawa...*, 27-47.
[53]Abdurrahman Mas'ud, *et al.*, *Alam Wisata...*, 17; Umar Hasyim, *Sunan Muria...*, 71-72.
[54]A.M. Hendroprioyono, *Terorisme: Fundamentalis Kristen, Yahudi dan Islam*, Jakarta: Buku Kompas, 2009, 13.

is not appreciative of the opinions and beliefs of others, (b) fanatics, namely always feeling right on their own and assuming others are wrong, (c) exclusive, namely distinguishing themselves from Muslims in general, and (d) revolutionaries and tend to use violent methods to achieve goals.[55] Radicalism in a religious perspective means religious ideology that refers to a very basic and radical foundation of religion with very high religious fanaticism, so it is not uncommon for these adherents or schools to use violence to actualize the religious beliefs they believe in. Religious radicalism occurs through religious radicalization by referring to extreme religious understanding.[56]

While terrorism is an understanding or sect that commits violence with political, religious, economic and ideological intentions involving threats and violence, which results in many casualties, and is carried out by rational actors outside the country (state enemies).[57] From the aspect of the method of terrorism the use of violence, from the aspect of the target of the terrorist threatens the civilians randomly, from the aspect of the aim of the terrorist intending to spread fear and aim to make social-political changes in a drastic manner.[58]

From some of these definitions, it can be concluded that there is a relation between the meaning of radicalism and the irreversible narrative,[59] namely the same movement that imposes goals, hopes and desires on other parties (individuals or groups) with religious, ideological, economic and political intentions. Other relations, namely someone can become a terrorist through the planting of radicalism ideology and information technology and social intermediaries that can transform the process of religious radicalism into religious terrorism.[60]

The notion of radicalism and terrorism does not appear in a vacuum but has a background which is at the same time a driving factor for the emergence of radicalism and terrorist movements. Several factors contribute to the emergence of radicalism and terrorist movements, such as socio-political factors, religious emotional factors, cultural factors, ideological anti-Westerns, and government policy factors.[61] The radicalism and terrorism movement will be stronger if supported by the following conditions, namely low education, identity crisis, weak economic conditions, social and cultural alienation, limited access to politics, primordia's and ethnocentrism.[62]

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[55]BNPT, *Strategi Menghadapi Paham Radikalisme dan Terorisme-ISIS*, Jakarta: BNPT, 2005, 2.

[56]A. Wilner and C.J. Dubouloz, *Homegrown Terrorism and Transformative Learning: An Interdisciplinary Approach to Understanding Radicalization*, Ottawa: Canadian Political Science Association Conference, 2009, 8.

[57]John Horgan, *The Psychology of Terrorism*, London and New York: Routledge, 2005, 137. Abdul Muis Naharong, "Pejuang Kemerdekaan adalah Teroris?: Menjelaskan Pengertian Terorisme," *Jurnal Paramadina*, Volume 9, Number 1, (April 2012), 259- 276.

[58]Harvey W. Kushner, *Encyclopedia of Terrorism*, London: Sage Publication, 2003, xxiii.

[59]Madawi al-Rasheed and Marat Shterin, "Between Death of Faith and Dying for Faith: Refections on Religion, Politics, Society and Violence," Madawi al-Rasheed and Marat Shterin, (eds.), *Dying for Faith: Religiously Motivated Violence in the Contemporary World*, London and New York: I.B. Tauris, 2009, xxi. Magnus Ranstorp, "Terrorism in the Name of Religion," *Journal of International Afairs*, Volume 50, Number 1, (1996), 2. Mark Juergens Meyer, *Terror in the Mind of God: Te Global Rise of Religious Violence, Updated Edition with a New Preface*, Berkeley and Los Angeles: University of California Press, 2000, 10.

[60]Jerome P. Bjelopera, *American Jihadist Terrorism: Combating a Complex Threat*, Washington DC: Congressional Research Service, 2013, 13-24.

[61]Tufyal Choudhury, *The Role Of Muslim Identity Politics In Radicalisation*, London: Department for Communities and Local Government, 2007, 21.

[62]Muhammad Khamdan, "Rethinking Deradikalisasi: Konstruksi Bina Damai Penanganan Terorisme", *Jurnal ADDIN*, Volume 9, Number 1, (February 2015), 181-204.

The radicalization process generally occurs due to two consequences, namely the result of an identity crisis that is solved by understanding the beliefs that violence is the solution, and the dynamics of social interaction influenced by the media, peers, leaders, and the surrounding environment, so that confidence in actions must be taken to facing various threats to his beliefs.[63] In religious radicalism, this process will continue if there are some of the following things, namely the existence of monolithic truth claims, obedient obedience to the leader, efforts to build the ideal state, the goal of justifying all means and spreading holy war beliefs.[64]

Likewise, the movement of terrorism is not the only way towards radical goals, thus it must be compared with alternative strategies available to certain parties. Terrorism is a more complex problem, the causes are diverse, and the people involved are also very diverse. All of these do not escape the factors and motivations of the terrorists. Of the many factors, which are often the factors causing terrorist acts, namely economic, social, ideology,[65] religious fanaticism, intolerance, and mistaken in understanding the meaning of religious texts.

The notion of radicalism is very dangerous, and moreover the terrorist movement is feared by all nations in the world, this is related to the consequences that arise from theoretic, such as consuming many lives, disturbing the general public, causing a lot of damage, causing economic losses, eliminating mutual affection, destroying nationalism, poisoning the minds of the nation's children, and tarnishing the good name of religion.[66]

Raden Umar Said's Comprehensive Islamic Mission Narrative
There are five reasons for Raden Umar Said to make the Colo Muria area the center of the mission,[67] namely: (a) Muria Mountain is in contrast to Mount Rahtawu which has long been the center of development of Hindu-Buddha religion in Kudus, (b) Muria Region is the meeting point of three regions namely Kudus, Pati and Jepara, (c) Muria area is often a runaway area and is hiding by criminals in Majapahit and Demak countries, (d) Muria area is very suitable to be used as a basis for Sufism development, and (e) To be closer to the Muria community consisting of residents low class, such as farmers, workers, and small traders. In mission, Raden Umar Said using the method of *da'wah bi al-hikmah* and *mauidzah hasanah*. According to al-Maraghi,[68] the mission of bi al-hikmah, namely da'wah by using clear, decisive words, and accompanied by arguments that can reinforce the truth and can eliminate doubts. According to Zamakhshari,[69] the mission of bi al-hikmah also means mission with definite true words with a proposition that explains the truth and eliminates doubts or vagueness based on the Qur'an and hadith. While *mauidzah hasanah* is a method of the mission to invite people to the path of Allah by giving gentle

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[63]TinkaVeldhuis and Jorgen Staun, *Islamist Radicalisation: A Root Cause Model,* Den Haag: Netherlands Institute of International Relations Clingendael, 2009, 63-64.

[64]Yusdani, *Buletin Al-Islamiyah: Menguak Akar Kekerasan Benuansa Agama,* Yogyakarta: Universitas Islam Indonesia, 2013, 02-03.

[65]Walter Laqueur, *Origins of Terorism,* Jakarta: PT Raja Grafindo Persada, 2003, 8.

[66]Martha Crenshaw, *Chapter 13: The Psychology of Political Terrorism,* San Francisco: Political Psychology, 1986, 380.

[67]Mu'min, Ma'mun, *Pluralisme dalam Kehidupan Pemeluk Beda Agama: Studi Kasus di Desa Rahtawu Kabupaten Kudus,* Yogyakarta: S3 Dissertation Program Doktoral UIN Sunan Kalijaga Yogyakarta, 2012.

[68]Syekh Musthofa al-Maraghi, *Tafsir al-Maraghi,* Semarang: Thoha Putra Semarang, 1987. Bambang S. Ma'arif, *Komunikasi Dakwah Paradigma untuk Aksi,* Bandung: Simbiosa Rekatama Media, 2010.

[69]Syekh az-Zamkhsyari, *Tafsir al-Kasysyaf an-Haqo'iqi Tanzil wa 'Uyuni 'Aqawil,* Beirut: Dar al-Fikr, 1992.

advice and guidance so that they will do good according to the guidance of the Qur'an and hadith.[70] Both methods of the mission bi al-Hikmah and mauidzah hasanah are combined in the practice of *Tapa Ngeli* in the midst of the community of Muria Kudus.

Substantially the material of Raden Umar Said's mission can be said to be very comprehensive touching all aspects of human life. In the field of religion, he taught the understanding of *Ahlussunnah wal Jama'ah* which was based on the *kalam* Asy'ariyah and Maturidiyah, the *fiqh* of Syafi'iyah, and *tasawuf* al-Ghozali (Sunni).[71] In the field of religious ritual, it combines the teachings of Islam with the Hindu-Buddhist tradition by "using old containers and new contents" (psychology-sophistic).[72] In the field of art creating Javanese songs, such as *Sinom, Kinanti, Tembang Macapat*, composing *carangan* stories, using *gamelan* and puppets as a medium of propaganda (composing).[73] In the field of culture, a syncretism between Islamic teachings and Hindu-Buddhist traditions, animism, and dynamism (acculturation).[74]

Islamic Culture Acculturation Model with Hindu-Buddhist Traditions

Raden Umar Said carried out Islamic mission comprehensively in all aspects of the life of the people, such as aspects of religion, ritual, art, economics, social and culture. For Raden Umar Said mission is an art of how to invite the public to want to follow the propaganda messages that are conveyed, so the most important thing he does is touch the spatial aspects of the people. As a Sufi scholar, he did so with a sophistic psychological approach.[75] According to al-Ghazzali,[76] sophistic psychology is a thought and effort to develop self and soul (*takmil al-Nafs*) that is associated with life to achieve world happiness (*hasanah fi al-Dunya*), happiness hereafter (*hasanah fi al-Akhirah*), virtue of the soul (*al-Fadlilah al-Nafsiyah*), physical virtue (*al-Fadlilah al-Badaniyah*), and the primacy of taufiq (*al-Fadlilah al-Taufiqiyyah*).

There are four stages of Islamic mission through Raden Umar Said's sophistic psychological approach, namely: (a) In a strategic manner, do the *Tapa Ngeli*, which is mingling with the people, recognizing, deepening and living the traditions of the people, forming new traditions through cultural acculturation, and civilizing Islamic traditions, (b) Institutionally, namely opening Islamic religious education courses for the general public, and building the Muria Islamic Boarding School where the students study, (c) Materially, forming mission media, in the field of Javanese song composing in the form

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[70]Lois Ma'luf, *Munjid fi al-Lughah wa A'lam,* Beirut: Dar al-Fikr, 1986, 907. M. Syafaat Habib, *Buku Pedoman Dakwah*, Jakarta: Wijaya,1992, 160.

[71]Muhammad Tolhah Hasan, *Ahlusunnah wal Jama'ah dalam Perspektif dan Tradisi NU,* Jakarta: Lantabora Press, 2005. Harun Hadiwijono, *Kebatinan Islam Abad Enambelas*, Jakarta: Gunung Mulia, 1989.

[72]Koentjaraningrat, *Pengantar Ilmu Antropologi*, Jakarta: PT. Rineka Cipta, 2002. M. Darori Amin, *Sinkretisme dalam Masyarakat Jawa*, in Darori Amin (ed.), *Islam dan Kebudayaan Jawa*, Yogyakarta: Gama Media, 2002, 171.

[73]Purwadi, *Upacara Tradisional Jawa, Menggali Untaian Kearifan Lokal*, Yogyakarta: Pustaka Pelajar, 2007, 93; Ahmad Kholil, *Islam Jawa, Sufisme dalam Etika dan Tradisi Jawa*, Malang: UIN Malang Press, 2008, 46-49.

[74]Suwardi Endraswara, *Mistik Kejawen, Sinkretisme, Sinbolisme, dan Sufisme dalam Budaya Spesifik Jawa*, Yogyakarta: Narasi, 2006, 75.

[75]Abdullah Hadziq, *Psikologi Sufistik dan Humanistik: Studi Pemikiran al-Ghozali dan Abraham Maslow serta Implikasinya Bagi Pengembangan Pemikiran Psikologi,* Yogyakarta: S3 Dissertation IAIN Sunan Kalijaga, 2004, 53. Sultoni, Nilai-nilai Ajaran Tasawuf Walisongo dan Perkembangannya di Nusantara," *Jurnal KABILAH*, Volume 1, Numer 2, (December 2016), 366.

[76]Imam al-Ghazali, *Mîzân al 'Amal*, in Ahmad Syams al-Dîn, (ed.), Bairut: Dar al-Kutub al- 'Ilmiyyah, 1989, 97. Abdullah Hadziq, "Pikologiterapi Implikasi Ilmu Bagi Kesalihan Tingkah Laku: Analisis Terhadap Psikologi Sufistik al-Ghazali," *Jurnal TEOLOGIA*, Volume 16, Number 2, (July 2005), 1-28.

of *Sinom, Kinanti, Tembang Macapat*, composing *carangan* stories, *Gamelan* and *Wayang* arts.[77] In the field of religious rituals,[78] namely *nguri-uri kenduren* ceremonies, such as the *mithoni* ceremony, *sedhekah* circumcision, *ngantenan* ceremony, death ceremony, house salvation, and earth charity, and (d) Psychologically, for student who have advanced Islamic knowledge mission is done with the approach of sophistic psychology.

Revitalization of Inclusive Islam in Building Inclusive Interpretation Methods
Raden Umar Said's inclusive Islamic base developed through Islamic mission, then passed on by the scholars in Muria Kudus through recitation at the Sunan Muria Mosque in Colo Kudus until now, can be developed to develop an inclusive interpretation method. This is confirmed by several reasons as follows,[79] namely: (a) Raden Umar Said's inclusive Islamic concept is believed to be the basis for the development of an inclusive tradition for Colo Muria Muslim communities, (b) until now in Colo Muria Kudus there has never been any conflict, (c) inclusive Islam Raden Umar Said is the result of acculturation of Islamic teachings with the universal Hindu-Buddhist tradition, (d) the concept of inclusive Islam until it was developed through recitation at the Sunan Muria Colo Kudus Mosque and did not experience changes in essence, and (e) inclusive Islamic study material at Sunan Mosque Muria continues to be held until now.

Efforts to revitalize Raden Umar Said's inclusive Islamic concept in the development of inclusive interpretation methods must begin with an understanding of the nature of religion and religious texts critically. In each religion there are two kinds of teachings that sometimes appear to contradict each other, namely: (a) a tendency that teaches that the religion a person adheres to is the truest and saving religion, while other religions are untrue and misleading, and (b) religion teaches everyone must be respected, loved, and not impose religion on others.[80] Religion also often appears in two different faces, namely religion is a place to find peace of life and strong hopes, but religion is also often associated with the phenomenon of violence, as is often the case in Indonesia today.[81]

Because religion is absolute and universal, acts of violence and conflict occur because humans abuse them. Religion cannot be separated from the behavior of its adherents, because adherents' behavior is basically a response to their religion.[82] Religion is a real form of empirical religion, namely factual religion that exists in social struggles and realities.[83] Although often misused, religion must be able to maximize its function in creating true brotherhood, building harmonious, pluralistic, and inclusive relationships to build dialogue between religions, and developing an inclusive understanding so that peace can be realized in a

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[77]Sudarto, *Interelasi Nilai Jawa dan Islam dalam Pewayangan: Islam dan Kebudayaan Jawa*, Yogyakarta: Gema Media, 2002.

[78]Purwadi, *Upacara Tradisional Jawa, Menggali Untaian Kearifan Lokal*, Yogyakarta: Pustaka Pelajar, 2007, 93.

[79]Ma'mun Mu'min, *Pluralisme dalam...*, 43-48.

[80]Burhanuddin Daya, *Agama Dialogis: Merenda Dialektika Idealita dan Realita Hubungan antar Agama*, Yogyakarta: LKiS, 2009, 1. Mohamad Anas, "Metode Memahami Hadis-hadis Kontradiktif," *Jurnal MUTAWATIR: Jurnal Keilmuan Tafsir Hadis*, Volume 3, Number 1, (June 2013), 123-140.

[81]Haryatmoko, *Etika Politik dan Kekuasaan*, Jakarta: Kompas, 2003, 62-63.

[82]Muslim A. Kadir, *Ilmu Islam Terapan: Menggagas Paradigma Amali dalam Agama Islam*, Yogyakarta: Pustaka Pelajar, 2003, 3-14.

[83]Pradana Boy ZTF, (ed.), *Agama Empiris: Agama dalam Pergumulan Realitas Sosial*, Yogyakarta: LP2IF, Pustaka Pelajar, 2002.

universal sense.[84] Religion must be able to help put these basic demands in the practice of a harmonious, pluralist and inclusive life of the people.[85]

In order for religion not to be misused, the mechanism of interpretation of religious texts is crucial, because the product of interpretation will influence the patterns of thought, action, and fellowship of religious people.[86] There are three religious roles that can explain the relationship between religion and the phenomenon of violence that often occurs in society, namely: (a) religion as a framework of religious interpretation of social relations (ideological functions), (b) religion is positioned as symbolic behavior (identity function), and (c) religion is positioned as a tool for ethical legitimacy of social relations (legitimacy function).[87]

If religious understanding is dominated by these three functions, then the one that develops religious fanaticism, exclusive behavior, primordial's, rigid and unfriendly. Religious people are often tempted to make religion an ideology that leads to religious fanaticism and intolerance.[88] Usually, there is one attitude from the five attitudes taken by religious people when they meet perspectives outside their religious perspectives, namely: radical, accommodative, synthetic, dualistic or transformative attitudes.[89] In this case, Raden Umar Said took two choices in the mission, namely accommodative and synthetic attitudes.

The development of inclusive interpretation methods is closely related to the method used by commentators on the understanding of religious texts. The inclusive interpretation method will be realized when the exegete has an open attitude towards all parties, builds harmonious, pluralist and inclusive relationships. An open attitude is assisted by the ability to take distance, be critical of beliefs, uphold justice, be wise in attitude, rely on objectivity, and have an aesthetic attitude.[90] If interpretation provides an opportunity for critical attitudes it will certainly contribute to the creation of universal peace.[91]

There are three forms of distance taking that can help to build a critical and inclusive attitude towards the interpretation of religious texts, namely ideological criticism, game demolition and analogy.[92] The relevance of distance taking which takes the form of an analogy of the game in the interpretation of religious texts lies in the effort to create new methods in the interpretation of religious texts, thus opening up opportunities for the creation of harmonious, pluralistic and inclusive relations.

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[84]Olaf Schumann, *Dialog Antar Umat Beragama: Di Manakah Kita Berada Kini?*, Jakarta: Lembaga Penelitian dan Studi-Dewan Gereja-gereja di Indonesia, 1980.

[85]Hans Kung, *Etika Ekonomi dan Politik Global: Mencari Visi Baru Bagi Kelangsungan Agama di Abad XXI*, Ali Noer Zaman, (trans.), Yogyakarta: Penerbit Qalam, 2002, 252.

[86]Joachim Wach, *Ilmu Perbandingan Agama: Inti dan Bentuk Pengalaman Keagamaan*, Djamannuri, (trans.), Jakarta: Rajawali Pers, 1994, 89-190.

[87]Haryatmoko, *Etika Politik...*, 64-66.

[88]Haryatmoko, *Etika Politik...*, 67.

[89]Broto Semedi Wiryotenoyo, "Teologi dan Ideologi", in Eka Darmaputera (ed.), *Konteks Berteologi di Indonesia*, Jakarta: BPK Gunung Mulia, 1991, 73-74.

[90]Karl R. Popper, *The Open Society and Its Enemies*, Princeton and Oxford: Princeton University Press, 2013, 209-210.

[91]Merryl Wyn Davies, *Pengantar Dialog Muslim-Kristen: Dulu, Sekarang, Esok*, Yogyakarta: CV. Qalam, 2000, 2-6.

[92]Paul Ricouer, *Du Texte...*; Paul Ricoeur, *Hermeneutics and the Human Sciences: Essays on Language, Action and Interpretation*, Cambridge: Cambridge University Press, 1982.

Functions of the Inclusive Interpretation Method to stem the Development of Radicalism and Terrorism

The development of the notion of radicalism and terrorism is not a new problem since the beginning of independence until now the two ideologies continue to exist in different forms, motives, and movements. Along with that, the government has tried to do the handling in different ways. During the Old Order era, the policies and strategies for overcoming the development of radicalism and terrorism were carried out with a security approach through military operations on the basis of the Subversive Law. During the New Order era, the radicalism and terrorism were dealt with the Subversive Law with more emphasis on intelligence operations. In the reform era, where democratization, freedom, and human rights perspectives in various sectors also influenced the policies and strategies for overcoming the development of radicalism and terrorism, which prioritized legal aspects, for example by the issuance of Law Number 15 of 2003 concerning the Eradication of Terrorism.[93]

In further developments in 2010, the government issued Presidential Regulation Number 46 of 2010 concerning the Establishment of the National Counter Terrorism Agency (BNPT), which was amended by Presidential Regulation Number 12 of 2012. The establishment of BNPT was a government policy to stem the development of radicalism and terrorism in Indonesia as a development from the Terrorism Eradication Coordination Desk (DKPT) which was formed in 2002. In the national policy BNPT is the leading sector that has the authority to develop and make policies and strategies and become a coordinator in the field of counter-radicalism and terrorism. In its implementation, BNPT is guided by a head with three fields, namely: (a) Field of prevention, protection and deradicalization, (b) Field of enforcement and capacity building, and (c) Field of international cooperation. In carrying out its policies and strategies, the BNPT runs a holistic approach from upstream to downstream. Conclusion of radicalism and terrorism is not only finished with the enforcement and enforcement of the law (hard power) but the most important thing is touching upstream issues with prevention efforts (soft power).

In the field of prevention, BNPT uses two strategies,[94] namely: First: Counter-radicalization strategies, namely efforts to plant Indonesian values and anti-violence values. In the process, this strategy is carried out through formal and non-formal education. Counter-radicalization is directed at the general public through cooperation with religious leaders, educational figures, community leaders, traditional leaders, youth leaders and other stakeholders in providing national values. Second: De-radicalization strategy. The field of deradicalization is aimed at groups of sympathizers, supporters, core organizations and militants carried out both inside and outside prison. The aim of de-radicalization is that core groups, militants, sympathizers, and supporters abandon the methods of violence and terror in fighting for their mission and moderating their radical ideas in line with the spirit of moderate Islamic groups and matching national missions that strengthen the NKRI. Not only that, to stem the development of radicalism and terrorism, the government, TNI and Polri collaborated with educational institutions, such as Islamic boarding schools, madrasah, and schools. This collaboration is very important considering the world of education cannot be separated from the influence of the understanding of radicalism and terrorism.

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[93]BNPT, *Strategi Menghadapi...*, 2.
[94]BNPT, *Strategi Menghadapi...*, 2-3.

Research conducted by Mubarak and Yunus shows that the development of the notion of radicalism and terrorism has entered significantly in formal education institutions.[95]

Efforts to stem the notion of radicalism and terrorism in the aspect of thought are also very important to do because people act on the basis of thought, such as the study of the functions of inclusive interpretation methods in stemming the development of radicalism and terrorism. There are at least four fundamental assumptions about the function of the inclusive interpretation method on understanding religious texts to stem radicalism and terrorism, namely: (a) inclusive interpretation methods prioritizing a critical attitude towards the understanding of religious texts, (b) inclusive interpretation methods may be able to give the contribution that is fundamental to the creation of harmonious, pluralist and inclusive relations among religious people, (c) inclusive interpretation methods can be used as a basis for building a whole, integral and universal basis for theological thinking, so that it is expected to minimize the mixing of aspects of theological doctrine with historical cultural struggles and religious issues in the historical empirical area of humanity are simpler, (d) inclusive interpretation methods prioritize equality values rather than values of differences between religions, and (e) methods of inclusive interpretation are expected to be the main foothold in building harmonious traditions, pluralist and inclusive among religious adherents.

In practice, there are three transformative attitudes from inclusive interpretation methods to an inclusive tradition in everyday life, namely: *First*, the transformation from theological textualist to historical contextualist. Theological textualist, which means a perspective that is oriented and oriented towards religious texts in a rigid and rigid manner. While historical contextualist is a perspective that rests on universal moral ideas carried by the intent of religious texts by always paying attention to the socio-cultural context. Thus, theological textual transformation into historical contextualization is very possible for the encounter between opinions, perspectives, auto critics and input from outside parties that are more dynamic, and oriented towards solving people's problems empirically. *Second*, the transformation from individual exclusivity to social pluralism. Individual exclusivity is the perspective, attitude and exclusive behavior and individuals who do not know friendly words, open encounters and meet each other. While social plurality is a perspective, harmonious, pluralist and inclusive attitudes and behaviors that enable intercultural, interreligious and interfaith encounter. Thus, in the transformation of individual exclusivity into social plurality, it allows the formation of true brotherhood, harmonious relations, pluralism and inclusiveness in the midst of plural societies. *Third*, the transformation from intrareligious plurality to multireligious plurality. Intrareligious pluralists are pluralists owned by the same religion. If disaggregated, every religion, such as Islam, Christianity, Hinduism, Buddhism, and Confucianism, can be divided into smaller units consisting of various pluralistic parts, such as social plurality, culture, economy, politics, and language. While what is meant by the multireligious plurality is plurality that occurs between adherents of different religions. The transformation from intrareligious plurality to multireligious plurality is intended as an attitude and behavior of religious people to always be able to shift from narrow attitudes or pseudo-plurality (intrareligious plurality) shifting to broad-minded and flexible (multi-religious plurality) attitudes and behaviors, thus enabling encounters interreligious and interfaith accompanied by a brotherly and friendly attitude. Through these three transformation attitudes in the tradition of inclusiveness, it is expected to be able to implement the functions of an inclusive interpretation method in order to stem the

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[95]Zulfi Mubarak, "Fenomena Terorisme di Indonesia: Kajian Aspek Teologi, Ideologi dan Gerakan," S*tudi Masyarakat Islam Journal*, Volume15, Number 2, (December 2012). A. Faiz Yunus, "Radikalisme, Liberalisme dan Terorisme:Pengaruhnya Terhadap Agama Islam," *Studi Al-Qur'an Journal*, Volume 13 , Number 1 , (2017).

development of radicalism and terrorism that is currently developing and has entered into every aspect of human life, and threatens the integrity of the nation and NKRI.[96]

Conclusion

First, the inclusive Islamic concept of Raden Umar Said refers to the model of Islamic mission carried out through acculturation or syncretism between the teachings of Islam and the Hindu-Buddhist tradition. Inclusive Islam is delivered through the strategy of *Tapa Ngeli*, which is mingling in the midst of the general public, promoting mutual respect and respect among fellow religious people. Inclusive Islam is Islam that puts forward harmonious, pluralistic and inclusive values. Hindus and Buddhists are not offended and can accept inclusive Islam.

Second, radicalism which is an understanding, flow and attitude that craves total change is revolutionary in order to replace the existing and established values drastically through violence and extreme actions. Radical understanding has characteristics, namely intolerant, fanatical, exclusive, and revolutionary. While terrorism is an understanding or sect that commits violence with political, religious, economic and ideological intentions involving threats and violence, which results in many casualties, and is carried out by rational actors of the state's enemies. The characteristic of understanding terrorism, namely from the aspect of the method of terrorism, uses violence, from the aspect of the target of terrorists threatening civilians in a random manner, from the aspect of the objectives of the terrorist intending to spread fear and aim to make social-political changes in a drastic manner.

Third, in preaching Raden Umar Said using the method of *da'wah bi al-Hikmah* and *Mauidzah Hasanah*. Both of these methods are combined in the form of the *Tapa Ngeli* practice. Substantially preaching is carried out comprehensively to fulfill all aspects of human life. In the religious aspect of teaching the Sunni school, the rituality aspect uses an acculturation or syncretism approach to religious traditions, and on aspects of the arts perform various kinds of artistic compositions and create art.

Fourth, the model of acculturation or syncretism between Islamic teachings and the Hindu-Buddhist tradition, Raden Umar Said uses a sophistic psychological approach that prioritizes the development of aspects of the primacy of the soul. How to achieve this by using the strategy of *Tapa Ngeli*, opening an Islamic religious education course, making art as a medium of propaganda, *nguri-uri kenduren* ceremony, and building a soul of Sufism. To maximize the results of Raden Umar Said choosing Colo Muria as the center of inclusive Islamic studies.

Fifth, inclusive interpretation methods can be used to stem the development of radicalism and terrorism by using two strategies, namely Counter-radicalization strategies and de-radicalization strategies. The results of these two strategies can be maximized if done through comprehensive cooperation. Inclusive interpretation methods can function optimally by promoting a critical attitude, being able to create harmonious relationships, building a pluralist and inclusive attitude, becoming a foundation of theological thinking as a whole, and putting forward the values of equality.

To minimize the development of radicalism and terrorism, there are three transformations of inclusive interpretation methods that must be actualized in daily life, namely the transformation from theological textualism to historical contextualism, the transformation from individual exclusivity to social plurality, and the transformation from intrareligious plurality to multireligious plurality.

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[96] Iman Fauzi Ghifari, "Radikalisme di..., 123-134.

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ALIMENTATIO OF SURROGATE'S CHILD: CONFLICT OF NORM AND *DOELMATIGHEID*

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Abstract

The pros and cons of the surrogation practice's validity are still happening in Indonesia. This study aims to construct the rights and obligations of children from the results of surrogation as a legal subject, especially in family law, which regard to the matter of alimentation and inheritance on property. This study is important to do considering the existing studies are still to the question of whether the rent of womb is allowed or not, the status of the child as a result of the child's womb lease, and the inheritance rights to their parents. In order to achieve this goal, a doctrinal legal research is conducted. The data used is in the form of secondary data sourced, including primary legal materials (legislations) and secondary ones (journal articles, reference books, and other literatures). Data is collected by conducting content identification, and is validated through source criticism. The data is then analyzed by making legal interpretations. The results of the study show that there has been a conflict of law in regulating the rent of the womb in Indonesia. There is a substance of legal norms which allow surrogation, yet there are also norms which unallow, and there are also norms which provide dispensation for surrogation. Conflict of norm also appears when the study reaches the doelmatigheid problem, that the law must be expediency, which makes the surrogation becomes tension between expediency and kemlorhlor. In case surrogation has produced a child, then the human rights of the child must be protected. From this study, it is expected that there is another point of view that the practice of surrogation is not deal with only permissible or not, but rather led to the understanding that Islamic values are indeed "*rahmatan lil alamin*", and the law which one of the source is religious values which strengthening the doelmatigheid side.

Keywords: *Surrogacy, Legal Status, Right And Obligation, Alimentatio, Doelmatigheid.*

Introduction

One of the marriage goals is to generate the offspring which based on the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution) Article 28B Paragraph (1),

which states that: "...*each person has the right to establish a family and to generate offsrping through a lawful marriage*." Further arrangements regarding this matter are stated in Law Number 39 of 1999 concerning Human Rights (hereinafter referred to as the Human Rights Act), in Article 10 Paragraph (1) which states that: "...*each person has the right to marry legally, to found a family and to bear childern*." Generating offspring is one of the human rights which protected by the constitution and law in Indonesia.

Nevertheless, not all couples have the opportunity to obtain these rights easily. Many married couples find it difficult to get offspring. The results of the research showed that approximately 10% of married couples were not blessed with offspring due to infertility, and they were less likely to adopt a child.
[1] This causes couples to experience despair and seeking alternatives to generate offspring.

Nowadays, rapid technological developments have discovered new technologies in health to assist the reproductive process. The technology which dicovered to assist married couples in obtaining offspring is known as "*the Assisted Reproductive Technology*" (ART) system. ART is a number of medical procedures in combining ovum and sperm cells. One method that oftenly applied is "*in vitro fertilization*" or in general term often referred to as "IVF".[2] This technology was discovered around the 1970s which was developed with the aim to assist married couples who unable to generate offspring.[3] IVF is a baby in the manufacturing process that proceeds outside the body (in vitro), or by artificial insemination.[4]

After the IVF appears, technology in the reproductive process is developed. There are other alternatives offered to generate offspring which refer to the "surrogacy method" or also called "rent the womb". Surrogation or rent of the womb is a method or agreement of a woman to conceive for another person who will later become the parent of the child conceived and given birth by the woman.[5] Renting the womb is conducted by creating agreement or contract commonly referred to as a surrogacy agreement, which is a contract between a woman who ties herself with another party (husband and wife) to get pregnant and after giving birth to a baby, they will give the baby to another party.[6] This surrogacy agreement basically stipulates that a woman is pregnant a baby not her own child and hand over the right as a mother to the third party.[7]

The practice of renting the womb is actually not much different from the practice of IVF because the fertilization process is also carried out outside the natural way. The difference is that in the practice of IVF, pregnant women are their biological mothers while in the practice of surrogation, woman who is pregnant is not the biological mother but a surrogate mother. Surrogate mother is a woman who, for financial reasons or reasons for caring, is willing to conceive and give birth to another woman who cannot

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[1]Zahrowati, "Bayi Tabung (*fertilisasi in vitro*) dengan Menggunakan Donor Sperma dan Rahim (*Surrogate Mother*) dalam Perspektif Hukum Perdata", *Halu Oleo Law Review (HOLREV)*, Vol. 1, Issue 2, (September, 2017), p. 127.

[2]Bella Habibilah dan Wismar Ain, "Kedudukan Hukum Anak Yang Dilahirkan Melalui Ibu Pengganti (*Surrogate Mothe*) ditinjau dari Hukum Kekeluargaan Islam", *Lex Jurnalica*, Vol. 12, No. 2, (August, 2015), p. 153.

[3]Aditya Wiguna Sanjaya, "Aspek Hukum Sewa Rahim (*Surrogate Mother*) dalam Perspektif Hukum Perdata dan Hukum Pidana", *Jurnal Rechtens*, Vol. 5, No. 2, (December, 2016), p. 37.

[4]Syarif Zubaidah, "Bayi Tabung, Status Hukum, Hubungan Nasabnya dalam Perspektif Hukum Islam", *Al Mawarid* Edisi VII, (February, 1999), p. 46.

[5]J. Srinivas and Matin Ahmad Khan, "Surrogacy in India: Current Perspective", *International of Health and Medical Research*, Vol. 3, Issue 5, (May 2017), p. 85.

[6]Fajar Bayu Setiawan, dkk, "Kedudukan Sewa Rahim dalam Hukum Positif Indonesia", *Private Law* Edisi 01 (March-June, 2013), p. 67.

[7]Lorenzo Del Savio and Glulia Cavaliere, "The Problem With Commercial Surrogacy, A Reflection Reproduction, Markets and Labour", *BioLaw Journal-Rivista di BioDiritto*, Np 2, (2016), p. 74.

or does not want to give birth to her own child.[8] The pros and cons of many scholars arise, however in fact, there are countries that legalize and prohibit surrogation.

The practice of this surrogacy has developed in several countries, such as the United States, Britain, Ukraine, Norway, India and several other countries. In the United States, the practice of surrogation was not a new phenomenon, but had existed before the civil war when an African-American slave was made a surrogate mother for the owner.[9] While in India, the practice of surrogation is the largest in the world. The rapid development of this practice is proven by a significant increase that occurred in one region in India, such as Cjenna, a region in the southern part of India, which has led to 12 special hospitals which established to generate surrogacy for 150 women who are ready to become surrogates who are pregnant a baby of someone else.[10]

Whereas the practice of surrogation is another alternative in obtaining offspring, in some countries, this practice is still debated. Debate arises when there is a shift in the definition and substance. Surrogacy was initially used as an alternative to address reproductive disorders. But in its development, this practice has changed into social and exploitation means. This can be seen when a woman is seen only as a property (especially in the low economic community) such as India, Bangladesh and Cina. As proven, the practice of surrogation in India has contibuted to add the national income in the total of 4 Trillion Rupiah.[11] The development of commercialized surrogation has become a sensitive issue related to morality and legality. The opinion of Van Niekerk and Van Zyl in Hugh V McLachlan states that a surrogate is likened to a "container" or "human incubator" for other people's children. It becomes a serious concern when woman is only seen as a property.[12] In addition, surrogation is considered as a bad practice due to two reasons, *first,* surrogation endangers the surrogate mother; and *second,* this practice endangers the community, regardless of whether the practice endangers the surrogate mother or not.[13]

The problems related to the practice of surrogation are indeed complex, the vacuum of regulation and the reason of legal certainty's absence from the surrogation agreement eventually lead to other problems. One problem that arises is related to the legal status of children born from surrogation. In addition, the position of the baby born from surrogacy process is also a legal issue which has a broad impact. The legal status of the baby is complicated because the relationships appear are not only from their biological parents but also the relationship between the child and the surrogate mother who gave birth. In fact, there are provisions which stipulate that a child born outside of marriage only has a civil relationship with the mother herself and the family. The issue of alimentation which arises here is regarding the obligation of the child as a result of the surrogate mother when the child becomes an adult, while the

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[8]Anton van Niekerk and Liezl van Zyl, "The Ethics of Surrogacy: Women's Reproductive Labour", *Journal of Medical Ethics,* Vol. 21, 1995, 345.

[9]Carla Spivack, "National Report: The Law of Surrogate Motherhood in United States", *The American Journal of Comparative,* Vol. 58, (2010), 97.

[10]Alifah Rahmawati dan Hirma Susilowati, "Fenomena *Surrogate Mother* (Ibu Pengganti) dalam Perspektif Islam Ditinjau Dari Hadits", *Nuansa,* Vol. 14, No. 2, (July-December, 2017), 412.

[11]Sonny Dewi Judiasih dan Susilowati S. Dajaan, "Aspek Hukum *Surrogate Mother* dalam Perspektif Hukum Indonesia". *Jurnal Bina Mulia Hukum,* Vol. 7, No. 2, (March, 2017), 142.

[12]Hugh V McLachlan, "Defending Commercial Motherhood against Van Niekerk and Van Zyl", *Journal of Medical Ethics,* Vol. 23, (1997), 345.

[13]Lina Peng, "Surrogate Mother: An Exploration of The Empirical and The Normative". *American University Journal of Gender, Social Policy, and The Law,* Vol. 21, Iss. 3, Art 2, 2013, 556.

mother of the surrogate is aging, helpless, and needs help. This legal status uncertainty of the child will also result in the rights of the child which born from renting the womb to inherit the property of his parents, or vice versa, when the child from the surrogation leaves inherited property, the problem arises who has the right to inherit the child of surrogation property, especially if it turns out that the child of the surrogation suckles to the mother who gave birth.

Problems with surrogation have initiated to conduct research about the practice of surrogation. Some of them are research conducted by Muhammad Ali Hanafiah Selian (in 2017), from the Faculty of Sharia and Law of the State Islamic University (UIN) Syarif Hidayatullah Jakarta with the title of "Surrogate Mother: Overview from Civil and Islamic Law" examining the arrangement of surrogates based on Civil Law and Islam. Zahrowati (in 2017) with the title of the article "IVF (In Vitro Fertilization) with the title of Using Surrogate Mother Sperm in the Civil Law Perspective", comprehensively studying the two reproductive methods by artificial insemination as which is IVF and surrogation reviewed from the Civil Law perspective in Indonesia. Another study, entitled "Legal Aspects of Surrogate Mother in the Indonesian Legal Perspective" conducted by Sonny Dewi Judiasih and Susilowati S Dajaan from the Faculty of Law, University of Padjajaran (in 2016), which examined the existence of positive law-based surrogation agreements in Indonesia by comparing them with surrogation arrangements in several countries.

By far, researches regarding surrogation that examines the obligations of child surrogation alimentation and inheritance of surrogate children's assets has not been found. The necessity of this study is to put the dignity of the child as a legal subject which is no different from a legitimate child. This study focuses on the problem of implementing the obligation of alimentation by the child of the surrogation, about the inheritance of assets from the child of the surrogation, and recommendations on alternative solutions to these problems.

METHODOLOGY

Legal research is a scientific activity based on certain methods, systematics and certain thoughts that aim to study one or several specific legal symptoms by analyzing them, therefore legal research requires a method.[14] This study is sourced from the results of doctrinal legal research, by examining primary and secondary legal materials, or literatures,[15] with descriptive analysis method describe certain symptoms with providing thorough data.[16] In a research, data is divided into two, primary and secondary one.[17] This study uses secondary data, which includes primary legal materials (legislations and conventions) and secondary legal materials (research journals, reference books, sources from the internet).

Data collection techniques are conducted in the form of study documents (library research). Further, legal materials which has collected are examined, reviewed, researched and interpreted to answer the problem.[18] The analysis is carried out by making legal interpretations, an activity carried out by the author to determine the content or definition of a regulation. The kinds of legal interpretation used in writing this study are the grammatical legal interpretation, historical legal one, and teleological law one.[19]

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[14]Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Jakarta: UI Press, 2015), 43.

[15]Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, (Depok: PT Raja Grafindo Persada, 2011), 13.

[16]Soerjono Soekanto, *Op.cit.*, p. 10.

[17]Soerjono Seokanto dan Sri Mamudji, *Op.cit.*, 12.

[18]Soerjono Seokanto, *Op.cit.*, 66.

[19]Yudha Bhakti Ardhiwisastra, *Penafsiraan dan Konstruksi Hukum*, (Bandung: PT Alumni, 2015), 9.

The grammatical legal interpretation is interpretation according to grammar, therefore the interpretation of text or legislation according to daily language involves etymological and terminological interpretation. The historical legal interpretation is the interpretation of the law by reviewing history or the establishment of laws.[20] Teleological legal interpretation interprets the law in a certain way therefore it can be carried out in accordance with the present situation in the community.[21]

LITERATURE REVIEW
Concepts of the Agreement, Legitimate Requirements of the Agreement, and the Principles of Agreement.

The Surrogation arised because of an agreement, which is another term of *overeencomst* (Dutch) or agreement (English).[22] The agreement raises an engagement, the legal relationship which ties two parties where one party has the right to demand something from the other party while the other party is obliged to fulfill it.[23] As stated in Article 1313 of the Civil Code that: "*an agreement is an act pursuant to which one or more individuals commit themselves to one another. An agreement is a legal action based on an agreement, when the parties commit themselves to tie with it, a legal consequence arises which makes one party has the right to an achievement and the other party is obliged to fulfill the achievement*".

Article 1320 of the Civil Code requires that: "*in order to be valid, an agreement must satisfy the following four conditions: consent, capacity, specific subject, and admissable causes*".[24] An agreement is a conformity of intention statement between one party and another. The agreement is considered invalid if there is an oversight (*dwaling*), coercion (*dwang*), and fraud (*bedrog*).[25] Capacity is the ability to carry legal actions. People who are capable of carrying out legal acts are adults.[26] A certain thing is an object of agreement. In order to obtain certainty, each agreement must state clearly and explicitly what is the object of the agreement. The object of the agreement must be calculated and can be determined by type.[27] In an agreement, the object submitted must be determined exactly. Objects that can be the subject of the agreement are objects that can be traded or material that are classified as assets.[28] Admissable cause is the contents of the agreement are not contrary with the laws and regulations. A cause is declared prohibited if it is contrary to law, decency and public order.[29] The terms of agreement and skill are subjective requirements, if the agreement is not fulfilled, a voidable request can be requested, while a certain thing and an admissable cause are objective conditions, if the agreement is null and void, the agreement is considered never existed.[30]

In making an agreement, there are several principles that must be considered, including:

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[20]*Iid.*, 10.

[21]*Ibid.*, 11.

[22]Ratna Artha Windari, *Hukum Perjanjian*, (Yogyakarta: Graha Ilmu, 2014), 2

[23]Subekti, *Pokok-Pokok Hukum Perdata*, (Jakarta: Intermasa, 2011), 123.

[24]Ratna Artha Windari, *Op.cit.*, 15.

[25]*Ibid.*, 16.

[26]Salim H.S., *Perkembangan Hukum Kontrak Inominaat*, (Jakarta: Sinar Grafika, 2014), 24.

[27]Tagor Simanjuntak, *Draft Surat Perjanjian Segala Urusan*, (Sleman: Solusi Distribusi, 2014), 3.

[28]Tagor Simanjuntak, *Op.cit.*, 4.

[29]Aulia Muthiah, *Aspek Hukum Dagang dan Pelaksanaannya di Indonesia*, (Yogyakarta: Pustaka Baru Press, 2016), 77.

[30]Abdulkadir Muhammad, *Hukum Perdata Indonesia*, (Bandung: PT Citra Aditya, 2014), 293.

1) Pacta sunt servanda principle, in which is any agreement made by the parties legally,which the power of law is considered the same as the binding power, applies as a law to the parties who agreed on it (Article 1338 paragraph (1) of the Civil Code).[31]

2) Consensualism principle, an agreement is made because conformity of the parties' interests. Validity of an agreement can be fulfilled if the parties have complied consent requirement which bind themselves.[32]

3) Freedom of contract principle, which states that in making an agreement, parties to a contract are free to include any provisions they wish, subject only to mandatory provisions of Indonesian law. The mandatory provisions of Indonesian law that a contract must not violate derive from Indonesian statutory laws and regulations, public policy and the public order.[33]

4) The principle of good faith, regulated in Article 1338 paragraph (3) of the Civil Code which states that the agreement shall be executed in good faith. The principle of good faith is divided into two; the relative good faith and absolute good faith. In relative good faith, people pay attention to the real behavior of the subject. While in absolute good faith, its judgment lies in common sense and justice, an objective measure is made to assess conditions according to objective norms.[34]

5) The principle of personality, that an individual can commit only himself or agree to something on his own behalf. The agreement applies only between the parties who made it.[35]

6) The principle of legal certainty, is the principle that relates to the consequences of the agreement from the legal aspect.[36]

Type of Agreement, Legal Effects of the Agreement, and Termination of Agreement

There are several types of agreements. *First*, reciprocal agreements, which are defined as agreements made by placing rights and obligations on both parties that make the agreement.[37] *Second*, a unilateral contract is a contract which only one party is obliged to impose specific act.[38] *Third*, free agreement and weighting right, an agreement that according to the law benefits only one party.[39] *Fourth*, consensual, real, and formal agreements. A consensual agreements are considered valid if there is a mere consencus of the parties. The real agreements are those in which it is necessary that there should be something more than mere consent such as delivery of goods. Meanwhile, what is meant by formal agreement is an agreement that requires consent and further the law requires it to arrange in a written form contained in a deed made by a public notary or Land Titles Registrar.[40] *Fifth*, a named and unnamed agreement. A named agreement is an agreement that has been arranged with special provisions in Book III of the Civil Code, while a unnamed agreement is an agreement that is not specifically regulated by law.[41]

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[31] Evi Ariyani, *Op.cit.*, 12.

[32] *Ibid.*

[33] *Ibid.*, 13.

[34] Salim HS, *Op.cit.*, 11

[35] Salim H.S., *Hukum Kontrak Teori dan Teknik Penyusunan Kontrak*, (Jakarta: Sinar Grafika, 2011), 11.

[36] Tagor Simanjuntak, *Op,cit.*, 5.

[37] Danang Sunyoto dan Wika Harisa Putri, *Hukum Bisnis*, (Yogyakarta: Pustaka Yustisia, 2016), 83.

[38] *Ibid*

[39] *Ibid*, 84.

[40] *Ibid*

[41] *Ibid*, 85.

Some effects of agreement include: (1) bind to individuals as law;[42] (2) must be executed in good faith; which means that the implementation of the agreement must pay attention to the values of decency in the community;[43] and (3) the agreement unable to be revoked unilaterally without the judge's permission.[44]

The agreement may expire for several reasons: (1) if the parties have determined the expire date of the agreement; (2) the law has stipulated the expire date of the agreement's entry into force; (3) the parties or the law have determined if a certain event occurs, the agreement will delete or expire; (4) there is a consent to dismiss the agreement by both parties or one of the parties in the agreement; and (5) the decision of a judge which results in the dismissal or expiration of an agreement.[45]

The Concept of Womb Rental Agreement

Surrogacy is a method or agreement whereby a woman agrees to carry a pregnancy for another person or persons, who will become the newborn child's parent after birth.[46] Renting the womb is closely related to the term "surrogate mother". A surrogate mother or is a woman who for financial reasons or because of her concern agrees to conceive and give birth to a child for another woman who because of her inability or unwillingness to give birth to her own child.[47] According to Desriza Ratman, surrogate mother is an agreement made by a husband and wife with a woman who will later become pregnant and conceive a prospective baby who later become the child of the couple which will be delivered according to the agreed time.[48] Whereas Fred Ameln in Sonny Dewi Judiasih and Susilowati S Dajaan stated, that "surrogate mother" was defined freely as a woman who was bound by an agreement with another party (husband and wife) which later the woman would conceive a child as a result of conception outside the womb between sperm cells and the egg cells of the married couple where later if the baby conceived by the woman has born, then the child must be handed over to the husband and wife and instead, the woman will be given material rewards.[49] Meanwhile, a womb rental agreement or a uterine rental contract is an agreement of a woman who ties herself to another party (husband and wife) to become pregnant later after giving birth, she must deliver the child or baby.[50]

Types of Womb Rental Agreement

Surrogation is divided into two types; full surrogacy and partial surrogacy. Full surrogacy, also known as gestational surrogacy, is a method of surrogating the eggs of the mother are fertilized with father's sperm and then the embryo is placed into the uterus of the surrogate. In this case the biological mother will be the one whose eggs are used. Meanwhile, partial surrogacy is also known as traditional surrogacy. Partial surrogacy is a method of surrogation with the surrogate mother carries the child for the full term and

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[42]Abdulkadir Muhammad, *Op.cit.*, 305.

[43]*Ibid*

[44]*Ibid.*, 306.

[45]Tagor Simanjuntak, *Op.cit.*, 16.

[46]J. Srinivas and Matin Ahmah Khan, *Loc.cit.*

[47]Anton van Niekerk and Liezl van Zyl, *Loc.cit.*

[48]Desriza Ratman, *Surrogate Mother dalam Perspektif Etika dan Hukum: Bolehkah Sewa Rahim di Indonsia?,* (Jakarta: Elex Media Komputindo, 2014), 35.

[49]Sonny Dewi Judiasih dan Susilowati S Dajaan, *Op.Cit.*, 145.

[50]Aditya Wiguna Sanjaya, *Op.cit.*, 38.

delivers it for the couple through artificial insemination. The surrogate mother is the biological mother of the child.[51]

Based on the selection of surrogate mothers, surrogation is divided into two types; altruistic surrogacy and commercial surrogacy. Altruistic surrogacy is when a surrogate mother receives no compensation beyond reimbursement of medical and other reasonable expenses. While commercial surrogacy is when the surrogate mother is paid over and above the necessary medical expenses. This situation usually occurs when the surrogate mother has no relationship with the biological mother.[52]

Reasons and Impacts of Renting Womb

The practice of renting womb occurs for several reasons, including: (1) a woman has no hope of conceiving because of an illness or disability that prevents her from conceiving and giving birth to a child; (2) the woman's womb is forced to be removed because of a surgery; (3) the woman wants to have a child but has been menopausal; 4) the woman wants to have children but does not want to carry the burden of pregnancy and childbirth, and (5) the a surrogate mother wants to be rewarded by renting her womb to conceive another person's baby.[53]

In many cases of surrogation practices, there is a tendency that the womb of a woman is made into a commodity to gain material benefits, which in turn causes negative impacts as well as the potential positive impacts which may experience by the parties. The negative impact of surrogation is a decrease in the dignity of a woman. The surrogate mother in the surrogation agreement will be assessed as a commodity valued with money, which is based on age, medical history, and other factors which will later affect the "price" of the surrogate mother.[54] In addition, the surrogation can also have a negative impact on the health of surrogate mothers, including death when the surrogate mother performs her duties as a surrogate.[55] In addition to physical effects, renting the womb also has psychological effects, such as depression due to rising body weight after childbirth, unstable emotions after childbirth, and turbulent emotions due to deliver the baby whose been conceived for about 9 months.[56]

In other hand, renting the womb may also have a positive impact, such as the increase in health facilities provided to improve the likelihood of the childbirth in a healthy condition.[57] In addition, surrogation is carried out by a surrogate mother to increase pride, self-control, and increase self-esteem in her childbirth through a process that is considered valuable and respected.[58]

Children and Children's Rights in the Practice of Surrogation

Children according to language are the second offspring as a result of male and female relationships. The United Nations Convention on the Rights of the Child 1989 (UN Convention on the

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[51]Carla Spivack, *Op.cit.*, 98.

[52]J Srinivas and Matin Ahmad Khan, *Loc.cit.*

[53]Muhammad Ali Hanafiah, "Surrogate Mother Tinjauan Hukum Perdata dan Islam", *Jurnal Yuridis*, Vol. 4, No. 2, (December, 2017), 134.

[54]Kristiana Brugger, "International Law in The Gestational Surrogacy Debate". *Fordham International Law Journal*, Vo.l 35, Issue 3, Article 6, 2012, 673.

[55]*Ibid.*, 674.

[56]*Ibid.*, 678.

[57]*Ibid.*, 676.

[58]*Ibid.*, 677.

Rights of the Child 1989) has provided a definition of children as every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. Based on Law Number 17 of 2016 concerning Determination of Government Regulation in Lieu of Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection, children are someone who is not 18 years old including those who are still in the womb. The terminology of child surrogation has not been regulated in the laws and regulations.

According to Desriza Ratman, children are a gift from the Almighty God who has rights that are inherent at birth as for must be guaranteed and protected as long as the children cannot maintain them.[59] The United Nations Convention on the Rights of the Child 1989 regulates civil, political, economic, social and cultural rights of children. The rights of children guaranteed in the Convention include: the inherent rights of their lives, the right to know and care for their parents, the right to maintain their identity, the right to express their opinions, the right to freedom of thought, the right to enjoy high standards of health and other rights. Based on several regulations in Indonesia, there are several categories of children. These groups of children include:

1) Legitimate childern

According to Law Number 1 of 1974 concerning Marriage, what is meant by a legal child is a child born in or due to a legal marriage. Whereas the definition of legitimate children in the Civil Code can be seen in Article 250 which states that the husband shall be deemed to be the father of a child born out of or conceived during the marriage.[60] Legitimate children occupy the highest and most perfect position before the law compared to children in other categories because legitimate children carry all rights granted by law.[61]

2) Out-of-wedlock children

Out-of-wedlock children are children who do not have perfect positions as legitimate children. This is due to the origin of the child which is not based on a legitimate relationship as relationship between father and mother, who maintains and educates children born from their marriage or by them towards their adoptive children.[62]

3) Adopted child

The term adopted child can be found in Law Number 17 of 2016 concerning the Establishment of Government Regulations in lieu of the Second Amendment to Law No. 23 of 2002 concerning Child Protection that adopted child is a child whose rights are transferred from a legal guardian parent or other person responsible for the care, education and raising of the child into the family of his adoptive parents based on a court decision. Again, it is necessary to emphasize that the terminology of child surrogation has not been found.[63]

In Indonesia, the status of child surrogation has not been clearly regulated. However, this does not mean that there is a legal vacuum in the arrangement of child surrogation. After all, the law has a doelmatigheid side, namely the benefit side or the legal benefit side. The absence of clear and decisive

[59]Desriza Ratman, *Op.cit.*, 71.

[60]Subekti, *Ringkasan Tentang Hukum Keluarga dan Hukum Waris*, (Jakarta: PT Intermasa, 2005), 13

[61]Hongko T. Gombo, "Hak Waris Anak di luar Nikah Ditinjau Menurut Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan", *Lex Privatum*, Vol. 11, No. 1, (January-March, 2014), 156.

[62]*Ibid.*, 158.

[63]Article 2 of Civil Code

regulations governing the question of child surrogation can be overcome by making legal interpretations, through the interpretation of legal history, grammatical interpretation, or teleological or futuristic legal interpretation, because the phenomenon of surrogation will continue to evolve following the dynamics of the times due to necessity. Putting forward the doelmatigheid side is important to reduce conflict of norm, which on the one hand, there are norms that prohibit while on the other hand, there are norms that permit, with each having reasons believed to be true.

In fact, when pondered about the issue of surrogation it is not a sudden issue. It may be necessary to be reminded of the story of Maryam (a holy virgin) in the Qur'an who could conceive because of the greatness or omnipotence of Allah SWT, which until now human reason has not been able to reach it, and nowadays it is shown with "a little" progress in human technology in the form of surrogation. The story that is also very important to contemplate is the story of the Prophet Muhammad SAW who was passed on to other women, who could inspire the phenomenon of surrogation. Islam as a rahmatan lil 'alamin religion certainly has and will always provide the best solution to every human problem, including in terms of surrogation.

Alimentation by the Surrogation Child to Surrogate Mother

Article 298 of the Civil Code stipulates that any child, regardless of his age, should revere and respect his parents. The father, and the mother, both are obliged to care for and educate all their children until he comes age. Losing the power of parents or become guardians does not relieve them of obligation, provide benefits in balance with their income, to finance the maintenance and education. In the Civil Code, including in the definition that a child shall be deemed to be born, in the event that a child is stillborn, it shall be deemed to have never existed. In Article 42 of Law Number 1 of 1974 concerning Marriage, it is regulated that a A legitimate child is a child born out of or resulting from a legal marriage. Meanwhile, Article 43 paragraph (1) of the Marriage Law stipulates that a child born out of wedlock has only civil relations with its mother and the mother's relatives. In Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, with legal politics that directs the welfare of every state ware, including the protection of children's rights, which include to human rights, every child takes place on survival, growth and development, and has the right to protection from violence and discrimination. Children as shoots, potentials, and young generation who are the successors of the nation's struggle which have a strategic role, traits, and special traits as for must be protected from all forms of inhuman treatment resulting in human rights violations.

Article 1 of Law Number 35 of 2014 concerning Amendment to Law Number 23 of 2002 concerning Child Protection confirms that what is meant by a child is each person who is not 18 (eighteen) years old, including a child who is still in the womb. Protection provided to children is all activities to guarantee and protect children and their rights to live, grow, develop, and participate optimally in accordance with the dignity and human dignity, and receive protection from violence and discrimination. Children's rights which are part of human rights must be guaranteed, protected and fulfilled by parents, family, community, state, government, and local government. Further regulated in Article 6, that every child has the right to worship according to his religion, thought, and expressing according to his level of intelligence and age in the guidance of his parents or guardians. In addition, each child has the right to obtain education and teaching in the context of his personal development and the level of his intelligence in accordance with his interests and talents (Article 9).

Related to alimentation, which is a contratc arises from a law, it is regulated in Article 14 Paragraph (1) that every child has the right to be cared for by his own parents, unless there are legal reasons and/or legal rules that the separation is in the best interest for children and is a final consideration. Subsequently, Paragraph (2) regulates that even though there has been separation, the child has the right to: meet face to face and have permanent personal relations with his parents; get care, maintenance, education and protection for the growth process of both parents, according to their abilities, talents, and interests; obtain life funding from both parents; and obtaining other children's rights. In addition, every child has the right to get protection from abuse in political activities; involvement in armed disputes; involvement in social unrest; involvement in events that contain elements of violence; involvement in warfare; and sexual crimes (Article 15). Furthermore, it is affirmed in Article 20 that those who are obliged and responsible for the implementation of the protection of children are among them parents/guardians. Moreover, based on Article 26, parents are obliged and responsible for caring, maintaining, educating, and protecting children; raise children according to their abilities, talents, and interests; prevent the occurrence of marriage at the child age; and provide character education and cultivation of character to children.

The implementation of children's rights and protection fulfillment is responsibility of parents. However, under certain conditions, it is also the responsibility of the government, and the community. When parents are incapacitated, the obligation to do alimentation must be carried out by the child, including child surrogation. However, the problem in the child surrogation case is whose parents which have the obligation. No serious problem may appear to biological parents, but to "parents" in this case a surogate mother, even breastfeeding her, when she is unable, helpless, is she not entitled to treatment and protection from child surrogation.

Inheritance of the Children's Surrogation

Inheritance is an act of how to transfer inheritance from heirs to heirs. Inheritance takes place in accordance with the rules of law, religious rules, and customary rules in community.[64] The concept of inheritance itself arises due to the event of death. There are two types of inheritance, in which are inheritance according to law and inheritance based on testament.[65] Inheritance according to law is the distribution of inheritance to heirs (people who have the closest blood relationship to the testator). In inheritance according to the law, there is a place where if the heir who receives the inheritance has died, his inheritance can be replaced by his child.[66] Whereas the meaning of inheritance under a will is the distribution of inheritance to those entitled to receive inheritance according to the heir's final will.[67]

From the definition of inheritance above, it can be seen several elements in inheritance, namely: the deceased person, heirs, and inheritance. The deceased person is a person who dies and leaves a number of assets, heirlooms and a will. Heirs or inheritors are those who have the right to receive inheritance from people who have passed away. Meanwhile, what is meant by inheritance is inheritance, heirloom, and will left by a deceased person.[68]

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[64]Abdulkadir Muhammad, *Op.cit.*,. 193.

[65] *Ibid.*, 194.

[66]Yulies Tiena Masriani, *Pengantar Hukum Indonesia*, (Bandung: Sinar Grafika, 2014), hlm. 80.

[67]*Ibid.*, 81.

[68]Eman Suparman, *Hukum Waris Indonesia Dalam Perspektif Islam, Adat, dan BW*, (Bandung: Refika Aditama, 2018), 2.

Heirs, based on the Civil Code, are determined based on blood relations into four categoriess; the first group, consisting the relatives in the ascending line consisting of husband/wife and their offspring; the second group, covering the relatives in the descending line consisting of parents, siblings and relatives; third group, consisting of grandmother, grandfather, and subsequent ancestor to the top of the heir; fourth group, consisting of other relatives in the sixth degree of the collateral line. [69]

The distribution of inheritance received by an heir includes several parts.[70] First, the part for offspring and husband and wife which regulated in Article 852 of the Civil Code that the children or their descendants shall inherit from their parents, grandparents, or further blood relatives in the ascending line, without distinction between those of different sex or age, not with standing that they may have been conceived from several marriages. They shall each inherit equal shares. Second, the part for the father, mother, brother and sister regulated in Article 854 of the Civil Code that if the father and mother of an individual, who dies without having left any descendants or spouse, survive him, they shall each be entitled to one third of the inheritance, if the deceased is succeeded by one brother or one sister, who is entitled to the other one third. Third, the portion for children outside of marriage, which is basically the right of an unmarried child who is recognized by the father or mother is not equal as a legitimate child. The rights of children who are recognized as legitimate marriages are regulated in the provisions of Article 862, Article 863, Article 865, and Article 873 of the Civil Code. The part referred to as stipulated in Article 863 which stated that if the deceased has left any legal descendants or a spouse, the natural children shall inherit one third of the share, which they would be entitled to if they were legal; they shall inherit one half of the estate, if the deceased does not have any descendants, or spouse, but has blood relatives in the ascending line, or brothers and sisters or their descendants; and three quarters if the only remaining family is related in a more distant degree Meanwhile, the part of the extramarital child based on the provisions of Article 865 of the Civil Code states that if the deceased has not left any legal heirs, then the natural children shall be entitled to the entire inheritance. Whereas in Article 873 of the Civil Code stated that in the event that one of the blood relatives dies, without leaving any relatives who qualify as heirs, or a surviving spouse, the acknowledged natural child shall be entitled to claim the inheritance upon the State's rights being waived. This happens if one of the blood relatives dies by not leaving relatives in a degree that allows both the heir and the husband and wife who live the longest.

Legitieme port as specified in Article 913 of the Civil Code stated that the legitimate portion or the legal share of the inheritance is that portion of the estate which the lawful heirs in a direct line are entitled to and which the testator is not entitled to dispose of as a gift during his lifetime or by last will[71]. Whereas according to M. Idris Ramulyo in Maman Suparman, legitieme portie is a certain part of the inheritance that cannot be written off by the person who left the inheritance or in other words that legitieme portie is a part of the inheritance that must be given to experts inheritance in a collateral line according to the law on the part where the heir is not permitted to determine a clause both a gift during living or a testament.[72]

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[69]Eman Suparman, *Op.cit*., 29.

[70]Muhammad Amin Hamid, "Tinjauan Yuridis Atas Ahli Waris Pengganti dalam Hukum Waris", *Legal Pluralism*, Vol. 4, No. 2, (July, 2014), 174-176.

[71]Subekti, 2005, *Op.cit*., 32.

[72]Maman Suparman, *Hukum Waris Perdata*, (Jakarta: Sinar Grafika, 2018), 90.

The amount of legitieme port is stated in Article 914 of the Civil Code which regulates that in relation to the descending line, if the testator leaves only one legal child, the legal share of the inheritance shall consist of half of the property which the child would be entitled to inherit upon death, In the event that there are two children, the legal share of the inheritance for each child shall be two thirds of whatever they would be entitled to inherit upondeath. In the event that the deceased has left three or more children, then the legal share of the inheritance shall be three fourths of whatever each child should have inherited upon death.[73] Meanwhile, for the top lineage it is regulated in the Article 915 of the Civil Code stated that in the ascending line, the legal share of inheritance shall always consist of one half of that which is by law due, upon death, to each blood relative in that line. In addition, the Civil Code also regulates the amount of the legal port for out-of-child children determined in Article 916 of the Civil Code amounting to half of the portion according to the law which should be inherited due to death.[74] Whereas if there are no heirs who receive the absolute part, then based on Article 917 the Civil Code states that legally acknowledged children, gifts by inter vivos deed or by last will, shall be deemed to be of the entire estate.[75]

From these provisions, the problem is the understanding that parents, in this case containing, giving birth, and breastfeeding the surrogation child are actually also (only) biological parents of the surrogation child, although not biological and juridical parents such as men and women who leave their baby embryos. In the current development of law, biological parents have the obligation to provide, maintain, raise, provide education, and fulfill the best interests of the child, therefore it is only natural to obtain the rights to the child of surrogation and property, including in this is the inheritance of surrogate children's assets. In Islamic law, it is possible for parents to inherit their children's property because one of the heirs is father and mother (because of nasab). For children of surrogation, parents in the sense of women who contain, give birth, and breastfeed a child surrogate (surogate mother), it is possible to inherit property from the child of the surrogation.

CONCLUSIONS

Based on the foregoing discussion, a conclusion can be drawn as follows.
1. In the case of alimentation, the obligation to fulfill child surrogation rights and protection for child surrogation is on the parents. However, under certain conditions, alimentation is the responsibility of the state, government and society. In the event that parents are unable, the child of the surrogation is obliged to maintain and protect his parents. Including surrogate mother.
2. In the case of inheritance rights, the parents of the child surrogation have the right to inherit the property from the child surrogation.

RECOMMENDATIONS

The recommendations arise from the discussion are related to the issue of child alimentation, the surrogation to their parents, and the right to inherit the child's assets, the surrogation by their parents, is presented as follows.
1. Provisions and legal agreements in the form of alimentation rights and obligations bind the child surrogation. However, it requires confirmation by legislation in the form of obligations, the rights of

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[73] *Ibid.*, 92.
[74] *Ibid.*, 93.
[75] *Ibid.*, 94.

parents who are already incapable, and the protection that must be given by the child to the parents. The affirmation of who is the parent of a child surrogation also shall be determined.

2. Provisions regarding inheritance rights of childsurrogation have not been clearly stipulated in the inheritance system in Indonesia because the existing inheritance rights that are regulated only related to legitimate children and out-of-wedlock children. Therefore, the government must immediately provide clear arrangements relating to the inheritance rights of surrogate child, as well as clear arrangements regarding the right to inherit parents from the surrogate children's inheritance.

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Searching for Islamic Legal Norms Against Punishment of Child Cast Sexual Offenses

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Abstract

This study examines the concept of criminalization concerning the castration punishment against perpetrators of sexual violence against children by finding the norms in Islamic law. There are theoretically two (2) forms of castration punishment namely surgery and chemical injection against the perpetrators of sexual violence. This study uses a socio-legal approach based on facts and values. The research involves a textual analysis of the norms of positive law and a historical interpretation of the Koran and Sunna (the Prophet's tradition) in order to look for the application of the norms of Islamic law in castration punishment. Punishment in the form of chemical injection will not restore the perpetrator but it will give rise to a new problem to the perpetrator of sexual violence.

The criminalization policy approach by way of legal norms for the perpetrators of sexual violence to children will not work in solving the existing problem. This effort needs to be strengthened by a sustainable and integral value approach. This study points that the Islamic principles forbid castration punishment for humans; this has become a consensus among Islamic scholars. The castration punishment changes the human physical form, is contrary to the Human Rights and is never recognized in the concept of Islamic Criminal Law (*Jinayah Islamiyah*). This study also shows that Islamic norms and values prioritize Islamic norms and values which are more human and which meet the principles of justice and expediency. Of course, forms of punishment which are not contrary to the principles of creation can even be internalized in the positive law norms which can apply as *ius constitum* in Indonesia, such as the form of whipping.

Keywords: *Islamic law, castration punishment, and principles of justice and expediency.*

Introduction

Sexual crime or violence threatening the life of a child is not merely fiction, cartoon, electronic cinema or novel, but it is prevalent and real as conveyed in researches as well as publication in print and electronic media. This issue is experienced not only in Indonesia but also in other countries in the world [1]. One billion children aged 2-17 years experienced various forms of violence over the past year[2]. A variety of extreme violence against children, such as sexual exploitation, child trafficking, female genital mutilation, worst forms of child work and impacts of armed conflicts, children lacking access to education, children having no access to health services and those not having birth certificates, has sufficed to show that a child's right to life is increasingly threatened and that all these events have been considered common[3].

The Data & Information Center (PUSDATIN) of the Indonesian Child National Commission stated that during the period of 2010-2015 there was an increase in violent acts against children, namely, among other things[4]; in 2010, out of 2,046 cases 42% of which were crimes of sexual violence, in 2011 it rose to 2,476 cases 52% of which were sexual crimes, and in 2012, there were 2,637 cases 62% of which were sexual violence, in 2013 there were 2,676 cases 54% of which were dominated by sexual crimes, while in 2014 there were 2,737 cases 52% of which were sexual crimes, and even in 2015 there were 2,898 cases, 59.30% of which were sexual crimes and other crimes. The Indonesian Child Protection Commission (KPAI) of the Republic of Indonesia recorded 113 cases in 2016 and 116 cases in 2017[5].

The suffering because of sexual crime experienced by children happens not only at the time the crime occurs but, in fact, it has an impact of causing great trauma. Violence against children may occur any time, without any limits, such as[6]; in regular schools as well as special schools (seminaries, Islamic schools, et cetera). In addition, violence may also happen in police stations, penitentiary institutions as well as the streets (as uncontrollable places). Even a home, which should have become a safe and comfortable shelter for children, has in fact become the cause of sexual violence. Continued sexual crimes against children have led to the perception that the penal sanction policy in the Penal Code as well as in Law Number 23 year 2002 concerning Child Protection (as amended by Law Number 35 Year 2014, is unable to minimize the continuously increasing number of sexual crimes against children.

To address the issue, the government deemed it necessary to stipulate Government Regulation in Lieu of Law (PERPU) Number 1 Year 2016 dated November 9, 2016 concerning Second Amendment to Law Number 23 Year 2002 concerning Child Protection. Subsequently, Government Regulation in Lieu of Law (PERPU) Number 1 Year 2016 was stipulated as Law by Law Number 17 Year 2016 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 Year 2016 concerning the Second Amendment to Law Number 23 Year 2002 concerning Child Protection into Law.

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[1]https://www.who.int/news-room/fact-sheets/detail/violence-against-children, Violence Against Children-World Health Organization, accessed on July 3, 2019

[2]Susan Hillis, et.all, "Global Prevalence of Past-Year Violence Against Children: A Systematic Review and Minimum Estimates", Pediatri, Volume 137, Issue 3 (March 2016), 1-3

[3]Maria Silvya. E. Wangga, *Kekerasan Dalam Rumah Tangga Dan Usaha Merumuskan Relasi Familial Yang Demokratis*, Supremasi Hukum, Volume. 3, Number. 1, (January, 2007), 1-2.

[4]http://news.liputan6.com/read/2396014/komnas-pa-2015-kekerasan-anak-tertinggi-selama-5-tahun-terakhir, accessed on October 29, 2017

[5]http://kpai.go.id-kpai-temukan-116-kasus-kekerasan-seksual-terhadap-anak&usg, accessed on July 3, 2019

[6]Maria Sylvia. E. Wangga, *Kekerasan Terhadap Anak: Urgensi Hukum Perlindungan Anak***,** Seminar, Jakarta, Saturday, July 14, 2007, Kebayoran Baru Majelis Jemaat Gereja Kristen Indonesia.

This Law provides for aggravated punishment for perpetrators of sexual violence against children, namely, death sentence, life sentence, and maximum imprisonment of 20 years and additional sanction of announcement of identity of the perpetrator. Other aggravated punishments are chemical castration and installation of electronic detection device. Stipulation of chemical castration has raised debates among human rights observers, law enforcement apparatuses and the Indonesian Doctors' Association (IDI)[1].

On one side, the concept of criminalization against perpetrators of sexual crime to children must give a deterrent effect as well as restoration. On the other side, however, imposition of the sanction must also be viewed as being human, not violating human rights, based on justice and expediency. Don not let the criminal sanction be imposed under the motive of revenge against the perpetrators of criminal act of sexual violence or crime against children. The problem of sexual urge of a perpetrator cannot be resolved by the concept of criminalization by castration punishment and installation of electronic detection device. The application of this sanction will lead to a new problem to the perpetrator, namely hormonal changes or conditions having an impact on the psyche and behavior.

Based on the background above, the writers have a view to find a non-penal policy approach containing an integral value concept to be applied to the perpetrators of sexual crime against children. One of the criminalization concepts can be found in Islamic law. This article in the socio-legal study domain studies how the Islamic norms view castration punishment against the perpetrators of sexual violence against children as currently stipulated by the government. According to Arief Sidharta, socio-legal research is a study on normative law which must be based on facts and values.[2]

Castration Practices in Several Countries

The term castration refers to surgery or use of chemical substances for the purpose of eliminating the function of testes of the male or the function of ovaries of the female. Castration is conducted to animals or humans[3]. Tracing it back to the history, castration has been conducted by humans for various reasons, namely, religious, social, political as well as cultural reasons in Europe, Middle East, South Asia, Africa and East Asia[4]. In the beginning, the main purposes of castration were to produce, compliant and loyal slaves for the rulers and to produce excellent, strong and competitive offspring. In its development, many reasons emerged for applying castration practices, from religious reasons to maintaining high vocal pitch among children although they grew up to serving as punishment for the perpetrators of sexual crimes against children.

In the history of war, the winner would castrate or cut off the penises and testes of the beaten soldiers as a symbolic act of "seizing" their strength and courage. Among the community of Eastern Mediterranean, the use of castration had been practiced since 8,000-9,000 years ago for the purpose of having more female than male cattle. In ancient Egypt around 2,600 BC, castrated slaves had higher prices for being considered diligent and loyal to their masters. The Greek society also had practiced castration of slaves since 500 BC. Castration practices in China can be traced back up to two millenniums BC, namely

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[1] http://www.antaranews.com/berita/566611/wapres-menghormati-keputusan-idi-tolak-eksekusi-kebiri, accessed on October 30, 2017

[2] Sulistyowati Irianto, et. All, Kajian Sosio Legal, Jakarta: Pustaka Larasan, in cooperation with Indonesia University, Leiden University, Groningen University, 2012,1

[3] Eberhard Nieschlag and Susan Nieschlag, Testosterone Deficiency: A Historical Perspective, Asian J Andrology, Volume 16, Number 2 (March-April 2014), 161-164

[4] Eberhard Nieschlag and Susan Nieschlag, Ibid. 164-168

up to the Hsia Dynasty (2205 BC- 1766 BC). Castration was initially conducted only for detainees from other territories but over time it was even conducted to reach a social status in the kingdom[1].

There are two types of castration as applied in a number of countries, namely, physical castration and chemical castration[2]. Physical castration refers to amputation of testes of a pedophilic perpetrator so that the person will suffer from deficiency of testosterone hormone affecting his sexual drive. Meanwhile, chemical castration refers to the intake of anti-androgen chemicals which can weaken the testosterone hormone (without testes amputation). The method can be through pills or injection. Weakening testosterone hormone will reduce or even completely eliminate a person's capacity for erection, libido or sexual desire. This condition will cause a male to have a female personality. This is of course contrary to the principle of creation of the Divine.

According to Barda Nawawi Arief, law reform means developing or renewing the points of thought/concepts/basic ideas which not only replaces the formulation of Articles of law in a textual manner but which also becomes a close part of law enforcement policy, criminal policy and social policy or reorientation or reform of the penal law in accordance with the central socio-political, socio-philosophical, socio-religious and socio-cultural values of the Indonesian society serving as the basis for social policy, penal policy and penal law enforcement policy.[3] Furthermore, Barda explains that penal law reform by comparison must still be oriented toward national insight oriented toward socio-philosophical, socio-cultural, socio-historical, socio-religious values for the formation of positive law (*ius constitutum*) as well as toward global insight through comparative study *(ius comparendum)*. Castration punishment is applied in a number of countries, namely among other things[4]:

1) South Korea[5]

   Castration punishment is conducted through Law on Sexual Impulse Drugs Against the Perpetrators of Sexual Abuse against Children. The background for the formulation of the law was the increasing number of sexual crimes against children over the last five years. South Korea was the first country in Asia which legalized castration punishment in 2011. The court judges have authority to impose castration injection to the defendant in sexual crime aged 19 years with the children being his victims. The castration punishment is given one year following the perpetrator's release from prison, with the mechanism of injection in every 3 months for 3 years.

2) United States[6]

   Castration punishment is applied in a number of states such as California, Florida, Louisiana, Texas, and Washington. Meanwhile, Oregon and Georgia have revoked castration punishment application. The reason for applying castration punishment in California and several other states is to reduce recidivism/repetition of criminal act, prison over-capacity as well as awareness of the

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[1]Eberhard Nieschlag and Susan Nieschlag, *Ibid.* 164-168

[2] Eberhard Nieschlag and Susan Nieschlag, *Ibid.* 164-168

[3]Barda Nawawi Arief, Pembaharuan Hukum Pidana Dalam Perspektif Kajian Perbandingan, Bandung: Citra Aditya Bakti, 2005, 2-3

[4]_____, Review of Laws Providing for Chemical Castration in Criminal Justice, Jakarta: Institute For Criminal Justice Reform, 2016, 14-30

[5]_____, Review of Laws Providing for Chemical Castration in Criminal Justice, Jakarta: Institute For Criminal Justice Reform, 2016, 29-30

[6]_____, Review of Laws Providing for Chemical Castration in Criminal Justice, Jakarta: Institute For Criminal Justice Reform, 2016, 18-20

release of the perpetrator after serving criminal sanction of imprisonment. As for California, castration punishment is provided for in the penal law. Article 645 confirms that a person committing any violation (sexual violation or other sexual crimes) against a victim aged less than 13 years shall be punished with chemical castration punishment in the form of Medroxyprogesterone Acetate (MPA) treatment. The court judges are bestowed with authority from the law to impose mandatory, voluntary or permanent medroxyprogesterone acetate (MPA) treatment. The period for its execution shall be one week following its announcement. Continuation of treatment highly depends on the research report of the Department of Corrections regarding the perpetrator to the prison board.

3) Australia[1]

Chemical treatment is applied in Australia such as by the Government of New South Wales under the Dangerous Sexual Offenders Act of 2015. The law provides that chemical or antilibidinal treatment shall be applied to serious sexual crime perpetrators punishable by seven years or more. The chemical treatment will be executed before the perpetrator is released from prison. Types of medicine given are Cypoterone Acetate (CPA) known as Androcur and Selective Serotonin Reuptake Inhibitors (SSRI). A doctor with medical expertise may issue continuous medicine receipts while still supervise and monitor any health consequences/risks to the perpetrator. Application of chemical castration punishment should consider several things, namely among other things:

a) Chemical or antilibidinal treatment is given to reduce repetition of criminal act or recidivism;

b) Chemical or antilibidinal treatment is given under supervision order or conditional release;

c) The giving of chemical or antilibidinal treatment must be offered voluntary to the perpetrator as another form of punishment which can be implemented by the court combined with other treatments.

The protection of human rights of the perpetrator is conducted by strict supervision of the side effects of chemical treatment, monitoring of changes in behavior, changes in patterns of thought considering that chemical treatment is only voluntary in nature. The reason is that chemical treatment is given as a type of treatment out of all types of treatment which can be given to the perpetrator.

Mitigation of Sexual Violence Against Children By Castration Punishment in Indonesia

A study on sexual crime is a part of study on morality. It is not easy to explore the meaning of morality. Nyoman Serikat states that the definitions and determination of the limits of morality are broad and different, even the values among the society are diverse[2]. Legal experts are still of the opinion that morality is not limited to the sexual definition but it encompasses the matters falling under the control of decency norms of human behavior in the social environment. Barda Nawawi Arief states that morality-related offense has resulted from the source of national morality values which have been collectively agreed upon, as living values in the community[3].

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[1]_____, Review of Laws Providing for Chemical Castration in Criminal Justice, Jakarta: Institute For Criminal Justice Reform, 2016, 14-17

[2]Nyoman Serikat Putra Jaya, Beberapa Pemikiran Ke Arah Pengembangan Hukum Pidana, Bandung: Citra Aditya Bakti, 2008, 25

[3]Barda Nawawi Arief, Beberapa Aspek Kebijakan Penegakan dan Pengembangan Hukum Pidana, Bandung: 1998, 61

As realized, not all disgraceful deeds or violations of moral values can be considered as criminal acts. An act shall be punishable (issue of criminalization), as asserted by Sudarto, if it meets fulfills four criteria, namely[1]:

a) The purpose of using penal law follows the goal of national development, namely to realize just and prosperous society within the Unitary State of the Republic Indonesia based on *Pancasila* and the 1945 Constitution. The penal law serves to mitigate crimes and provides norms for the mitigation itself, for the sake of welfare and protection of the people.

b) The penal law needs to prevent undesirable actions, namely those which may result in material and spiritual harm to any person in the community.

c) The efforts to prevent such harmful actions are conducted by means of the penal law while considering the cost and benefit principle.

d) In using the means of penal law, it is necessary to consider the working capacity of the law enforcement apparatuses in order to prevent any exceeding workload.

Laying the basis for the foregoing description, application of chemical castration sanction is a penal law policy for mitigating sexual violence against children. Quoting the thought of Sudarto, the penal law politics is an effort to realize penal laws and regulations in accordance with the circumstances or situation at a time or for the future[2]. Observing Sudarto's view, application of castration by the government constitutes an effort to resolve the situation and circumstances of sexual violence against children which is prevalent at this time or in the future.

Application of castration is provided for in Government Regulation in Lieu of Law (PERPU) Number 1 Year 2016 concerning the Second Amendment to Law Number 23 Year 2002 concerning Child Protection, as follows:

a) Castration punishment is imposed on the perpetrator committing violence or threatening with violence forcing a child to have sexual intercourse. Such an act shall be committed deliberately, by deception, a series of lies or by persuading the child to have sexual intercourse.

b) The perpetrator having sexual intercourse with a child could be the parent, guardian, a person with family ties, a child caregiver, an educator, an education personnel, an apparatus handling child protection or there could be more than one perpetrator together.

c) A perpetrator with more than 1 victim, causing serious injury, psychological disorder, infectious disease, disturbed or lost reproductive function, and/or death of the victim. All those elements are alternative in nature, meaning that not all elements must be met by the perpetrator.

d) The application of castration shall also consider the consequence of the perpetrator's deed to the victim, by emphasizing the condition suffered by the victim due to the criminal act he/she has experienced.

e) The application of castration sanction shall be decided upon together with the principal sanctions in the form of death sentence, life sentence, or minimum imprisonment of 10 (ten) years and maximum imprisonment of 20 (twenty) years.

f) Castration sanction shall be executed after the perpetrator has served the principal sanction of imprisonment. This means that after serving the principal sanction, the sanction for his/her deed can be imposed up to a period of 2 years.

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[1] Sudarto, Hukum & Hukum Pidana, Bandung: Alumni, 1986, 36-40

[2] Sudarto, Kapita Selekta Hukum Pidana, Bandung: Alumni, 2006, 23

g) Supervision of the execution of castration shall be periodically conducted by the Ministry organizing Government affairs in the legal, social, and health sectors.

This provision has not been completed with which type of medicine will be injected to the perpetrator in order for the emerging risks, such as changes in behavior, pattern of thought and health of the perpetrator to be under the monitoring or supervision of medical professionals. The other matter which has not been provided for in connection with the protection of human rights of the perpetrator is concerned with mandatory or voluntary injection upon the consent of the perpetrator of sexual violence. In addition, before passing their decision, judges should request for the opinions of competent experts. Such experts are, among others, medical experts, psychologists, or psychiatrists. Scientific knowledge possessed by the experts is vitally important in determining the feasibility and appropriateness of imposing chemical castration along with rehabilitation or installation of electronic detection device.

The writers view that penal policy in the form of chemical castration cannot be effectively applied to all perpetrators of sexual crime considering the variety of sexual crime patterns such as::

a)   Distribution of pornographic contents using children as the victims (target);

b)   Physical sexual crime (sexual intercourse);

c)   Sexual crime using the media of fingers or other objects (eggplant, wooden stick, pencil, etc).

d)   The way the sexual crime offense is committed where in practice, the element of mutual liking is frequently found between the perpetrator and the victim;

e)   It is likely that there is an amicable settlement in the Hearing between the offender and the victim or the victim's family.

There are various patterns of sexual crime committed by the perpetrators so that castration cannot be applied generally based on the criteria set out in Government Regulation in Lieu of Law Number 1 Year 2016. Therefore, application of such sanction should be conducted in a casuistic manner based on certain criteria such as: sexual crime is committed physically in an inhuman manner; the perpetrator repeats the same criminal act (recidivism); there are many victims of the crime; it is committed by the persons who should have protected the child-victims such as the parents, stepparents, teachers, etc.

It needs to be realized, however, that the efforts of mitigating the increasing sexual violence can be made not only through the penal policy in the form of castration sanction. The punishment imposed is intended not only for changing the behavior of the perpetrator but also for the common benefit of the community, namely social welfare.

For J. Andenaes, as quoted by Barda, the operation of penal law needs to be searched from the whole value context within the community, such as religious, social and cultural values. All the values from the community involve mutual influence between the law and the factors forming the attitude and behavior of the community[1]. One of the religious norms once followed by the Indonesian penal law is the Islamic norm, involving the Ministry of Religious Affairs, in this respect the Indonesian Ulema Council in interpreting religious activities or deeds which deviate from religious teachings. This is provided for in Article 1, Article 2 and Article 3 of Law No.1/Presidential Stipulation Year 1965.

The presence of the law on castration punishment has not been based on an in-depth study through an academic script containing the principles and norms of justice as well as benefits set out in this provision.[2]

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[1] Barda Nawawi Arief, Beberapa Aspek Kebijakan Penegakan dan Pengembangan Hukum Pidana, Bandung: 1998,41

[2] Nyoman Serikat Putra Jaya, *Politik Hukum,Semarang*: Badan Penerbit Universitas Diponegoro, 2016, 24-25

This law needs to be reviewed by finding religious values or norms which can be adopted by Indonesian penal law in the future. With the review of the regulation on castration, serious efforts which should be put in today are those for preventing the prevalence of sexual violence and crime against children, namely, among other things:

    a) Government policy is expected to limit or block the access to various internet sites with pornographic and violent contents in Indonesia. The closing down of sites with violent and pornographic contents is expected to prevent people from "being inspired" to commit any criminal act of sexual violence or crime against children after accessing those sites.

    b) In addition, the government and all components of the community especially parents and opinion leaders are expected to watch over the children and surrounding environment to keep children away from being the victims of sexual violence or crime.

    c) They should teach and equip the children not to believe in any enticement from anybody leading to moral issues against children.

    d) Improved education, counseling and cultivation of values of morals and character as well as religious values are expected to prevent people from committing any sexual violence or crime against children.

Islamic Principles regarding Castration Punishment for the Perpetrators of Sexual Violence Against Children

Islamic law views any form of violence, including sexual violence against children, as violations of religious values. In Islam, a child has gained his/her rights since in the womb until they reach the age of eighteen years or until they are married[1]. In the thought of Imam Al-Ghazali, a child is "*a trust*"[2]. Grown-ups have received trust as it is necessary, appropriate and reasonably to fulfill, protect and respect the rights of children. They are expected to avoid degrading treatment of children which meets the criteria of *jinayah.*

A form of *jinayah* currently prevalent nowadays is sexual violence against children. *Fiqh jinayah* is a translation of Islamic penal law, defined as all legal provisions related to criminal acts committed by *mukallaf* (those religiously responsible or accountable), as the result of understanding detailed legal principles of the Al-Qur'an and Hadith[3]. Islamic penal law can be taken into account to see whether an act can be called *jarimah,* when it meets three criteria, namely[4]:

    a) Existence of formal element (*al-rukn. al-Syar'i*), existence of prohibitions of certain deeds accompanied with threatened sanction according to *naskh.*

    b) Material element (*al-rukn. Al-madi),* an act forming *jarimah* which is categorized as violation of obligatory action.

    c) Moral element (*al- rukn. Al abadi),* the object imposed with punishment, namely the criminal. This means that a criminal is *mukallaf* which can be prosecuted for the crime committed.

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[1]Syukron Mahbub, Kekerasan Terhadap Anak Perspektif HAM dan Hukum Islam, Ulamuna, Volume 2, Number 2, (December 2015), 223

[2]Muhammad Nur Abdul Hafizh Suwaid, Prophetic Parenting, Cara Nabi Mendidik Anak, Yogjakarta: Pro-U Media, 2010, 46

[3]Dede Rosyada, Hukum Islam dan Pranata Sosial, Jakarta: Lembaga Studi Islam dan Kemasyarakatan, 1992, 86

[4]Topo Santoso, Membumikan Hukum Pidana Islam: Penegakan Syariat Dalam wacana dan agenda, Jakarta: Gema Insani, 2003, 17

The terminology *jinayah in the view of Imam al-Mawardi means* jarimah, namely deeds prohibited by *Syara '* threatened by Allah with the punishment of *had* or *ta'zir*"[1]. *Also known as* Jarimah, following the view of Abdul Qadir Audah, *Jinayah* is defined as an act prohibited by Syara', against the soul, property or others". Referring to the thought above, in principle, *jinayah or jarimah* is not different from the definition of criminal act or offense in the penal law[2]. *Jarimah* can be classified based on the punishment aspect into, among other things:

a) *Jarimah Qishash*

In the dictionary of Munawwir, *qishash* comes from the word *qashsha* which means to cut out, to approach, to narrate and to retaliate. The view of Ibnu Manzur in Lisan al-Arab on *qishash* is to impose punishment according to what has been stipulated, such as eye for an eye or soul for soul. In the thought of al-Dhahar, *qishash* imposes punishment on the perpetrator deliberately committing a crime[3].

b) *Jarimah diyat*

Etymologically, diyat comes from the word *wada-yadi-wadayan-diyatan* which means to flow. However, the word *masdar* (*diyat*) is defined as ransom given to the victim or his/her guardian due to a criminal act (*jinayat*). Etymologically, it is the property which must be paid or given by the perpetrator of *jinayat* to the victim or his/her guardian as compensation for the *jinayat* committed by the perpetrator[4].

c) *Jarimah Hudud*

Terminologically, *hudud* is a punishment determined or mandated by Allah in the Al-Quran or Hadith. Meanwhile etymologically, *hudud* is defined as prohibition. *Hudud* as punishment is Allah's right which is irreplaceable by anything or which cannot be exchanged for anything or be changed, in the form of order and prohibition. In Surah Al-mujadilah (58) : 4, Allah says; "*And he who does not find [a slave] - then a fast for two months consecutively before they touch one another. And he who is unable - then the feeding of sixty poor persons. That is for you to believe in Allah and His Messenger. And those are the limits set by Allah. And for the disbelievers is a painful punishment*". This is the verse talking about *hudud*, and even all forms of *hudud* punishment/sanction is not worldly in nature, but they have been revealed by Allah.

d) *Jarimah Ta'zir*

Ta'zir in al-Mawardi in the book of *al-Ahkam al-Sulthaniyah* is the teaching for the perpetrators of the sins not provided for in *hudud*. On the one hand, however, *hudud* is similar to *ta'zir*, as a form of teaching for creating welfare and to implement different types of threats according to the sins committed[5]. Rulers or judges have authority with respect to *ta'zir*.

Although *jinayah and jarimah* have something in common in the terminology of criminal act, Islam has its own perspective on crime and criminal act. Any views outside Islam are only human *ijtihad* with all its limitations[6]. To understand Islamic view on castration punishment, it is necessary to first understand Islamic view on crime and punishment. Islam is a religion and instruction aimed at liberating humans from

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[1] Zulkarnain Lubis dan Bakti Ritonga, Dasar-Dasar Hukum Acara Jinayah, Jakarta: Kencana PrenadaMedia Group, 2016, 2

[2] Zulkarnain Lubis dan Bakti Ritonga, Dasar-Dasar Hukum Acara Jinayah, Jakarta: Kencana PrenadaMedia Group, 2016, 2

[3] Paisol Burlian, Implementasi Konsep Hukuman Qishash di Indonesia, Jakarta: 2015, 28-29

[4] Paisol Burlian, Implementasi Konsep Hukuman Qishash di Indonesia, Jakarta: 2015, 54

[5] M. Nurul Irfan dan Masyrofah, Fiqh Jinayah, Jakarta: Amzah, 2014, 136-137

[6] Jamal al-banna, Manifesto Fiqih Baru 3 Memahami Paradigma Fiqih Moderat, Jakarta: Erlangga, 2008, 104-105

ignorance toward knowledge and freedom. In reaching its aim, the means used in Islam is the Al-Quran. With all its greatness and strength within, Islam directs its teachings to individuals. Islam even directs oneself to his/her conscience for improvement through strong faith, which is called *aqidah*. The presence of *aqidah* will create faith, and faith will lead to good deeds.

In the book entitled *Hurriyat al-'I'tiqad fi al- Islam*, *aqidah* and sharia are the pillars of Islam. The domain of *aqidah* is related to humans and God. Meanwhile, Sharia is related to the relationship between fellow humans. This means that *aqidah* points to the individual and conscience, while sharia points to the community.[1] Therefore, *aqidah* views crime as a human weakness which can be fixed through repentance and *mau'izhah* with the focus on the individual. The *aqidah* approaches criminal issue through repentance as a way to take away and purify sins of crime. So many verses in the Al-Quran talk about repentance, one of which being *Surah al-Furqan* (25):70 which reads: "*Except for those who repent, believe and do righteous work. For them Allah will replace their evil deeds with good*". *Fiqih* ulemas have a different view on the effect of repentance on the perpetrator's sins. For *fiqih* ulemas, in his/her relationship with God, repentance may have washed away and forgiven his/her sins. In his relationship with humans, however, the true repentance is to restore what he/she has tarnished with his/her deeds. The last impact of the *aqidah* approach is that it can replace the punishment for a criminal act from material to non-material punishment. The examples are fasting, freeing slaves, and feeding the poor, and the Al-Quran in many of its verses make fasting as a sanction. Example from *Surah al-Baqarah* (2): 196, *Surah an-Nisa '*(4):92 concerning undeliberate murder, *Surah al-Ma'idah* (5):89 concerning those with weak faith and *Surah al-Mujadilah* (58):3-4.

The Sharia views crime as a disaster or bad thing which can be fixed through punishment/criminal sanction focused on the deed committed. The point of Sharia in a law is to protect the community. Like a punishment for a thief by hand cutting, stealing a quarter of a dinar will still punishable with hand cutting and zakat payment. In must be admitted, however, that the hand cutting punishment is so severe; in fact, it may lead to unhealthy mental condition. When Prophet Muhammad SAW saw the execution of this punishment, his face changed. Therefore, the Prophet suggested that this law could be applied if the crime did happen, not being merely a presupposition. The Prophet suggested that such issue could be resolved amicably (reconciliation form), namely before being reported to the court. This view refers to the Prophet's Hadith narrated by Abdullah Ibnu Amru, which says; "*be careful in applying criminal law*".

Based on the description above, castration punishment against the perpetrators of sexual violence as stipulated by the Government is contrary to *fiqih jinayah* in Islam. The Islamic views on castration punishment are, among other things:

a). Castration punishment is contrary to the Hadith

The Islamic Sharia prohibits castration punishment through the Hadith of Prophet Muhammad Sallallahu alaihi Wassalam (SAW).

Ibnu Mas'ud RA said;

كنا نغزو مع النبي صلى ا عليو وسلم وليس معنا نساء، فقلنا: أ نختصي فنهانا عن ذلك

("We used to participate in the holy wars carried on by the Prophet and we had no women (wives) with us. So we said (to the Prophet). "Shall we castrate ourselves? "But the Prophet forbade us to do that"). (Hadith Narrated by Bukhari No. 4615; Muslim No. 1404; Ahmad No. 3650; Ibnu Hibban No. 4141)

Sa'ad bin Abi Waqqash RA said:

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[1]Jamal al-banna, *Manifesto Fiqih Baru 3 Memahami Paradigma Fiqih Moderat*, Jakarta: Erlangga, 2008, 105-108

<div dir="rtl">رد رسول ا صلى ا عليو وسلم على عثمان بن مظعون التبتل، ولو أذن لو ختصين ۱</div>

("Allah's Apostle forbade 'Uthman bin Maz'un to abstain from marrying. If he had allowed him, we would have gotten ourselves castrated"). (Hadith Narrated by Bukhari No. 5073; Muslim No. 3390).

b). According the Islamic concept, sexual violence is classified as an act of *jarimah zina* and *liwath* depending on the sex of the perpetrator and the victim. In fact, the punishment has been determined, namely, among other things, stoning or whipping and exile. Therefore, not only is castration punishment contrary to the Hadith, but it is also considered that it will let in other regulations beyond Islamic Sharia.

Allah SWT says:

"It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allah and His Messenger has certainly strayed into clear error.". (QS Al Ahzab (33): 36).

The verse clearly prohibits muslims to formulate any new provision if there has been a certain law in the Islamic Sharia. Therefore, it is legally forbidden to apply castration punishment against the perpetrators of sexual punishment because the Islamic Sharia has provided for detailed punishments for the perpetrators of sexual violence.

c). The castration method of second injection, namely injection of estrogen or anti-androgen hormone, is legally forbidden because it will cause the castrated man to have physical characteristics like a woman. Islam in this case has forbidden a man to resemble a woman or a woman to resemble a man. The principle is in the Hadith narrated by Ibnu Abbas RS which reads:

<div dir="rtl">لعن رسول ا صلى ا عليو وسلم المتشبهين من الرجال بالنساء، والمتشبهات من النساء با لرجال</div>

(Allah's Apostle has cursed men who imitate women and women who imitate men". (Hadith Narrated by Bukhari No. 5546).

The Hadith forbids a man's deed like a woman or a woman's deed like a man. Therefore, the castration method by injection of estrogen hormone into a man committing sexual violence against a child is legally forbidden.

The writers view that the castration punishment stipulated by the government is also contrary to the general principles of Islamic law, including[1];

a). Principle of justice

In Surah Shadd (38) verse 26:

<div dir="rtl">يَدَاوُدُ إِنَّا جَعَلْنَاكَ خَلِيْفَةً فِى الْأَرْضِ فَاحْكُمْ بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوٰى فَيُضِلَّكَ عَنْ سَبِيْلِ اللهِ ۗ إِنَّ الَّذِيْنَ يَضِلُّوْنَ عَنْ سَبِيْلِ اللهِ لَهُمْ عَذَابٌ شَدِيْدٌ ۢ بِمَا نَسُوْا يَوْمَ الْحِسَابِ</div>

(*O David, indeed We have made you a successor upon the earth, so judge between the people in truth and do not follow [your own] desire, as it will lead you astray from the way of Allah ." Indeed, those who go astray from the way of Allah will have a severe punishment for having forgotten the Day of Account*").

Allah orders the rulers and law enforcers as caliphs to implement the law as properly as possible, to treat all humans fairly without considering social stratification, namely origins or beliefs of justice seekers.

In the Al-Quran, *Surah An-Nisaa '*(4) verse 135:

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[1] Zainuddin Ali, Hukum Pidana Islam, Jakarta: Sinar Grafila, 2018, 2-5

يَٰٓأَيُّهَا الَّذِيْنَ اٰمَنُوْا كُوْنُوْا قَوَّامِيْنَ بِالْقِسْطِ شُهَدَاۤءَ لِلّٰهِ وَلَوْ عَلٰٓى اَنْفُسِكُمْ اَوِ الْوَالِدَيْنِ وَالْاَقْرَبِيْنَ ۚ اِنْ يَّكُنْ
غَنِيًّا اَوْ   فَقِيْرًا فَاللّٰهُ اَوْلٰى بِهِمَاۗ فَلَا تَتَّبِعُوا الْهَوٰٓى اَنْ تَعْدِلُوْا ۚ وَاِنْ تَلْوٗٓا اَوْ تُعْرِضُوْا فَاِنَّ
اللّٰهَ كَانَ بِمَا تَعْمَلُوْنَ خَبِيْرًا

(O People who Believe! Be firm in establishing justice, giving witness for Allah, even if it is harmful to yourselves or parents or relatives; Whether the one you testify against is wealthy or poor, for in any case Allah has the greater right over it; Then do not follow your wishes for you may stray from the truth; And if you distort testimony or turn away, then Allah is Well Aware of your deeds").

The principle of justice becomes the guideline in the process and target of Islamic law.

b). Principle of Benefit

Fair application of punishment needs to consider the principle of benefit to both the perpetrator and public interest. If it poses any new problem for the perpetrator, the application of castration punishment needs to be reviewed. The writers view that the obstacles to the application of castration punishment indicate that such form of punishment does not give any benefit value to the community. The obstacles identified at the implementation level are, among other things: Implementation of castration punishment is considered to be violating Article 16 of Law of the Republic of Indonesia Number 5 Year 1998 (Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) as well as Article 7 of Law of the Republic of Indonesia Number 12 Year 2005 concerning Ratification of the International Covenant on Civil and Political Rights, which read: "*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation*". It even violates human rights in Article 28G paragraph (1) and paragraph (2) as well as Article 28I paragraph (1) of the 1945 Constitution and it also violates Article 33 paragraph (1) of Law of the Republic of Indonesia Number 39 Year 1999 concerning Human Rights which reads: *Everyone has the right to freedom from torture, or cruel, inhuman and degrading punishment or treatment.*

The presence of a law without being followed by an Implementing Regulation has raised rejection from the Indonesian Medical Association (IDI). The rejection to become the executor of castration punishment against the perpetrators of sexual crime against children is based on the fact that the Doctors' consideration that castration punishment execution violates Doctor's Oath and Medical Code of Ethics[1]. Vast geographic condition leads to limited human resources to execute chemical castration especially in several regions without easy access due to delayed development. Another obstacle is significant budget requirement for the execution of this castration punishment.

Conclusion

The increasing number of perpetrators of sexual violence against children requires not only penal sanction policy but also non-penal approach. Non-penal policy approach refers to the exploration of social, religious, political and cultural values existing within the community. The existence of the Law on castration punishment has not gone through an in-depth or comprehensive academic study so that there are obstacles in its technical implementation, and it is even contrary to a number of international conventions and the 1945 Constitution.

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[1]http://www.antaranews.com/berita/566611/wapres-menghormati-keputusan-idi-tolak-eksekusi-kebiri, accessed on October 30, 2017

With the search for social, political, cultural and religious values, such as the values in Islam concerning castration punishment, it turns out that in Islam there is no such argument either in Al-Qur'an or Hadith. Islamic values require that the criminalization process must be applied carefully and not violating the principles of creation. By exploring Islamic norms, the criminalization process is expected to fulfill the principles of justice and benefit for the perpetrators and the community. One form of punishment which can be followed in Islam is the whipping punishment against the perpetrators of sexual violence.

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Closed Moderation of Islam by Muslim Behavior (Study of Human Body Ownership in Suicide Bombing Cases)

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Abstract

Many studies have been carried out on the moderation of Islam, but studies related to what is at the root of the problem of the closed moderation of Islam by Muslim behavior still leave a big question. Based on research using the method of participatory action research, the mindset of a Muslim who is wrong in perceiving humans as stipulated in the Qur'an (humans as Basyar, Al Ins, Al Insan, An Naas and Bani Adam) turns out to be the main cause of the closure of Islamic moderation that is. In the context of terrorist acts with the method of suicide bombing, the closed moderation of Islam by Muslim behavior as stated by Muhammad Abduh is like getting confirmation. The moderation of Islam which guides all aspects of the afterlife and worldly life, seems to be distorted by suicide bombings. But when looking at the phenomenon of a Muslim who commits suicide bombings, there are serious problems regarding the concept of body ownership and human understanding based on Islam. Hurry and unwillingness to learn are the reason for continuing radical activities that make the body a suicide bomber. According to the State Law, law enforcement against the practice of suicide bombs became paralyzed due to the concept of "union of perpetrators and victims" and the concept of human rights which gave someone the freedom to treat his own body. The behavior of suicide bombings is of course very different according to the perspective of Islam that threatens such activities in the world and the hereafter as a result of not understanding human conception according to the moderation of Islam.

Keywords: *moderation of Islam, suicide bombing.*

Introduction

One of the advantages in Islam is because its teachings are very balanced (moderate), which according to the Indonesian Dictionary (KBBI) means the tendency to be at the midpoint between two extreme poles. Quraish Shihab revealed that the existence of Muslims in a moderate position would lead them not to drift away as experienced by materialists and not to be complacent in the spiritual realm such as "spiritualism" whose existence often no longer rests on the earth, but combines both in all aspects of life as inspired by the word   of   Go[1], Seek through what God has given you (happiness) in the Hereafter, but do not forget your part of

(pleasure) worldly[2].

In the moderation aspect as mentioned earlier, many studies have been carried out. However, when the study is linked to what is at the root of the problem the closure of moderation of Islam by Muslim behavior still leaves a big question. Based on research using participatory action research methods, the mindset of a Muslim who is wrong in perceiving humans as stipulated in the Qur'an (humans as Basyar, Al Ins, Al Insan, An Naas and Bani Adam) turned out to be the main cause of the closure of Islamic moderation.

In the context of terrorist acts with the method of suicide bombing, the closure of moderation of Islam by Muslim behavior (Al Islamu mahjubun bil muslimin) as stated by Muhammad Abduh is like getting confirmation. The moderation of Islam that guides all aspects of the hereafter and worldly life combines, as if deviated from suicide bombings. But when looking at the phenomenon of a Muslim who commits suicide bombings, there are serious problems regarding the concept of body ownership and human understanding based on Islam. Hurry and unwillingness to learn are the reason for continuing radical activities that make the body a suicide bomber.

Based on the study of State Law, law enforcement against the practice of suicide bombs became paralyzed due to the concept of "union of perpetrators and victims" and the concept of human rights which gave someone the freedom to treat his own body. The behavior of suicide bombings is of course very different according to the perspective of Islam that threatens such activities in the world and the hereafter as a result of not understanding human conception according to the moderation of Islam.

As a more real picture, a year ago Surabaya was rocked by bombs. The bombing in Surabaya was an act of terrorism which must have taken its toll. The main purpose of this action is terror which causes damage. Thus the terrorists are people who have been affected by the notion of destruction[3].

One cell of the Jamaat Ansharut Daulah (JAD) led by Dita Oepriarto carried out an attack on three churches in Surabaya. The first bomb hit the Church of Santa Maria Immaculate in Ngagel, the second bomb rocked the Indonesian Christian Church (GKI) on Diponegoro Street, and the car bomb driven by Dita crashed into the Pentecostal Church on Arjuno Street[4]. Not only that, the next day, Monday, May 14, 2018, one family with two motorbikes detonated themselves at the Surabaya Police Headquarters (Mapolrestabes) guard post. The police reaction in the form of a wave of arrests made a member of a terrorist cell carry out carelessness and a bomb exploded accidentally in Sidoarjo. In total there were 25 people died and 57 others were injured[5].

The distinguishing factor that makes Surabaya bomb terror feel heartbreaking is the way it is used. JAD cells use children and women in their actions. One family becomes a perpetrator of terrorism. Including minors. Witnessing this reality, the community was shocked and wondered, how could there be a husband telling his wife and child to blow themselves up.

If compared with various practices of suicide bombings, even though it is common in foreign countries, acts of terror with the mode of detonating themselves even involving children and women are the

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[1]Quraish Shihab, *Membumikan Al-Qur'an Jilid 2 Memfungsikan Wahyu dalam Kehidupan*, Jakarta: Lentera Hati, 2011. 17

[2]Quran Al-Qashash [28]: 77

[3]Mulyana W. Kusumah, "Terorisme dalam Perspektif Politik dan Hukum", Jurnal Kriminologi Indonesia, Vol. 2 No. III, (Depok: UI, 2002), 22 - 29

[4]Kardono Setyorakhmadi, "Sayangnya, Kita Tidak ke Mana-mana," Jawa Pos, (13 May 2019), 1&15

[5]Kardono Setyorakhmadi, Ibid., 15

first actions in Indonesia. Suicide bombings as a phenomenon that is very shocking to the public, certainly provokes responses and subjective interpretations that cannot be erased away. Whatever interpretation remains not value free. For this reason, fighting for some communities is worth jihad, but for other communities it is worth terrorism. To die for some communities is worth jihad, but for other communities it is worth dying silly[6]. Once again the sad phenomenon forces everyone to wonder, what is wrong in Indonesian society today? How could an environment like in Indonesia produce monsters like Dita and his friends? What is in the mind of the suicide bomber for his body ownership?

With all conditions as described previously, there are concerns that the Indonesian people will only be treated to violence in the form of suicide bombings in the name of Islam. The Indonesian people seemed to be just waiting for a wave of terror attacks to occur again and witnessed the increasingly burial of Islamic moderation in the suicide bombing. The question is no longer whether there will be an attack, but when will the next attack occur? Therefore, through this article, the basic disclosure steps regarding the concept of body ownership are explored more so that the body is not misused as a tool to launch terror.

Body Ownership in Terrorist Ideologies That Negate The Moderation of Islam
After a year, what's different? Sadly, almost nothing is different. In addition to the police with its Detachment and a handful of deradicalisation movements such as the Peace Circle Foundation which was coordinated by former Assembly Chief Instructor of the East Java Jamaah Islamiyah Bomb, Ali Fauzi, there was almost no difference in attention at all related to the terrorism problem. As with the events that have already happened, everyone cares about terrorism when an action has just taken place. In fact, acts of terrorism such as in Sobolga (the wife blew herself up with the child when the husband was detained by the police) were only busy being highlighted for three days. After that the news about the acts of terror are immersed in various information that continues to roll on every day.

In fact, the Sibolga bomb case shows that the ideology of jihad as believed by Dita and his friends increasingly became common sense among jihadists. Just to note, the terror group is a salafi jihadi. They have a monotheistic doctrine in such a way that makes them believe that the right to make law and state belongs to God. Consequently, anyone who makes a law is an infidel who is worth fighting. The Caliphate is a must. It was believed by Al Qaeda, then followed even harder by a very terrible splinter, ISIS.

Al Qaeda is the forerunner to what is now called global jihad. The concept of global jihad is a platform that also implies that terrorism is now no longer seeing national borders, but can occur anywhere and by anyone in the world. Al Qaeda's organizational structure as a whole is different from other terrorist movements in the past. Its characteristics change and its shape is horizontal, does not follow the hierarchy of the military organization[7]. Such structures are leaner, more linear, and more an organizationally networked[8] compared to other terrorist groups.

Those two groups of jihad (*tanzhim jihadi*) formed the modern terror group and had many followers from all over the world. In Indonesia, traditionally, Jemaah Islamiyah (JI) is more oriented towards Al

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[6]Deni Irawan, "Kontroversi Makna dan Konsep Jihad dalam Alquran Tentang Menciptakan Perdamaian", Religi: Jurnal Studi Agama-Agama, Vol. X, No. 1, (Yogyakarta: UIN Sunan Kalijaga, 2014), 67-88

[7]Marc Sageman, *Understanding Terror Networks*, University of Pennsylvania Press, Philadelphia.90

[8]Bruce Hoffman, 'Combating Al Qaeda and The Militant Islamic Threat,' RAND.org. Testimony presented to The House Armed Services Committee, Subcommittee on Terrorism, Unconventional Threats and Capabilities. 3 Bruce Hoffman, *Inside Terrorism, Columbia University Press, New York.* 1998. 30

Qaeda[9], while a number of elements who joined JAD gave their allegiance to Abu Bakar Al Bahdadi, the emir of ISIS. The separation of the two groups is actually just a simplification step. Because, many JI elements sympathize with ISIS, and vice versa, so that the dynamics are very complex. However, to facilitate the discussion, the condition is described as such.

More deeply, most of the terror in 2012 was carried out by the JAD group. The scale is still far below JI, as well as the field engineering capabilities it has. But the concept of jihad is different. If JI tends to jihad thalaby (offensive), JAD views jihad difa'i or is defensive. The concept of defensive jihad holds that Indonesia is now under the occupation of the Thaghut regime[10]. Therefore, the jihad that is carried out may use anything and by any means. Including using minors and women in suicide bombings. It is at this point that the moderation of Islam over the body is covered by the concept of defensive jihad. Moderation of Islam is increasingly marginalized when the bodies of children and women are detonated in order to carry out suicide bombings.

Such a view is very strange for the majority of Indonesian people. But not so for them, the jihadists. Detonating their children and wives in the hope of heaven, they are as sure as when we believe that the stone that is thrown up will surely fall down because of the gravity. The bad news, the view of the jihad is that, there are still many who believe in it.

In Surabaya, according to former combatants who were the speakers, there were 50-100 people who held that view, or at least affiliated with ISIS. They are very closed and hidden[11]. Also doing massive recruitment, something that is very worrying.

Humans and Body Ownership in The Moderation of Islam

The Islamic law sourced primarily from Quran and hadiths definitely protects and glorifies creatures called human beings. Islam gave humanity an ideal code of human rights 1400 years ago, the purpose of these rights is to confer honor and dignity on humanity and to eliminate exploitation, oppression, and injustice. Human rights in Islam are deeply rooted in the conviction God, and God alone, the author of law and the source of all human rights. Given this divine origin, no leader, no government, no assenbly or any others authority can restrict, abrogate or violate in any manner the rights conferred God[12].

Thus, as the phenomenon of suicide bombing, such a thing is very unacceptable in Islamic Law. When the bodies of children and women are detonated in order to carry out suicide bombings is not only seen as a violation of Islamic Law, it is a form of evil to Alloh Subkhanahu wa Ta'ala against His blessings granted to human being as a most glorious creation of the earth.

Such blessings of being created as human being with the glory granted to him/her can be observed in provision of Alloh Subkhanahu wa Ta'ala contained Qur'an mentioning human being in five different terms. The five titles to human being shows the essence of him/her describing functions in life, namely

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[9]Jacob Zenn, "A Primer on Boko Haram Sources and Three Heuristics on al-Qaida and Boko Haram in Response to Adam Higazi, Brandon Kendhammer, Kyari Mohammed, Marc-Antoine Pérousede Montclos, and Alex Thurston", Perspectives on Terrorism, Vol. 12, No. 3, (Leiden: Leiden University, 2018), 74-91

[10]Kardono Setyorakhmadi, Op.Cit, 15

[11]Bart Schuurman and Max Taylor, "Reconsidering Radicalization Fanaticism and the Link Between Ideas and Violence", Perspectives on Terrorism, Vol. 12, No. 1, (Leiden: Leiden University, 2018), 3-22.

[12]Mohammed Arkoun, *Rethinking Islam Common Question Uncommon Answer.* San Francisco, 2014. 106

Basyar, Al Ins, Al Insan, An Naas, and Banu Adam[13]. Human being is called basyar and it is repeated 35 times in the Qur'an. It indicates that in his/her life, human being has characteristics as visible creature and has lust with all potentials. Human being as a creature with his/her biological characteristics and physiological functions is equipped with natural appetites in order to have desire and strength and ability according to mission assigned to him/her in the world. Al Ins is repeated 18 times in the Qur'an and it is frequently paired with Aj Jin to denote that human being has characteristics of gentle. Therefore, human in his/her nature is not a violent creature, and when he/she is taught of his/her humanitarian function as Al Ins, then it should be human beings become lenient and loving to other creatures.

Furthermore, Al Insan repeated 65 times in 63 verses and located in 43 surah in the Quran gives a hint that totality of human life as a whole is functioning as a creature commanded by Alloh Subkhanahu wa Ta'ala to be a keeper of prosperous life of the world, and his/her duty is a beings who worship only to Alloh Subkhanahu wa Ta'ala. Human being is also called An Naas and it is repeated 241 times in the Qur'an showing that function[14] of human as a social being. Therefore, humans are required to have good relationship to each other, not to hurt each other and also not to boast their superiority to others. An Naas refers to people as communality but with different characters, and they are instructed to know each other (lita'arofu) and to complement and to perfect to each other when they are meeting to each other. Furthermore, human is referred to as Banu Adam and it is repeated 7 times in the Quran. This sentence is intended to show 3 meaning of humanity in life. The first meaning based on the sentence aspect can be interpreted as the descendants of Adam Alaihissalam, the second meaning shows the name of men as a community but points to the similarity (non-discriminatory) namely the descendants of Adam Alaihissalam,while the third meaning provides clues for human being to learn from the life of the Prophet Adam Alaihissalam in heaven until he was fallen down to earth[15].

Based on the five titles of human being contained in the Quran, the concept of basyar is the next analysis when it is associated with the misuse of lust in the context of suicide bombing. Basyar will be also further explored in review of characteristics and depictions of human beings expected by the Creator to carry out their humanity functions on earth, to be Khalifah fil Ardh[16].

Human being is firstly mentioned in the Quran with the term Basyar. As mentioned earlier, basyar indicates characteristics of human being in the life. The term provides information that, the third creature created by Alloh Subkhanahu wa Ta'ala after creation of angels and jinn, has lust with all his/her potential. Previously, there was no response from angels as Alloh Subkhanahu wa Ta'ala said about creation of human (Prophet Adam) to them. However, the angels asked 'question' after knew that the mission of human being creation is to make human being as the Caliph on earth. The angels were concerned of potential lusts possessed by human being that may lead to negative excesses. The concern was expressed in 'a question' why did Alloh Subkhanahu wa Ta'ala create the caliph with such characteristics? On the question of the angels, Alloh Subkhanahu wa Ta'ala argued that the lusts with potentially negative effects can be controlled for

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[13]Adi Hidayat, "*Hakikat Manusia dalam Al-Quran*" Part.1, Islamic Studies's Speach. Jakarta: MT. Al Khansa Soepomo, 18 November 2015.

[14]Quran Surrah Al Hijr (15:28)

[15]Quran Surrah Al Baqarah (2:30-39), QS Al Kahf (18:50), QS Al A'raf (7:26,27,31). Adi Hidayat, "*Hakikat Manusia..Op.Cit.*

[16]Caliph (*khalifah*), based from *qolafa* which has meaning: guard, a prosperous (*amara*: usefull, blessings, increasing goodness), a bad successor to be good. So that a caliph of all activities should be usefull.

goodness (maslakhat) guided by knowledge on all aspects taught by Alloh Subkhanahu wa Ta'ala to Adam Alaihissalam.

Such knowledge guidance in attempts of controlling the lusts in the concept of basyar can be observed in many parts of the Quran. As mentioned earlier, the concept of basyar is called 35 times in the Quran indicating a clue about characteristics of a creature having lust with all its potentials. With such lust, human beings have potential to gain strength. However, human being can also be trapped to make badness (munkar) as knowledge taught by Alloh is set aside, and make lust as his/her guide of life.

In fact, Alloh swears on the creation of man by mentioning the three treatises of His prophets and messengers (Quran Surrah 95: 4), namely the Isa treatise (tin and olive), the Moses treatise (Tursina Hill-Mount Sinai), the Muhammad treatise (Makkah), about human being as a creature with the best form[17]. Furthermore, the Quran contains a series of verses detailing the process of human birth. Therefore it is very natural when human beingis required to maintain his/her physical wellbeing by performing ablution, bathing[18], shaving, cutting nails, and giving intake to the body with the best food and drinks sourced from hallal and good sustenances.

As the keeper of the earth (khalifah fi Ardh), it is also instinctive that utilization of all potentials of human beings is directed by Alloh in order not to lower their degree as khalifah. It can be noted that with the glorious creation of human being, Alloh demands human beings to use their parts of the body for goodness as possible, for example the eyes function is limited only to see what is good. Watching improper things will decrease the glory of the human's eyes. For men, guidance for the eyes can be read in the Quran Surrah An Nur (24) verse (30) and, for women, in Quran Surrah An Nur 24 verse (31). It is said that 30. "say to the believing men that They should lower their gaze and guard their modesty: that will make for greater purity for them[19]: and Allah is well acquainted with all that They do." Similarly for women, "and say to the believing women that They should lower their gaze and guard their modesty; that They should not display their beauty and ornaments except what (must ordinarily) appear there of; that They should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husband's fathers, their sons, their husbands' sons, their brothers or their brothers' sons, or their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical needs, or small Children who have no sense of the Shame of sex; and that They should not strike their feet In order to draw attention to their hidden ornaments. and O ye believers! turn ye all together towards Allah, that ye may attain bliss. Based on these verses, it can be understood that human beings are the noble beings, so they should only look at nothing other than any good, because watching any bad thing without controlling passions is not only demeaning the glory of human self, but at the same time, tearing down the human faith as the basyar.

Similarly, the command for hearing and ears. The dangerous thing is that if people are accustomed to hearing bad things, then they will be allergic to good things (Quran Surrah Al Anfal (8): 21). The same is true for the human's mouth, because what comes out and enters the mouth will affect the whole body. The

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[17]Quran Surrah At Tin (95): 4

[18]Quran Surrah Al Maidah (5): 6

[19]Namely, it is holier for their heart and purer for the religion followers. Faithful people should not look at what is forbidden to see, except involuntarily. If they look at it unwillingly, they should turn their sights away quickly. As mentioned in hadith, Jarir bi Abad Al-Bajili said, "I asked the Prophet about sudden look unwillingly, he told me to turn away my sight' (Hadith, Muslim). It was said, anyone who keep their sight, then Allah will bestow them with light in their heart.'

ingestion of (haram) unlawful food into a person's mouth will create a problem of blockage in his ear (Quran Surrah Al An'am (6): 25). Furthermore, as a noble being, human is even set in attitude, that is, he/she must not cheat, lie, and all forms of immoral conducts, no exception concerning suicide bombing as discussed in the study.

So according to the view of Islam, it is very weird if a human being who is not a prophet, not a messenger, and his/her hisab is still uncertain, but instead do immoral, including suicide bombing. Therefore, according to the Islamic law, later in the Hereafter, there will be humans who will be degraded and drowned into the hell because they had abandoned their humanity functionsin the world (Quran Surrah Al A'rof (7): 79). Humans are bestowed with intelligence but it is not used, the eyes and ears but they are not used, so that their function of knowledge is not used, they are like cattle even lower.

Looking carefully at the study of the concept of human being as basyar as associated with immorality in the form of suicide bombing, it can be argued that with lust human has potency to gain strength, but if the lust is not controlled as commanded by Alloh, human beings will be trapped to do *munkar* (bad things) leading to their life misery both in the world and the hereafter. Therefore, human being is called basyar, because it is actually guidance for all human beings to manage their lusts according to the function of Islamic moderation set by Alloh Subkhanahu wa Ta'ala as khalifah fil Ardh.

Deradicalization and Constraints on Grounding the Moderation of Islam

After a year, are there significant developments in efforts to combat terrorism and the spread of radicalism? Researchers found a very alarming answer, namely that the development of counter-terrorism was not much done. If it's not called stagnant. Those who really pay attention may only be the National Agency for Counter-Terrorism (BNPT) and Special Detachment 88, and only a handful of observers in the terrorism sector.

What about de-radicalization? Looking at the current conditions, it turns out that almost no deradicalization program has really been felt and comprehensive[20]. BNPT has done it, but the classic problem with the budget continues to smother it. For operations only, the BNPT is still limited, especially to launch a sustainable and comprehensive deradicalisation program. At the same time, the concept of Islamic moderation is also not optimized. In Islamic law, intentional killing is a violent offense and the perpetrator must be punished with appropriate punishment[21]. However, Islamic law like this is open to interpretation. The openness of the interpretation is indicated by killing some people, especially those accused of being infidels, allowed by some groups[22]. Both views that mutually negate this, should be harmonized with Islamic moderation. The moderate aspects of Islamic teachings which contain rabbaniyah and insaniyah elements are not maximally utilized. The element robbaniyah, means that the teachings really come from God, God is the preserver of nature, not of humans. While the second, the human element means that the guidance is directed at humans, therefore his guidance is in harmony with human nature. Therefore, Islam encourages its adherents to attain worldly material, but with a divine orientation. In line

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[20]Sarie Febriane dan Mariamah, "Keberhasilan Semu Deradikalisasi di Indonesia", Global: Jurnal Politik Internasional, Vol. 15, No. 2, (Depok: UI, 2013), 137-160

[21]Habib Shulton Asnawi, "Hak Asasi Manusia Islam dan Barat: Studi Kritik Hukum Pidana Islam dan Hukuman Mati", Jurnal Kajian Ilmu Hukum Supremasi Hukum, Vol. 1, No. 1, (Yogyakarta: UIN Sunan Kalijaga, 2011), 26-45

[22]M. Zaki Mubarak, "Dari NII ke ISIS: Transformasi Ideologi dan Gerakan dalam Islam Radikal di Indonesia Kontemporer", Epistemé: Jurnal Pengembangan Ilmu Keislaman, Vol 10, No 1, (Tulung Agung: IAIN Tulung Agung, 2015), 78-94

with that, Islam does not prevent humans from fulfilling their physical needs, such as eating, drinking, bodily relationships, but in implementing them it is expected to be organized with spiritual values. So even with other dimensions, Islam is not only able to satisfy the ratio, but also the soul and taste. However, it is very unfortunate, Islamic moderation is thus marginalized and not used.

A search of the history of Islam in Indonesia, even if only limited to the surface level, can be used as evidence that the character of Islam in Indonesia is moderate (wasathiyah) which is compatible with the character of Islam. According to Yusuf Qordhawi in Islam the Middle Way, Islam invites to the middle way and forbids overreaching or excessive religious belief (tatharruf). Yusuf Qordhawi's statement continues with Muhammad Hashim Kamali's view that "moderation is an aspect, in its Qur'anic projection, of the self-identity and worldview of the Muslim community, or ummah ..." Looking at these two expert views, the moderate character (wasathiyyah) becomes important to continue to be maintained as a collective awareness of Muslims in Indonesia, which in the next stage becomes the bond of civility in the face of diversity within the Muslim body itself, as well as the diversity of other parties, even the crucial contemporary challenges, including acts of terrorism in the form of suicide bombings.

Understanding Islamic moderation in forming such ties of civilization is important to be internalized. This is because when the ties of civilization are broken, it will be difficult for Muslims to capitalize themselves into a world power when Muslim countries that are in the middle position actually fall into the puddle of prolonged conflict, both because of differences in beliefs and because they are triggered by differences in political economic interests. In the Indonesian context, the problem is that there are still a handful of Muslims, both individually and in a network that has not felt at home. This is evidenced by the carrying out a variety of agendas, both sporadic, systematic, ideological and even terrorist steps that claim themselves theologically correct in Islam in Indonesia.

Jihadist groups such as JI and JAD demonstrate their existence not only as a discourse, but actually manifesting actions that tend to be attached to violence and terror. The phenomenon of infiltration of understanding and radicalism needs to be watched out, considering that it has expanded to the virtual space that grows into *hyper-reality*[23]. simulacra[24] and difficult to detect. As the strengthening of digitalization, interest and involvement in the understanding and movement of terror can be done individually and quietly. Lately we are often surprised by radical actions carried out individually (lone wolf). After being traced, the action was carried out by the perpetrators after browsing pages in cyberspace which were charged with radicalism and ideology of terrorism. As a result of this series of terrorist acts, the image of Islam began to shift from being moderate to being radical. Strictly speaking, it can be argued that in the end the glory of Islam is closed by moderation and Muslim behavior.

Actually there is one concept that is often used to unravel the complexity of internal relations in musliam, including in Indonesia, namely unity in diversity. At first Islam came from the same source with the same doctrine, especially on aspects that are fundamental. Abdullah Saeed, one of the leading Muslim academics in Australia, said that one thing that brought Muslims together in various parts of the world was shared values that were fundamental and binding.

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[23]Lusius Sinurat, 'Simulacra dan Realitas Semu', www.lusius-sinurat.com/2013/07/simulacra-dan-realitas-semu, downloaded 8 Agustus 2019.

[24]Jean Baudrillard, *Simulacra and Simulation* –Translated by Sheila Faria Glaser, University of Michigan Press, 1994.

Thus, when Islamic moderation is internalized as a step of de-radicalization, the weight of de-radicalization actually becomes a program that is even more complicated when compared to the rehabilitation of narcotics addicts. For rehabilitation of nakotika abusers, the parameters are rather clear. The detoxification step for some time, then keep the addict away from the environment, then complete rehabilitation steps. Whereas deradicalization, what is changed is belief. Not to mention talking about economic development. Because most prisoners of criminal acts of terrorism always have economic problems, both work and capital access.

Indeed there is a Peace Circle Foundation and Islamic Boarding Schools in Sumatra that are engaged in deradicalisation. But because of the lack of donations and assistance from the government, they certainly have limitations in recruiting. Even though it is the de-radicalization non-govermental organization that fights in the vanguard with radical groups in fighting for influence.

At this culmination, the city and provincial governments should be able to do more by utilizing the moderation of Islam through a variety of Islamic institutions owned, both through mosque networks, community leaders, ulama and scholars. Unfortunately, it is precisely the obstacle that hinders the pace of easing the moderation of Islam. It emerges from regional officials who view that terrorism and de-radicalization are only issues of the central government. Almost no budget or agency specifically for that at the regional level. Looking at all these conditions, it is very worrying that Indonesia will only wait for a wave of terror attacks to occur again and again.

Conclusion

Based on a study of "Closed Moderation of Islam by Muslim Behavior" related to terrorism through suicide bombings, several important things were discovered. When the view of difa'i (defensive) infects terrorists, then the act of terrorism develops towards the global. The jihadists even carried out various ways to carry out their actions, including using children and women in suicide bombings. Such actions in the moderate perspective of Islam are clearly very prohibited, especially when the acts of terror use the body as an instrument of blasting action. So that the moderating study of Islam regarding body ownership is associated with the context of terrorism, provides an absolute prohibition because the degree of the human body in fact is degraded to become a tool in committing crimes. Although the concept of ownership is found for everyone's body, committing suicide bombing is still contrary to the concept of ownership and the concept of humanity as Ardh's caliph fil by which humans and all aspects of their bodies are endowed with a very high standard of human glory.

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Grounding Islamic Moderation in The Island of a Thousand Mosques (An Analytical Study of Tuan Guru Bajang (TGB)'s Thinking in Applying Islamic Moderation in Lombok Island)

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Abstract

This article aimed to dig Islamic Moderation teaching (*Wasathiyah Al-Islam*) done by Tuan Guru Bajang (TGB) in the Island of a Thousand Mosques (Lombok, NTB). This island has several characteristics such as traditional Moslem society, paternalistic consciousness, and agricultural mental. TGB is considered as a prominent figure fought for mainstreaming Islamic moderation and became the early detector of radical religious comprehension in Lombok. The research novelty is TGB's thinking about Islamic moderation concept with ahlussunnah waljama'ah (carrying theological orthodox of al-Asy'ari, Fiqh Imam Syafi'i, and Imam al-Ghazali's Sufism). This research employed qualitative method. Subject of the research was Tuan Guru Bajang (TGB) or Dr. TGH. Muhammad Zainul Majdi, Lc., M.A. The results of this research showed that: 1) Islamic Moderation was founded with a transformative proselytizing (da'wah) way (objective-academic). 2) Mosque becomes the center of socio-religious moderation through religious worship approach (from cultural ritual side, that is the creative collaboration and from spiritual side that is dhikr-thought-love touch) and the strengthening of scientific literacy culture (dialogic approach) with libraries and religious education program facilities. 3) embedding Islamic Moderation values based on Ahlussunnah waljama'ah (*Tawassuth, tawazun, i'tidal, tasamuh, musawah, syura, islah, awlawiyah, tathawur wa ibtikar, qudwah, tahaddur, muwathanah*, and *amar ma'ruf nahi munkar*).

Keywords: *Islamic Moderation; TGB; The Island of a Thousand Mosques (Lombok, NTB).*

Introduction

Islamic Moderation nowadays becomes an actual issue in education world; even this issue spreads to political, social and government world. This term appears as a radical comprehension antitheses [1] and intolerant in comprehending and executing doctrins or religious messages[2].

This antitheses is strengthened with the result of study conducted by Jaser Auda, that Islamic values in Indonesia have not grounded, even the internalization of religious values is getting weakened. However, Countries with good application index of Islamic values are countries whose majority people are not Moslem. New Zealand is in the first place, while Indonesia is in 140th place[3].

In fact, data about religious harmony index in Indonesia in 2016 and 2017 showed positive points, those were 75.47 dan 72.27. But in 2018, the religious harmony index was decreased to 70.90. One factor that influences the decrease of the index is because of *SARA* (tribe, religion, race and inter-community) issues, hoax, hate speech, and a massive religion politization in almost all regions and social media[4]. These phenomena are proofs that Islamic moderation becomes a significant essential to be taught and applied by the society in social, national and state life.

Abdurrahman Mas'ud appraised that religious moderation is an exact strategy in establishing religious harmony in Indonesia[5], in relation with that, Oman Fathurrahman argued that religious moderation should become a common perspective or point of view for religious and peaceful harmony[6].

Islamic moderation doctrins have significant contributions in unifying nation and guarding the integrity of Republic of Indonesia. Because of that Islamic moderation doctrins in Indonesia is an inevitability that should be promoted to all people in Indonesia.[7] For example, Sunan (Saint) Kalijogo known for his accommodative attitudes towards local traditions had educated the natives about peaceful, tolerant, and spiritual Islam. Sunan Kalijogo along with his disciples Sultan Adiwijoyo, Juru Martani, and

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[1]Radicalism is defined as ideas and acts that aim to weaken, destroy, and change established politic order with violence towards the new stystem. Azyumardi Azra, *Transformasi Politik Islam: radikalisme, khilafatisme, dan demokrasi* (Rawamangun, Jakarta: Prenadamedia Group in cooperation with Pusat Pengkajian Islam dan Masyarakat (PPIM) UIN Syarif Hidayatullah Jakarta, 2016), 155.

[2]Fahrurrrozi, *Pidato Pengukuhan Jabatan Guru Besar: Model Dakwah Moderasi Islam di Tengah Pluralitas Umat (Konstruk Teoritis dan Praktis),* UIN Mataram, Wednesday, 19 of June 2019, 3

[3]https://kemenag.go.id/berita/read/510805/kemenag-kaji-draft-modul-moderasi-beragama-bagi-guru-madrasah. Tuesday, 25 of June 2019.

[4]History records, the action of 22 of May 2019 that demanded General Election should be fair, honest, and transparent, at first was held peacefully, but then there was a chaos because of some intruders who misused the moment for their political affairs and exploited religion for a destructive matter. Anom Prihantoro, *Litbang Kemenag: indeks kerukunan umat beragama 2018 turun.* ANTARA, Monday, 25 of March 2019. http://makassar.antaranews.com/nasional /berita/815228/litbang-kemenag.

[5]This Strategy covers two things, first, empowering the society, religious organizations, and religious leaders to handle religious harmony. Second, giving guidelines through regulations and relevant programs in organizing religious harmony. Abdurrahman Mas'ud, *Pengarusutamaan Moderasi Beragama sebagai Implementasi Resolusi Dewan HAM PBB.* Jakarta: National Seminar in Royal Hotel Kuningan, July 26 2018.

[6]Oman Fathurrahman, *Moderasi Beragama harus jadi Perspektif Bersama* ; at 'Pembinaan Mahasiswa Buddhis Tingkat Nasional' event in 2019 in Yogyakarta, Saturday, May 17 2019. *Liputanislam.com/indonesiana/prof-oman-moderasi-beragama.*

[7]M. Sidi, Ritaudin, *Promosi Islam Moderat Menurut Ketum (MUI) Lampung dan Rektor Universitas Islam Negeri (UIN) Raden Intan Lampung,* (Lampung), Jurnal TAPIs Vol. 13 No. 02 July – December 2017, 48.

Senopati ing Alonggo had succeeded in saving and conserving sublime values so nowadays people can feel the benefits[8].

Considering the importance of Islamic moderation, Muhammad Zainul Majdi (TGB) wants the Island of a thousand mosques (Lombok, West Nusa Tenggara Barat) to be known as a place of mainstreaming Islamic moderation values that applied well and can be spread all around the world[9]. Even the island of a Thousand Mosques is known as a region that is vulnerable of social conflict, terrorism, and radicalism,[10] because the characteristic of the people is hard and rude, but the appearances can be softened with the spirit of ukhuwah Islamiyah interwoven through mosque as the center of Islamic civilization in Lombok. Mosques are able to change social fact to be social investment[11]. Because of that, grounding Islamic moderation in the island of a Thousand Mosques must be programmed, because this Islamic moderation is able to emerge civilization and love that can prevent hatred, hostility and war.

Concept of Islamic Moderation

Islamic moderation can refer to the practices done by Prophet Muhammad and his companions, especially al-Khulafa ar-Rasyidun in the region in the beginning years of Islam. Yathrib, known as Medina, here Prophet Muhammad *shalallahu 'alaihi wa sallam* developed Civilization through interaction and communication between many sides. He planted humanity values, egalitarianism, interfaith and interethnic mutual respect, and declared through the Charter of Medina[12].

The emergence of Islamic moderation cannot be separated from the declaration of global warming against terror by USA government in New York following tragedy 9/11. The declaration called for countries with Moslem majority (and other countries) to choose between two things "friends" of America or the enemies[13]. USA government gives supports (both technical and financial) to countries supporting Islamic moderation[14].

The power of Islamic moderation in Indonesia is not only the result of Moslem's internal efforts dug from understanding cultures but also the result of political supports. In Islamic moderation teachings, politics is a separate part from Islam, even political struggles is a part of religion[15].

From several literatures, Islamic moderation is defined as a middle way or compromise (QS. al-Baqarah (2):143). Fazlur Rahman states that a middle way or a compromise is not only the best way but also

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[8]Abdurrahman, Wahid, *Ilusi Negara Islam Ekspansi Gerakan Islam Transnasional di Indonesia*, (Jakarta : Desantara Utama Media, 2009), 11 – 15.

[9]Interview with TGB, Saturday 8 of June 2019. At 07 pm.

[10]Nana Sujana, Jabat Kapolda NTB yang Baru, ini Target Brigjen Pol Nana Sujana, https:// inside lombok.id/berita utama, 3 May 2019.

[11]Tuan Guru Bajang (TGB). Muhammad Zainul Majdi, *"Kajian Subuh",* Jogjakarta: Masjid Jagokaryan, 2017. Youtube.com.

[12]Syamsun Ni'am, "Pesantren : The Miniature of Moderate," *Indonesian Journal of Islam and Muslim Societies* 5, no. 1 (2015): 111–34, http://ijims.iainsalatiga.ac.id/index.php/ijims/article/view/259/212.

[13]United States Capitol, "Address to a Joint Session of Congress and the American People," *The White House*, September 20, 2001, https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/20010920-8.html.

[14]Ahmad Rizky Mardhatillah Umar, "A Genealogy of Moderate Islam : Governmentality and Discourses of Islam in Indonesia's Foreign Policy," *Studia Islamika* 23, no. 3 (2016), https://doi.org/10.15408/sdi.v23i3.3157.

[15]Sangkot Sirait, "Moderate Muslim: Mapping the Ideology of Mass Islamic Organizationsin Indonesia," *Journal of Islamic Studies and Culture* 4, no. 1 (2016): 115–26, https://doi.org/10.15640/jisc.v4n1a14.

the only way[16]. It is strengthened by al-Ghazali that the spirit of this middle way is in line with Islam religion. Just like the sign in the verse meaning that we may not be ungenerous nor we may not be wasteful, but we may behave in between (QS. Al-Furqan: 67). It is in line with what Allah SWT says in QS. al-Isra' (17): 29, QS., al-Isra' (17): 110, QS., al-Qashash (28): 77[17].

The verses of Al-Qur'an above explain about the balance between this life and the hereafter. It is a legitimation form to Moslems to be moderate, to set the acts, hearts and minds in living our lives. This is in line with TGB Muhammad Zainul Majdi's thinking, that one of moderation doctrins keys is the governance of our diversity, that is by applying moderate thinking in all aspects of life and not making everything exaggerating so conflicts can be avoided[18]. Islam established inside the followers and the doctrine make Islam religion is superior than any other religions, and above ideologies predicted and produced by humans.

Ibnu Miskawaih argues that the middle way can be achieved by combining shari'a function (*maqāsid al-syari'ah*) and philosophy. Shari'a functions effectively for creating middle position in intense and brave souls, while philosophy functions effectively for creating middle position in thinking souls.[19] Those two functions work together with mind, body and sense. Because of that, in grounding Islamic moderation values, those values are not only taught theoretically but also practically so the people can practice the values easily and get positive experiences then preeminent and qualified individuals can be formed.

Tuan Guru Bajang (TGB)'s Thinking in Applying Islamic Moderate in Lombok Island

The existence of religious sectarian that flourish in Lombok society, West Nusa Tenggara, both right extreme (*tatharruf yamini*) and left extreme (liberal, *yasari*) [20], has attracted TGB's interest on Islamic moderation by voicing his opinion through interviews, journal articles and books, even in social media so that the characteristics of Islamic moderation values can be preserved well and referred in teaching learning and become the middle way between right and left extreme so there will be a synergy between text and context.

This island has several characteristics such as traditional Moslem society[21], paternalistic consciousness[22], and agricultural mental. TGB is considered as a prominent figure fought for mainstreaming Islamic moderation and becomes the early detector for the emergence of radical religious sects in Lombok.

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[16]Fazlur Rahman, *Tema Pokok Al-Qur'an*, transl. Anas Mahyuddin (Bandung: Pustaka, 1983), 39.

[17]Ministry of Religion RI, *Al-Qur'an Bayan,*

[18]Interview with TGB, Saturday 8 of June 2019. At 07 pm.

[19]Ibn Miskawaih, *Tahdzib al-Akhlak wa Tathhir al-A'raq,* (Mesir: Kurdistan al-'Ilmiyah, 1392), 18-36; Ibn Miskawaih, transl. Helmi Hidayat, *Menuju Kesempurnaan*, 44-53

[20]Darlis, *Peran Pesantren As'adiyah dalam Membangun Moderasi Islam di Tanah Bugis,* Al-Misbah: Volume 12 No.1, 2016. 111-140. See also, Pizaro Gozali Idrus, *Pemerintah kuatkan moderasi pendidikan Islam agar mendunia.* National Coordination Meeting (Rakornas) of Islamic Education, Ministry of Religion in Jakarta, 14 of March 2018. See, https://www.aa.com.tr/id/dunia/pemerintah-kuatkan-moderasi-pendidikan-Islam-agar-mendunia/ 1088565.

[21]Abuddin Nata, *Peta Keberagaman Pemikiran Islam di Indonesia,* (Jakarta: Raja Grafindo Persada, 2001), 142-145.

[22]Paternalistic consciousness here is all Teachers are considered as leaders who act as fathers, decision makers, and protectors to society. The strength of primordial bonds, extended family system in society, strong role of customs and communalistic society life make paternalistic consciousness maintained well.

Efforts done by TGB in applying Islamic moderation in the Island of a Thousand Mosques (Lombok) are through[23]:

1. Islamic Moderation-based Transformative Da'wah Model (Objective-Academic)

Islam gives many principles that talk about premises of peaceful da'wah, like teaching about *adl* (fairness), *ihsan* (goodness), *rahmah* (love), dan *hikmah* (wisdom). The teachings were conveyed by Prophet Muhammad SAW in his first years of da'wah for 13 years using fascism ways (no violence), of his 23 year of prophecy in Mecca.

The term of transformative is a part of Islamic learning (da'wah). The point of transformative learning is how to change perspectives from only accepting point of view in seeing texts and realities to become a more reflective, critical and open part towards changes. When Islamic learning -transformative da'wah is given, it can result a reflective and open individual towards the changes in reading, comprehending, interpreting and applying Islamic teachings[24].

Transformative Da'wah is an alternative da'wah that appears as a criticism of the idea of modernization *(developmentalism)* that considered failed in solving social gap and unfairness, so this da'wah model is oriented to transform unfair environments to be fairer and humanly environments because of development ideology.[25] Basic reasons of transformative da'wah are: 1). Lack of religion as a life rationalization. 2) lack of religion institutions such as the effectiveness of Islamic learning institutions (*majlis taklim*). 3) lack of social economic institutions. That is why, this da'wah runs in accordance with structural and cultural basis in society.

Islamic Moderation-based Transformative Da'wah Model (Objective-Academic) is meant to give opportunities for preachers in interpreting religious teachings to society with measured, systematic, and reliable logic as a middle way in developing spiritual and intellectual consciousness adjusted for society's condition, potentials and needs based on their different surroundings.

Fahrurrozi explains that at least characteristics attached to transformative-moderative da'wah such as contextual (according to time and place), tolerant, appreciating tradition (tradition becomes vitalization tools of Islamic values), progressive (accepting and responding teachings and realities to be developed intensively and creatively), and liberating (answering problems of society life universally with contents of *rahmatan lil'alamin* values)[26].

Islamic Da'wah done by Tuan Guru in Lombok generally comes from religious organizations such as Nahdlatul Wathan and Nahdlatul 'Ulama. TGB and all Tuan Guru (teachers) in Lombok in general are

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[23]Interview with TGB, Saturday 8 of June 2019. At 05 pm.

[24]M. Agus Nuryatno, "ISLAMIC EDUCATION IN A PLURALISTIC SOCIETY," *Al-Jami'ah* 49, no. 2 (2011): 427–28, http://www.aljamiah.or.id/index.php/AJIS/article/view/49208/86.

[25]Moeslim Abdurrahman, *Islam Transformatif,* (Jakarta: Pustaka Firdaus, 1995), 37.

[26]Fahrurrrozi, *Pidato Pengukuhan Jabatan Guru Besar: Model Dakwah Moderasi Islam di Tengah Pluralitas Umat (Konstruk Teoritis dan Praktis),* 36-37.

Ahlussunnah Waljama'ah devotees that carry theological ortodox al-Asy'ari[27], Fiqh Imam Syafi'i[28], and Sufism of Imam al-Ghazali[29].

The result of research conducted by Faizah[30], shows that in theological matters, majority of Sasak Islamic society follow Asy'ariyah perspective attributed to the founder Abu al-Hasan al-Asy'ari, understand that *khabariyah* traits contained in some verses of al-Qur'an are metaphorical that need deeper interpretation.

Fiqh Imam Syafi'i in Islamic Law field hold firmly to the postulates of al-Qur'an, al-Hadits, *Ijma'* and *qiyas*. This fiqh law methodology is combined with logical reasoning and *nash*. The thought of moderate fiqh of Imam Syafi'i is set out in two *Qauls,* those are *Qaul Qadim (Al-Risalah)* and *Qaul Jadid (Al-Umm).*

Sufism of Imam Al-Ghazali emphasizes more to moral education. Moral is a fruit of knowledge and charity. This Sufism (tasawuf) figures akhlaqi Sufism and Sunni Sufism. Akhlaqi Sufism has three steps; *takhalli*, *tahalli*, and *tajalli*. *Takhalli* is to set free from immoral acts or sins that can obstruct closeness to Allah SWT. *Tahalli* is soul charging, by accustoming ourselves to do good things such as being patient, altruistic, sincere, repent and do religious shari'a well. Tajalli is being revealed the unseen light by loving Allah SWT with self-introspecting, self-evaluating, meditating, and dzikr. While Sunni Sufism is based on Ahlu Sunnah Wal Jama'ah. The fundamental teachings of Imam Al-Ghazali Sufism are *tawhid* (oneness of God), *makhafah* (fear of God), *mahabbah* (love), and *ma'rifat* (knowledge). From these fundamental teachings, concepts of *tawbah* (repentance), *shabr* (patience), *zuhud* (asceticism), *tawakkal* (trust in God), and *ridha* (satisfaction/perfect contentment) emerge.

2. Reinforcement of Mosque Effectiveness as the Center of Socio-religious Moderation

Around 2000s there was an international debate related to the planning of building Ground Zero mosque, New York. The plan became Moslem's face of fear for common USA citizens and Moslems themselves because the location of the building is not far from the ruins of World Trade Center buildings[31]. This plan was considered intolerant, bigoted, and un-American. The fact says different, Imam Rauf himself, as the initiator of the idea, he man who claims to seek harmony and peace while doing everything in his power to escalate the tensions both through his words and his defiance – and possibly set the stage for another terrorist attack on New York City[32]. The true nature of mosques is Libraries in Islamic

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[27]Theology al-Asy'ari relies on postulate senses and revelation. R. Andi Irawan, Social Sufism of Al-Ghazali and its Relevance in Contemporary Era, a Thesis of UIN Walisongo, Semarang, 2017. 31-32

[28]R. Andi Irawan, Social Sufism of Al-Ghazali and its Relevance in Contemporary Era, a Thesis of UIN Walisongo, Semarang, 2017. 31

[29]Rina Rosia, *Pemikiran Tasawuf Imam al-Ghazali dalam Pendidikan Islam,* Inspirasi: Jurnal Kajian dan Penelitian Pendidikan Islam, VoL. 2, No 3 (2018), 1.

[30]Faizah, "Gerakan Salafi di Lombok", *Harmoni, Jurnall Multikultural & Multireligius,* Vol. 11 No.4 (Oktober-Desember, 2012), 67.

[31]Djibril Muhammad, "Alhamdulillah! Rencana Pembangunan Masjid Di Ground Zero Disetujui," *Republika.Co.Id,* 2011, https://www.republika.co.id/berita/dunia-islam/islam-mancanegara/11/08/25/lqh7ea-alhamdulillah-rencana-pembangunan-masjid-di-ground-zero-disetujui.

[32]Abigail R. Esman, "Myths and Truths About the 'Ground Zero Mosque,'" *Forbes.Com*, September 17, 2010, https://www.forbes.com/sites/abigailesman/2010/09/17/myths-and-truths-about-the-ground-zero-mosque/#cb019ac7deff.

Civilization[33]. It was stated by him in an interview with media *ABC*, that, "First, they will build centers of Islamic studies including mosques that can accommodate 1.400 people, but it is not located in 9-11 area, it is about two blocks (from Ground Zero). I talked to a *CNN journalist* who said that two blocks from it there is a shop selling pornographically stuffs. If we do not allow the building of a mosque, which aims to foster interfaith dialogues and pray for peace...."[34].

Indonesia is a country with majority Moslems in the world and has 800 thousands mosques (data from Indonesian Mosque Board). Indonesia Moslems is famous for its Islamic for 99% Moslems admit doing prayers, 78% of them do it routine[35]. But spirit in ritual field does not work harmonically with the grounding of Islamic teachings in humanity and social dimensions[36].

In many regions, especially in Indonesia, a lot of mosques face functional backwards in developing socio-religious aspect. The impact is many people prefer to choose shalah (praying) alone rather than in congregation. Whereas, shalah is Moslem's obligation and praying in congregation is recommended in Islam because praying in congregation is twenty seven times better than praying alone.

Islamic values have declined since the fourth industrial revolution. The markers are a lot of people from many stages of life use social media and internet as virtual networks which is brief and fast in responding all aspects of life (*the internet of things*), such as the use of facebook, twitter, instagram, telegram, youtube, etc, so as the impact of social economy, lack of religious knowledge and the presence of television and handphone at home. At that point, the importance of Islamic moderation da'wah for people by using mosques as the main medium of Islamic information center in increasing society's socio-religious moderation consciousness. As a consciousness, the improvement of society's socio-religious moderation can become an amplifier of social harmony and co-existence of society with different religious and cultural background. A society which has good socio-religious moderation consciousness can undertake social relation patterns with high tolerance and peace co-existence without religious disparity. While the term of socio-religious moderation is synonymous with the concept of theoanthropocentric-integralistic, it means that not only Islamic values is developed but also social sensibilities in state life are positioned to be synergical to create ideal social ethics in living social life.

TGB's strategies in developing mosques as a socio-religious moderation center are by: a) worship approach. This approach is from ritual-cultural side, that is creative-collaboration and from spiritual side that is the touch of dzikr, thought and love. b) The strengthening of scientific literacy culture (dialogic approach) with libraries and religious education programs facilities.

First, worship approach. The approach from ritual-cultural side of Lombok people is very unique, because it has creative-collaboration patterns. Crative collaboration here is that Lombok people are enthusiastic and solid in preserving and developing ancestral traditions by mutual cooperating in qualifying activities in mosques like tahlil, wedding and hajj preparation. The events are always visited by people even there is no formal invitation. Next, someone who always do worship and dzikr will get positive benefits such as peace and consciousness in his every act. Dzikr is not only reciting takbir, tasbih, tahmid, istighfar, tahlil,

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[33]Hedi BenAicha, "Mosques as Libraries in Islamic Civilization, 700-1400 A.D.," *The Journal of Library History (1974-1987)* 21, no. 2 (1986): 253–60, http://www.jstor.org/stable/25541694.

[34]Muhammad, "Alhamdulillah! Rencana Pembangunan Masjid Di Ground Zero Disetujui."

[35]Winfried Weck,Noorhaidi Hasan, and Irfan Abubakar, *Islam in the Public Sphere: The Politics of Identity & the Future of Democracy in Indonesia* (Jakarta: CSR UIN Jakarta, 2011), 47.

[36]Abdul Wahid, dkk. *Masjid di Era Milenial: Arah Baru Literasi Keagamaan,* (Jakarta: UIN Syarif Hidayatullah Jakarta, Center for the Study of Religion and Culture (CSRC), 2019), 1.

etc but also doing good to other people or act with the intention because of Allah is also a form of worship, moreover if dzikr is accompanied with thought and love, it will increase our spiritual depth towards Allah SWT so a good relationship with other people also is maintained. Learning Process that built through worship (with dzikr, thought, and love approach) becomes a key for the success of Islamic moderation implantation.

Second, the strengthening of scientific literacy culture (dialogic approach). Scientific literacy culture in cultural perspective has two patterns; ideal patterns and Behavioural patterns or the real. Ideal patterns as *das sollen* (what should be done/ what ought to be) dan behavioural patterns as *das sein* (a reality that has occurred/ what is). Love patterns are fundamental teachings that animate Islamic culture and should be realized by Islamic people in real actions. While behavioural patterns are what Islamic people behave. In sociological perspective, the first is social principles and the second is social realities.

The example of *gap* between ideal patterns and behavioural patterns of Lombok (Sasak) people faced by Tuan Guru is that based on ideal patterns of Islamic teachings, every moslem is *mukallaf wajib 'ain* in doing five times shalah everyday but behavioural patterns of moslems in Lombok is like some moslems still think of *Wetu Telu* which means they do prayers less than five times, or only what is done by Kyai[37]. Another example of *gap* is ideal patterns of Islamic teachings that learning the science of religion (theology) is obligatory, but many learning institutions do not provide sufficient facilities for Islamic children to free from al-Qur'an illiteracy and religion blind. What is more ironic is if the government erases Islamic Religion education in schools, just like what the nowadays rumour is. As what is stated, to bridge gap between ideal patterns and behavioural patterns, we need ideal education through the strengthening of scientific literacy culture (dialogic approach) which has complete library facilities and sufficient religious education programs so it is able to improve conducive culture with the characteristics like the improvement of qualities, facilities and quantities.

Library facilities and religious education programs in mosques aim to improve the culture of scientific literacy. The more someone discusses, dialogues with books and religious people, the wider his perspective and knowledge that can realize his thought and feeling to maturity.

The improvement of the culture of scientific literacy is started with adaptation stage, then followed by development and learning. In adaptation stage, some activity programs are arranged into curriculum. For examples: a) socialization in each class for cadre as the coordinator of class teacher; b) the provision of literacy books in class library; c) making literacy journal for every student in the form of pocket book; d) reading al-Qur'an together for 15 minutes and continued with reading by heart for 30 minutes in the first hour of study; e) the provision of wall magazine in each class; f) making slogans or literacy poster designs in every corner of school area; g) workshops of literacy for teachers and students; h) performing arts of literacy masterpieces made by teachers and students after flag ceremony or in a certain day; i) book reviews, from students, by students and for students.

In development stage, what should be developed in grounding Islamic moderation is on thinking (*fikrah*), movement (*harakah*), and *amaliyah* aspects.[38] In fikrah, we compose moderate methods or ways of thinking, that is not textual (rely on nash) nor liberal. The way is developing ijtihadiyah aspect in writing and speaking by considering istihsan or maslahah for ummah, as what is stated *Idza wujida nash fatsamma*

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[37]Mohamad Iwan Fitriani, *Kepemimpinan Kharismatis-Transdormatif Tuan Guru dalam Perubahan Sosial Masyarakat Sasak-Lombok Melalui Pendidikan, Al-Tahriri,* Vol.16, No.1 (May 2016), 181.

[38]Interview with TGB, Sunday 16 of June 2019. At 04.30 pm.

maslahah, Idza wujidal maslahah fasy'arullah, if something is good and stays on the religious track, it does not matter. Moslems think good, insyaAllah Allah thinks good too[39]. In movement (*harakah*) aspect, Islamic moderation teachings must be socialized by doing improvement and changes, keeping good traditions and developing scientific innovations with *tatbiqiyyan* principle (religious teachings become a source of inspiration, rules of thinking) and *taqririyyan* (substances) so conflicts can be avoided. In *amaliyah* aspect, traditions and cultures are preserved as long as they do not cross Islamic values. In this aspect, developing and applying *Ahlussunnah waljama'ah*-based Islamic moderation values to society with *tathowwiiyyan*, voluntarily is urgently needed.

In learning stage, Islamic moderation teachings from parents, teachers dan headmasters taught to students are written on their pocket book. That pocket book about Islamic moderation amaliyah for students can support the success of this program.

3.   Implantation of Ahlussunnah Waljama'ah-based Islamic Moderation Values

The term of Ahlussunnah Waljama'ah in the beginning appeared as a definition form of ahlul hadits practices in the earliest era of Islam until Ash'arisme era. But some argued that the term arose in the beginning of Islam as narrated in prophetic traditions as the realization of his companions (ṣaḥābah) and the third generation of Islam (tābi'īn)'s attitudes[40].

On 26th-29th of July 2018 in Lombok, West Nusa Tenggara, a scientific conference with the theme "Islamic moderation in the perspective of Ahlussunnah Waljama'ah" was held. This conference resulted nine points of recommendation; one of them is to fight sectarianism, rasism, and discrimination. But, from nine points of recommendation, there is no special poin that describe explicitly about Islamic moderation values in the concept of Ahlussunnah *Waljama'ah*.

Ahlussunnah Waljama'ah is a group of people following the traditions of Prophet Nabi Muhammad SAW and *ijmak* of 'ulama. The *Ahlussunnah* is Prophet Muhammad SAW himself, the *waljama'ah* are friends, *tabiin*, *tabiut tabiin*, and ulama as the ummah's *waljam'ah*[41]. This group of people has specific characteristics such as behaving moderately (*tawassuth*), acting fairly (*i'tidal*), balance (*tawazun*), tolerant (*tasamuh*) and always improving compromises between revelations (postulate of *naqliyah*) and logic (postulate of *aqliyah*) in developing Islamic knowledge[42].

Ahlussunnah Waljama'ah-based Islamic moderation values cover at least: *tawassuth* (compromises), *tawazun* (balances), *i'tidal* (behaving proportionally straightly and firmly), *tasamuh* (tolerance or admitting and respecting differences), *musawah* (egalitarian, non-discrimination), *syura* (deliberation), *islah* (reformative), *awlawiyah* (prioritizing), *tathawur wa ibtikar* (dinamis, creative, and innovative), *qudwah*

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[39]KH. Ma'ruf Amin, "*Tiga rumusan Islam Nusantara menurut Rais Aam PBNU*". http://www.nu.or.id.

[40]Saifuddin Dhuhri, "The Text of Conservatism: The Role of Abbas' Ahl Al-Sunnah Wa Al-Jamā'ah in Underpinning Acehnese Current Religious Violence," *Studia Islamika* 23, no. 1 (2016), http://journal.uinjkt.ac.id/index.php/studia-islamika/article/download/2405/2547.

[41]Ahmad Muwafiq, *Checking Militansi Kader dengan Politik.* Nahdlatul Ulama magazine (AULA), edisi 05 May 2019, 26

[42]Nurul Faiqah, and Toni Pransiska, "*Radikalisme Islam VS Moderasi Islam: Upaya Membangun Wajah Islam Indonesia yang Damai*", Al-Fikra: Jurnal Ilmiah Keislaman, Volume 17, No.1, 2018, 52.

(pioneering noble initiatives), *tahaddur* (having *adab*), and *muwathanah* (acknowledging and respecting people, nation, and nationality)[43], and *amar ma'ruf nahi munkar.*

a.   *Tawassuth* (compromises)

Tawassuth yaitu understanding and implementing religion naturally, not *ifrath* (exaggerating in religious things) and *tafrith* (diminishing religious teachings). This value teaches human to be neutral in choosing doubtful things.

b.   *Tawazun* (balance or proportional)

Tawazun is understanding and implementing religion proportionally. It covers all aspect of life, both earthly and heavenly, to be firm in stating principles that differ *inhiraf* (deviation) and *ikhtilaf* (diversity)[44]. This value teaches us to behave proportionally in serving Allah SWT, other people, and nature (environment) and also balance personal and social interests (past, present, and future needs).
Balance or *At-tawazun* is one of noble Islamic teaching principles. In educational context, this principle of balance can be defined as giving overall curriculum contents and conducting education process proportionally according to human nature with the objective is to reach happiness earthly and heavenly. As Allah SWT says:

وَابْتَغِ فِيمَا آتَاكَ اللَّهُ الدَّارَ الْآخِرَةَ وَلَا تَنْسَ نَصِيبَكَ مِنَ الدُّنْيَا وَأَحْسِنْ كَمَا أَحْسَنَ اللَّهُ إِلَيْكَ وَلَا تَبْغِ الْفَسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ

"And seek the abode of the Hereafter by means of that which Allah has given you and do not neglect (to acquire) your portion (of righteous deeds) in the present life. And do good to others as Allah has done good to you. And do not seek to promote evil in the land, for Allah does not love the evil doers who create mischief" (QS. Al Qashash: 77).

Although implementing various curriculums, education process is conducted proportionally and keeping students' psychological stability and physical health. In practice, students are given certain time to worship, study, socialize with colleagues, communicate intensively with family, create or even take a nap *(qoilulah)*. Balanced education will lead our children to be an outstanding figure and reach success and happiness in the world and hereafter.

c.   *I'tidal* (straight and firm)

I'tidal is to position things on the right place and carry out rights and obligations proportionally. This value teaches us to behave proportionally with firm life principles in upholding the necessity to act fairly and straightly in the middle of the society.

d.   *Tasamuh* (tolerance)

Tasamuh is to admit and respect the differences. This value teaches us to be tolerant and respect the differences, both difference on perspectives (way of thinking), the way someone dresses (appearances) and wealth. Especially *furu'iyyah* problems in religious matters, social diversity and culture.

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[43]Rohmatul Izad, *"Bogor Message dan kembainya moderasi Islam"*, opinion, 11 of May 2018. http://www.nu.or.id/post/read/90208, and resumed from the guidelines of da'wah, the Commission of Da'wah and society development commission. Muhammad Munadi, *Pengembangan Moderasi Islam pada Sektor Pendidikan* (Surakarta: IAIN Surakarta, 2018)., http://www.iainsurakarta.ac.id/?p=14793.

[44]www.nu.or.id/post/read/92288/esensi-dakwah-islam-wasathiyah

e. *Musawah* (egalitarian)

Musawah is to behave indiscriminatively to others because of different faith, religion, tradition, or the origin of someone. *Musawah* has principles of equality, both valence and dignity. No certain party or group is higher than others. Higher or lower human's level is it can be seen from his faith to Allah SWT. Some ulama comprehend *al-musawa* as a logical consequence of *al-syura* and *al-adalah* principles, as stated in QS. al-Hujurat:13. Some other ulama comprehend this value as a continuity of brotherhood principle between faithful ummah based on humanity (*ukhuwah insaniah*).

f. *Syura* (deliberation)

The word *Syura* appears in Al-Qur'an surah 42, Asy-Syura which means deliberation (QS.Asy-Syura: 38). Literally, *syura* has two meanings, to show and describe something or to take something[45]. *Syura* puts every problems to be solved by deliberation to reach consensus and with benefits above everything.

g. *Islah* (reformation)

Islah means to repair or to reform, or to reconcile fighting persons. As mentioned in QS. Al-Baqarah: 160,220,228, QS. Huud:88, QS. Ali Imran:89, QS. An-Nisa: 35, 114, 146, QS. Al-Hujurat: 9-10, QS. Al-Anfal:1. In Islamic perspective, *Islah* becomes one solution considered good in solving problems, including human right violation cases and two political parties in conflict. As stated in one verse, "there is no good in most of their secret talks. Except those who enjoins charity or goodness, or reconciliation between people…" *Islah* is one of main objectives of prophet's da'wah, including ulama's da'wah in order to reform the condition of ummah. With that, islah prioritizes reformative principle in reaching better condition to accommodate the change of era by stepping on *maslahah 'amah* (general benefits) and principle of *al-muhafazhah ala al-qadimi al-shalih wa al-akhdzu bi al-jadidi al-ashlah* (maintaining traditions and responding modernization).

h. *Aulawiyah* (priority scales)

Aulawiyah is synonymous with priority. That is the ability to identify important things and to prioritize certain things above less important things.

i. *Tathawwur wa Ibtikar* (dinamic and innovative)

Tathawwur wa Ibtikar is to have creative ideas and open to do changes in accordance with the change of era and create new things for the benefits and progress of ummah.

j. *Qudwah*

Al-Qudwah is synonymous with *Al-Qadwah*, *Al-Qidwah,* and *Al-Qidyah* which means things you follow and accustom to. *Qudwah* means examples, role models. As stated in *liy bika qudwatun* (in you there is an example for me).[46]

k. *Tahaddur* (having *adab*)

Tahaddur is to try to improve and uphold character, *akhlakul karimah*, self-identity, and integrity as *khairu ummah* who is useful for life.

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[45]Al-Qazwini, Ahmad Ibn Faris dan Harun, Abd al-Salam Muhammad, *Mu'jam Maqayis al-Lughah* 3. Misr : Mustafa al-Babi al-Halabi, 1971, 226

[46]*Al-Munjid Fil Lughah wa A'lam*, Beirut: Dar al-Mashriq, 1975, 614.

l. *Muwathanah*

Muwathanah contains *fastabiqul khairat* (competing in goodness) value. There is no allergic in diversity, but to fill each other as a way of progress, to practice democracy as one system with the fighting of ideas and concepts, just like a house with many inhabitants, one another has obligations to decorate with what the best from him while also respecting other inhabitants of the house. The difference exists, even in history. Prophet Muhammad SAW never saw negative sides, he always dag positive potentials inside his companions. Who wants to learn about halal or haram, you can learn from Muaz. If you want to learn about bravery, learn from Umar. If you want to learn about sleep paralysis, learn from Utsman. If yo want to learn about knowledge, learn from Ali. This expression shows that Rasulullah SAW saw various potentials, not conflict potentials but a complementary way in building strong Islamic civilization. Bilal Ibnu Rabbah, Suhaib Arrumi, Salman Alfarisi, differences is not a reason to stay away from others, but in it, there is a lesson from Allah to make the nation strong[47].

m. *Amar ma'ruf nahi munkar*

This value teaches us to have sensitivity in doing good and useful deeds for other people, and refusing and prevent negative things which can downgrade humanity values. Faith-based values reflect the following points; *first*, a big position of humanity is to take responsibilities for all small and big masterpieces, open and hidden activities. *Second*, respect all human acts. A belief that there is no wasteful effort, that every effort will be seen and appreciated by Allah subhanahu wa ta'ala. *Third*, a belief that every single thing we do, good or bad, will get rewards or punishments from Allah subhanahu wa ta'ala. This belief pushes people to think about every act that can downgrade human's dignity and improve every act that can prosper human's life. *Fourth*, people should pay attention to the role of repentance in strengthening humanity efforts; this will keep them away from despairs and disappointments and facilitate improvement from mistakes in the past[48]

Conclusion

Grounding Islamic moderation actually goes in the consciousness level that is by dzikr, thought and love. Because of that, the spirit of strengthening is grown through reflection, emphatic attitude and right media in accordance with the society's condition. That is why, spirit of maintenance is grown through reflection and emphatic behavior in digging values in life so useful conceptual maps or thinking maps emerge and can be developed based on society's condition and need. Methods employed by TGB in grounding Islamic moderation in the Island of a Thousand Mosques (Lombok) are: 1) Transformative da'wah (objective-academic), 2) the effectiveness of mosques as the center of socio-religious moderation through worship and the strengthening of scientific literacy culture (dialogic approach) with libraries and religious education programs facilities. 3) implantation of Ahlussunnah waljama'ah-based Islamic moderation values.

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[47]Interview with TGB, Sunday 16 of June 2019. At 4.30 pm.

[48]Sayyid Musa Sadr, "Islam, Humanity and Human Values," *Ahlul Bayt World Assembly* 11, no. 4 (2011).

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The Conflict of Tanjungbalai in 2016: Religion, Identity, and the Change of Economic Sphere

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Abstract

This study aims to examine a wide spread belief that state North Sumatra is a pluralistic and tolerance region. However, the conflict which was happened in Tanjungbalai in 2016 confirmed other reasons. This incident might be long-listing of conflict that involved Tionghoa since long time ago. In addition, the study aims to explore the influence of Islam, Identity related to the transformation of economic sphere. The study is also to observe the role of social media as the amplifier of narration which has become hidden transcript before. This research uses political economy approach, analyzing structure which work there and actor political behavior. Data taken from the research that conducted at post-conflict in early 2017 by using observation, in-depth interview, and documentation. The research found that the spheres of economy that have not been distributed well had impacted to the power of symbol, religion, and racial identity. The narration of resentment to determined ethnic would be sharper related to inequality social and economic frustration. In determined condition, all of these like a fire in the husk or more than that.

Keywords: *Conflict; Religion; Identity; Economic sphere*

Introduction

After the fall of the New Order regime, identity politics has strengthened in the form of tension which manifests itself in violent conflict. Many studies try to map patterns and forms of conflict with the perspective of identity theory. Identity politics is an attempt to frame how diversity is managed. Managing diversity in the context of Indonesian society raises hypotheses about religious, ethnic and ideological diversity and ethnicity often coincides with the face of communal conflict.[1]

If examined, the composition of urban society can certainly have a high level of diversity, religion, ethnicity, organizational affiliation, political participation and forms of social ties in various orientations presented in urban or urban communities. The diversity of compositions also has implications for the variety of problems that arise as a result of the

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[1]See the yearly report of religiousity life released by several institution such as CRCS, Wahid Institute, Setara Insitute, since the fall of New Order Era. As aresult, conflict escalation has significantly growing in number. See also Ismail Hasani and Bonar Tigor Naipospos (ed), *Negara Menyangkal: Kondisi Kebebasan Beragama/Berkeyakinan di Indonesia 2010*, Jakarta: Pustaka Masyarakat Setara, 2011.

Processes of articulation of diversity. The variety of problems naturally caused by differences, perspectives, lifestyles, social strata, collisions of values, ideology and conception of identity make contact in social spaces very vulnerable to conflict.[2]

The variety of problems naturally caused by differences, perspectives, lifestyles, social strata, collisions of values, ideology and conception of identity make contact in social spaces very vulnerable to conflict. The dynamics of cities in Indonesia can be understood by looking at the various variables that give rise to dominance, influence each other and show each other the existence of their groups.

There are many crucial problems for the city community not only because the city is the center of the meeting of various diversity entities, but the city is also a center for 'battles' such as political battles, economics and even the domination of discourse and religious identity.[3] Its mean, cities that conceptually store coal in husks - which at one time unexpectedly can explode at any time - diversity can become a problem in the future, it can also be a force in the process of development transformation. Here, the role and strategy of how to manage diversity is important, so that the process of integration of urban communities with different forms of differences can find common ground in a city identity managed by the government.

Urban communities in Indonesia are often confronted with not only the complexity of economic problems, unemployment and high crime, but are also faced with the issue of religious diversity, this diversity has a significant impact on the interaction style model and even reaches the vision of urban development. It is not uncommon for religious issues to participate in becoming a political commodity in determining the vision of development. Regional regulations (Perda) based on religious law often present as a form of negotiation and compromise between government administrators and the majority community.

The city of Tanjungbalai became the focus and was chosen as the basis of this research to find its meeting point with the arguments of the conditions of urban society described above. Tanjungbalai experienced a complicated problem phase related to the structuring and management of religious diversity in which not only different religious identities but also followed by certain ethnic identities. Islam, for example, is synonymous with ethnic Malays, Christians with Bataks, Buddhists with Chinese. The multiplication of combinations of ethnic and religious identities makes a large conflictual burden on the problems raised by the practices of each religious and ethnicity entity questionable.[4]

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[2]Surya Adi Sahfutra, "Sensitivitas Konflik: Upaya Mendeteksi dan Menguatkan Positivisme Konflik", in Moch Nur Ichwan & Ahmad Muttaqin (ed), *Agama dan Perdamaian: Dari Potensi Menuju Aksi*, Yogyakarta: CR-PEACE Prodi Agama dan Filsafat Pascasarjana UIN Sunan Kalijaga Yogyakarta, 2013, 42-55.

[3]The problem of society with religious diversity and identity based on research explored by Thontowi said that since the fall of Suharto, in the beginning of reformasi, Habibie and Abdurrahman Wahid Era, the violence of conflict and several form of mass murder has been going at some province in Indonesia. In the concern on confrontation and local conflict, involving either etnhic and religion resulting social disharmony. See Jawahir Thontowi, "Membangun Kembali Perdamaian dan Kekerasan Sosial Melalui Pemahaman Nilai dan Rekonsiliasi", in Muhammad Iqbal (ed), *Islam dan Perdamaian*, Jakarta: Progres, 2003, 48.

[4]Data of Statistical office (BPS) Tanjungbalai that precessed from dictrict data show that the residence of Tanjungbalai compound several ethnics: Batak (42%), Jawa (17,06%), Melayu (15,41 %), Minang (3,58%), Aceh (1,11%), the others (20,28%); residents by religion: Islam (83,30%), Kristen (8,44%), Katolik (0,76%), Hindu (0,04%), Buddha (7,44%), dan Khonghucu (0%). See Irwansyah, "The Potential Clash of Social Relationship between Muslim and Buddhist (Case Study on the Conflict of Buddha Statue in Tanjungbalai City, North Sumatra)", *Analisa Journal of Social Science and Religion,* Volume 20, Number 02 (Desember 2013): 159.

A house of worship conflict occurred in the city of Tanjungbalai with the burning of 9 (nine) Vihara houses of worship[5], The temple and the culmination of the conflict were the decline of the Buddha statue at the Tri Ratna Temple[6] in 2016 showed that the condition of urban society has its own problems. Rejection The existence of the Amithaba statue that began to emerge in 2010[7] through a series of demonstrations which were moved by a group of people with the name of 'United Islamic Movement'.[8] The aim of this movement was to have the Buddha Amithaba statue immediately descended from its position on the monastery to another place that was considered noble. In their opinion, the position of the large statue on the temple does not reflect that the city of Tanjungbalai is an Islamic city. This rejection drew a long polemic, starting from the inclusion of political interests related to the production of religious and ethnic issues for regional political transactions, economic competition and identity battles which included religious and cultural values. If examined the demographic conditions of religious relations and ethnicity in the city of Tanjungbalai have a history of tension, conflict with Buddha statues is a continuation of a large narrative that has a variety of relations from religious aspects that are related to ethnicity. The peak of tensions that have been passed on through various reproductions of discourse on social inequality, the clash of political identity in the form of city identity synonymous with the majority reap climax when tension arises from conflicts of Muslim places of worship with one of the people who happen to be ethnic Chinese and suspected of being Buddhists in 2016 who then. Through the conflict, a group of people found a sociological reason for spilling resentment and taking revenge by burning the monastery. In fact, the reason is spread through information that seems to have an intentional element to be produced as the interests of certain parties related to the tension of long-standing relations.

Diversity management is an important topic in building the structure of urban society, because only with good management based on the perspective of urban society, the diversity of articulation of religion and ethnicity along with the richness of the culture that follows it starts from different values and perspectives to the realization of that value. ensure that diversity does not hinder development. Therefore, research on how to manage the diversity of social entities such as religion and ethnicity in the city of Tanjungbalai is important, because the religious conflicts that arise on the surface do not automatically come naturally. A form of relationship arises as a result of neglected management, so that the inheritance of existing tension strengthens, and even becomes a part of everyday life. It was a 'time bomb' waiting for the lighter to burn and then explode.[9]

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[5]Data about the burning of Vihara can be seen at the report of National Commission of Human Rights 2016 on the riot of Tanjungbalai.

[6]Vihara Tri Ratna is situated in the center of Tanjungbalai city, North Sumatra. Established in 2006 with four floors building the area is about 1.432 M^2. The Vihara has been built by the permission letter of the Head of municipality of Tanjungbalai No.648/237/K/2006. On the top of the floor, the six meters statue of Amitabha has been built, and officially launched in 8 November 2009. See Irwansyah, "The Potential Clash of Social Relationship between Muslim and Buddhist (Case Study on the Conflict of Buddha Statue in Tanjungbalai City, North Sumatra)", *Analisa Journal of Social Science and Religion,* Volume 20, Number 02 (Desember 2013): 162.

[7]See more complete in the yearly report of Wahid Institute, "Laporan Kebebasan Beragama/ Berkeyakinan dan Toleransi tahun 2010".

[8]Fery Wira Padang, et al., Aliansi Sumut Bersatu (ASB) Laporan Tahunan Potret Kehidupan Beragama/Berkeyakinan di Sumatera Utara tahun 2011. See Veryanto Sitohang, "Jalan Panjang Pemenuhan Hak Atas Kebebasan Beragama dan Berkeyakinan", *Jurnal MAARIF,* Volume 7, Number 1 (2012).

[9]Compare with Irwansyah, "The Potential Clash of Social Relationship between Muslim and Buddhist (Case Study on the Conflict of Buddha Statue in Tanjungbalai City, North Sumatra)", Analisa Journal of Social Science and Religion, Volume 20, Number 02 (Desember 2013): 155-168.

Another major problem with urban communities is economic disparity between capital owners and laborers. Between master and worker. In the context of the Tanjungbalai community, the economic sector is more dominated by ethnic Chinese groups, as is generally the case in Indonesian cities. The position of ethnic Malays is dominant to be among the laborers of unskilled laborers such as fishermen, laborers in shops and factories. This condition contributes to triggering economic-based ethnic sentiments in the relations of conflict that occur.

Framing the political theory of identity

Identity comes from the Latin word "idem" which implies the meaning of similarity and continuity. Throughout the period of the 20th century, the term identity was used extensively to describe the search for "self-meaning of a person". The theory of social identity is symbolic interactionism. According to William James as quoted by Erikson in Outwaite, "identity is revealed when someone says: this is my true self." Outwaite also cited the opinion of Erving Goffman and Peter Berger who saw identity as something "socially given, maintained also with social construction and socially changed". People build their personal identities based on the culture in which they live.[10]

The definition of self's construction is an important component in forming an identity. Identity construction is a symbolic relationship between individuals and groups. Brewer and Gardiner in Walgito refer to three forms that form the basis for someone in defining themselves, namely: 1) Individual self, that is, the self that is defined by a line that distinguishes it from others; 2) Relational self, which is self-defined based on interpersonal relationships that are owned by others; 3) Collective self, namely self-construction that is defined based on membership in a social group. Walgito also refers to Matsumoto and Juang's view which states that inside each person has the three forms of self above, but when asked to define themselves a certain predominant or distinctive tendency arises from each person with a social, individualistic culture that emphasizes independence and collective culture that emphasizes interdependence.[11]

The theory of social identity was developed by Tajfel and Turner based on three structures in group behavior. First, categorization that puts individual in common with other members in social groups, while emphasizing differences with members from other social groups. Second, identity as self-image, self-concept, or meaning of someone for himself. The presumption that arises in this process is that he is good and has positive identity and self-esteem obtained through membership in social groups. Third, social comparison. Self-assessment is not possible without making comparisons with other people. The individual means himself based on the group of locations where he lives and uses his own group as his main reference. This theory was developed based on Tajfel and Turner's studies which are popular with the term minimal group paradigm.[12]

In the realm of identity politics it is possible to be understood as a process that is "given" and "placed" because of the dominance of meaning. Hall calls identity politics as laying individual identities at a place-based identity. Political identity can be understood as "the politics of location."[13] In line with Hall,

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[10]William Outhwaite, *Ensiklopedi Pemikiran Sosial Modern*, second edition, Jakarta: Kencana, 2008, 374-375.

[11]Bimo Walgito, *Psikologi Sosial: Suatu Pengantar*, Yogyakarta: Penerbit ANDI, 2003, 56.

[12]Sarlito W. Sarwono and Eko A. Meinarno, *Psikologi Sosial*, Jakarta: Salemba Humanika, 2009, 53.

[13]Stuart Hall, "Introduction: Who Needs 'Identity?" in Stuart Hall and Paul Du Gay (eds), *Question of Cultural Identity*, London: Sage Publication, 1996, 1.

Sarup called identity politics "As politics is about the production of identities - politics produces the subject of its action"[14]

Identity politics is politics that is related to the production of identity, the construction of the subject of action that is considered good and as it is undertaken by the subject as a life that cannot be questioned.

Based on the above explanation, the theory of identity politics and social identity are used simultaneously to analyze the problem of this research. Social identity is used as a tool for analyzing the characteristics of religious groups in the city of Tanjungbalai based on the symbols that appear in public spaces. The self-concept of identity also shows how they assert themselves and affirmation of differences to bring out conflicts between other identities.

As for identity politics, it is used to analyze how religious contestation fights in the public domain, through a variety of actions in which each group has different strategies and methods chosen. The link between the concept of political identity and social identity in this study is also to analyze how the two opposing groups then solve the problem together, the negotiations that occur and the consensus that results from the contestation process of each identity.

Politics of identity: religious issue conflict narrative and ethnicity

Research on conflicts of places of worship in Tanjungbalai city was once held by the Center for Conflict and Radicalism Studies at the University of North Sumatra, for example, describing that perceptions of the conflict strengthened the identity of each party and gave rise to perceptions of threats to quantity and political power. Analysis of the dynamics and association of religious identity and feelings of threat from other groups and attitudes of diversity will show that individuals who are inherently strong religious identities have a tendency to regard other religious groups as part of the threat. this conception of other religions was then responded to as a threat that directed other individuals to have a basis for support for a low attitude to multiculturalism.[15]

Construction of the strengthening of identity in the conflict of worship house Tanjungbalai was carried out with various forms of activities such as demonstrations so that the Buddha Amithaba statue was taken down from the Tri Ratna Temple. Demonstrations were carried out simultaneously by groups that organized mass through GIB (United Islamic Movement) which was shown to the local government of Kota Tanjungbalai.

The demonstration is like actions that carry religious attributes, then the aspirations delivered are also related to the majority religious symbols, then massively will have a major impact on the production of discourse and the messages associated with other problems are increasingly widespread. Not infrequently also discourses and news narratives from people per person, from social media, electronic and print participate in constructing people's perceptions as the parties to the conflict.

GIB includes various affiliated Islamic groups in different religious organizations, such as Nahdlatul Ulama, Mosque Council, Muhammadiyah, Alwashliyah based in the administrative area of the city of

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[14]Madan Sarup, *Identity, Culture and The Postmodern World*, Athens: The University of Georgia Press, 1996, 48.

[15]See "Peran Identitas Keagamaan Dan Persepsi Ancaman Antar Kelompok Agama Terhadap Sikap Multikulturalisme Agama: Potensi konflik bernuansa agama di Binjai dan Tanjungbalai, Sumatera Utara, ditinjau dari perspektif psikologi sosial". *Research report of* Pusat Kajian Konflik dan Radikalisme Universitas Sumatera Utara tahun 2013.

Tanjungbalai. The representation of Muslims is believed by the group, so that the discourse on the rejection of the Buddha Amithaba statue and the insistence that the government take decisive action to reduce the position of the statue becomes increasingly strong. The pulpits of religion since the case appeared on the surface, many filled with utterances about the resistance of the dominance of religious symbols as a result of the presence of a Buddha Amithaba statue above the Tri Ratna Temple.[16]

At the same time the ethnic identity of Buddhists in the Tanjungbalai region was ethnic Chinese, one of the most economically influential ethnicities. High economic inequality due to the mastery of the industrial and trade sectors further strengthens the construction of social jealousy, and consciously or not, the production of sentiments towards ethnicity has strengthened, for example the statement that Chinese groups are not willing to mingle and live in communities with different ethnic groups to carry out joint activities such as mutual cooperation, community gathering and others have become public consumption.

Other sentiments that continue to be produced are that ethnic Chinese are immigrant ethnic groups, they should understand how the customs and customs of indigenous people.[17]

Indigenous and non-indigenous logic is still deeply rooted in the construction of thinking and in the collective memory of the community both for Malay people and even the Chinese people themselves use the term. This of course also influences existing patterns of relations and perceptions.

The impression of arrogance and arrogance of Chinese society also participated in becoming a part that continued to be mass-produced in many conversations related to things that were not favored by indigenous people[18] adding to the negative list related to the psychological burden of public relations relations. The two basic logics that relate to the relation of the community are non-indigenous and the impression of arrogance and arrogance that seems to be used as a basic assumption in viewing ethnic Chinese by most people.[19]

These two basic logic, especially about indigenous and non-indigenous logic, have not yet found a common ground on how this logic can melt without causing excess tension in the general public. This logic is a sign of the strengthening of the symptoms of identity politics with the assumption that minority groups must submit to the logic of the majority. Therefore it is natural that democracy is often interpreted as mayoralism. Majority rights as managers and policy makers are a general trend in a number of regions in Indonesia. Through the door of democracy, growing demands, aspirations and colors of political policies are determined and controlled by the majority. Because it is determined by the logic of the majority, as a result in a number of regions many policies appear that are less impartial and even marginalize the existence of minority groups.[20]

The majority and minority logic is carried away in the relations of inter-religious relations in the Tanjungbalai region because of the problem of the Buddha Amithaba statue which is actually a Chinese

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[16]Khutbah in Jum'ah prayer in main mosque in Tanjungbalai become one of center for resistance, the position of the mosque is very strategic, its situated in the center of city. Interview with Khaidir, The Head Of Religious Harmony Forum (FKUB) of Tanjungbalai on Januari 10, 2017 in Tanjungbalai.

[17]Interview with Nurlia Nasution, a Teacher of elementary scholl in district of south Tanjungbalai on October 08, 2017 in Tanjungbalai.

[18]This terminology been used because its matching with perception of people in Tanjungbalai in constructing the identity of Tionghoa.

[19]This is indicated by how all non-Chinese responses that the researchers found constructed Chinese ethnic identity as immigrants not native citizens.

[20]Ismail Hasani and Bonar Tigor Naipospos (eds.), *Negara Menyangkal Kondisi Kebebasan Beragama/Berkeyakinan di Indonesia Tahun 2010*, Jakarta: Pustaka Masyarakat Setara, 2011, 47.

ethnic group. This adds tension tension inside. Evidently when the majority pressure through a series of demonstrations to demand that the Buddha Amithaba statue be revealed, the minority group of Buddhists could only rely on the existing normative legal force. To be able to respond in the form of mass waves that support the existence of the statue is not possible because of the condition of the minority groups.

The state also tends to use the term minority to refer to the difference in the number of religious or ethnic members. Even though there is no official basis for this, Muslims are often considered the majority with the dominant amount of quality compared to other religious people. Politically, Muslims have never become a majority power, but in the practice of nation and state, the state has always placed Muslims as the biggest recipients of cake development, with the perception that Muslims are the majority.[21] The narrative and conception of the majority and minority in the construction of the diversity of the community of Tanjungbalai even reached the nadir, where there was the burning of the temple and temple temples.

Long before the burning of places of worship for Vihara and Kelenteng, there was an ongoing demand that the Buddha Amithaba statue be revealed through various forms of response. This becomes the initial basis for rising tensions that continue to occur until the occurrence of the arson.

The report on the initial action demanding that the Buddha Amithaba statue be lowered to become a national issue is the Wahid Insitute's report on 30 May 2010[22] stating that the action was carried out by thousands of Muslims from various sub-districts in the Tanjungbalai city area, they are members of the GIB (United Islamic Movement) who demonstrated at the Regional House of Representatives (DPRD) office in Tanjungbalai city. Their demands were that the position of installing the Amithaba Buddha statue not be placed on the Vihara, because it disturbed the faith of Muslims, and this was considered as an effort to change the identity of the city of Tanjungbalai as a religious city into a Chinese city.[23]

Another reason that sticks out is about the construction and renovation of large-sized houses of worship not getting recommendations from the FKUB (Forum for Religious Harmony) of the city of Tanjungbalai.

Examining the brief history of the existence and establishment of the Vihara, which is a vortex of tensions and conflicts between religious groups, is actually not in the presence of the Viharas alone, but in the position of the Buddha statue placed on the monastery. This position does have different interpretations according to each party in conflict. Seeing its position in the center of the trade center and in the middle of the city in fact indirectly becomes a battleground of symbolic identity, about who is dominant in the domination of public space and especially the mastery of religious symbols. This monastery is relatively large - it was founded in 2006, four years later the issue of sculpture has emerged, namely in 2010 - the building area of 1,432 M2 with four floors made this monastery look magnificent, and very dominant seen from various directions of the wind. Reviewing the founding documents of the monastery, the building permit was issued by the city government in 2006 with No.648/237/K/2006.[24] The laying of

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[21]Ahmad Suaedy - Alamsyah M. Dja'far - M. Subhi Azhari and Rumadi, *Islam dan Kaum Minoritas: Tantangan Kontemporer*, Jakarta: Wahid Institute 2012, 6.

[22]See the yearly report of Wahid Institute, "Laporan Kebebasan Beragama/ Berkeyakinan dan Toleransi tahun 2010", 47.

[23]Interview with Sahron Sirait, The head of Indonesian Ulema Council (MUI) Tanjungbalai on October 08, 2017 in Tanjungbalai.

[24]Data of service of national and political unity Tanjungbalai 2017.

the Buddha Amithaba statue was done on November 8, 2009 with a height of six meters, the statue became a unit with the monastery. The temple serves around 2000 Buddhists.[25]

The different perceptions of the interpretation of the existence of the Buddha Amithaba statue can be described at least through two different perspectives. First, from the construction of interpretations that are understood as the basis of the position of the statue placed on the monastery, according to Buddhist leaders, why the position of the statue is placed above, and facing the sea, the answers given are based on theological views. According to Leo, a Buddhist leader who was willing to discuss with the researcher put forward the theological basis of why the statue was above, he said that:

"The economic conditions of our community here, the last few years are very alarming. The sea products from day to day are getting smaller, this has an impact on the income of the fishermen, if the sea products are small then their income is also small and the ability to buy them is also small. We, as traders, are also affected. Let alone to save from the sea, for their daily needs they have had difficulties. This is what makes the Tri Ratna foundation manager then try to see this problem from our religious point of view, and one of the forms that is done is the installation of the Amithaba Buddha Statue that faces the sea and positioned above the Vihara, its function according to the belief that Buddhists will bring many blessings to the sea . So that people can get better results"[26]

Of course this is not the only interpretation that exists, as far as the searches and observations that researchers have done, the arguments that have emerged most from the Buddhist community are not much different, the decision is entirely a policy taken by the Vihara managers based on their theological understanding. Whether the argument arises because of accusations that are considered as an effort to symbolize the Tanjungbalai region as 'the City of China' as the reason for refusing TanjungbalaiMuslims, so far researchers have not found other motives underlying other reasons why the position of the statue is positioned above the monastery.

Meanwhile, the arguments used by Muslims who disagree with the position of the Buddha Amithaba statue have theological reasons as well as sociological reasons, as outlined by many arguments from respondents who interviewed researchers. According to them, the reason for the rejection was caused by the existence of the statue which interfered with the image of Tanjungbalai as an Islamic city because of its Muslim majority population.[27] The struggle for the symbol is certainly sociological, because the position of the monastery is located in the city, so if you want to enter the city from Asahan, through the long titi line, then the statue with a height of six meters will be easily visible. Another thing, the fishermen who had just returned to the sea were also treated to the same view, as soon as they entered the estuary on the edge of the city, the first treats of eyesight were on the statue of Amithaba.[28]

This is in line with the analysis and reports issued by the North Sumatra North Sumatra Alliance of Civil Society Organizations (NGO), that since the inauguration of the Tri Ratna monastery became a pride and even a religious tourist attraction because of its position on the Asahan riverbank. The situation began to increase in tension when on May 30, 2010 and June 29, 2010 several groups of Islamic organizations affiliated with the United Islamic Movement (GIB) held demonstrations at the Mayor's office and the

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[25]Interview with Leo Lapulisa, a Leader of Buddhist Tanjungbalai on October 08, 2017 in Tanjungbalai.

[26]Interview with Leo Lapulisa on January 10, 2017 in Tanjungbalai.

[27]Interview with Hasan, The Tionghoa Muslim Tanjungbalai, on October 08, 2017 in Tanjungbalai.

[28]Interview with Ayong, a resident from the Asahan River community who works as a fisherman in the village of Sei Nangka, Asahan Regency. This village is located on any Tri Ratna monastery on October 8, 2017 in Tanjungbalai

Regional Representative Council (DPRD) asking that the government immediately reduce the position of the statue from above the monastery. The reason used is the existence of a statue disturbing the identity of the city as an Islamic city.

The struggle for interpretations of the mirror of the city is also part of a source of tension that evaporates to the surface that the majority identity is the sole legitimate owner of a city. Demographically, the city of Tanjungbalai is a coastal region where the majority of the population is Muslim at 85.04% of the 154,445 people based on data obtained from the occupation census in 2010.[29]

As a majority Muslim population, Muslims often feel a minority, especially in economic control even in the political process. Not a few of the Islamic groups chose to use the logic that Islam is indeed the majority religion, but it only entered in quantity data not on improving the quality, mastery of economic and political resources. Along with that, the political system expected by most political Islam groups is affirmative politics and representation, namely the representation of Muslims as the majority. Strengthening and representation of Muslims at the same time should fill strategic posts, especially in areas of economic and political access.

From the series of actions, the response from the regional government and religious organizations in Tanjungbalaiwas raised. The response resulted in an agreement to bring down the Buddha Statue, along with that the manager of the Tri Ratna Vihara Foundation was forced to sign the agreement. The government's argument uses the logic of the riots in 1998, which if not signed, is likely to be repeated. The series of conflict events in various parts of Indonesia involving ethnic Chinese began in the colonial era, namely precisely in 1912 and 1918. The riots that occurred in 1912 in the cities of Surabaya and Surakarta were believed to have links with the activities of the Indonesian Union. Six years later, after riots in the two cities, around 1918, anti-Chinese riots erupted in the city of Kudus. The incident arose due to the conflict of interests of Chinese businessmen with indigenous traders. As a result, several lives were victims. Furthermore, there are property destruction such as houses and business buildings that are also participated in.[30]

Furthermore, the historical memory of the 1998 incident was a crime and human rights violation which again became a victim of the Chinese group, which until today is unclear how the process of legal settlement.

According to ASB's analysis that the agreement to bring down the Amithaba statue facilitated by the government was a form of unconstitutional decision.[31]

Even so, many parties participated in supporting it. This support was seen through a letter from the North Sumatra Religious Community Forum (FKUB) on June 3, 2010 with No.60.0-1/FKUB-I/VI/2010 concerning so that the community is actively involved in handling cases of declining statues, and expects the community to play an active role. maintaining a conducive atmosphere, not taking anarchic actions and maintaining harmony.

The initial polemic of lowering the Buddha statue did involve many parties, one of the parties was the central religious ministry through the Director General of Buddhist Community Guidance, namely by

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[29]See the report of statistical office Tanjungbalai 2010. See also Fery Wira Padang, et al., Aliansi Sumut Bersatu (ASB) Laporan Tahunan Potret Kehidupan Beragama/Berkeyakinan di Sumatera Utara tahun 2011.

[30]Leo Suryadinata, *Etnis Tionghoa dan Pembangunan Bangsa,* Jakarta: LP3ES, 1999, 157.

[31]Veryanto Sitohang, "Jalan Panjang Pemenuhan Hak Atas Kebebasan Beragama dan Berkeyakinan" *jurnal MAARIF* Volume 07, Number 01 (2012), 58.

letter with No.DJ.VI/3/BA.02/604/2010 dated June 8, 2010 addressed to the Management Foundation on behalf of the Tri Ratna Vihara Chairperson. The contents of the letter are in the form of a message so that the Amithaba Buddy is transferred to the court or a respectable place.

The letter from the Director General of Community Guidance on Buddhism submitted to the monastery foundation was rejected by the manager. Rejection is done by replying to the letter. The letter is not long after the date of receipt of the letter from the Director General of Buddhist Community Guidance, which was sent dated June 16, 2010 on behalf of the Regional Administrator of MDI (Majelis Budhayana Indonesia) with No.085/MDI-North Sumatra/VI/2010 aimed at the Director General of Community Guidance on Buddhism. the point of the contents of the letter is that the Director General withdraw the letter. A letter from the Director General containing recommendations for the statue to be moved to another location indicates that the Director General approved the proposal of the city government of Tanjungbalai so that the statue was broken or moved.[32] The inequality between the management of the Tanjungbalai City Budhayana Assembly and the Director General was due to the understanding that the tensions and conflicts of the Buddha Amithaba statue would have a broad impact on the form of community relations. However, for the Vihara, this was a discriminatory and unfair decision on the fulfillment of the right to religious freedom as enshrined in the state constitution.[33]

Pressure after pressure then repeatedly appeared so that the monastery would fulfill the demands of the United Islamic Movement (GIB) group so that the statue was removed from the monastery. The problem is then, not the problem of being willing or not to obey the statue, but the demand relates to the basic rights of citizens to carry out their beliefs. The position of the Buddha statue according to the management of Budhayana was the initiative of the students of the founder of the Tri Ratna Vihara Foundation as a form of respect and gratitude for being students who were successful, so they later agreed to help develop the monastery.[34]

The demand that the Buddha statue be immediately demoted comes from the MUI (Indonesian Ulema Council) in the Tanjungbalai region, namely by issuing a letter No.010/DP.11/S/VII/2010 with the aim of the Tanjungbalai government on July15, 2010. The letter was filed with the main reason that the community began to fret about the existence of the statue, because there had already been several community demonstrations through GIB in government offices such as the DPRD and the Mayor. At least according to the records in the field, there were two large-scale actions carried out involving thousands of people on May 30, 2010 and July 29, 2010.[35]

On the basis of the demonstration with the thousands of people, the MUI then urged the regional government to immediately without delaying the statue to be immediately demoted. The logic is based on the understanding that the monastery, especially the manager of the Tri Ratna Vihara foundation, is considered not to heed the majority religious values which are the hallmark of the city. Not to mention the community customs. The pressure was due to the fact that the MUI did not want a violent conflict that harmed all parties.[36]

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[32]See more complete Veryanto Sitohang, *Jalan Panjang Pemenuhan..* 60.

[33]Interview with Leo Lapulisa on January 10, 2017 in Tanjungbalai.

[34]Interview with Leo Lapulisa on January 10, 2017 in Tanjungbalai.

[35]See coverage of the Daily Waspada newspaper and Analysis of May 31, 2010 and July 30, 2010 that the demonstration was carried out by the community with the name of the United Islamic Movement.

[36]Interview with Sahron Sirait on January 09, 2017 in Tanjungbalai.

Building a new economic relationship

The conflict resolution process of places of worship in the city of Tanjungbalai is indeed not easy to find in its equivalent in other regions, because the conflict of houses of worship coincides and coincides with ethnic issues which include social, political and economic sentiments. The Buddhist statue conflict became a long polemic because there was no meeting point between all parties related to the settlement before the burning of a number of houses of worship, which gave birth to important ideas that some parties tried to elaborate, especially structurally, namely the regional government and some elements of community leaders.

The idea that emerged to dampen the turmoil of rejection of the Buddha statue was carried out with various approaches and took a short time, an important point that needs to be noted is the process of finding arguments that can be accepted by the rejecting group, then formulating things that enable a win-win solution not only for groups who refuse but also for Buddhists. As a result, one important breakthrough that should be noted is the reason used by the GIB group to reject the dominance of Buddhist statue symbols in the Tanjungbalai city area, because right in front of the monastery on the edge of the Asahan river, there is a symbol of tepak building as a symbol of the beginning of Islam's arrival to Tanjungbalai.[37]

Before the appearance of conflict of houses of worship, the condition of the Hall was indeed neglected, and even seemed to be lost symbolically and meaningfully. Such conditions gave rise to a new perception and interpretation that the presence of monastery symbolizing the symbol of the presence of the hall as a symbol of presence Islam in Tanjungbalai.

Another idea that is an alternative solution in resolving prolonged house conflicts and being part of reconciliation after the decline of the Amithaba statue is a symbol of the figure. When there was tension in the Al Makhsum mosque due to protests from a non-Muslim ethnic Chinese, the figure's symbol gave rise to an indication of distrust, evidently an appeal not to commit acts of violence such as arson and destruction of monasteries, but in the process of reconciliation the role of symbols was honored, as explained chairman of the MUI;

"So, when the burning of the monastery continued from one place to another, I with the police urged the residents to be calm, not provoked and asked to go back to their homes, at that time I appealed from an open-air car using loudspeakers, but you know they shouted "Wow, the cleric is on the side of China!" Even so, I understand the conditions at that time and try hard to calm the people."[38]

On the other hand the role of leaders in minimizing the escalation of conflict is quite large, as stated by the MUI chairman Tanjungbalai, one day after the burning of the monastery, he got a call from Tobasa Regency and Labuhan Batu Utara who were prepared to come to Jihad to Tanjungbalai, according to him, only needing one order from the MUI chairman, they will go down. But interestingly, the head of the MUI actually said that the city of Tanjungbalai was safe and people outside Tanjungbalai did not need to come.[39]

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[37]This history is related to the arrival of early Islam in the coastal area of Tanjungbalai symbolized by a building in the form of tepak. Tepak is a container that has symbolic meaning in Malay cultural traditions. See the research of Ramli Abdul Wahid, on the history of Islam in Asahan.

[38]Interview with Sahron Sirait on February 01, 2017 in Tanjungbalai.

[39]Interview with Sahron Sirait on February 01, 2017 in Tanjungbalai.

It is conceivable if at that time the head of the MUI ordered that the people come and be ready to be involved in the mosque's protest process, it would be very possible for the turmoil to occur and not allow social conflict on a large scale.

History records, even the findings in the field confirms, that the social ties of various groups, ethnicities and religions in Tanjungbalai have been going on for a long time. The social bond was built on the basis of community needs, economic needs, work needs and finally formed an interdependent socio-economic system.

The relation of this social system is interesting to observe, because it explains how the real construction of society goes through everyday life. In this system there is an important link in local wisdom, an awareness of the importance of harmony and a peaceful situation that ensures that socio-economic relations can still work.

The socio-economic relation that the researcher intends is the sea habitus, namely fishermen. The profession of fishing workers is a fairly dominant occupation for coastal communities, although the percentage of fishing workers is not too much in urban areas, but along the river flow to the estuary, is where fisherman workers rely on life. Fishermen workers are mostly carried out by coastal Malays, here the socio-economic relations occur, ethnic Chinese ship owners and as ethnic Malay laborers.

Without ethnic Malays, researchers believe that a sea-based economy will be paralyzed and if the workers do not go to sea, the economic cycle of society will decline dramatically. The purchasing power of the people will decline sharply, and this has implications for the loneliness of buyers in Chinese-dominated shops. This connection is the fabric of mutualism symbiosis, needing one another.

In one year, there is a time or period in which the community, especially the fishermen workers do not go to sea, because the fish season does not exist, at least for almost three months, namely the cycle occurs in November to January. This period is a 'drought' period of sluggish economic conditions, the buying and selling process has dropped dramatically, because the ships have not gone sailing in search of fish, and fishermen workers cannot work with other skills.

According to community leader M. Kosasih, related to the relationship between the community, especially the Chinese and Malays, he explained that if traced, almost every ethnic Chinese house would be found Malay. This is because every house always employs Malays. This condition cannot be denied that the relationship is mutually beneficial. Malays who work in Chinese-owned places, especially in homes, can support their families and as a reward for their services, the Chinese get their services.[40]

There are interesting things that happen related to the social and economic relations of the Tanjungbalaicommunity, as stated by several young men who the researchers met. They said that there was a change in the behavior and perspective of the Chinese community to the Malay community in social and economic relations. Like Andrian's explanation:

"Chinese citizens have begun to change, usually when there are Malay people inviting them to party, for example, usually they just leave envelopes, but now they want to come and sit and chat, some even hold futsal competitions for young people facilitated by them, prepared to drink and even eat too"[41]

Wisdom for mutual understanding, then knowing each other is a process to build mutual trust in the community. Social and economic relations based social capital is one alternative in breaking down

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[40] Interview with M. Kosasih on February 01, 2017 in Tanjungbalai.
[41] Interview with Andriyan on February 01, 2017 in Tanjungbalai.

tensions and even long conflicts. the feeling of interdependence is like symbismism that is complementary to one another. The same thing was also recognized by the Chinese community, that they did not want any riots and tensions, because their efforts were impossible to walk without buyers from the Malay community of Tanjungbalai, therefore the process of conflict reconciliation needed to consider the social fabrication aspects that had been built so far by diverse community.

Conclusion

The dynamics of the diversity of urban communities, especially the people of Tanjungbalai as the basis of this research with a reading on how political identity becomes an interesting topic with its relation to conflict of worship houses emphasizes that identity politics works simultaneously to negate and create tension from the previously established community relations structure. The symbolic conflict that ended in manifest conflict, namely the burning of a number of temple houses of worship, became the culmination of the escalation of tension that was built from a political process of identity that strengthened to the surface, at least in the past seven years since 2010.

The impact of this conflict of houses of worship has led to a new pattern of relationship structures in the construction of everyday life. Among various entities such as ethnicity, religion and even community groups that are affiliated based on ethnicity, religion and profession, then realize that there needs to be a new order regarding the management of the dynamics of urban society. Dahendroff asserted in his conflict theory, that in the structure of life relations between individuals have diverse identities, so that it contains conflict as well as integration. Without these two things, life cannot be managed dynamically. In economic relations, ethnic Chinese groups began to realize that the distance of economic inequality could be a trigger for sentiment. Therefore, the structure of relations between workers and employers has a new meaning, that workers are no longer limited to laborers, but rather become an important part of the economy of the people of the city of Tanjungbalai, meaning that wages and treatment of workers change.

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The Concept of Islamic Moderation through Religious Tourism

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Abstract

This study aims to describe and analyze the concept of Islamic moderation through religious tourism. Islam upholds moderation in the diversity of its people, both from the aspect of perspective or attitude of life. Moderation of Islam strives to be present during people's lives to be able to realize peace and affection for humans and nature. Through religious tourism, a Muslim balance the life of the world and the hereafter; harmonizing his life with others and taking inspiration and blessing from his predecessors who became role models in his community life. This study uses a descriptive qualitative approach with data collection in the form of observation, interviews, and documentation. The findings of this study indicate that in religious tourism, there is an understanding of Islamic moderation, which includes human relations with God, human relations with fellow humans, and human relations with the surrounding environment.

Keywords: *Islamic Moderation, Religious Tourism*

Introduction

Islam is present in Arab land with the mission of improving the human life order towards a better direction, enforcing the law fairly, suppressing all forms of oppression and guaranteeing the same right of life for all humanity, regardless of their skin color and background status. In other words, Islam is the best morality for humanity towards a safe, peaceful, and prosperous life [1]. Islam is present in this world with a message of love. Since its inception, Islam voiced the message of peace and salvation, seen from the order of its teachings.

Islam also teaches the balance of life[2]; the harmony of world life and the hereafter. The orientation of earthly life and the hereafter has a close and complementary relationship. World live meant as a stock for the hereafter; while the hereafter begins with the ultimate way of life in the world. al-Qusyairi asserted that

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[1]QS al-Anbiya[21]: 107
[2]QS al Qasas[28]: 77

part of the world's life is not collecting property to reject it then, but more to choose which is useful[3]. Benefits are not limited to property, but more urgently on religious and social attitudes.

Religion is a way of life for Muslim communities. The Prophet Muhammad as the supreme spiritual leader of the Muslims exemplifies proportional, and ideal life[4]. In all aspects of his life, Muhammad was able to show - verbally and inaction - the balance of Divine and Islamic relations. Extreme attitudes are avoided because they contain harmful elements; *Ghuluw* attitude (excessive), justification without *tabayyun* (meticulous), and aggressive actions. These behaviors are very likely to damage the unity, brotherhood, and trust, eventually leading to conflict and disintegration.

Religion in Islam refers to the essential sources, the Qur'an and al-Hadith. But the understanding of these primary sources shows the diversity of the face of Islam. From various existing opinions, many groups emerge with their characteristics in implementing Islamic teachings. The difference in worship becomes reasonableness, circumcision, and even a blessing or mercy. Quraish Shihab reveals that diversity in life is a necessity that God wants; including variety in the scientific field or the perception and understanding of humans concerning the truth of the scriptures, the interpretation of the womb, and the form of practice.[5] The problem of diversity is the ability to respect differences in variety, not blame each other, not declare the most correct themselves, and be willing to dialogue so that the gap between diversity is reflected in blessings and blessings.

Islam upholds balance/moderation in the diversity of its people, both from the aspect of perspective or attitude of life. This diversity becomes a special blessing for him if he can be managed well, even becomes his uniqueness and strength.[6] Moderation of Islam strives for its presence amidst the lives of the people to be able to realize peace and compassion for humans and the natural surroundings. Religious tourism is being able to become its media. Religious tourism, such as Pilgrimage, has many dimensions. It cannot be seen only as a ritual to pray for people who have died. In it, there is a reasonably broad content. Among them is the concept of moderating Islam. Through religious tourism, a Muslim is expected to be able to balance the life of the world and the hereafter.

Method

This study uses a qualitative descriptive research form where researchers try to dig up as much information as possible about the issues that are the topic of research by prioritizing verbal data. Qualitative research is one type of research that can produce scientific work using a descriptive method approach in the form of behaviors, writings or sayings of people who can be observed in the presence of things in the way of objects, cultural groups or social group status.

Kirk and Miller explain that qualitative research is "a specific tradition in social science that fundamentally depends on observing humans in their region and dealing with that person in their language and terminology.

This research is a literature study and field where researchers try to dig up as much information as possible about the issues that are the topic of research by prioritizing the data obtained from library studies

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[3]Muchlis Hanafi, *Tafsir Tematik Al Qur'an: Hukum, Keadilan, dan Hak Asasi Manusia*, Jakarta: Lajnah Pentashih Mushaf Al Qur'an Kementrian Agama RI, 2010, 378.

[5]Quraish Shihab, *Secercah Cahaya Ilahi: Hidup Bersama Al- Qur'an*, Bandung: Mizan, 2007, 52.
[6]Darlis, "Mengusung Moderasi Islam Di Tengah Masyarakat Multikultural", *Jurnal Rausyan Fikr,* Volume. 13 Number.2 (Desember 2017), 226

and adjusting it to the events that occur in the field through interviews and observations. Library study is the first step in the method of data collection. Library study is also a method of collecting data directed at searching data and information through documents, both written materials, photographs, images, and electronic records that can support the writing process. The results of the study will also be more credible if supported by existing photos or academic papers and art. [7]

The data collection technique was carried out by observing the religious tourism area in Jakarta and also interviewing the *kuncen* (guardian of the tomb) and visitors to validate the data obtained through literature. The tombs in the Jakarta area include the Outer Batang sacred tomb, Kampung Bandan holy tomb, Prince Jayakarta Sacred Tomb, Angke sacred tomb, Sacred Makama Habib Ali Kwitang and mosques in Jakarta such as Istiqlal Mosque, Sunda Kelapa Mosque, Ramli Musofa Mosque, at-Tin Mosque, and Jakarta Islamic Center Mosque. The intended religious tourist destination is more focused on religious tourism in the DKI Jakarta area

Islamic Moderation

Islam is a religion with moderate values in it, which later became popular with the term Moderation of Islam. In the structure of its teachings, Islam always combines the two opposing points of extremity. For example, Islamic teachings do not merely contain esoteric issues of divinity, but also other things concerning humanity with their implications in everyday life[8]; As well as actualizing noble religious and cultural values, personal growth, family, society, nation, and state through formal, informal and non-formal education. The purpose of this balance is that at a practical level, there will be no conflict, injustice, arbitrariness, inconvenience, and the like. [9]

Moderatism is a conceptual term or terminology that is not easy to define. It is because it is a highly contested concept, both in the internal circles of Muslims and external non-Muslims. Moderatism is understood differently by many people, depending on who and in what context they are approached and understood. [10] In terms of meaning, formulating moderation in Islamic teaching cannot be perceived directly explicitly. In the time of the emergence of Islam, the Prophet became the foundation of values and law for Muslim communities in his day; so that at that time only known the concept of the Islamic message of the Prophet Muhammad. But over the times, where human social problems developed and were no longer found unifying in interpreting religion, the characters began to appear as references to solve issues that developed among Muslims. In the process, there are differences in interpretation; some of them understand rigid sources of Islamic law, and some others interpret it freely by prioritizing logic. To bridge these two poles and to bring together the Qur'anic teachings and social reality, then the understanding of the concept of moderation in Islam appears. [11]

The moderation of Islam in Arabic is referred to as *al-Wasathiyyah al-Islamiyyah*. Moderation of Islam is a view or attitude that always tries to take the middle position of two opposing and excessive viewpoints so that one of the two approaches in question does not dominate in one's thoughts and attitudes. In other

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[7]Moh Nazir, *Metode Penelitian* , Bogor: Ghalia Indonesia, 2011,43

[8]Abu Yasid, *Islam Moderat*, Jakarta: Erlangga, 2014, 7-8

[9]Departemen Agama RI, *Etika Berkeluarga, Bermasyarakat dan Berpolitik*, Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an, 2009, 90-91

[10]John L. Esposito, "Moderate Muslims: A Mainstream of Modernists, Islamists, Conservatives, and Traditionalists", dalam *American Journal of Islamic Social Sciences*, Vol. XXII, No. 3, (Summer 2005), 12.

[11]Danial Hilmi, *Islam Moderata, Konsepsi, Interprestasi, dan Aksi*. Malang : UIN-Maliki Press, 2016, 63.

words, a moderate Muslim is a Muslim who gives every value or aspect that is opposite a particular part does not exceed the proper portion.

In real life reality, humans cannot avoid the opposite cases. Therefore Islamic Moderation appreciated the elements of divinity and humanity, combining between materialism and spiritualism, combining revelation and reason, between public interest and particular interest. Some of this picture of balance is commonly known as "moderation." The word moderation itself comes from English, which means it is a moderate attitude or not excessive attitude. If it is said that the person is modest means that he is reasonable, mediocre, and not extreme. This statement is in line with the understanding of moderation according to Khaled Abou Fadl, which means knowledge that takes the middle ground; that is the understanding that is not extreme right and not extreme left. [12]

According to al-Salabi, the word *wasathiyyah* (moderation) has many meanings. First, from the root word *wasth*, which means *baina* (between). Second, from the root of *wasatha*, which contains many definitions, including: (1) in the form of *isim* (noun) which includes an understanding between two ends; (2) in the way of chosen (especially) best, especially best; (3) *wasath* which means *al-'adl* or fair; (4) *Wasath* can also say something that is between good and evil. [13]

Similar to the meaning of al-Sallabi, Kamali analyzes *wasathiyyah* synonymous with the word *tawassuṭ*, *i'tidâl*, *tawâzun*, *iqtiṣâd*. The term moderation is closely related to justice, and this means choosing a middle position between extremes. The opposite of *wasathiyyah* is *tatarruf*, which shows the meaning of "tendency towards the periphery" "extremism," "radicalism," and "excessive."[14]

Abdurrahman Wahid formulated that moderation must always encourage efforts to realize social justice, which is known in Islam as *al-maslahah al-ammah* (public interest). Moderation of Islam must be able to become the foundation of public policy so that it can translate the essence of religion into the public sphere. The principle of moderation is characteristic of Islam in responding to all problems. In the context of balance, the Prophet forbade Muslims not to overdo it even though in practicing religion. He is more pleased if it is done relatively without any coercion from being excessive.

Moderation of Islam also plays a significant role in the dialogue of Islam and modernity. Against modernity, Islam is not in a position to reject or accept it as a whole but still puts forward a critical attitude so that modernity grows into a positive rather than a negative value. [15] Islam in the middle (*ummatan wasatan*) will shape the character of a democratic, open, and rational Islam[16]. Moderate Islam will take a lot of sympathy in the hearts of the people because moderation can accommodate differences so that it shows the teachings of Islam that are peaceful and harmonious.

Conceptually, Islam is a religion with easy-to-understand teachings and organizing convenience. In general, the scholars share Islamic teaching easiness into two categories: first, original ease that is indeed a

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[12]Zuhairi Misrawi, *Hadratussyaikh Hasyim Asy'ari Moderasi, Keutamaan, dan Kebangsaan*. (Jakarta: PT Kompas Media Nusantara, 2010,13

[13]Ali Muhammad al-Salabi, *al-Wasathiyyah fi al-Qur'an al-Karim*. Kairo: Maktabah at-Tabi'în, 2001, 13-14

[14]Mohammad Hashim Kamali, *The Middle Path of Moderation in Islam: the Qur'ānic Principle of Wasaṭhiyyah*. New York: Oxford University Press, 2015, 9.

[15]Nurul Faiqah, Toni Pransiska ,"Radikalisme Islam Vs Moderasi Islam: Upaya Membangun Wajah Islam Indonesia Yang Damai", *Al-Fikra: Jurnal Ilmiah Keislaman*, Volume 17, Number 1, (Januari – Juni 2018): 53

[16]Syamsun Ni'am, "Pesantren: the miniature of moderate Islam in Indonesia", *Indonesian Journal of Islam and Muslim Societies*, Volume 5, Number 1, (June 2015) 111-134

hallmark of Islamic teachings that are moderate and following human instincts. Secondly, easiness because there is a more convenient reason.

For example, a person who is traveling has the convenience of making a prayer in *Jamak* (merging with the prayer before or after) and *qasar* (abbreviating the number of prayers for one and the other). It is also permissible not to fast in the month of Ramadhan for the traveler or illness and many other examples. It should be noted that the easiness should follow the rules in the religion established by the scholars. One of them is done because there is a *udzur* (difficulty) that allows it to take lightness, there is a legal argument that helps to do the easiness and suffice to the need alone and not beyond the boundary of a line established by the proposition. The principle of Islamic teaching is necessary to make the adherents to be always moderate in expressing their religious attitude.

Islam has the principles of moderation that are very capable; including justice, balance, and tolerance. Hasyim Asy'ari stressed that Muslims should take the middle way (Moderation). This view makes Muslims easy to carry out their religion to create a peaceful and peaceful atmosphere. Because in essence, Islam is indeed a religion that makes it easy for the people to carry out the commands of Allah and His Messenger. [17]

Exposure to the principle of moderating Islam is as follows,

1. *'Adalah* (Justice)

In the Arabic dictionary, it is mean equal. This equation is often associated with immaterial matters. Whereas at-Tabari states that Allah ordered the just and sent down the Prophet Muhammad fairly; and even ordered humans to be fair, that is to be middle and balanced in all aspects of life by carrying out the commands of the Qur'an and doing *ihsan* (optimal kindness). *Adalah* means realizing equality and balance between rights and obligations. [18]

Four meanings of *adalah* found by religious experts. First, *adalah* in the sense of "the same." But it must be underlined that the equation in question is equality in rights. Second, *adalah* in the sense of "balanced." If there is one member of the human body that is excessive or decreases from the level or condition it is supposed to, then there will be no balance (justice). Should be noted that balance does not require equality. One part can be small or large, while small and the size is determined by the function expected from it.

Third, *adalah* is "attention to individual rights and giving those rights to each owner." This definition is defined by "putting things in place." His opponent is "injustice," in the sense of violating the rights of others. Thus watering plants is justice, and watering thorns is the opposite, understanding justice like this gives birth to social justice. Fourth, just as attributed to God. *adalah* here means "to maintain the fairness of the continuity of existence, not to prevent the continuation of life and the acquisition of grace when there are many possibilities for that. Divine justice is His mercy and kindness. His righteousness contains the consequence that God's grace is not held back to the extent that the creature can reach it. God creates and manages this universe with justice, and demands that justice cover all aspects of life, including faith, shari'a or law, morals, even love and hate.

2. *Tawazun* (Balance)

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[17]Mukani, "Toleransi Perspektif KH. M. Hasyim Asy'ari dan Peran Pendidikan Islam Sebagai Upaya Deradikalisasi di Indonesia", *Al-Murabbi*, Volume 4, Number 2 (January 2018) 121-142.

[18]Departemen Agama RI, *Moderasi Islam*, Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an, 2012, 20-22

Tawazun comes from the word *tawaza-yatazanu-tawazunan* meaning balanced. Tawazun or balanced in all respects, including the use of the *'aqli* (proposition derived from the rational mind) and the prophecy of *naqli* (derived from the Qur'an and Hadith). The moderation principle here is manifested in the form of positive equilibrium in all respects both faith and practice, whether material or artistic, world life or ever-after balance, and so forth. Islam balances the role of Divine revelation with human reason and gives itself a space for revelation and reason. In personal life, Islam encourages the creation of a balance between spirit and intellect, between logic and sense, right and obligation, and so forth. [19]

Tawazun or Balance implies an attitude and moderation movement. This middle attitude is committed to the problem of justice, humanity, and equality and does not mean that there is no opinion. Balance is a form of insight that does something inadequate, not excessive, and also not least, not extreme and not liberal. Balance is also a balanced attitude in serving for the sake of the harmonious relationship between fellow human beings and between man and God.

3. *Tasamuh* (Tolerance)

Tasamuh in Arabic is rooted in the word *samhan,* which means ease. Whereas the Indonesian Language Dictionary says the word tolerant as "being tolerant (respecting, allowing, allowing), establishment (opinions, views, beliefs, behavior) that are different or contrary to one's stand." As such, tolerance in a language is an attitude of respecting the stand of others; and respect does not mean justifying or following. Tolerance is a necessity for a pluralistic society, both in terms of religion, ethnicity, and language. Tolerance of both understanding and attitude of life must provide positive values for the lives of people who respect and respect each other's differences and diversity. According to the UNESCO UN education field, tolerance is mutual respect, mutual acceptance, and mutual respect amid cultural diversity, freedom of expression, and human character. [20]

Tolerance must be precisely described because religious tolerance carried out haphazardly will damage religion itself. Islam, as a comprehensive teaching, has entirely regulated the boundaries between Muslims and non-Muslims, as Islam regulates the boundaries between men and women, and so on.

By implementing the principles of moderation, the image of Islam as a peaceful religion will be clearly illustrated. In essence, Islam is teaching that loves peace, tranquility, and comfort. Therefore understanding and applying the principles of Islamic moderation is essential in life.

Religious Tourism

Tourism comes from Sanskrit, VIS, which means living and entering. Then the word developed into Vicata in the ancient Javanese Kawi language called tourism, which means traveling. The word tour then obtains a development of meaning as a trip or part of a journey that is carried out voluntarily and is temporary to enjoy tourist objects and attractions. [21] Indonesia Law, Number 10 of 2009 concerning

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[19]Alif Cahya Setiyadi, Pendidikan Islam Dalam Lingkaran Globalisasi, *Jurnal At-Ta'dib*, Volume 7, Number 2, (Desember 2012), hal 252

[20]Zuhairi Misrawi, *Hadratussyaikh Hasyim Asy'ari moderasi, keutamaan dan kebangsaan*, Jakarta: Buku Kompas, 2010, 253

[21]Khadiyat, Ramaini. *Kamus Pariwisata dan Perhotelan*. Jakarta: Gramedia Widiasarana Indonesia, 1992, 123

Tourism, states that Tourism is a travel activity carried out by a person or group of people by visiting certain places for recreational purposes, personal development, or studying the uniqueness of tourist attractions visited in the interim period.

Origin of the word religion which comes from the phrase *relegere*, in Latin means to hold on to norms; while the term religion is now in Indonesia to be a religion that shows the relationship between the human and God remains constant. [22] Religion includes the belief in supernatural things which are higher in position than humans and include activities carried out by humans to communicate and find relationships with these magical powers. [23]

Religious tourism is a type of religious tourism or motive that is carried out by a person or group so that it is a means to get closer to God Almighty and obtain blessings in life. Religious tourism is also interpreted as a tourist activity to a place that has special meaning for religious people, usually several places of worship that have advantages or some of the tombs of scholars. These advantages, for example, are seen from the side of history, the existence of myths and legends about the place, or the uniqueness and superiority of the architecture of the building. Many buildings or historical sites that have special meaning for religious people, is a potential for the development of religious tourism. [24]

Suryono revealed that the places commonly visited in religious tourism, including the mosque, as a spiritual center where mosques are used for doing prayer or doing *i'tikaf* (staying at Mosque for *dzikir*, remember God) Then, the tomb in the Javanese tradition, a place that contains sacredness. The tomb in Javanese is a higher (respectful) mention of *pesarean*, a noun that originates and sare, (sleep). In the traditional view, a tomb is a resting place. [25] Thus, religious tourism can be divided into two types, namely the first mosque tourism such as Istiqlal Mosque, Sunda Kelapa Mosque, at-Tin Mosque, Jakarta Islamic Center Mosque, and others. Also, pilgrimage tourism, by visiting the tombs of the scholars such as the Luar Batang Tomb, Mbah Priuk Tomb, the Sacred Tomb of Habib Ali Kwitang, and the others. [26]

Religious tourism is often understood as a journey to obtain experience (*ibroh*). [27] The reality now shows that religious tourism, pilgrimage tourism is undergoing transformative development. Muslims are no longer trapped in debating the status of visiting the tombs. Now the pilgrimage tourism has become a commodity of one of the religious tourism market segments.

Ziarah (pilgrims) etymologically derived from Arabic are *zaara-yazuuru-ziyarotan*. Pilgrimage can mean a visit to both the living and the dead, but in the community's understanding of the visit, the visit to the deceased person. His activities are commonly referred to as grave pilgrimage. The pilgrimage of the tomb consists of a series of two sentences, namely: pilgrimage and tomb, each of which has the following

[22]Moh. Ali Aziz, *Ilmu Dakwah*, Jakarta : Pranada, 2004,37.

[23]Tedi Sutardi, *Antropologi: Mengungkap Keragaman Budaya untuk Kelas XII*. Bandung : Setia Purna Inves, 2007, 22

[24]Ulung, G. *Wisata Religi*. Jakarta: PT.Gramedia Pustaka Utama, 2002, 3-4

[25]Ahsana Mustika Ati, *Skripsi : Pengelolaan Wisata Religi; Studi Kasus Makam Sultan Hadiwijaya Untuk Pengembangan Dakwah*, Semarang: Institut Agama Islam Walisongo, 2011, 33

[26]Arip S, Sari N, "Peran Media Sosial dalam Membentuk Karakter Pemuda melalui Program Wisata Religi", *Seminar Nasional Fakultas Ilmu Terbiyah dan Keguruan*, Tangerang 9 Mei 2018, FITK Press. UIN Syarif Hidayatullah Jakarta

[27]M. Quraish Shihab, *Membumikan Al-Qur'an, Fungsi dan Peran Wahyu dalam Kehidupan Maysarakat*. Bandung : Mizan,2007, 549

meanings. Pilgrimage means coming to meet. The grave means a place to bury people. Thus the pilgrimage of the tomb is to go or visit someone who has been buried in the cemetery. [28]

According to Islamic law, making the pilgrimage is to pray for the occupied and to pray for him by reading *dzikir*, such as *Tahlil*, *Tahmid*, *Tasbih*, *Sholawat*, and others. The pilgrimage practice had existed before Islam but was exaggerated so that the Prophet had forbidden it. This tradition was revived even recommended to remember that death is coming to all people. [29]

The United Nations of the World Tourism Organization states that religious tourism consumers are not only Muslims but also non-Muslims who want to enjoy local wisdom. General criteria for religious tourism are; first, have an orientation to the public benefit. Second, have a direction of enlightenment, refreshment, and calmness. Third, avoid polytheism and reconciliation. Fourth, free from immorality. Fifth, maintain security and comfort. Sixth, maintaining environmental sustainability. Seventh, respecting socio-cultural values and local wisdom. [30]

The concept of religious tourism can not only be by just coming and looking at a place; but it will also be more optimal when accompanied by activities involving visitor participation, such as recitation. [31] With engagement, religious tourism can increase one's spirituality. Spirituality is an innate part of humans who need to be connected to something bigger than themselves. That means something outside someone's self, self-ego, or feeling. [32] It is defined as vertical and horizontal components. Vertical components include something sacred, divine, or eternal, while horizontal components include services for fellow humans. [33]

Religious tourism can improve the character of religiosity; if it can optimize religious tourism visits by participating actively in activities organized by the mosque. Also by knowing and understanding the procedures for the pilgrimage; so surely he will be able to experience the best experience and impact on the improvement in character. As expressed in a study that states that religious tourism is considered capable of improving the integrity of religiosity; with the following description[34]:

1. The role of religious tourism in increasing religious practice
   Activities carried out during religious tourism are generally dominated by ritual worship, both prayer and reading the Qur'an. Therefore, one's involvement in religious tourism activities will make him accustomed to performing many rituals and worship
2. The role of religious tourism in increasing religious belief

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[28]M. Hanif Muslih, *Kesahihan Dalil Ziarah Kubur Menurut Al-Qur"an Dan Al-Hadits*, Semarang: PT. Karya Toha Putra, 1998, 7.

[29]Ruslan, Arifin S. N. *Ziarah Wali Spiritual Sepanjang Masa*. Yogyakarta: Pustaka Timur, 2007, 6.

[30]Sofyan, Riyanto. *Prospek Bisnis Pariwisata Syariah*. Jakarta: Republika, 2012, 17

[31]Arip S, Sari N, Humaidi "Tracing The History of Islam in DKI Jakarta Through Religious Tourism", *International Proceeding Asean Youth Conference*, Malaysia 22-23 September 2018, Asean Youth Conference, PPI Malaysia.

[32]Abdul Aziz, Tulus Haryono, and Hikmah Endraswati, "Spirituality, dual career family worker, demographic factors, and organizational commitment: evidence from religious affairs in Indonesia", *Indonesian Journal of Islam and Muslim Societies*, Volume 7, Number 2 (December 2017), 281

[33]Cindy Wigglesworth, "Spiritual intelligence and why it matters", Downloaded on

July 16, 2019, from www.deepchange.com

[34]Sari Narulita, Rihlah Nur Aulia, Firdaus Wajdi & Umi Khumaeroh, "Pembentukan Karakter Religius Melalui Wisata Religi". Prosiding Seminar Nasional Tahunan Fakultas Ilmu Sosial Universitas Negeri Medan Volume 1, Number 1, (October 2017) 166.

People who do religious tourism generally are those who have faith in God, and getting stronger when he saw many people doing the same thing even more. At a time when he saw how many public audiences were willing to spend the night to move on, then that's when his conviction became stronger

3. The role of religious tourism in increasing religious knowledge

   Someone who does religious tourism is generally involved in religious studies carried out by the assigned cleric. Therefore, with more frequent religious tourism, the more studies and religious insights he gets.

4. The role of religious tourism in increasing religious feeling

   Respondents who are accustomed to religious tourism and even sometimes very involved in existing activities will have a strong bond with their religion. When at night, at a time when he has a degree, the attachment to his religion becomes more pronounced. At that moment, he will feel the calm and peace when he prayed solemnly when most people fall asleep at night.

5. The role of religious tourism in increasing religious effects

   Respondents who are accustomed to religious tourism generally become more able to interact well with each other. This is in line with Umi Khumaeroh's research which illustrates that the respondents in their research felt a change in attitude towards others after many religious tourism visits[35].

Increasing the religious character above in religious tourism can only be obtained if the intended tourism is not merely just looking around. But it is also accompanied by involvement and active participation in various activities organized by the mosque. Even sometimes, a religious feeling will be felt later at night, when doing *munajat* and evening prayers.

Besides being able to improve spiritual tourism, religion can be used to understand Islamic history. With religious tourism, you can see that Islamic history has a relay struggle in uninterrupted time. There is a generation who died, and there is a generation that continues to be continuous and has a clear *sanad*. From religious tourism, it does not only come to people who are dead. But it can bring to life the footsteps of people who have died. Because people who have died have lived and they are remembered because when his life exemplary. So the tomb and mosque included authentic evidence in the spread of Islam. Behind the silent tombs and mosques, there is a story of Islam that is present in the community. Because tombs and mosques are not only talking to people, who are dead. But tombs and mosques are the remains of living people, which make it an authentic proof of the spread of Islam. It all reinforces the many benefits that exist in religious tourism activities.

The Concept of Islamic Moderation through Religious Tourism

Religious tourism cannot be seen only as a religious ritual, but also as a media for understanding the concept of moderating Islam. Through religious tourism, a Muslim can understand the moderation of Islam.

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[35]Umi Khumaeroh, Sari Narulita, and Firdaus Wajdi, "The Improvement of Intrapersonal Communication Through Religious Tourism", *UUM Malaysia: Proceedings International Conference on Media Studies*, (May 2017), 419-425

Tourism is a trip that is carried out voluntarily, in the interim intending to enjoy the beauty of the attraction of a tourist attraction.[36] While religious tourism leads to the understanding of pilgrimage, which is interpreted as a visit to the tomb of a deceased person.

The grave pilgrimage tradition had existed before Islam but was carried out excessively so that the Prophet had prohibited it. But then it is recommended again by aiming to remember death[37]. In religious tourism, the Javanese Muslim community is not only limited to enjoying the beauty of tourism, but there are religious activities carried out by pilgrims.[38] Interestingly religious tourism has a connection with the moderation of Islam. Moderation in the general means balance in beliefs, attitudes, behavior, order, and morality. This statement shows that Islam is a very moderate religion, not excessive in all cases, not excessive in faith, not extreme in belief, not arrogant or gentle, and others. Moderation of Islam teaches to be able to live a balanced life so that the creation of peace, comfort, and peace.

An understanding of Islamic moderation in religious tourism includes:

1. **Human Relationship with God**

The relationship between the Creator and the created is a relationship that cannot be separated. Humans as creatures created by God, it is impossible to escape from attachment to God. Islam does not teach only to focus on worship alone or focus on living in the world alone. But Islam teaches moderation or takes the middle path between the two. When doing religious tourism, especially the pilgrimage of the grave, it will be remembered of death; every person will surely die. Trough the grave pilgrimage there is an understanding of the moderation of Islam. By doing a pilgrimage, it will arise in the heart of a sense of balance between life in the world and the hereafter.

Life in the world is only temporary, and living in the world is the provision of experience in the hereafter that will last forever. Religious tourism is also an alternative way when people are preoccupied with their work duties even neglected by harmful activities such as luxury life, free sex, corruption, stealing, and others. With the existence of religious tourism activities can remind that life in this world is only for a moment, and every animate person will surely die.

Making the pilgrimage also increasing the aspects of harmony in the visitors or pilgrims who include believing in Allah as the Basic Principle in life such as having it self-confidence, able to solve problems with the right solutions, and always make changes in a better direction.[39]

Religious tourism makes *zuhud* on earth. *Zuhud* means reducing the desire that is too much to the needs of the world, thus causing negligence of death. Where death is the end of life in the world, even though there is still life after this world, namely the grave. The road to remembering death is one of them by making pilgrimage. The Companions of the Prophet had previously been banned from the grave pilgrimage because at that time the faith was not yet stable, but after receiving teachings from the Prophet, finally, the grave pilgrimage was allowed, even recommended, because it could remind death and the hereafter.

[36]Khodiat Ramaini, *Kamus Pariwisata dan dan Perhotelan*. Jakarta: Gramedia Widia Sarana Indonesia, 1992, 123

[37]Ruslan Arifin , *Ziarah Wali Spiritual Sepanjang Masa*. Yogyakarta: Pustaka Timur, 2007,6

[38]Abd. Rozak, Tesis Magister : *Nilai-Nilai Pendidikan Islam Dalam Objek Wisata Religi (Studi Multi Kasus di Astana Buju' Batu Ampar Pamekasn dan Pasarean Conkop Banyuanyar Pamekasan)*. Surabaya : UIN Sunan Ampel, 83

[39]Indah, Firdaus, Sari," Peningkatan Spiritualitas melalui Wisata Religi di Makam Keramat Kwitang Jakarta", *Jurnal Studi Al-Qur'an*, Volume 14, Number 1, (January 2018): 57

2. Relations between human beings

Humans, as social people are creatures that relate reciprocally with other humans. So humans as social beings cannot live alone. Both interact, need each other, complement each other, and depend on each other. In pilgrimage or mosque tourism, there are interactions and reciprocal relationships between humans, the occurrence of economic rotation that is so significant as the form of *muamalah* on religious tourism objects there are activities that exist in religious tourism environments that refer to *muamalah* indicators. *Muamalah* is a relationship between humans to get the tools of physical wholeness in the best way possible by the teachings and guidance of religion.[40] Several things that are included in *muamalah* activities are exchanging goods, services, buying and selling, borrowing, loans, unions, and so on. From the understanding of *muamalah* it can be understood that *muamalah* is the knowledge of human transaction activities which refers to Islamic laws, concerning actions in human life which are obtained in detail from the Islamic Argument Law'.

The number of visitors to religious tourism places is very potential in applying and competing in *muamalah* activities. Besides that, *muamalah* activities in sacred areas such as religious tourism can distance themselves from transactions banned from the Islamic teachings. The scope of *muamalah* covers all community activities based on rules in Islam, such as buying and selling, there is a parking area that makes each other need one another. In terms of *muamalah* it must be based on a fair and honest attitude. All of that portrait is the concept of moderation of Islam found in religious tourism.

Besides that, in religious tourism has the principle of trust in life such as having it like giving, always helping relatives or relatives and even fellow people who are experiencing difficulties, and not quickly having evil thoughts on others.

3. Human Relations with Nature

Nature and humans have in common that is God's creation. As fellow beings, humans should be able to maintain harmonious relations with nature by caring for and protecting the environment and not destroying it. Human and natural relations are a unity that cannot be separated from each other. Humans as living things to maintain their lives must need nature as a place to live. But besides that nature will be guaranteed continuity and its sustainability is very dependent on humans. In this context, it is called mutualism symbiosis that between humans and nature has a dependence on one another.

Islam teaches to be moderate; in this case, humans as those who look after and care for nature must consider the harmful and adverse effects they make so that the balance is needed in its management.

In religious tourism there is a relationship between humans and nature, starting from caring for the environment by not littering and developing environment-based religious tourism; such as the implementation of the eco-mosque in the Istiqlal Mosque.

The Istiqlal Mosque has now applied ablution water recycling, domestic IPAL, reuse of ablution wastewater, monitoring the water quality of the Ciliwung river continuously and online, and managing best practices in the management of water sources existing or non-point source.

The concept of ecoMasjid is a concept where the place of worship has a concern for the mutual relations between living things and their environment. The success of creating an environmentally

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[40]Nasrun Haroen, *Fiqih Muamalah*. Jakarta: Gaya Media Pratama,2007) 1

friendly is the incarnation of a clean heart and clear mind of the religious community and is the starting point of the effort to create a beautiful, comfortable, safe country: *baldatun thoyyibatun wa Robbun Ghafur.* [41]

Islam teaches Muslims to have a moderating attitude. Humans must be able to maintain the balance or stability of this nature for the sake of a comfortable, peaceful, and peaceful life.

Conclusion

Religious tourism is a type of religious tourism or motive that is carried out by a person or group so that it is a means to get closer to God Almighty and obtain blessings in life. Religious tourism is also interpreted as a tourist activity to a place that has special meaning for religious people, usually several places of worship that have advantages or some of the tombs of scholars. Meanwhile, moderation of Islam is a view or attitude that always tries to take the middle position of two opposing and excessive perspectives so that one of the two approaches in question does not dominate in a person's thoughts and beliefs. In other words, a moderate Muslim is a Muslim who gives every value or aspect that is opposite a specific part no more than the proper portion.

Religious tourism cannot be seen only as a religious ritual. But in it, there is a content that is quite extensive; one of the contents is the concept of moderating Islam. Through religious tourism, one can balance the life of the world and the hereafter; harmonizing his life with one another and taking inspiration and blessing from his predecessors who became exemplary in social life. The understanding of Islamic moderation in religious tourism includes human relations with God, human relations beings, and human relations with nature.

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[41]Hayu Prabowo, *EcoMasjid: Dari Masjid Makmurkan Bumi*. Jakarta: Lembaga Pemuliaan Lingkungan Hidup dan Sumber Daya Alam Majelis Ulama Indonesia, 2017, 5

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The Islamic Conservatism in Education

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Abstract

The purpose of this article is to describe the influence of religious conservatism - in this case, Islamic conservatism - in the world of Education. This article becomes interesting along with the growing understanding of deep radicalism among students who are indicated as a result of the knowledge of religion received at school. Conservatism in religion is assumed to be able to cause inconvenience for non-Muslim students because they seem to be required to do things that are not in harmony with what they believe in; such as participating in religious activities even though they are not needed, get an unpleasant view because of different religions and so on. This article shows the relationship that exists between religious conservatism and intolerant radicalism among students and recommends steps that can be taken to prevent intolerance among fellow students in the world of Education

Keywords: *Conservatism, Radicalism, Education*

Introduction

Islamization became an issue that dominated Indonesia's post-reform public sphere. Islamization can be interpreted as a process of social change carried out by a Muslim religious community that aims to gain more space for statements of faith and loyalty, both in the social and political spheres. Islamization in the political field is seen in the formalization of sharia movements that occur in several regions in Indonesia. Whereas Islamization in the socio-cultural realm appears in the massive exposure of various Islamic symbols in the public sphere. Indonesian Muslims, especially the middle class now feel the need to show their faith and loyalty when appearing in public

Martin van Bruinessen, a Dutch anthropologist, said that the wave of Islamization that struck Indonesia after the Reformation had given birth to a condition which he called *concervativeturn* [1]. Conservatism is a religious phenomenon that reflects religious observance with a tendency to maintain the values of faith and sharia[2]. Religious teachings are not merely understood; but also applied in public life.

Religious conservatism also appears in the world of Education. The phenomenon of veiling in public schools has even become commonplace; even for kindergarten and elementary school students who have not entered the age of *baligh*[3]. Teachers, especially religious teachers, motivate their students to get used to cover their head by wearing headscarves. In the past, when students studied Islam, the students only covered their heads with a veil during religious studies; but now these recommendations seem to apply in everyday life, especially in schools. Unfortunately, this recommendation became too far when some news in the newspaper showed portraits of some non-Muslim students who also wore the hijab. The issue of religious conservatism was also highlighted.

The polemic about the suggestion to wear the headscarf that occurs in several state schools is only the phenomenon of the iceberg of a variety of issues which are motivated by the event of religious conservatism. The climax, when the idea of eliminating religious lessons in schools re-surfaced, the urgency in reviewing the impact of religious conservatism in the world of Education became apparent. Does religion change students into someone intolerant of other students with different beliefs; and even vulnerable to radicalism as many feared? Or does religion provide noble values and politeness in students and be a shield in preventing self-destruction?

Religious conservatism in Indonesia

Etymologically, conservative is an effort to maintain or preserve old traditions, while limiting changes. The changes referred to here can originate from alterations in globalization, information technology, or changes in behavior or lifestyle. Meanwhile, according to the Cambridge Dictionary, conservative (adj) means "Against Change," which means rejecting or anti-change. Also interpreted, "not usually liking or trusting change, especially sudden change." The term conservative is intended for everything that aims to maintain what has happened and minimize the changes that occur on it. Change can only occur when there is something essential and urgent.

Conservatism occurs in all religions. One feature of religion is conservative, in the spirit of preserving important old traditions. [4] Religious conservatism is a form of religious observance with a tendency to maintain the values of faith and sharia. Conservatives try to keep their institutions, customs, and religious authorities pure.

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[1] Martin Van Bruinessen, "Mukadimah: Perkembangan Kontemporer Islam Indonesia dan "Conservative Turn" Awal Abad ke-21" dalam Martin van Bruinessen, *Conservative Turn: Islam Indonesia dalam Ancaman Fundamentalisme*, Bandung: Mizan, 2014.

[2] Chaider S Bamualim et al (ed), *Kaum Muda Muslim Milenial; Konservatisme, Hibiridasi Identitas, dan tantangan radikalisme*, Ciputat: CRSS UIN Syarif Hidayatullah, 2018, 2

[3] *Baligh* in Islamic law is a time when a Muslim is obliged to practice Islamic law. The puberty indicator for a woman is indicated by the coming of menstruation. The women who get menstruated are obliged to carry out the Islamic law imposed on them, including one to cover their bodies

[4] Eva Mazrieva. Risalah Jakarta; Catatan Penting akhir tahun. https://www.voaindonesia.com/a/risalah-jakarta-catatan-penting-akhir-tahun-/4722470.html

Related to religious conservatism in Indonesia, where the majority is Muslim, Bruinessen defines it as a "school of thought that rejects the reinterpretation of Islamic teachings liberally and progressively, and tends to maintain interpretations and standard social systems." Conservative Islam differs from fundamentalist Islam which is fundamental interpreted as a movement or flow that invites back to the sources of radical Islamic teachings, namely the Qur'an and Hadith; Also different from the "Islamist" campaign which is defined as a movement that supports the idea of Islam as a political system and strives to establish an Islamic state.[5]

Extremely Conservative Islam, where Muslims are taught to hold fast to the Qur'an, by not altering its verses and understanding; A Muslim cannot be influenced by the liberal, hedonistic, communist, and modernist views, brought about by the current flow of globalism.

The majority of Muslims in Indonesia are known for their moderate religiosity. It is mean that they can use combinate textualist verses with a contextualist understanding. The moderation of Islam in Indonesia has realized thanks to the role of two major mass organizations in Indonesia, namely Muhammadiyah and Nahdlatul Ulama who had been consistent in showing moderate Islam[6]. Syafii Maarif revealed that NU and Muhammadiyah had long worked together to show a tolerant Islam, peace, be friendly to anyone, even to the unbelievers.[7] Manifestations of Moderate Islam in Indonesia are manifested in the Islam of the Archipelago which is identical to the Nahdlatul Ulama and the progressing Islam of Muhammadiyah. Moderate Islam has principles, but still respects differences.

After the new order, Islamic movements began to emerge that transformed into effective political campaigns and also Islamic movements that changed from politics to propaganda that gave birth to substantive Islamic mass organizations and legal-formalistic[8] Islamic groups. Islamic Organizations carried Islamic ideologies in their actions, such as by wanting an existence Sharia regulation in various regions in Indonesia.[9]

Van Bruinessen mentioned several explanations of why conservatism reappeared in Indonesia. First, the relationship between democratization and the waning influence of liberal and progressive Islamic views and second because of the strengthening power of the Middle East. College alumni in the Middle East. They spread textualist and scripturalist understandings of Islam to the public. This effort has begun since the last two decades of the previous century, by translating religious books and distributing them free of charge to individuals, Islamic social organizations, and Islamic educational institutions in Indonesia.

With adequate financial support, especially from Saudi Arabia and the Ihya 'al-Turath al-Islami Foundation in Kuwait, Middle Eastern alumni preach this Islamic style in various ways: conducting recitations in mosques and offices, establishing madrassas and Islamic boarding schools. , building da'wah radio and television, and publishing books and magazines. This alumnus collaborate with graduates of the Arabic and Islamic Institute of Sciences (LIPIA), a higher education institution in Jakarta as a branch of

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[5]Martin van Bruinessen, *Contemporary Developments in Indonesian Islam Explaining the "Conservative Turn*, Singapore: ISEAS, 2013, 16-17

[6]Zakiyah Darajat, Muhammadiyah dan NU: Penjaga Moderatisme Islam di Indonesia, *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies*, 1(1), 2017, 79–94 https://doi.org/https://doi.org/10.21009/hayula.001.1.05

[7]A Wahid, *Ilusi negara Islam: ekspansi gerakan Islam transnasional di Indonesia*. Jakarta: Wahid Institute, 2009

[8]Ismail Hasani, & Naipospos, BT, *Dari radikasme menuju terorisme: studi relasi dan tranformasi organisasi Islam radikal di Jawa Tengah dan di Yogyakarta*. Jakarta: Pustaka Masyarakat Setara, 2012

[9]H Nashir, *Islam syariat: reproduksi Salafiyah ideologis di Indonesia*. Maarif Institute, 2013

Imam Ibn Su'ud University in Riyadh. The study conducted by Noor Haidi Hasan shows the strong influence of the Middle East. [10]

The transnational movement reduced the religious authority of Islamic mass organizations in Indonesia, such as Nahdlatul Ulama (NU), Muhammadiyah, Persatuan Islam (Persis), and the Indonesian Ulema Council (MUI). For example, Salafi propaganda activists never refer to the fatwa given by the Islamic mass organizations mentioned above for religious problems that occur in Indonesia. Instead, they ask for fatwas directly from their teachers in the Middle East. This shows that Salafi activists do not trust the religious authority of Indonesian Islamic organizations.

Moreover, it is indicated that the tendency of conservatism is spreading at all levels of Indonesian Muslim society. If Islamic organizations as significant and established as the conservatism movement could influence NU and Muhammadiyah, is it not possible for this movement to become a general tendency of Indonesian Islam? [11]

Religious conservatism in the world of education

Islamic religious education in educational institutions with the ideology of moderate is undergoing an attack of conservatism ideologies from various directions. The material in teaching materials on religious subjects such as the concept of jihad with the doctrine of *amar ma'ruf nahi munkar* became a central topic. Explanation of the Bani Umayyah or Abbasia empire with an emphasis on the Khilafah (sole leadership) system of government seemed to deny other forms of government. These topics have the potential to become a conservatism movement to develop their ideology. [12]

Besides being related to thought, conservatism also appears in religious symbols in the world of Education. The phenomenon of Hijab in a public school environment is a quite popular theme in the world of Education. Ministry of Education and Culture, through Ministerial Regulation No. 45 of 2014 article 3 paragraph 4, stipulates that the school has the authority to regulate the uniforms of its students. But schools must "still pay attention to the rights of every citizen to practice their respective religious beliefs." The above rules become a reference for someone using a hijab at school. Suggestions and motivation for veiling for students in public schools are sometimes interpreted as an obligation. This correlates with the procurement of school uniforms for students who are already in the same package as the headscarf.

On the other hand, based on the writer's observation, public schools began to increase religious activities in schools; among them are routine *tadarus* - reading of the Qur'an before the lessons start, habituation to performing the Duha prayer and the obligatory prayer in congregation at school, religious study on Friday and other activities.

Increasing religious activities, on the one hand, calm the parents and as teachers 'efforts to divert students' energy and attention in worrying relationships; such as free sex, drugs, and the like. But on the

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[10]Noorhaidi Hasan, Laskar Jihad, *Islam, Militancy and the Quest for Identity in PostNew Order Indonesia*, New York: Cornell Southeast Asia Program, 2006.

[11]Din Wahid. Kembalinya Konservatisme Islam Indonesia. *Studia Islamika*, [S.l.], v. 21, n. 2, p. 375-390, aug. 2014. ISSN 2355-6145. Available at: <http://journal.uinjkt.ac.id/index.php/studia-islamika/article/view/1043>. Date accessed: 18 july 2019. doi:https://doi.org/10.15408/sdi.v21i2.1043.

[12]M Mukhlison, Tantangan Modernisme Pendidikan Agama Islam dari Konservatisme. *Jurnal Pemikiran Keislaman*, 29(2), 2018, 407~424. https://doi.org/10.33367/tribakti.v29i2.605

other hand, with the widespread news related to conservatism in schools, many parents are worried that their children will become radical and terrorist.

Linkages between conservatism and radicals

Religious conservatism is generally based on theological understanding, which is based on textualism and scripturalism. Textualism reasoning assumes that the primary source of religious teachings is religious texts. Textualists tend to reject the rational-contextual approach to understanding spiritual teachings. For them, the textual truth is a fixed price that is not negotiable. While logical reasoning tends to interpret religious texts literally and ignoring the socio-historical context of the book. Fatally again, scripturalists are often arrogant by considering the results of their interpretation as the most authentic product of thought. Not infrequently, they force other groups to submit to the value of the truth they profess.

The phenomenon of religious conservatism in the world of education in Indonesia is in the spotlight of academics. Various research findings show quite alarming results. The findings of Lakip (Institute for Islamic Studies and Peace) in 2011 showed the support of respondents, namely teachers and students, for violence, which formed two essential factors namely intolerance and conservative religious views. Even the level of student support and their willingness to engage in violence related to religious issues is much higher when compared to their level of agreement and desire to engage in violence that is not associated with spiritual matters. Although it should be noted, that consent does not necessarily indicate action, but at a minimum, the willingness or approval is the initial thought that will lead to action.

Apart from the above results, the support that occurs is a picture of the understanding of religion received by students at school. Knowledge refers to the material obtained and the delivery of the content by the teacher in the school and maybe even the environment, in this case, is the activity in spiritual activities or other Islamic studies.

Freedom Institute survey results show Muslims object if Christians teach in public schools. In some cases, some parents refuse if their problem children are handled by a variety of non-Muslim BK (Guidance Counseling) teachers; because of fears of handling away from religious values.

In one of the high school textbooks in Bandung, one of the chapters featured the material "revival of Islamic warriors". One of the passages quoted in the book for example, "all those who worship God but Allah are infidels and deserve to be killed." The education authorities found similar books in Jombang Regency, East Java. The Ministry of Education and Culture immediately confiscated the entire book and removed it from the national curriculum reference list.

From the findings above show that conservatism, which initially aimed at understanding Islamic teachings by the text becomes vulnerable to radical movements. Students seem to become convinced that only he and his commuality are the most correct; and blaming other students with different beliefs and religions. This raises intolerance to other students and increases discomfort to other students.

In one newspaper the students described wearing the headscarf, even though they were non-Muslims. It became viral, and when examined further, it could be related to the impact of the emphasis on differences raised in religious understanding. Non-Muslim students look for security by acting like Muslim students, by wearing the hijab, even though this is not part of their beliefs. This confirmed the research

which revealed that intolerance towards religious minorities was facilitated by state policies that tended to privilege the majority group. [13]

If the conditions that occur in these public schools are left unchecked, there will be psychological pressure for non-Muslim students, and it seems to reinforce intolerance in the world of Education.

Recommendations to prevent intolerance in the world of Education

The phenomenon of the strengthening of Islamic conservatism is related to the understanding of Islam that is fragmented, partial, partial, instant, and not comprehensive. Only a few Muslims can study Islamic discourse with scientific instruments that are objective and by scholarship standards. Strengthening religious and religious literacy is a solution.

Strengthening religious literacy is done by enhancing the religious insight of teachers to be able to provide a variety of different perspectives on one topic to be able to increase students' critical power. Teachers are also expected to be able to convey religious material to be attractive so that religion is not a burden, but becomes a necessity.

The religious material provided should also be adjusted to the age level. For example, religious education in primary schools should contain more related to morals or ethics; and not yet at the point of very significant differences with other religions. Thus, children are accustomed to being able to make friends and interact with anyone without any concern over a gap. Whereas in the advanced class, when students can think critically, material related to differences in beliefs and religion can be raised to be insightful.

Whereas religious literacy is linguistically understood as religious literacy or understanding religion well. But in terms, religious literacy is not only limited to understanding faith in terms of the main points of its teachings; but also covers how religion is applied in daily life. Also, religious literacy also includes an understanding of the traditions of religions, and religious rituals inherent in that religion. [14.] Moore mentions that religious literacy is obtained through several means. First, through religious learning; the second through "learning about religion."[15]

Moore defines religious literacy as an ability to understand the teachings of religion not only in its normative doctrine but also in how religion is applied in real life that it lives. In its findings of religious literacy in several countries (Indonesia, India, Pakistan, and the United States), there will be a low level of religious literacy. The quality of understanding one's religious literacy influences the religious behavior of its adherents. He saw that the development of Islamic phobia in some American societies was partly due to the low religious literacy about Islam and the practice of religion itself. Moore said this phenomenon with religious illiteracy or "religious inequality." Conversely, the strengthening of extremism, radicalism, and intolerance in some Muslim societies is related to their low religious literacy towards Islam itself. [16]

[13]Amin Mudzakkir. Konservatisme Islam dan Intoleransi Keagamaan di Tasikmalaya. *HARMONI: Jurnal Multikultural dan Multireligius* Vol 6 (1), 2017 57 - 74

[14]Irfan. *Masjid di Era Milenial Arah Baru Literasi Keagamaan.* Ciputat: of Religion and Culture (CSRC) Pusat Kajian Agama dan Budaya UIN Syariff Hidayatullah Jakarta, 2019

[15] Diane L Moore, "Overcoming   Religious Illiteracy: A Cultural Studies Approach," *World History Connected* 4, no. 1 (2006), h.14

[16] Diane L Moore, "Overcoming   Religious Illiteracy: A Cultural Studies Approach," *World History Connected* 4, no. 1 (2006), h.14

A good understanding of religion will affect the attitudes that it shows, which will be by the values of Islam that it learns. With religious literacy, there will be an awareness of the importance of religious diversity; that is, how a person who believes in his religion can respect differences and interact healthily with people of different faiths and beliefs.[17] Religion should be a spiritual and moral guide; and not just the ritual and formal aspects[18].

By understanding the diversity of religions, individuals are expected to be able to respect other religions. Until then, a reminder attitude will emerge. As non-Muslims remind Muslims when he will eat something that turns out to contain ingredients that are not halal; Likewise, a Muslim can suggest someone who wears the hijab even though he is a non-Muslim to be able to act like the beliefs held by him.

On the other hand, in a time full of information, all religious studies can be easily accessed; although sometimes the source is not validated. On the one hand, openness to various kinds of information helps the process of religious moderation among young Indonesian Muslims, but on the other hand, it can put them in a position that is vulnerable to religious intolerance and even radicalism[19]. To anticipate this, in addition to media literacy capabilities, Critical religious power is also needed; a critical force that supports peace and values difference.

With established literacy of religiosity, the perception of the phenomenon of the rise of Islamic conservatism might reflect prejudice and bias towards Islam and at the same time Indonesian Muslims; although those who have this perception are also many Indonesian Muslims themselves. With right thinking, it might be racist and biased because they do not have adequate knowledge about the dynamics of Indonesian Islam with its many Muslims[20]

Indeed, religious conservatism is considered to be no problem as long as it does not lead to extremism as revealed by Mahfudz MD. [21] Conservatism becomes harmful when it turns into ultra-conservatism, which leads to exclusivism, radicalism, self-closure from change, rejection of change, and even coercion to others with difficulty to accept/hear the truth or differences. It is increasingly phenomenal when conservatism and exclusivism meet political interests. Thus religion which was originally to solve problems instead creates problems as revealed by Komaruddin.[22] Broadly speaking, a conservatism that leads to exclusivism and extremism is mostly caused by factors outside of religion, such as injustice, formalization of religion and also politicization of religion. [23]

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[17]Switzy Sabandar, Kajian Konservatisme Era Revolusi Industri 4.0 di Yogyakarta. Liputan 6, 24 April 2019. https://www.liputan6.com/regional/read/3948451/kajian-konservatisme-era-revolusi-industri-40-di-yogyakarta?related=dable&utm_expid=.9Z4i5ypGQeGiS7w9arwTvQ.1&utm_referrer=https%3A%2F%2Fwww.google.com%2F

[18]Anom Prihantoro, Mahfud: Konservatisme beragama tidak bermasalah. Antaranews.com, 28 Desember 2018.https://www.antaranews.com/berita/782286/mahfud-konservatisme-beragama-tidak-bermasalah

[19]Chaider S Bamualim et al (ed). Kaum Muda Muslim Milenial; Konservatisme, Hibiridasi Identitas, dan tantangan radikalisme. Ciputat: CRSS UIN Syarif Hidayatullah, 2018

[20]Azyumardi Azra. Konservatisme Agama (1) Republika, 1 Agustus 2019 https://republika.co.id/berita/pvistt282/konservatisme-agama-1

[21]Anom Prihantoro, Mahfud: Konservatisme beragama tidak bermasalah. Antaranews.com, 28 Desember 2018. https://www.antaranews.com/berita/782286/mahfud-konservatisme-beragama-tidak-bermasalah

[22]Eva Mazrieva. Risalah Jakarta; Catatan Penting akhir tahun. https://www.voaindonesia.com/a/risalah-jakarta-catatan-penting-akhir-tahun-/4722470.html

[23]Anom Prihantoro, Mahfud: Konservatisme beragama tidak bermasalah. Antaranews.com, 28 Desember 2018.https://www.antaranews.com/berita/782286/mahfud-konservatisme-beragama-tidak-bermasalah

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Run Back to the Faith: Rationalization of Student Disengagement From Radicalisation Group (an Experience of Senior High School Students in Malang)

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Abstract

This article aims to explore the experience of students in responding the infiltration of radicalisation in school. This article is the result of a study of State High School (SMA) students in Malang using the sequential explanatory method of mixed method. Reports showed that radicalism among youth is being increased. Students as a representation of youth are vulnerable to exposure and become significant targets in the regeneration of radical groups. Basically students in Malang realize that radicalism threatens tolerance for diversity and begins to spread in their school environment. Some informants even claimed to have been actively involved in radical groups at the beginning of class X through recruitment inside and outside the school. However, they decided to withdrawl the group because their teachings were considered not in accordance with the values of humanism and tolerance. Their decision is a form of religious expression of students based on rationalization of ideal values. In this case, students are being independent subjects who are able to make decisions based on their idealism despite being entangled by radical groups. However, it does not mean that students are not free from the threat of radicalism in schools because the infiltration process still continues through various means and media which can certainly affect their mindset.

Keywords: *Radicalisation;Youth; School; Rationalisation; Disengagement;*

Introduction

Religious radicalism is a real threat to the life of the nation and state. The threat arises in various aspects and layers of people's lives, especially in several Muslim groups who want to change the country's ideology which is the basis of pluralism, religious tolerance and multiculturalism. [1] Religious radicalism spreads to young Muslim students who are very vulnerable to the infiltration of radical religious ideas. [2] Even educated people are not only victims of religious radicalism movements but also as pioneers and agents of dissemination of their teachings. [3] In the perspective of youth studies, students are subjects who are vulnerable to radicalism because they are still in the stage of transition and identity seeking. [4] Young people who are still unstable do not have a mature personality, as well as an understanding of the outside world. In these labile conditions, young people experience a dilemma in seeking identity. [5] The flow of information and knowledge is taken for granted without careful thought. Vulnerability and lack of understanding of young people facilitate the infiltration of ideas that conflict with state beliefs and ideologies. [6]

Religious radicalism has a bad side and can undermine the plurality of society itself. This is because one of the characteristics of a radical group is to reject pluralism in religion. So far, there are quite a number of radical Islamic groups in Indonesia, including Laskar Jihad, Islamic Defenders Front, Indonesian Mujahidin Council, Surakarta Islamic Youth Front, Darul Islam and Hizb ut-Tahrir. The number of radical groups is only partially, of course there are still many other groups, but it has not yet shown its existence openly.

The development of radicalism spread through various spaces and formal and informal public arenas.[7] surprisingly, radicalism actually developed rapidly through various levels of educational institutions not only on campus but also in schools. [8] Though school is an institution that can shape the mindset and character of students. [9] It certainly becomes a real threat to the life of the nation and state in the future. The spread of radicalism in schools can be through 1. Extracurricular activities 2. Intracuricular 3. Teacher's attitude is permissive. [10] This is very unfortunate because the teacher should be the principal and the ranks of teachers to facilitate the formation of character and critical awareness of students towards inclusive

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[1]Dina Afrianty, Islamic education and youth extremism in Indonesia Journal of Policing, Intelligence and Counter Terrorism Vol. 7, No. 2, October 2012, 134_146

[2]Policy Brief Series, Potret Keberagaman Kaum Muda Muslim Indonesia.
 Issue 6 | Vol. 1 | 2018

[3]Bruinessen, Martin Van, *Genealogies of Islamic Radicalism in Post-Suharto Indonesia.* Southeasth Asia Research, 2002,117

[4]Bamualim, Chaider S, Hilman Latief& Irfan Abubakar (ed).. *Kaum Muda Muslim Milenial, Konservatisme, Hibridasi Identitas dan Tantangan Radikalisme.* Jakarta: CSRC), 2018

[5]Azca, Muhammad Najib. "Yang Muda yang Radikal: Refleksi Sosiologis terhadap Fenomena Radikalisme Kaum Muda Muslim di Indonesia Pasca Orde Baru". Dalam Maarif Vol. 8, No 1: Menghalau Radikalisasi Kaum Muda: Gagasan dan Aksi. 2013.

[6]Opcit, hal. 162

[7]Ibrahim, Dini Wulansari, Novendra Hidayat. Radicalism in Indonesia and the Reflective Alternative to Reduce. People: International Journal of Social Science Volume 3 Issues 3, pp. 155

[8]Ibid,p.156

[9]Ibid,P.159

[10]Abu Rokhmad Radikalisme Islam Dan Upaya Deradikalisasi Paham Radikal Walisongo, Volume 20, Nomor 1, Mei 2012

values.[1] The religious radicalism that has penetrated the school shows the massive Islamization of intolerance that seeks to control public spaces in schools.[2] The dominance of an intolerant Islamist perspective can polarize groups that are considered Islamist and non-Islamic.[3] This reality results in acts of intolerance, anti-diversity and even violence.[4]

Various survey reports show that in the last 5 years radicalism has developed in high school subjects.[5] This is certainly very counterproductive for the survival and stability of the nation and state. Students who are supposed to be the next generation are actually destroying the nobility of socio-cultural values in Indonesia. Schools as educational institutions and intellectual producers are not able to give birth to the nation's successors as expected. Radical groups in the future have the potential to transform into a terrorist movement, although not as a whole.[6]

The results of research at the senior high school in Malang showed the growth of seeds of radical thought.[7] Although the percentage can still be tolerated, the stretching of the development and distribution is very worrying. For example, Students in Malang City strongly agree about the statement "violence is sometimes needed to enforce religious rules" in the amount of 24%. Meanwhile, the answer agreed to be 49%. The hesitant answers were 26%, did not agree 1%, and strongly disagreed with 0% (1 respondent). This number is only from one variable, not yet as a whole. But interestingly, in the process of infiltration and recruitment of members of radical groups in Malang High School, there was an upheaval among students. Some informants stated that they had been targeted and eventually became members of radical groups even though they were not yet official (dibai`at). However, in their development, they tried to get out and decide relations with the group. This is certainly an interesting topic discussed related to what caused them to decide to leave the group? What process of rationalization did they do so that they made a decision to leave the radical group? To get an understanding of this, this article discusses the rationalization of students in the process of disengagement from radical groups in high schools (SMA) in Malang City.

METHODOLOGY

This article is the result of a mixed method research series in 3 favorite high schools in Malang using a sequential explanatory method that combines qualitative and quantitative research. The choice of school is based on the consideration that the school is heterogeneous ethnically and religiously so that it is considered representative to see the process and dynamics of diversity and diversity in schools. Quantitative research was conducted first through surveys to map students' perceptions and acceptances of radicalism.

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[1] Ibrahim, Opcit. P.159

[2] Hairus Salim HS, Najib Kailani,Nikmal Azekiyah. Politik Ruang Publik Sekolah Negosiasi dan Resistensi di Sekolah Menengah Umum Negeri di Yogyakarta. CRCS:Yogyakarta, . 2011,P.14

[3] Dina Afrianty, Islamic education and youth extremism in Indonesia Journal of Policing, Intelligence and Counter Terrorism Vol. 7, No. 2, October 2012, 134_146

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[5] Rangga Eka Saputra. *Api dalam Sekam: Keberagamaan Generasi Z Vol. 1 | No. 1 | Tahun 2018.*

[6] Hasani & Bonar (ed.). 2012. *Dari Radikalisme Menuju Terorisme: Studi Relasi antara Transformasi Organisasi Islam Radikal di jawa Tengah & D.I Yogyakarta.*

[7] Widianto, Ahmad Arif etc. Radikalisme Agama di Kalangan Siswa SMA di Kota Malang dan Batu. Penelitian. Tidak diterbitkan. 2018.

Furthermore, in-depth interviews were conducted with several informants chosen to represent each high school purposively based on the survey results. Although the informants were chosen purposively, the researchers also developed interviews with suggested informants and were considered to be more understanding. For the purpose of writing this article, the results of the interview are chosen based on relevance and arguments with the topics discussed.

Result and Discussion

Radicalism Among Student in Malang: Infiltration and Negotiation

Religious radicalism is a real threat to social and political stability in Indonesia. Social order that is full of diversity and tolerance is interrupted by intolerant and radical actions. In Indonesia, radicalism has multiplied and spread rapidly to various levels of social institutions. Historically, the rise of Islamic radicalism and conservatism in Indonesia was influenced by the Iranian revolution in 1979.[1] The rise of radicalism in Indonesia developed rapidly due to political pressure from the government regime and recolonisation from the United States. [2] In particular Muslim youth, radicalism has strengthened because (1) the phase of political transition (2) the transformation of the Islamic radical movement (3) high unemployment.[3]

Unfortunately, radicalism is now spreading rapidly in educational institutions such as universities and schools.[4] The school seems to be the arena for a variety of ideas and ideologies.[5] The entry of radical ideas into the school environment includes through School Student Organizations, [6] teaching books and LKS Radical Islamic study material,[7] religious extracurricular activities,[8] radical thinking teachers, school alumni who are members of radical groups, and radical education indices. [9] As a result of the inclusion of radical understanding, social life in schools has become intolerant, exclusive, anti-diversity and colored by violence. [10]

Historically, Malang has been associated with the radical Islamic movement which began in 1993 through the introduction of Hizb ut-Tahrir Indonesia in Brawijaya University and Malang State University. [11] In fact, now Malang is often a hideout for terrorism. This shows that the spread of radicalism in Malang does not take place spontaneously, but has been going on for a long time and is endemic in the community.

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Radicalism among high school students in Malang is strong and looks significant. The results showed the response of students in Malang City when given a statement regarding participation in the religious movement showed a very agreeable answer of 43%. Answers agreed at 48%, hesitated at 7%, disagreed at 1%, and strongly disagreed at 1%. This figure is very worrying because the students have the potential not only as victims, but also as agents of the dissemination of radical thoughts in society. The student's concern becomes a dilemma potential. One side of the student has concern for the religion he adheres to. Meanwhile, this concern has the potential to become the capital of infiltrated radicals to spread their understanding.

The survey results with other questions were also surprising. Students stated that they strongly agreed if the Khilafah system was suitable to be applied in Indonesia because it was considered able to bring a good amount of 7%, who agreed there were 57 students with a percentage of 23%, while the answers were doubtful a number of students with 38%, disagreeing at 18%, and strongly disagree 14%. The agreement on the application of the Khilafah system in the context of Indonesia is considered as the seed of radicalism because it seeks to replace the legitimate ideology, namely the Pancasila. The substitution of legal state ideology is one of the characteristics of radicalism according to the National Agency for Combating Terrorism. [1]

Religious radicalism among SMAN students in Malang infiltrated through various media and processes. As explained above, almost all elements and activities in the school have become infiltration gaps in radicalism. That means that school institutions as educational agents are no longer safe and very vulnerable to exposure to radicalism. This vulnerability is caused by the weak awareness and understanding of the school community towards radicalism and the dangers it causes. The offensive process of infiltration of radicalism utilizes the loophole to conduct indoctrination through formal and informal teaching and learning activities, religious extracurricular activities, studies with groups outside the school. [2] In addition to the weaknesses of the school system, the spread of radicalism occurs through student activities on the internet and social media. Contact and involvement of students with teachings and radical groups in the mass media because of propaganda, radicalization images, open access, information exchange and financial benefits. [3]

Students who are exposed to active radicalism then on social media to consume, produce and distribute radical messages. They do that because (1) want to look critical of the government (2) spread hoaxes through their social media accounts (3) make their accounts as a medium of propaganda. [4] The case in Malang High School shows that students attending a study in a mosque and getting acquainted with a child who joined the ISIS group, are children from high school sabilillah. It began with his brother who invited the child to take part in the recitation together in one of the mosques not far from his house. Then, he became acquainted with the child who joined ISIS which was then introduced and entered into the Whatsaap group with a group called "Religious Discussion". From the group, they are often sent from group members in the form of videos about jihad which have the purpose of trying to suggest, so that they are

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[1]Darraz & Qodir, Opcit, p. 11-12

[2]Ibid, 7

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interested in joining ISIS. This shows that social media has succeeded in becoming a transmitter of dissemination of radicalism among students.

The Rationalization of Student Disengangement from Radical Group

The aggressiveness of radicalization in school is indeed successful in recruiting students. some students who were initially easily influenced and joined radical groups eventually tried to escape the snares of radical groups. the desire to get out of radical group ties is based on their rationality towards values and teachings that are believed to be more true than what was taught during the radicalization process. The following is a summary of how the rationalization that students use so that they dare to decide to get out of the chain of radicalism.

Name	Engagement Process	Rationalization Disengagement
Az	Uncle introduced radical teachings through study and war training	Be aware that this has a negative impact and is not in accordance with human values.
Ft	Introduced by school friends	The belief that the right Jihad is learning, not killing
LI	Entered social media application groups by friends	After following the flow of information and the direction of the group's movements, they left the group because they felt that it was not in accordance with their beliefs.
Vr	Introduced by friends and from information on the internet and social media	The view that Islam teaches compassion with fellow humans, not war
WN	Invited by a senior to take part in the study	Get out of the group because they think the study is deviant
WL	Introduced through a telegram application by friends and viewed videos about jihad and ISIS	Jihad does not have to be with war

CONCLUSION

Some previous research shows that religious radicalism has spread to various institutions and levels of society. This research also shown that schools as educational institutions are also inseparable from the infiltration of radical ideas that have penetrated through various processes and media by utilizing the weaknesses of school resilience. students who are supposed to be the next generation of the nation actually become victims as well as agents of the spread of radicalism in society. They belong to radical groups through various recruitment methods. on the other hand, a lack of religious understanding and personal maturity makes it easier for them to be influenced by radicalism. But, students then realized that radicalism is distructive to pluralism practice and infiltrated in their school. The student have rationality based on consideration from ideal values. They perceived that teachings of radical group are irrelevant with ideology of nation-state and religious values. Finally, they dare to withdrawl of group with consequences, some of them are intimidated by radical actor.

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The role of Indonesian migrant workers in the development of halal restaurant business in South Korea

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Abstract

The trend of the halal industry is increasing in South Korea in the last decade. Often claimed as a result of the increasing number of Muslim tourist from Muslim-populated countries to Korea. This claim seems to overlook the role of other communities that more permanently have a more extended stay in Korea comparing to the tourist. They are migrant workers. The presence of migrant workers has contributed to economic progress in Korea, but its existence has not been paid attention in the development of the halal business in Korea. This article tries to give a new insight that the development of the halal industry in Korea, especially halal restaurants, is greatly influenced by the presence of migrant workers from Muslim-populated countries. Korea has become an attractive destination for migrant workers from neighboring countries, including Indonesia. Korea's rapid progress, high level of education of its citizens, and long life expectancy make Korea experience a labor crisis, especially at the level of unskilled workers. Korea opened its job market since 1991, although it had experienced a crisis in 1998 and soon recovered. Now the Korean economy continues to increase. These migrant workers continually advocate themselves to get the right to consume halal food and worship where they work. Their efforts captured by entrepreneurs and thus made consideration in the strategy of developing a halal restaurant business in Korea.

Keywords: *Halal business, Korea, Indonesia Migrant Worker*

Introduction

Migration in the countries of East Asia and Southeast Asia has received less attention from scholars and policymakers. For example, the implication of the migration to the economic developments both home country and receiving country. For example, the increment of ethnic or religious-based business, in fact, this business is contributing to the economics dynamic in emigration country. It is different compared to the Europian country, which the temporary migrant was becoming the permanent resident in 1970s, the Asian countries government did not support permanent settlement for migrant workers (Piper 2004).

However, most migrant workers eventually settle in this region despite strict immigration policies and engage in business activities that go beyond ethnic communities

In the early 1990s, as a newcomer, Indonesian migrant workers in Korea experienced difficult times to adapt to the social and cultural setting of the host country. Halal food, ethnic, and goods services are barely available in the early years. Language limitations make communication with Korean native supervisors very difficult, and those create psychological distress for them. Indonesian migrant workers make many attempts in order to obtain necessary ethnic and religious rights under their beliefs. Presently, it is effortless to find halal food in Korea; one of them is because of their efforts and roles.

The term halal is increasingly sticky in the daily lives of South Korean people. The rapid industrial development of South Korea made this country become the destination of job seekers from various countries, especially from developing countries. The number of visitors from Muslim-populated countries to South Korea continues to increase. Besides, the growth of the Korean cultural industry that is synergizing with the tourism industry is increasingly attracting the attention of tourists from neighboring countries. The increasing number of Muslim visitor, of course, has implications for the unique needs, especially those concerning as living ethnic needs *such as* halal food.

The development of halal industries in developed countries *such as* Korea is often associated with the increasing number of tourists from Muslim-populated countries (Moira, Mylonopoulos, & Kontoudaki, 2012,Yousaf & Xiucheng, 2018,Butt, 2017,Kusumaningrum, Fairuz, Putri, & Amalia, 2017,Boediman, 2017,Olya & Al-ansi, 2018). Tourists affiliated with people who travel to meet recreational and pleasure needs. It can be interpreted that tourists are a group of people who have fulfilled their basic needs, so they try to meet other needs. In various studies of tourist behavior, their motivation is related to the needs and desires (Fodness 2008), they may refer to the specific social class, who may not have struggled anymore to fulfill basic needs. Conversely, migrant workers are people who travel, leave their homeland to achieve the goal to meet the basic needs.

Based on qualitative research conducted in 2018, this article will examine that the development of Islam and the halal industry in Korea influenced by the increasing number of migrant workers in Korea, a particular group who occupy the working-class group. This article also provides an argument that the groups which are considered marginal have a significant role.

The implementation of the concept of Halal in Korea

The concept of halal is based on the Muslim holy book- Qur'an. It mentioned in the Qur'an clearly that Muslims requires only to consume halal and good foods. God's command to eat and enjoy all kinds of halal and suitable that exist on earth to Muslims and human in general. The commandment to enjoy only the halal ones is only a necessity for Muslims in particular and humankind in general, because, behind the halalness, there are benefits. Conversely, the non-halal may contain diseases and threats (Asy-Sya'rawi 1991).

Concerning halal categorization, the determination of halal and haram (non-halal) is the absolute authority of God-Allah SWT. According to Imam As-Syafi'i, one of the most excellent Muslim scholar, the Muslim scholar hated the words of one who directly giving a judgment of halal or haram, unless it clearly stated in the Qur'an. He also narrated many words that were similar to those from another scholar (Asy-Syafi'i 1939). Nevertheless, Sharia, Islamic law determines the principle of halal and haram on something consumed by Muslims. These principles mentioned in the Qur'an (Surah Al Baqarah: 168, Al An'am: 145);

which is forbidden are a carcass, flowing blood, khamr (alcohol), the meat of some clearly unclean (Qaradhawi 1985). Halal and haram are also related to how to get it and consume it (how it was slaughter and hunted).

Furthermore, the theory of halal and haram developed by the Islamic legal methodology. For example, the prohibition of narcotics using the theory of qiyas. Particularly in Indonesia, the halalness of a product to be consumed by Muslims is determined by the IndonesianUlama Majlis (MUI) through the Institute of Food and Drug Research. The Institute of Food and Drug Research applies the eleven standard principles mentioned in the Halal Guarantee System that must be fulfilled by a product. The eleven principles constitute the development of the principles set out by Qur'an using a combination of methods in the form of Islamic Jurisprudence and Maqashid rules (Ali 2016).

The Korean Muslim Federation (KMF) issued South Korea's official halal certification. The KMF is the largest Muslim organization and has been recognized by the South Korea government since 1969 (Shadiq). Later, various citizenship-based Muslim organizations or local Islamic organizations continued to develop in South Korea. Islamic organizations that developed in South Korea are not only a place to organize Muslims but also provide halal certification services. Organizations *such as* Korean Halal Associaton (KOHAS), Korean Halal Export Association (KOHEA), Halal Korea.Co.Ltd, Korean Institution of Halal Industry (KIHI), Korean Halal Center (KHC) and Specialized Halal Food Agency - are organizations for halal product needs in Korea.

Korean society is more and more familiar with the concept of halal. Perceptions of halal by Korean society are very diverse. Meanwhile, the Korean government continues to try and apply the concept of halal according to the sharia, through collaboration with Islamic countries. After running with Malaysia for halal training and certification, in 2015, Korea also signed an MoU with UEA, one of which was about halal certification for Korean products (Shadiq 2017). The aim of the Korean government has always been linked to the expansion of the market for Korean products, especially cosmetics, medicine, and food products as well as the promotion of Korean tourism which is Muslim friendly. Seems to be a paradox that tourists are facilitated by the promotion of halal tourism, while migrant workers who also contribute to economic development in Korea must fight for their rights. All halal-related information in Korea always affiliated with tourism sites targeted at the tourists.

Table 1. Categorization of halal according to Korean

Halal Certified	Halal certificates issued by the halal certification institutions recognized by the Korean government, KMF (Korean Moslem Federation)
Self Certified	All food served at this restaurant is halal because it is own by Muslim. The restaurant owner gives the halal label, not from the KMF.
Muslim Friendly	Restaurants that provide halal menus, but still sell non-halal menus like alcohol. Muslim buyers must open and choose the halal menu. Vegetarian restaurants include in this category.
Pork-Free	This restaurant does not provide a halal menu. However, it will not sell menus containing pork, but they still sell alcohol.

It can be said that the perception of halal is still very diverse and has not sufficiently covered according to the sharia.

Migration and the development of Islam in Korea

Islam entered Korea around the 9th century during the Silla dynasty through Ibn Kurdadbih's records. He wrote about the topography and peninsula led by the Silla dynasty (Jamass). Later, in the 13th-14th century during the Koryo dynasty, many Muslims from Arabia and Persia came to the Korean peninsula, settled and assimilated. However, relations between Korea and the Islamic world were cut off for about 500 years when the Joseon dynasty in power due to a ban on the entry of foreign cultures into Korea.

Islam re-entered Korea around the 20th century when ethnic Russian Kazak Turks fled the Russian Bolsheviks due to political and economic oppression in 1920. Although they established permanent settlements, they moved to various countries when Korea experienced social turmoil when the Japanese leave from Korea in 1945 (Umayyatun 2015). Korea relationship with the Islamic world in the modern era began again with the entry of the Turkish peace army during the Korean War from 1950 to 1953.

Furthermore, Korea became a stable industrialized country in the world. The ideology of liberal capitalism is supporting this country to become an Asian giant industrial country. Korea has become an attractive destination for Indonesian migrant workers too. Korea's rapid progress, high level of education of its citizens, and long life expectancy make Korea experience a labor crisis, especially at the level of unskilled workers. Korea opened its job market since 1991. Although Korea had experienced a crisis in 1998 and soon rose, and until now, the Korean economy continues to increase. The comparatively high wage ratio from the country of origin with Korea is an attraction for migrant workers (Choi and Choi 2005). Not only Indonesia but also other Muslim-populated countries *such as* Bangladesh, Thailand, Sri Lanka, Pakistan, and Uzbekistan. The increasing level of the Korean economy has made almost the majority of Koreans leave the low-sector jobs as they that they called the "difficult-dangerous-demeaning" (3D) jobs. This kind of jobs became a syndrome for Koreans in the 1960s and 1980s (Woo 2018).

As a group that occupies menial jobs, the position of migrant workers is in the lowest social strata of Korean society. In the conditions of such social pressure and cultural shock, migrant workers are often not motivated to adapt cross-culturally or learn the language and culture of the host country, or even maintain contact with host natives (Andolsěk & Sťebe, 2004, Castles & Miller, 1993). They generally expect to return home after their contract finished, or at most three years of bitter privacy surviving for economic gain. The higher status of the natives' workers tends to create alienation rather than solidarity between the two groups in the same working class.

However, culturally Indonesian Migrant Workers benefit from high solidarity and a sense of community among migrant workers. Sociologically, these migrants will continue to strive to maintain their social balance in their new place with various strategies. Migrants formed groups based on their origin, religion, or other similarities that become their identity. One of the strategies undertaken by Indonesian migrant workers is to form an ethnic or sub-ethnic association. There are 35 hobby and ethnic /sub-ethnic-based migrant workers associations in Korea. These community activities based on the practices of religious rituals, *such as* Islamic holidays, recitals, and praying. This kind of activity continues to grow and requires a place to gather and worship at the same time. There is no denying that the increase in the number of mosques in Korea is increasing rapidly, which is mostly established by the Indonesian migrant worker

community. Until now, there have been more than 50 mosques in all of South Korea and the migrant worker's community has initiated all of them. Not only that these communities continue to encourage factories where they work to permit to worship and get halal food. Often food for them is provided by the factory. The availability of halal food and permission to worship certainly requires long and ongoing negotiations. These workers must explain why they have to worship (for example more often is permission for Friday prayers) and what is meant by halal food. As stated in the following interview quote:

> "I work in a metal smelter factory, with minimal rest time. I have moved from the first time I came to Korea three times. I was not permitted to do Friday praying. In the last factory, I got permission for Friday praying. Supervisor asked me why I should pray at a place far away (far from the factory). I tried to explain as much as I could. Besides, I also refused to eat food provided by the factory, because the food was not halal. Supervisor asked what halal mean was? I explained I do not know if he understood or not"(interview with R, July 2018)

> "Todays, in several places in South Korea, especially the area close to the factory there are halal shops. I think this is because many Indonesian migrant workers refuse to eat the food provided by the factory. Moreover, Muslim migrants are very picky in terms of food. Some Korean foods are halal, for example, kimchi, vegetables, and rice, but for meat and chicken, of course, you have to be picky "(interview with B, July 2018)

The portrayal of these cases shows that Muslim migrants apply cultural strategies to seek different levels of inclusion or exclusion of culture, according to conditions of their work, social class, and ethnic culture. It is not merely an effort to counter identity as a migrant worker. The mission of Islam is inherent in every aspect of life. The practice of culture with Islamic background is not just an agent of change nor the preservation of the status quo, but also a planned missionary mission, an efforts to educate the masses (Bauman2011).

Somehow, the contribution of migrants in a country's civilization not always considered. These migrants considered as unwanted people (Athukorala 2003). For example, the case of migrant workers in Korea, even though the recruitment and permit system of migrant workers has improved, but practically the neglection of their ex.istence is still felt. The existence of Migrant workers is often not considered because of several assumptions. First, migrant workers considered as a national threat that effects to the sovereignty of a country. Second, migrant workers are also considered to cause economic losses to the state. Third, migrant workers are also considered to be destabilizing the country with the new cultural influences that they carry (Weiner 2006). This theory seems to contradict the context in Korea. It can be said that migrant workers in Korea take an essential role in improving the Korean economy.

The Struggle of Muslim Migrant Workers

Korean industrial development has reached a stage where domestic industries find it more challenging to compete in the international market because they depend on imported technology and domestic labor, which is becoming increasingly expensive. On the other hand, a small number of Korean companies have grown to become potential competitors in the international market, making foreign companies increasingly reluctant to transfer technology to Korea. Thus, Korea must inevitably develop a robust technological base in the country through research and development (Bartzokas 2005). Korea follows a technology development model that refers to the vital role of national champions in specific industrial sectors. An essential dimension of this model is the creation of backward linkages and long-term production networks with local SMEs. This model works quite well to increase Korea economically.

One of the regions of the most significant industrial complex is Ansan. Ansan is one of the regions where the concentration of Indonesian migrant workers is located. The two biggest Korean national industries, the Baenwol Industrial complex, and the Sihwa Industrial complex are located in Ansan. Both are home for more than 6000 small and medium industries and accommodate more than 100,000 migrants (Kartikasari 2013). Ansan is a city with the largest concentration of migrant workers.

Indonesian migrant workers in South Korea in some ways better compared to migrant workers in other countries. First, they work under the G to G collaboration using the employment permit system (EPS), which allows migrant workers to get wage and welfare rights under the standards of the South Korean government. However, this system does not necessarily guarantee the protection of migrant workers. Many cases, migrant workers still get verbal violence from a native supervisor, unpaid salaries, too long working hours, and limited personal rights *such as* the right to worship (Nugroho 2018).

To fulfill the needs *such as* eating, drinking, and worshiping, migrant workers in Korea often negotiate with native supervisors. The result will depend on the Korean language skills of migrant workers. Commonly, migrant workers get depressed because of the inability to convey what they mean to the supervisor. Here, the role of the Indonesian migrant worker community is crucial. Senior migrant workers, who had previously lived in Korea could assist *such as* how to ask permission to do worship, how to ask whether this food contained pork or not and whether it was possible to get halal food at the factory? Migrant workers community also support each other to overcome feeling stressed and lonely.

The existence of this Indonesian community association is beneficial for migrant workers, especially for the newcomer. Great solidarity is also very evident from the community activities. Some of the associations have a base camp rented from membership fees. The base camp is not only functioned as an organization secretariat but also functions as a shelter for undocumented migrant workers. In the city of Ansan, there is also a mosque built by the Indonesian migrant workers. The Indonesian migrant workers are very proud of this mosque. Indonesian migrant workers sufficiently initiate their establishment. Located in a very strategic location, it is close to the station, and usually, it will be crowded on Friday and Islamic holidays. The mosque building consists of 4 floors. The first floor of the mosque is used as an information area, a storefront of Muslim equipment and halal food, a wudhu area, and a toilet.

The construction of the mosque began in 2007 and was inaugurated on November 2013. The construction of the Ansan mosque costs around 600 million Won, or about 6 billion, almost all of which are donations from Indonesian Migrant Workers. Indonesian citizens get more facilities by occupying the 4th floor of the mosque, which can be used as temporary accommodation and accommodation for mosque administrators.

The construction of the Ansan's mosque is the contribution of Indonesian Migrant Workers to the somewhat strategic development of Islam and the promotion of halal products in Korea. Around the Ansan mosque area, there are many halal restaurants. Although there are various versions of halal understanding between the mosque administrator and worshipers, the mosque administrators strongly recommend eating in only KMF certified restaurants. Even though many restaurants around Ansan are labeled halal or do not contain pork, They are not all certified by KMF. The mosque administrator issued maps of KMF certified halal restaurants around Ansan. This Ansan Mosque is not only beneficial to the Indonesian community but also benefits other Muslims. Mosques not only as physical buildings where worship rituals performed, but mosques are also a symbol of the existence of the Indonesian Migrant Workers community in Korea.

This phenomenon shows that Indonesian migrant workers did what it called public diplomacy (Yun 2012) through efforts to develop their existence by maintaining the right to worship and obtaining halal food and even developing a missionary mission. The existence in the context of public diplomacy is one of the principles of Islamic missionary method (*da'wah*). Islam believes that it is mandatory of Muslim to do the *da'wah* by using three methods; wisdom, good role model, and ethical argumentation (As-Sa'diy 2000). Interestingly, this liberal-democratic South Korea captured this resistance not as an attack on the sovereignty of the state but rather as a new business market that had a transparent target market.

It is not surprising that in the Ansan city area where the research conducted, it was effortless to find halal restaurants from the four categories mentioned previously. Halal restaurants are overgrowing in Ansan, and the number is increasing every year. It is very much related to a large number of Muslim migrant workers in this area. Halal Indonesian restaurants in this region reach 15 restaurants. What is meant by Indonesian restaurants is not only because of the Indonesian owner, but this restaurant also offers menus that are safer for Indonesian Muslims tongue. It is not only Indonesian restaurants but also restaurants from other countries available in Ansan. Besides, the development of halal restaurants is increasingly spreading in the enclaves of industrial complex where there are many Muslim migrant workers *such as* in the Busan and Taegu areas.

However, the fact that the development of halal restaurants in Korea also influenced by migrant workers often ignored by the Korean government and scholars. Korea uses the gastro diplomacy strategy (Rockower 2012) through the promotion of culture and halal food to bring tourists. The development of halal restaurants in Korea is claimed to be the impact of globalization of Korean culture which spurred the desire of tourists from Muslim countries to come to Korea (Han et al., 2019, Yousaf and Xiucheng, 2018, Kusumaningrum et al., 2017, Boediman, 2017, Sadiq, 2017, Moira, Mylonopoulos and Kontoudaki, 2012, Watson, 2012).

Conclusion

This article argues that migrant workers carry out various strategies to adapt and exist as a particular group in Korea. They formed ethnic organizations as a system of solidarity that can help them solve various problems as migrants in Korea. Individually or through the organizations, Indonesian migrant workers in Korea continue to negotiate to get fundamental rights under their beliefs. The development of halal restaurant business in Korea is not solely as a result of the globalization of Korean culture, which continues to promote tourists to visit.

The growing halal restaurant business also increases mixed married in Korea. The increment of the mixed married case probably due to the stringent and nationalist-oriented business licensing system in Korea, while other Korean restaurant entrepreneurs need workers and people who are familiar with the halal concept rather than paying halal certification which is quite expensive. Furthermore, this research found that the ownership of halal restaurant business in Korea is a phenomenon that needs attention for scholars. We offer this as advanced future research in a sociological, cultural, or Islamic perspective.

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Jihad Propaganda of Islamic Populism Groups on Indonesia's Presidential Election 2019

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Abstract

This study examines the motives for using jihad as propaganda tool by Islamic populism groups on Indonesia's Presidential Election 2019. The concept of jihad has been used by this groups to achieve victory or reject defeat. They used the name of jihad to refuse the election results, like in the Constitutional Court and in actions was called "people power" that ended in riots. The question to be examined in this article: what is the propaganda motives for jihad and why did they fail in 2019. This article aims to find the motive for using "jihad" and the causes of failure. This research uses qualitative methods, power relations theory and historical approaches to facilitate the author in collecting and processing data. While the data analysis is done using the theory and approach gradually and layered using the creative imagination of the writer. The results of this study found the propaganda motive of jihad was to win the struggle for Muslim votes in the contestation of presidential elections 2019 and to legitimize their claims as true "Islamic fighters", while the failure of propaganda was mostly due to the ability of Indonesian nationalism and moderate Muslims to build solidity and succeed explain to the public the occurrence of irregularities in jihad teachings carried out by Islamic populism groups.

Key words: *Propaganda Jihad; Islam Populism; Indonesia's Presidential Election 2019*

Introduction

The Islamic populism groups have used jihad as propaganda tool, which was called by President Joko Widodo—popularly known as Jokowi—with the term Russian-style political propaganda on Indonesia's Presidential Election 2019. They always issued blasphemies of slander (firehose of falsehood), hoaxes, lies, deceiving society, destroying democracy, and dividing the NKRI. The aim is to defeat the truth that exists. [1] They also have used religious issues from the Al-Qur'an and Hadiths that are formulated in the form of hoaxes and slanderous news to be disseminated to the public through online media. Supporters of the number 02 presidential and vice presidential candidate Prabowo Subianto-Sandiaga Uno have described that fighting Jokowi is jihad, because Jokowi and his group are enemies of Islam, descendants of communist, and Christian, although Jokowi is devout Muslim. [2] All allegations of slander were addressed to Jokowi with the aim that the public not vote for him on Indonesia's presidential election 2019; became one of the strategies to win Prabowo-Sandi; and make public sympathy for power.

Many researchers before, like Muzayyin Ahyar and Alfitri (2019) explained that there is a new online vehicle. This action continues to be voiced through the internet and social media such as *Facebook, Twitter, Instagram,* and so forth with the jargon *"212 spirit"*. If with "spirit 212" they successfully won the Jakarta's Governorial Election 2017 so with this same enthusiasm they want to repeat the victory to win a higher seat, the president's position as head of state. The voluminous actions of *"Aksi Bela Islam* (Defending Islam action) *212"* sound like an authoritative propaganda jargon which are exhaled to spread the Islamic identity through the internet. this article argues that Islamic social movement in the millennial age—especially in the post 212 movement—has consistency to play a role in political contestation through the Islamic clicktivism. [3]

Azyumardi Azra (2017) has argued that Anies-Sandi's victory in the Jakarta's Governorial Election 2017 era was the victory of The Islamic populism groups, [4] that were rising through "Aksi Bela Islam 212" movement. [5] The movements began with action October 14, 2016 (1410), October 28, 2016 (2810), November 4, 2016 (411), December 2, 2016 (212), February 11, 2017 (112), February 21, (212 volumes 2),

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[1]Kompas TV, "Polemik Propaganda Ala Rusia di Pilpres 2019," Monday, 04 Februari 2019, accessed Juli 14, 2019, https://www.kompas.tv/article.

[2]Berita Internasional, "Pilpres 2019: Didukung Islam Garis Keras, Mengapa Prabowo Masih Bisa Kalah?," April 8, 2019, accessed Juli 14, 2019, https://www.matamatapolitik.com/.

[3]Alfitri, M. A., "Aksi Bela Islam: islamic clicktivism and the new authority of religious propaganda in the millennial age inIndonesia," *IJIMS: Indonesian Journal of Islam and Muslim Societies*, Volume 9, Number 1, (June 2019), 2-3.

[4]Azyumardi Azra, "Populisme Islam (1)," Thursday, Desember 28, 2017 09.24 WIB, accessed 14 Juli, 2019, https://republika.co.id/berita/kolom/resonansi/p1ng1k440/populisme-islam-1.

[5]*Ibid.*

March 31, 2017 (313) , and action May 5, 2017 (55 Action).[6] These actions have been triggered by the statement of Basuki Tjahaja Purnama—popularly known as Ahok—during his visiting to the Thousand Islands on September 27, 2016. Ahok gave a speech in front of the residents by quoting letter al-Maidah verse 51 which essentially stated that the voters were not "deceived" by using the verse to not choose leaders from Christian circles, including Ahok himself.

Ahmad Rizky Mardhatillah Umar (2010)[7] identified the term radical with the Islamic populism groups by borrowing the term Vedi R Hadiz. This article argues that the emergence of radical groups that form as terrorists in Indonesia was not from theology, but came from economic politics. The solution offered is to alleviate the poverty of the Indonesian people. Endi Aulia Guardian (2018)[8] analyzed the origins of the Islamic populism groups, which comes from people who have an interest in power or economic benefits have proved to make political power in the society, rather than religious ideology or teachings itself. The Islamic populism groups often arises and positions itself as the oppressed. The rise of the new Islamic populism model in the Muslim world is actually just another version of populism occurring in the West, as happened in the case of Donald Trump (United States) and Brexit (United Kingdom). The new Islamic populism model is only a form of expression in responding to the development of an economic system that often changes and tends to be detrimental, or even excludes some groups. This study is presented in order to clarify the phenomenon that has occurred in the event of Ahok's defeat in the Jakarta's Governorial Election 2017.

The researchers before have analyzed that the rise of Islam began to develop since the 1980s and thrived since 1998 until now has given rise to the new Islamic populism model. This group believes that only their religion (Islam) is the most righteous, and only Muslims are entitled to become leaders in Indonesia. For this reason, they have legalized "Aksi Bela Islam 212" movement to oppose and reject the regime; and even try to thwart the opponents of political figures who have succeeded, either on the Jakarta's Governorial Election 2017 or the Presidential Election April 2019. The gap is that in research to find the motive for using "jihad" as a propaganda tool for the sake of political power and a factor in its failure on the Presidential Election April 2019.

The solution offered is to re-explain the meaning of jihad in sharia and realign it the motive for using jihad as propaganda tool that has been misinterpreted. Where jihad has been interpreted as fighting

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[6]*Ibid.*
[7]Umar, A. R., "Melacak Akar Radikalisme Islam di Indonesia," *Ilmu Sosial dan Ilmu Politik, Volume 14, Number 2* (Nopember 2010), 169.
[8] Garadian, E. A, "Membaca Populisme Islam Model Baru," *Indinesian Journal for Islamic Studies , Volume 25, Number 3* (2018), 396.

for the sake of the people for the Rida Allah, but for the sake of political power in order to win the political figure, and vice versa, namely defeating political opponents.

The Appearance of the Islamic Populism Groups in Indonesia

The domination and hegemony of Western countries over the Muslim world was the initial phase of the appearance of the Islamic populism groups on the colonialism era. Inequality between social classes becomes specific product born from the womb of the political system that was hegemonic at that time. Such as global Muslim community, the struggle against Western colonial domination (ummah), even though used the concept of Khilafah, is one thing very difficult to realize. Even so, the struggle for justice, social equality, and freedom from the shackles of colonialism continued.[9]

The line of the struggle of the Islamic populism groups incorporated in certain organizations was concern against colonialism which was considered to marginalize Muslims in the early. However, in subsequent developments, the role of these organizations tends to be insignificant. The vocal political figures at the national level are more successful in attracting in the societies. Even in the post-colonial era, the political field was increasingly dominated by secular groups which had an impact on the marginalization of Islamic groups. In contrast to other Muslim regions, Indonesia's Islamic populism positioned the Chinese ethnic more like a "common enemy". On the 1970s era, the Islamic populism groups began to shift to Islamic political activism which intended to replace the state system which was being controlled by an authoritarian regime. This is the initial foundations that form the new Islamic populism model. The cross-class alliance began to form slowly under the banner of Islam, and Islam became an entity of unity in opposing groups considered as enemies, both ideologically and politically.[10] The rise of the new Islamic populism model in the Muslim world is actually just another version of populism occurring in the West, as happened in the case of Donald Trump (United States) and Brexit (United Kingdom). The new Islamic populism model is just a form of expression in responding to the development of an economic system that often changes and tends to be detrimental or even excludes some groups.

Regarding the appearance of the new Islamic populism model in Indonesia, according to Endi Aulia Guardian (2018), it has actually been practiced through a grassroots missionary movement by the Islamic Defenders Front (FPI) under the banner of the National Fatwa Guards - Indonesian Ulema Council (GNPF-MUI)) which later became the National Ulema Fatwa Guards Movement (GNPFU). The

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[9]Vedi R. Hadiz, "Islamic Populism in Indonesia and the Middle East," Cambridge: Cambridge University Press, sebagaimana direview oleh Endi Aulia Garadian, dimuat dalam https://www.researchgate.net/publication/320169192_Membaca_Populisme_Islam_Model_Baru, accessed Juli 16, 2019.

[10]*Ibid.*

missionary movement by confronting the ugliness of the system of the secular state succeeded in gathering many masses. While social media also helped facilitate GNPFU in smoothing out their agendas. In fact, even though Ahok had been imprisoned, they still used the same fuel as the barrage of *"Aksi Bela Islam 212"* movement did. For example, to thwart Jokowi on the Presidential Election 2019, political Islamic groups under GNPFU poured issues through whatsApp, messenger about the position of the Jokowi regime which was not pro-Muslim, the issuance of the Public Order Perppu, and the regime's tendency to defend Ahok the harassing of religion.[11] This study is presented in order to clarify the phenomenon that has occurred in the event of the defeat of Ahok on the Jakarta's Governorial Election 2017.

The Terms of Jihad

The meaning of jihad is often misunderstood by some Muslims today. They use jihad for political purposes only so that it does not meet with the original goal of jihad. This phenomenon can be seen from a series of the terror action in the name of religion (Islam). Jihad which must be fought today is the ability to fight against self-ego, not to take up arms and fight against human beings who are deemed disagree with them. According to Nasaruddin Umar, jihad is not to kill people, but to revive people, to revive dry souls, to revive the economy of weak people, to revive the poor to be excited about life. Jihad is also to revive a sense of optimism in society.[12]

Al-Jihad in general terms it is part of war,[13] Whereas the word jihâd happens altogether 41 times in the Al-Qur'an with the subsequent meanings: (1) attempt a result of theological virtue, (2) war non-Muslim riders exerting pressure to create abandoned Islamic youngsters, (3) solemn oaths and (4) physical strength.[14] Whereas the word al-jiha>d accompanied by the clause fi sabil Allah is listed in the Al-Qur'an as much as fifty times. The word al-jiha>d comes from the word juhd or jahd. Juhd means exerting energy, effort or strength, and Jahd means seriousness in work. According to Imam Raqib al-Isfahani (w.502H / 1108 M), the word jihad in the Al-Qur'an has three meanings, namely: (1) fighting against the real enemies; (2) fighting against *setan*; and (3) struggling with lust. Ibn Qayyim al-Jauziah mentions that jihad consists of four dignity, namely: (1) jihad against lust; (2) jihad against *setan*; (3) jihad against unbelievers (*kafir*);[15] and (4) jihad against hypocrites (*munafik*).[16] So in the opinion of both, jihad is defined as "using or issuing

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[11]Garadian, E. A, "Membaca Populisme Islam Model Baru," Indinesian Journal for Islamic Studies Volume 25, Number 3, (2018), 388.

[12]Bbc news Indonesia, "Jihad, Khilafah, dan Konsep Lain yang Banyak Digunakan Menanamkan Bibit Intoleransi," Mei 17, 2018, accessed Juli 8, 2019, https://www.bbc.com/Indonesia/

[13] Iwansyah, H., "Islam and the Provisions of War", Jurnal *al-Adalah* Volume 15, Number 2 (2018), 327.

[14]*Ibid.*, 328

[15]Unbelievers or polytheists who started a war against the Muslims, see Q.S. Al-Baqarah (2): 190-193.

[16]Abdul Aziz Dahlan, *Ensiklopedi Hukum Islam, Jilid 4,* Jakarta: PT Ichtiar Baru Van Hoeve, 2001, 1395.

energy, power, effort, or strength to fight a disgraceful object in order to uphold the religion of Allah. The intended object is (1) visible enemy; (2) *Setan*; and (3) lust. Whereas jihad in a special sense is usually referred to *jihad fi sabil Allah* (fighting in the way of Allah). [17]

Jihad means fighting against the enemy (*'aduw*), the meaning of jihad above, according to Syarif, is a non-physical enemy, namely *setan*. In the reality that the bombing action, assault, destruction—by some Muslims—was claimed as an action or a jihad movement with a symbol "Allahu Akbar".[18] This is always done by *"Aksi Bela Islam 212"* movement with the motto of jihad in the way of Allah to defend the people, both during on the Jakarta's Governorial Election 2017 or on the Presidential Election 2019.

In fiqh terminology, according to the Hanafi School of Ulama, jihad is preaching to the Islamic religion and war against people who do not accept the mission, both with the wealth or the soul. Imam Syafi'i interpreted jihad as a war against infidels for the victory of Islam. While Ahmad Muhammad al-Huffy interpreted jihad, which is fighting in the way of Allah swt. which is required by sharia in order to face people who are hostile to religion or to defend the homeland of the Muslims and enemies of Islam.[19]

The purpose of jihad that is permissible in the Islamic religion, namely: (1) Jihad in the way of Allah swt. intended to prevent the occurrence of slander, as explained in the Al-Qur'an surat al-Baqarah verse 190 "and fight them, so that there is no longer slander and (so) obedience is solely for Allah. If they stop (from opposing you), then there is no hostility (again), except for the wrongdoers ".[20] On the basis of these verses, jihad is also to defend weak people (*al-mustad'afin*) who have converted to Islam who are tortured by wrongdoers as explained in the Al-Qur'an above.

Jihad Propaganda in Indonesia

The propaganda is a series of messages that aim to influence the opinions and behavior of the community or group of people. The propaganda sometimes conveys the right message, but it is often misleading, where generally the content of propaganda only conveys the facts of choice which can produce certain influences, or produce more emotional reactions than rational reactions. The aim is to change the cognitive mind of the subject's narrative in the target group for specific purposes.

In the politics, the propaganda is a method as well as a very effective tool for gaining the advantage of a political position while at the same time dropping an opponent's political position which is carried out more than once or continuously. Even Jozef Goebbels, Nazi Minister of propaganda in Hitler's era, argued that repeated lies were very effective propaganda. According to him, spread lies repeatedly to the public

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[17]*Ibid.*

[18] Syarif, *Proporsionalisasi Makna Jihad: Satu Titik Ikhtiar Deradikalisasai,* Yogyakarta: LkiS, 2019, 217-218.

[19]Abdul Aziz Dahlan, *Ensiklopedi . . .,* 1396.

[20] Q.S. Al-Baqarah (2): 190

because repeated lies will make the public believe. He taught that the greatest lie is the truth that is changed only slightly.[21]

On the basis of the above study, the word propaganda is often perceived poorly. This is reasoned because propaganda is a political tool for those who want to win the fight with a variety of negative approaches. The main goal is to foster hatred of the enemy, to preserve the friendship of allies, and to destroy the spirit of the enemy.[22] Such as thing has also been practiced in Indonesia since the emergence of the political Islam movement (Islamist), which has begun to exist since before Indonesian independence, and began to rise after the fall of the new order regime on 1998 until now.

The political Islam movement (Islamist),[23] characterized by two models of movement; namely structural and cultural. The *first* movement model was marked by the rise of Islamic parties, such as the Moon Star Party (PBB), The Islamist Prosperous Justice Party (PKS), Community Awakening Party (PKU), New Masjumi Party, and United Party (PP). The *second* movement model was marked by the emergence of Islamic mass organizations, such as the Islamic Defenders Front (FPI), Laskar Jihad (LJ), Indonesian Mujahidin Council (MMI), Hizb al-Tahrir Indonesia (HTI), and following other movements that have existed since The New Order, such as the Indonesian Muslim Workers's Association (PPMI), and the Indonesian Committee for Islamic World Solidarity (KISDI). Islamic movements use the concept of jihad as propaganda tool, shouting calling for a totalitarian world order by holding discourses and religious activities aimed at sowing norms, symbols, and rhetoric filled with suspicion, hatred and even violence. As proof, there have been bombings everywhere, such as in Bali on October 2002 and 2005, at the Marriot Hotel and Australian Embassy in Jakarta on 2004, Marriot and Ritz-Carlton Hotels in Jakarta on 2009, and near the Church of Christ Cathedral, Serpong, on 2010-2012.[24]

The Appearance of Islamic parties and Islamic mass organizations that have led to a model of Islamic populism that is identical with jihad propaganda. But it is also often used by political figures in order to support a seat of power. The proof is related to President Jokowi's victory on the Presidential Election 2014. Where the losing candidate continues to invite Islamist groups to exist in the public space by

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[21]The Religious Movements Page: Conceptualizing "Cult" and "Sect". *Archived from* the original *on February 7, 2006,* accessed Juli 14, 2019.

[22]Severin Werner J, James W. **Tankard**. **Jr**. 2001. "Teori Komunikasi: Sejarah,Metode,dan Terapan dalam Media Massa. Jakarta," 2001, accessed Juli 14, 2019, https://www.penalutim.co.id/2019/02/09/pengertian-propaganda-politik-dan-tujuannya/

[23]Islamist is mass movement, for social change due to dissatisfaction and disappointment with regime that is considered authoritarian and does not care about people's poverty. Its characteristics, this movement was followed by period that was quite large and difficult to fight. Mahmudah, S., "Islamisme: Kemunculan dan Perkembangannya di Indonesia," *Jurnal Aqlam: Journal of Islam and Plurality*, Volume 3, Number 1 (2018), 5.

[24] *Ibid.,* 5-6.

inciting the ordinary people with bursts of slander and hoaxs by accusing Jokowi of being a descendant of PKI, which in fact is no longer feasible to appear in the current Indonesian context. This is different era, that the issue of PKI is only a political issue to bring down opponents and search for the weaknesses of opponents.[25]

The practice of using jihad as propaganda tool by Islamic populism groups was truly evident on Jakarta's Governorial Election 2017. Anis-Sandi's victory based on the results of the Qiuck Count and Real Count went smoothly—this was inversely proportional to what happened on the Presidential Election 2019 ago— because Ahok felt loyal and immediately congratulated the elected governor Anis-Sandi. This phenomenon of victory was the basis for Islamic populism groups in Indonesia and has created euphoria about the unity and revival of Indonesian Islam (religiously, politically, and economically). They were feeling most existent among adherents of other religions in Indonesia. They were having high confidence in facing on the Presidential Election 2019. Especially after they managed to imprison Ahok for 2 years, their strength seemed to more increase.

The concept of jihad propaganda used by Islamic populism groups before and after the Presidential Election 2019 was a continuation of the form of euphoria on Jakarta's Governor Election 2017. The concept of jihad was used by this group in order to reject the rival opponent Anies-Sandi, namely Basuki Tjahaja Purnama—popularly known as Ahok—who was considered an infidel and was not suitable to become Muslim leader. Their motto was that "We are Muslims, and we must support Muslim leaders". So the use of the concept of jihad was very much related to the existence of power relations in order to achieve the victory of power politics.

Islamic populism groups, like the Islamic Defenders Front (FPI), were already convinced and confident that the jihad propaganda strategy was a weapon, both for Anies-Sandi who has already won and Prabowo-Sandi also wins on the Presidential Election 2019. This group has made a decision as anti-Ahok group on Jakarta's Governorial Election 2017 and then also anti-Jokowi on the Presidential Election 2019.

The Islamic populism has carried out attacks, claiming that Ahok committed blasphemy of religion (Islam), and who choose Christian, they will go to hell. The reason is that they were Jihad in the framework of defending Islam which Ahok had abused with a statement "lied to using verse al-Maidah verse 51". This jihad has given rise to the name they patented with "*Aksi Bela Islam* 212 movement".[26]

Jihad was used as propaganda tool in the form of demonstration titled "*Aksi Bela Islam* 212 movement", which was also done in volumes. *Aksi Bela Islam* volume I, which was fronted by hundreds of

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[25]*Ibid.*, 7.

[26]Alfitri, M. A., "Aksi Bela . . ., 3.

members of the Islamic Defenders Front (FPI) or the puritanical Salafist groups under the leadership of Rizieq Shihab, was held in front of Jakarta City Hall on October 14, 2016. They demanded the arrest of Ahok. Furthermore, *Aksi Bela Islam volume* II has been held on November 4, 2016 (Action 411), December 2, 2016 (212), 11 February 2017, 21, February 2017, March 31, 2017, May 5, 2017.[27] The reason, according to Rizieq Shihab This Action was carried out solely in search of *Rida Allah*.

The word Rida Allah was used in order to get the sympathy of the people by The Islamic populism groups which continues to be crawled to all corners of Indonesia. In the end, this group succeeded in establishing Prabowo-Sandi as presidential candidate who would be defended to the last drop of blood for the sake of Islam and for geting *Rida Allah*. It turns out that some Indonesian Muslim communities believe and tempted even by fanatics to support the president they have chosen according to their scholars. Many Muslims have become militants both from the mothers and fathers, from young and old to children. Prabowo courted the 212 movement assiduously.[28] They want a more overtly and devoutly Islamic society and believe that the state of intervention should be in religious and social affairs to bring this about.

The results of jihad propaganda for geting of *Rida Allah* greatly ignited the spirit of hardline Islamists, so Habib Rizieq Shihab, founder of the Islamic Defenders Front (FPI) wanted the Prabowo camp to reuse that strategy to overthrow Jokowi. But Jokowi was vigilant and realized that he might lose his efforts for the second term, and decided to protect himself by working with the largest Muslim organization in Indonesia, the Nahdlatul Ulama (NU).

"According to Greg Fealy, NU has two main reasons for backing Jokowi: the first is patronage. NU, despite its vast size, is a relatively asset and program-poor organisation. It has historically placed great store on using politics to increase the flow of funds and lucrative positions to the organisation and its leaders. Jokowi has been willing to dispense favours to NU. Crucially, the organisation's president, Ma'ruf Amin, was picked, albeit reluctanly, by the president to be his running mate.

Jokowi's decision to choose Ma'ruf Amin as his vice-presidential candidate was widely seen as an attempt to appease Islamists as the NU president, who was also chairman of the National Ulema Council (MUI), had played an enabling role in the 212 Movement by issuing a MUI fatwa that Ahok was a blasphemer. But the over-riding reason Ma'ruf Amin was selected was because NU threatened to withdraw its support from Jokowi's candidature if one if its own leaders was not picked.[29]

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[27]*Ibid.,* 4.

[28]Greg Fealy, "*Indonesia's Growing Islamic Divide*," Mei 4, 2019 19.48, accessed Juli 8, 2019, https://m.facebook.com/story.php?story_fbid=962311207308233&id=100005880883564.

[29]*Ibid.*

The second and perhaps more important factor in NU siding with Jokowi is ideological. NU regards itself as the central pillar of moderate, pluralistic Islam in Indonesia, something that it regards as integral to the nation's identity." [30]

Motives for Using Jihad by Islamic Populism Groups

Jihad was used as propaganda tool by the Islamic populism groups in order to win the struggle for Muslim votes in the contestation of the Presidential Election 2019, and to legitimize their claims as true "Islamic fighters". But it has been alleged that there was the Russian propaganda polemic. As an indication, there was success team that uses Russian-style political propaganda. They produce bursts of slander and hoaxes (firehose of falsehood), like used by the United States Rand Corporation political consultancy in 2016[31] and known as the propaganda Russia technique that has carried out on 2012-2017 in the Crimea crisis, the Ukrainian conflict, and civil war in Syria.[32] As well on the United States's Presidential Election 2016 against Hilary Clinton, operation technique of slander burst that was produced massively and simultaneously through the media coverage they had.

Russian-style jihad propaganda was produced, created and distributed in high numbers and frequencies, via various social media channels, quickly, continuously and repeatedly. The goal, *the first*, is to make lies, undermine democracy, divide NKRI against the truth.[33] *The second*, brainwashing of the community to receive an awareness that is not objective, starts with creating information or news. After that the supporting facts were created so that the news began to be believed to be true.[34] *The third*, is to benefit from political position, while at the same time dropping the political position of his opponent. *The fourth*, is to win the struggle for Muslim votes in the contestation of the Presidential Elections 2019 and to legitimize their claims as true "Islamic fighters".

The spirit of jihad as true warrior defended the people, for the sake of the people, as always said by supporters of candidate pair number 02 Prabowo -Sandi. If there were no other interests except just to defend the people. This is the populist style that was practiced by Prabowo and his supporters on the pre- and post-Presidential Elections 2019. Jihad has been used as propaganda tool for The Islamic populism groups in the fight for victory and resistance to violence and accuses KPU of cheating. Behind the spirit of

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[30]*Ibid.*

[31]Lizsa Egeham, "Pemilihan Presiden, Semburan Propaganda Rusia dalam Pilpres 2019," February 3, 2019, accessed Juli 17, 2019, https://www.liputan6.com/news/Raju

[32]*Ibid.*

[33]Kompas TV, "Polemik Propaganda Ala Rusia di Pilpres 2019," Monday, February 4, 2019, accessed Juli 5, 2019, https://www.kompas.tv/article/40196/saat-propaganda-rusia-warnai-pilpres-indonesia

[34]Syahganda Nainddolan, "Pilpres, Propaganda Rusia dan RAND Corporation," Wednesday, Juli 3, 2019, accessed Juli 9, 2019, https://m.republika.co.id/

jihad, there is actually meaning behind the meaning, namely that between the Islamic populism groups and Prabowo-Sandi were mutually wanting to be in power. The reason is that the Islamic populism groups really want Indonesia to be won and controlled by Muslims in order to practice their programs that have been delayed, namely making Indonesia sharia. Whereas Prabowo-Sandi definitely wants to be won on the Presidential Election 2019 defeating their rival Jokowi-Ma'ruf, just for the seat of power, namely the Indonesia's president position.

Jihad Propaganda Before the Presidential Election 2019

The Islamic populism groups have used "jihad" as political propaganda tool on the Presidential Election 2019. The Jihad even though it is not interpreted by this group as war to kill people on the battlefield still interpreted the struggle in hard way, against and overthrowing tyranny, and the Kufr system. The most commonly used propaganda technique was name calling, which is labeling badly to opposing parties or opposite, and on the contrary, they used *bandwagon* techniques by the way of blaming certain groups, who are friends.

Jihad propaganda forms used by Islamic populism groups to carry out the mission of winning the candidate pair number 02 Prabowo-Sandi, before the Presidential Election 2019, among others: the *first*, Viral #2019GantiPresident (#2019ChangePresident), this hashtag was the target of jihad propaganda movements to attract millennial and womens. The presidential change hashtag action was created by the politician of The Islamist Prosperous Justice Party (PKS), Mardani Ali Sera, as the antithesis from the campaign of Jokowi's supporting on social media. This action has been welcomed with great enthusiasm by Neno Warisman for inviting the President's Change Volunteers (RGP) to wealth jihad and prayer safaris towards April 17, 2019. According to Amien Rais, if millions of Muslims pray together, the sky door opens, and prayer will come true.[35] This is the sample of jihad propaganda used by supporters of Prabowo-Sandi's victory before the presidential election 2019.

The Second, #2019PrabowoJadiPresident (#2019PrabowoBecomePresident). Habib Rizieq Syihab used jihad propaganda remotely. The sample, he has sent a voicemail from Mecca which was played at 212 world awarding night, on December 2, 2018. He instructed the stronghold of Prabowo -Sandi to continue to increase the #2019GantiPresiden, and change it to #2019PrabowoJadiPresident at the beginning 2019. The aim was to make Prabowo-Sandi's winning mission more focused.[36]

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[35] Nur Azizah Rizki Astuti, "Neno Warisman Ajak Relawan Ganti Presiden Jihad Harta," Desember 2018, accessed Juli 8, 2019, https://m.detik.com/news/berita/

[36] You Tube CNN Indonesia, Januari 8, 2019 accessed Juli 12, 2019.

The Third, the Grand Reunion 212 held at the National Monument (Monas-Jakarta), permitted by Anies Rasyid Baswedan as governor of Jakarta[37]-on Sunday, December 2, 2018—was another form of jihad propaganda other than the one mentioned above. This jihad propaganda movement was accompanied by *dzikir, istighasah kubro*, and *tausiyah* from various leaders and scholars. This movement was a form of jihad propaganda practiced by Islamic populism groups to give confidence to the general public that the candidate pair number 02 Prabowo-Sandi received support from the ulema and could bring Indonesian change to a better direction. But this was only according to Islamist groups supporting Prabowo-Sandi.

The Fourth, the Great Campaign at Gelora Bung Karno (GBK) in the run-up to the Presidential Election 2019 which began early in the morning at 03.00 am, began with the *tahajut* prayer and morning prayers in congregation. In addition, also recited dhikr and prayers together, *salawat badar*, and *salawat* of the Prophet echoed on GBK before the grand campaign took place at 07.30 am. The figures present and delivered prayer for the candidate pair Prabowo-Sandi, among others, namely: Habib Syekh Bin Abdul Qadir Assegaf, Habib Hanif, Ustadz Bakhtiar Nasir. While the supporters present can be estimated at more than 1 million people.[38] The practice of *safari* prayers initiated by Neno Warisman was truly demonstrated in this event, and all of them who use this joint jihad, the doors of the heavens will be opened, their prayers granted, and "Win Gerindra, Prabowo President".

Jihad Propaganda Rejects Post-Election Defeat

The form of jihad propaganda used by Islamic populism groups after the Presidential Election 2019 was 21-22 May 2019 action. It was called people power or the National Sovereignty Movement (KNGR) carried out by Prabowo-Sandi supporters. The aim was to encourage investigation in the case of allegations of 2019 electoral fraud. This movement by Amien Rais and his group was referred to as jihad in the way of Allah or constitutional jihad. Whoever joins the demonstration on May 21-22, he has carried out jihad. Even to strengthen the propaganda narrative was made that the Prophet had fought in Ramadan. This is an example of twisting the meaning of jihad in the interests of power politics.

Another form of jihad that occurred in the context of rejecting the announcement of the vote acquisition results of the national election April 17, 2019 by the Election Commission (KPU) on 21 May 2019[39] was the jihad tour movement with the term "Jihad Surabaya-Jakarta". There were several types of

[37]Slamet Ma'arif, "Anies Beri Izin Gelar Reuni Akbar 212 di Monas 2 Desember 2018," Friday, November 6, 2018, accessed Juli 12, 2019, poskotanews.com/

[38] Liputan6.com, "Kampanye Akbar Prabowo-Sandi, Jalan di Sekitar GBK Senayan Macet," April 7, 2019, accessed Juli 1, 2019, https://www.liputan6.com/read/

[39]The number of votes obtained by Jokowi-Ma'ruf was 85,606,362 or 55.50 percent of the votes, while Prabowo-Sandi's vote was 68,650 or 44.50 percent of the vote. The second difference in votes was 16,957,123 or 11 percent of

packages offered, namely: (1) the large bus containing 50 people for Rp. 450,000, -; (2) mini bus packages containing 30 people RP. 400,000, -; (3) elf cars for 12 people RP. 600,000 and (4) Toyota Avanza, Daihatsu Xenia, or Suzuki Ertiga cars for 6 people RP. 600,000. The tour departs from Surabaya to Jakarta on May 19 at 06.00 WIB. Then returned from Jakarta to Surabaya on May 23 at dawn. The last payment was May 17, 2019.[40]

As well, there are chain messages that spread on social media, calling peaceful actions or people power as jihad, and calling on people to participate. One of the demonstrators who invited the demonstration as jihad was the chairman of Fatwa National Movement (GNPF) the Bogor Ulema, Iyus Khaerunnas. According to him, the jihad in addition to fighting the fraud of the Election Commission (KPU) and the presidential election was also jihad against the tyranny of the government that protects communists. When Iyus was arrested, his attorney said that the Chairman of GNPF-U Bogor Iyus Khaerunnas did not call for jihad war in the 22 May Action, but rather for constitutional jihad to obtain justice and protest the alleged election fraud. However, whatever was said, the invitation sparked chaos during the demonstration in front of the Bawaslu and its surroundings so that it burned many cars in Jakarta.[41] The protest against the results of the Presidential Election 2019 was initially peaceful, in line with the rally's appeal on behalf of peaceful "people power", but in the evening, it ended in rioting after several groups of demonstrations which took place anarchists emerged.

The Failure of Jihad Propaganda

Identity politics, such as the jihad propaganda used by Islamic populism groups, failed to win number 02 president and vice-presidential candidates. These various propagandas contained, among other things: massive hoaxes, slander, spreading fear, pessimism, scolding each other, and spreading hatred. The jihad propaganda strategy which was successfully carried out on the 2017 Jakarta's Governor Election 2017, failed to continue on the Presidential Election 2019. The politics of identity failed in gaining public sympathy, beause in the reality that only a small proportion of the community agreed with the ways of Show of Force religion in the political activities.

votes. Kompas.com, "KPU: Pengumuman Hasil Perolehan Hasil Perolehan Suara Bukan Pengumuman Pemenang Pemilu," May 21, 2019 11.52 WIB, accessed Juli 10, 2019, https://nasional.kompas.com/

[40] CNN Indonesia, "Simpatisan 02 di Surabaya Kemas Aksi 22 Mei Jadi 'Tour Jihad," May 17, 2019, accessed Juli 8, 2019, https://m.cnnindonesia.com/nasional/

[41]**Mata-Mata Politik, "Berikut Syarat dan Makna Jihad: Aksi 22 Mei Tak Bisa Disebut Jihad,"** May 23, 2019, **accessed Juli 10, 2019** https://www.matamatapolitik.com/polling-in-depth-berikut-syarat-dan-makna-jihad-aksi-22-mei-tak-bisa-disebut-jihad/

The understanding of the people who were able to distinguish between the true jihad of false jihad was the impact of enlightenment which was continuously carried out by ulema and other educated people in various media. These Islamic scholars said that the jihad propaganda movement carried out by Islamic populism groups in front of the Bawaslu and the Election Commission's (KPU), or the hoaks spread by Sarumpaet, as well as other actions, was the political movement wrapped in religion. The 212 movement or GNPFU in its various actions was expressly stated as the political movement to gain political power. With continuous explanations verbally, in writing, in various media, the public knows a lot about the mistakes of the Islamic populism groups movement which was considered "masked" by this religion. Therefore, many people have not sympathized with the way or propaganda of 212 groups or Islamic populism groups. Community groups who like ceremonial religion in the political activities were only 212 alumni and supporters, whose numbers were very limited, and generally this Muslim segment was dominated by The Islamist Prosperous Justice Party (PKS) cadres and supporters, also from Hizb al-Tahrir Indonesia (HTI) supporting supporters, and the Islamic Defenders Front (FPI), even if there were Nahdliyins involved, very few in number.

The reality mentioned above can be used as reason for the failure of the use of jihad propaganda in the Presidential Election 2019. *The first* reason is that the public has increasingly intelligently filtered where the information was based on reality and lies. The second reason, there are several bursts of lies uncovered, for example the case of Ratna Sarumpaet who later admitted that she lied had been beaten by an unknown person.[42] Then there was the news of the hoax that Neno Warisman's car was burned by someone, but the police clarification ensured that Neno's car caught fire due to a short circuit in the car's electrical system. This is an example of jihad propaganda practiced by Ratna Sarumpaet and Neno Warisman to support the candidate pair 02 Prabowo -Sandiaga, but by lying to the public. This case is clearly detrimental to Prabowo-Sandi and certainly very beneficial for Jokowi. So it is not wrong if Jokowi gives praise that Ratna Sarumpaet is an honest person.[43]

The third reason, there was a counter-movement that has been carried out by volunteers for presidential and vice-presidential candidate No. 01 Jokowi-Ma'ruf, namely "Gerakan Kampung Jokowi (the Jokowi Village movement)" which was located in Lubang Buaya Village, East Jakarta on February 26, 2019. The movement was held by supporters Jokowi joined in Posraya Indonesia. The aim was to conduct a positive campaign without hoaks with local residents in order to address the rampant negative campaign

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[42]Fahreza Rizky, "Stretegi Semburan Fitnah Pada Pilpres 2019 Dinilai Akan Gagal," Saturday, February 9, 2019, accessed Juli 14, 2019, https://news.okezone.com/read/

[43]Muhammad Genantan Saputra, "Jokowi Sebut Ratna Sarumpaet Jujur: TKN Nilai Sindiran Untuk Kubu Prabowo," Monday, February 4, 2019, accessed Juli 9, 2019, https://m.merdeka.com/

against Jokowi-Ma'ruf on the Presidetial Election 2019.[44] Tri Gaman (47), a citizen of Gg. Haji Buang, RW 05 Lubang Buaya said that in "Gerakan Kampung Jokowi (the Jokowi Village movement)" event they also promoted a program that President Jokowi had worked on the first period. Examples such as land certificate distribution program, Healthy Indonesia Card (KIS), Smart Indonesia Card (KIP), and Hope Family Program (PKH).

The fourth reason, Jokowi has chosen Ma'ruf Amin who was the main cadre of the Nahdlatul Ulama (NU), this was an ideal representation of the East Javanese people, the majority of whom are nahdiyin groups.[45] The Javanese term "tumbu nemu tutup (pan met pot lid)". This was also the answer to the accusation of the candidate pair 02 support groups that Jokowi was PKI and anti-Islam.

Conclusion

The results of this study found that the motive for using jihad as propaganda tool was closely related to the existence of power relations in Indonesia. The aim is to win the struggle for Muslim votes in the contestation of presidential elections and to legitimize their claims as true "Islamic fighters". But it has been alleged that there was Russian propaganda polemic. There were bursts of slander and hoaxes that continue to be produced, created and distributed in high numbers and frequencies, via various social media channels, quickly and continuously and repeatedly. The goal, *the first*, was to make a lie, destroy the democracy, and divide NKRI to beat over the truth. The second, the brainwashing of the community to receive an awareness that was not objective starts with creating information or news. After that, the supporting facts were created so that the news began to be believed to be true. *The third*, was to benefit from the political position while at the same time dropping the political position of his opponent.

However, the role of ulema and moderate scholars succeeded in counteracting the discourse on jihad propaganda, and succeeded in dismantling slander and hoaxes in the use of jihad, as well as direct action movements in society, have been the cause of failure of jihad propaganda on the Indonesia's Presidential Election 2019. While the victory Joko Widodo-Ma'ruf Amin on the Presidential Election 2019 was a major role of the main cadre of the Nahdlatul Ulama (NU), this was an ideal representation of the people on the island of Java, especially Central Java and East Java, the majority of whom were nahdiyin groups.

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[44]Dwi Bowo Raharjo dan Fakhri Fuadi Muflih, "Buat Gerakan Kampung Jokowi, Cara Relawan Tangkal Hoaks," Thursday, February 28, 2019, accessed Juli 14, 2019, https://amp.suaracom/nens.nasional/

[45]Yenny Wahid. *Paslon 01 Ulama, Paslon 02 Ubaru.* (Minggu, 07 April 2019 13.46, accessed Juli 10, 2019, https://m.cnnindonesia.com.

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Islam *Abangan* and The Practice of Wife's Exchange in Central Java, Indonesia

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Abstract

The aim of this research is to reveal the phenomenon of wife exchange in Semarang, Central Java, Indonesia. This paper answers the motivation of the doers, the people's opinions and the status of children as the results of this exchange, if there is any. This research is descriptive qualitative in nature with phenomenological theory. To answer the questions, the writers used observations to the village and the doers, and deep interviews to the doers, the neighborhood, and some *ulama*. The results show that with all residents in Ngasinan as Muslim, they are identified as *santri, priyayi* and *abangan* and those performed wife exchange are members of *abangan* group. The motivations of the wife exchange are 1. to have children, 2. to solve economical problem, 3. To do ritual performance for better prosperity, and 4. to have fun. It is also found that those doing wife exchange are farmers with lacked of education and also with minimum understanding of Islam but hold Javanese traditions stronger than the Islamic practices. Even the *ulama* cannot stop this practices they always suggested the people to stop doing the practices.

Keywords: *Wife Exchange, Javanese, Islamic practices*

Introduction

In Islam, adults who physically and financially secure are recommended to get married to prevent some indulging in illegal sex as there is no sex permitted outside of marriage. Sexual desire is human nature and marriage is seen as the only way to fulfill sexual desire that also serves to preserve human well-being and dignity
[1]. There are many benefits of marriage such as to continue the bloodline and also the family name as is the case in some Indonesian regions such as Maluku, Batak and Manado where the children take the family

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[1] Jamiah Manap et al, *The Purpose of Marriage Among Single Malaysian Youth*, World Conference on Psychology and Sociology 2012, Procedia - Social and Behavioral Sciences 82, 2013, page 112 – 116.

name of their father. Being married also will vent the sexual desire and assist you to get peace of mind.[2] Asghar Arabian added that family is also created in order to satisfy human needs and instincts.[3]

Marriage, which is in the Arabic term is 'zawaj', stands for association and coming together[4]. This term is used in the Holy Quran in the same sense of bringing together or of being together. Marriage is defined in the Qur'an surah 30 verse 20 as a compassionate and peaceful relationship that is grounded in love[5]. Marriage can be defined as a physical and spiritual bond between husband and wife which is a strong and holy covenant[6] and should be preserved forever to embrace a prosperous future. Therefore, marriage is an institution to legalize intimacy that is prohibited when a person is not married. Because of its holy covenant, marriage comprises of the act of worship (ibadat) as well as muamalat[7], and by marriage a person is obeying God's teaching. Therefore, beside marriage must be based on loyalty and love to each partner, it should be to Allah. There can be no intimate affair in every any family life. In the Quran it is mentioned, "Your wife is like your field, so please plant as you wish." (Al-Baqarah; 222). However there are lot of differences between your wife and your field. You may receive rent or sell your field but your wife is not for rent or for sale. From here it can be understood that religious instruction to marriage does not just to fulfill desire for lust, but lead human beings to achieve peace and happiness in life as it is actually one of the most important of life menu. Furthermore, a husband normally does not allow his wife having intimacy with other man as well as wife will never permit her husband to do the same with another woman because it contradicts with the main goal of marriage life. Religiously this kind of intimacy is adultery, one of the big sins in Islam.

Ideally, families should lead all members whether wife, husband and children, to achieve life happiness, here and the hereafter as the Quran reminds to the believers "Assure you and your family from hell." Happiness is keeping away from hell." (At-Tahrim; 6). The couple, particularly father is responsible to keep the family unity members in harmony by having religious guidance and to prevent the couple from divorce.

It is mentioned in the Quran, "Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they (husbands) spend prosperity to support them (wives) from their means. Therefore, the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would them to guard...." (an-Nisa; 34). This verses showed that both men and women have their duty and right in marriage life and the right of a party confers an obligation on the other and vice versa[8]. The main massage of this verse is inviting both husband and wife to make effort realizing harmonious situation, by committing to their household tasks, and avoiding any conflict.

Although in a small number, fact shows that lot of couples cannot easily keep the unity in their marriage and finally they end it by divorce. Although divorce is not prohibited, it is strongly discouraged in

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[2]Hadith reported by. al-Bukhari; 5065, Muslim; 3464, Ahmad; 3592, Abu Daud; 2048, Ibn Majah; 1845.

[3]Asghar Arabian, *The Rights and Duties of Spouses in Viewpoint of Koran and Jurisprudence*, International Journal of Academic Research in Business and Social Sciences, Vol. 6 (1), January 2016.

[4]Hayatullah Lahuddin, The Contract of Marriage and Its Purposes from Islamic Perspective, *Asian Social Science*, Vol. 10, No. 2, 2014.

[5]Maha Alkhateeb, *Islamic Marriage Contract: A Resource Guide For Legal Professionals, Advocates, Imams & Communities*, Peaceful Families Project, Asian & Pacific Islander Institute on Domestic Violence, and Bat tered Women's Justice Project, 2012.

[6]Andrea Büchler and Christina Schlatter, Marriage Age in Islamic and Contemporary Muslim Family Laws: A Comparative Survey, *Electronic Journal of Islamic and Middle Eastern Law*, Vol. 1, 2013, H 39.

[7]Aayesha Rafiq, *Role of Guardian in Muslim Woman's Marriage: A Study In The Light Of Religious Texts*, IJISET (International Journal of Innovative Science, Engineering & Technology), Vol. 2 (4), April 2015.

[8] Lawal Mohammed Bani and Hamza A. Pate, *The Role of Spouses under Islamic Family Law*, International Affairs and Global Strategy, Vol. 37, 2015.

Islam.[9] There are various major reasons for married couple to divorce, one of them is infidelity or indulging in a love affair. As Scott et al found in their study, which was conducted among the divorced-married couples, that infidelity was the second most cited reason for divorce[10], while Paul R. Amato and Denise Previti found similar result that infidelity was the most commonly reported reason for divorce[11]. Therefore, keeping away from affairs is the most important points for all married couple in the context of creating harmonious relationship, particularly between husband and wife.

There has been an unusual phenomenon arise in a village that the writer went to. It is Ngasinan village, Susukan, Semarang Regency. They are Javanese-Muslim. There is a number of married couples had been exchanging partner for varies purposes that is not easy to accept in normal village life; so it is interesting to investigate in a serious scientific research. The problem is how the Javanese-Muslim community commits this action while Islam forbids it. Normally Muslim people know that it is prohibited. Probably they do not know it. Besides that, we may ask the question if Javanese culture tolerate the wife exchange. The research question is including (1) how the phenomenon of "the wife exchange" has happened; (2) the motivations of this kind of marriage; (3) and the society responses about it. Other questions arise concerning (4) childbearing status caused by this wife exchange. Furthermore, in the middle observation the writer investigate the educational and religiosity background of the village residents to understand the reason of this strange activity. Such a myth of sexual rituals in marriage life have been investigated in Indonesia, such as in Sragen, Central Java[12] which has been documented in youtube channels[13] and raise a that requires the pilgrims of the Tomb of Prince Samudro.[14] Unfortunately, there is no explanation from government about this ritual weather to support or stop. However, the government has created the location to be beautiful as it is tourists object.

No less interesting than the story above was a research report about a community exchange partners so-called as swinger community in Jakarta. The swinger community is like a collection of sex parties. The people want to have some sex experiences with many different couples. They thought that sex is the ultimate pleasure, and the sex activity in swinger community can accommodate their purpose. This group is quite closed but really exists. One of them admitted to join the swinger community because he and his wife wanted to fantasize in sexual activity.[15]

Islamic marriage

Broadly speaking, there are some secrets of household relationship that may not be known except by the couple of marriage. Each couple may not share the family secrets and weaknesses to others for

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[9] Ameneh Barikani, Sarichlow Mohamad Ebrahim and Mohammadi Navid, *The Cause of Divorce among Men and Women Referred to Marriage and Legal Office in Qazvin, Iran,* Global Journal of Health Science, Vol. 4 (5), 2012.

[10] Shelby B. Scott, Galena K. Rhoades, Scott M. Stanley, Elizabeth S. Allen, and Howard J. Markman, *Reasons for Divorce and Recollections of Premarital Intervention: Implications for Improving Relationship Education*, Couple Family Psychol, Vol. 2 (2), June 2013.

[11] Paul R. Amato And Denise Previti, *People's Reasons for Divorcing: Gender, Social Class, the Life Course, and Adjustment,* Journal Of Family Issues, Vol. 24 No. 5, July 2003.

[12] Satria, dkk., Laporan Penelitian Mahasiswa UGM tentang Mitos Ritual Seks di Gunung Kemukus pada 16 Juni 2016.

[13] *Ibid*

[14] According to the grave caretaker of Gunung Kemukus, Pangeran Samudro is the last Majapahit king's son who was in traveling for seeking his brothers and sisters. In the middle of his traveling he dead at this place, and leaving an important massage that whoever to visit his tomb should be happy and confidence as going to a house of a person he or she loves. Unfortunately, people who has certain interest made misinterpretation of the massage to mysterious and mystical image to lead the people to think that they are having some dispensation for making lave with unknown partner for certain purposes.

[15] http://republikpos.com/category/news, posted at 1 January 2016.

maintaining their household unity[16]. But this secrecy could be lost in the wife exchange cases or in the case of illegal intimate as happened in the two stories above. However, the wife exchange program or illegal intimacy will lead the involved couple to share the household secrets to other family which is normally forbidden.

In Islam, someone who has ability, physically, psychologically and financially, is instructed to marry to avoid any adultery. The law of getting married has become obligatory (*wajib*) for those who are capable[17] and are afraid that if they do not marry, they will commit fornication[18]. Islam, like other religion and tradition, prohibits illegal sex. It is allowed only to the marriage couple, to wife with her husband or, on the contrary, to husband with his wife. Illegal sex (*zina*) is a big sin with hard punishment. Furthermore, a baby of illegal sex, which is known as illegitimate child, is unlawful child by mean that it may not be related with his biologically father. It is only related to its mother. A man inherits the property of his (legal) father, and cannot inherit of his biological father (who is not married with his mother for the pregnant). Therefore for a child to establish inheritance right he or she must connected with the father by birth in a lawfully marriage.[19]

Concerning wife exchange of Javanese community in the field, it is also important to know the Javanese opinion about love affair or intimacy out of family.

The Javanese tradition has not seen woman status is equal to man. It labeled wife as "*konco wingking*" by mean friend at behind; and labeled that woman will follow her husband either going to heaven or to hell.[20] It means that wife may not argue with the husband opinion on household matters. Furthermore, her future depends on the husband destiny. Moreover, traditional Javanese king may have unlimited number of wife and then my discard or to give to his friend one of them that the king doesn't like. Unfortunately, the girl parent happily handed their daughter into concubine wife of the king in the hope of a bright future.

Contemporary life story[21] shows that Javanese affair cases still happen by varies background and motivation. Varies factors such as third person involvement, the presence of old boyfriend, household disharmony, etc. are reported as the main cause of the affair of contemporary Javanese people. Over all, they don't seriously practice religious teaching as the basic of their life. The more they embrace the religious teaching the more they achieve the household harmony.

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[16]Lawal Mohammed Bani and Hamza A. Pate, *The Role of Spouses under Islamic Family Law*, International Affairs and Global Strategy, Vol. 37, 2015.

[17]Ahmad Atabik dan Khoridatul Mudhiiah, *Pernikahan Dan Hikmahnya Perspektif Hukum Islam*, YUDISIA, Vol. 5 (2), December 2014.

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[20]Tanti Hermawati, *Budaya Jawa dan Kesetaraan Gender*, Jurnal Komunikasi Masa, Vol. 1. No. 1. 2007. p. 20.

[21]Nur Fitri, *Perselingkuhan Dalam Cerita Cekak Berbahasa Jawa*, Universitas Negeri Semarang, 2011, h. 110.

Over all, in his *The Religion of Java*, Cliffort Gertz divided Javanese Muslim to three variants: *abangan*, *santri* and *priyayi*.[22] Each of them has their own characteristics. [23] [24] [25]

Because of this phenomenon the field of research has arisen in one village involving a little number of couples, the writer has studied this phenomenon using the qualitative cum descriptive approach with phenomenological theory. To collect the data, the writer observed the village situation, made some notations and investigated the people who have been directly involved in the wife exchange as respondent in the research, which previously they all agreed not to disclose but to keep it as secret. The writer does not accept all respondents answer before crossing check to others and confirming it with the observation. Previously, some information about this phenomenon came from few people who are not involved in that activity and are not pleased with the case but they felt that the situation was disturbing their social life values. The data was obtained through interviewing the involved couples which was reconfirmed by the neighbors who knew the facts and then given to the religion leaders to give their opinion.

By the fact of this unusual case in Moslem community whether in Indonesia or in any other Islamic country, it is not easy to find any literature talking about it. However, there is a bit of discourse written as scientific papers talking about love affairs which having a little similarity to wife exchange in the aspect of having illegal intimacy.

Wife exchange and the motivation

The research took place in Ngasinan village, Susukan, Semarang Regency of Central Java. Most of the inhabitants are from traditional farming background, and almost are having limited education, and many of them are illiterate. However they may have accessed current information by modern technological products such as smart phone. As a traditional community, mutual cooperation is the only way to solve their entire social problems, to strengthen their relationship and to prevent outside threats. Additionally, all inhabitants are Muslim with limited Islamic knowledge, thus it is called as Islam *abangan* as what Cliffort Geertz divided Javanese Muslim above. The *abangan* group admits to being Muslim but they don't know what they should do precisely as Muslim. Although they know that Muslim should pray five times a day but many of them do not implement it in a disciplined manner. Probably they just have found limited information about prayer and its advantage that the function of shalat is to keep soul guided in the true path.

What is meant by wife exchange is that husbands of two couples make some agreement to live together with each other couple's wife for certain/limited term such as a week or two weeks for a certain purpose.

The wife exchange program worked through taking several varies arranged steps. One of them is reported that a husband makes a phone call to a husband of other couple to put into action this program, saying, "Sir, I'd like your wife to accompany me for a few days if you don't mind." To realize this idea, the real husband informs his wife to ask her willing about it. On the contrary in other case, some assert that a wife asks permission to her husband to accompany a certain man for several days and then her husband consents her to do. After everything is clear for all, the agenda is arranged and conducted. When both accepted that they will engage in the program, then they agreed that no one will be angry with it.

Other case was reported, it was the husband who initiated this agenda then communicated it to his wife then she accepted it. Afterwards the husband met a husband of other couple, inviting him to discuss

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[22]Cliffort Geertz, *The Religion of Java*, Illinois, The Free Press, 1960, p.6.

[23]Agus Salim, Javanese religion, Islam or syncretism: comparing Woodward's Islam in Java and Beatty's Varieties of Javanese Religion. IJIMS, Indonesian Journal of Islam and Muslim Societies, Volume 3, Number 2, December 2013. p. 236

[24]Geertz distinguishes *santri* from *abangan* beliefs in terms of a concern with doctrine as opposed to ritual, absolute truth in contrast to relativism; and an emphasis on the wider community as opposed to the household unit.

[25]Geertz, *ibid*, p. 238.

this planning with his wife. Furthermore, the wife exchange begun from a husband who asked to another husband saying "I'd like your wife to accompany me for several days if you don't mind." The new idea was appreciated, and then the next agenda is to decide when and how long it would be. Apparently, they are not sure that this program is accepted by their neighbors, so they held it secretly, and took place out of their village. However, they have a wrong expectation because the neighbors silently know these strange activities.

Actually, the village Ngasinan is inhabited by 352 household couples. The wife exchange in Ngasinan involves about 16 couples started from two couples of BN and AG with BB and RN's couple more than 10 years ago (about 2006). There is an interesting term to call this activity. It is *dirambanke* (Java) derived from *ramban*. The word is used for a goat to eat grass or weed regardless of who is the grass owner.

I'd like to start reporting a couple, namely BN and AG. This couple has been married for more than 4 years but there was no sign of having baby. On the other hand, there is another couple having children who knew about it. Starting from a light conversation between each husband of the two couples, the "first" expressed his unhappy of no child, and then the "second" appreciated it. The both parties understood that not having children is a family big problem which should be solved. After making some discussion seriously the both couples agreed to solve the problem by having certain action. Finally, they came to conclusion that wife exchange is the answer. The next step is to communicate that idea to each wife and to make sure that the program they were thinking is a commendable collaboration. Finally, all parties accepted this satanic idea. An unpredictable action by ordinary people has happened. Probably one asks question why a wife who does not have pregnancy problem (wife of the second couple) still accepts this planning, while definitely she does not have any interest about it.

It was mentioned above there are varies motivations to exchanging wives, and one of them is having the desire to bearing a child. This motivation is conducted by 3 couples. In one side they realized to think that wife exchange is difficult to accept by neighbor, while in other side they thought it is not kind of prostitution. They differentiated between prostitution and wife exchange because there are many different partners exchange in the prostitution, while in wife exchange there is only one "foreigner" partner in one term. However they are not confident to do it so they conducted it very secretly. Here, they answered neglecting religious norms. Previously the participants thought that getting pregnancy by wife exchange was a simple solution without serious problems because it was considered as a private matter that other people should not interfere. However, the village tradition says different. All village members feel to be responsible to keep the good image of the village. They may not say "it is not my business."

In this case they recognized still doubt the status of child birth as the aim of wife exchange as the consequent of this program. Finally, both couples of this agenda agreed that the child should be related to the couple of his/her mother, not to the "contributor". If we go to the Indonesian law of child status, a husband may contest in front of the court that the child is not his by showing acceptable evidence, and then the child is only related to the mother. But, for this case, it is impossible for the husband to contest to relate the child to him as the husband who didn't impregnate his wife on the birth of the child but did take part to initiate the exchange program. It will be a serious problem if each husband claims that the child is theirs, because one side looks it from his marriage legality, while other side looks it biologically.

Actually, problem with pregnant could be solved by INF (test-tube baby) technology. It was out of mind for them because it needs high cost.

The second is economical factor, taken by 4 couples. They argue that nowadays varies jobs in the village such as farmer, factory employee of unskilled people cannot cover their economical needs. As in most of places, there are two parties of rich and poor people in this case. The poor want to earn reasonable amount of money for their daily finance needs, while the rich feel, by money they can do everything to reach pleasant they want. Thus, wife exchange is a good option to earn much money without too much effort for the poor and it can assist to cheer up their lives and possibly makes these couples addicted to the financial aspect rather than the original aspect of helping someone to bear a child. Moreover, apparently they argue that this exchange program is part of symbiosis mutual and none of couples has been harmed.

The third is ritual motivation. Some couples believed that achieving family prosperity could be done spiritually such as following the indigenous medical practitioners by directing to contemplate in a mysterious place. One of believed suggestions is going to *Gunung Kemukus* (a certain place in Sragen district) where one of the people trays to look for a person (a man to a woman or the opposite a woman to a man) to pretend as their couple for one night, at Thursday night of Friday *Kliwon*. They believe that such rituals as "becoming a husband or wife" for one night at that time and that place may prompt them to achieve their economical success, to have a good job, to pass the difficult problem, to solve the daily life, and so on.

The fourth, motivated by the desire to have fun and enjoyment, was attended by 7 couples. Some couples acknowledged that this motivation is not purely fun but mixed with other intentions such as the ritual to achieve certain purposes. To answer the question about "the exchange" the researcher inquired if they did not feel they had sinned, they answered, "...we know that according to religion it is a big sin, but we have our own reasons." Moreover, they believe that the exchange will move on and develop in the future. (I made further inquiries as to what they meant by move on and develop in the future).

1. It was mentioned by some of the group, mostly the men stated that having an open relationship helped to prevent suspicion from the wives about them having secret love affairs with unknown women.

2. It was also stated by some of the women that they felt a good friendship that was being developed among them (i.e.) the other wives, and that they could discuss each other about personal problems in their marriage and the meetings was a form of marriage counseling.

Community's response.

From the beginning, this strange sex activity called as wife exchange in Ngasinan was committed secretly throughout step by step and finally it involved 16 couples. On the other hand, the villagers started to know one by one about it, and then this secret became common knowledge particularly among adult people who are married. Almost residents do not look responding it openly. It doesn't mean that they tolerate it, because, actually they admitted facing serious social moral problem which should be stopped and solved, while, they don't know the way. This phenomenon was quite shocking because such phenomenon never risen in other villages in the vicinity.

The fact shows that all village people in the research field are Muslim with varies degrees of Islamic understanding. As Javanese in general, they are divided into the *mutihan* and the *abangan*. The *mutihan* is an obedient Muslim, while *abangan* is a Muslim group who is not fully loyal to Islamic teaching, and rather more loyal to Javanese tradition. Although the *abangan* group is not Islamic loyalist, they don't dare to argue the statement, advice or idea from the local Muslim leaders, the important person of *mutihan*. Apparently, they know that most neighbors do not accept this wife exchange activity, signed by doing it secretly. On the other hand, the neighbors can do nothing to stop as this wife exchange is not clearly prohibited by the government law. By silent they want to stop it without some noise. Regarding the negative influence of the wife exchange particularly to the younger generation's future, they seriously prevent it by conducting more intensive and serious religious preaching together within all villagers. It is believed that Islamic teaching can solve and reconcile all social problems. In the interview, the good Muslim of this village was reciting the Quran "And fear the *Fitnah* (affliction and trial, etc.) which affect not in particular (only) those of you who do wrong, but it may afflict all the good and the bad people...."[26] By quoting this verse they want to create and keep harmony situation in the village based on religious teaching.

As most villagers objected to these exchange activities that is very dangerous particularly for psychological growth of young generation because of bad example which is committed by several couples, local Muslim leaders, generally, stated regardless all reasons, wife exchange is prohibited in Islam and it contradict to social norm of the village. Sex is only carried out by the people who are united by marriage.

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[26]Al-Quran Surah al-Anfal; 25.

Sex without marriage, as mentioned later, is called "zina", a big sin even though it is consented willingly by each other, and regardless they are married or not.

There are many different views to look at sex out of marriage between Islamic law and the Indonesian crime law. In Islam, sex out of marriage whether it is committed by a single person or who are married, is crime; it is called as adultery (*zina*) so they should be punished with lashing 80 times for whom never married, and with stones thrown until death for the ever married people. In Indonesian crime law, adultery as a crime is a sex which is committed by person who is married, to whom the article 27 of BW is applied, not to a single person.[27] In additional, it is a "complain crime/accusation of crime" not general/normal crime. It means that if a husband knows his wife has love affair with a man, only her husband who may accuse her to the court. In this case, wife role is adulterer while the man role is participant. There is no right for the husband to accuse that man. Accordingly, if the sex is conducted by a single (not widow or widower), we may not call it as adultery (*zina* of Arabic) which in Islamic law it is adultery/*zina*. They are potential to be accused as violating decency, not adultery.

However, the Ngasinan villagers as Muslim community have a common norm that sex out of marriage implemented as wife exchange is illegal and should be stopped, but there is no Indonesian official law equipment is able to solve this social problem as the Muslim community wished. Those who are involved in the wife exchange have similar view that the project is option to solve many family problems, so no one can accuse each other although they recognized that most neighbors silently have not accepted it.

It is understood from the interview result that most of the village residence have limited education. All the group who are involved in this wife exchange project can read. Therefore they can access a lot of information particularly about current lifestyle through modern communication technology and social media. The variety of information they have found can influence, even change their mindset from old lifestyle view into the new one that is actually not relevant with their current condition. The mindset change is understandable because according to sociologists, what happens in current time is the result of past interaction as it is between certain people with new idea issued in mass media. Furthermore, Sutan Takdir Ali Shahbana,[28] an Indonesian cultural observer said that human being is imitator. One of the most important characters of human is the strength ability to imitate. Therefore, it is understandable that the Ngasinan villagers actually imitate such information creatively. Additionally, sociologists said that nothing is happened suddenly. Certain action came from inside and outside factors which have influenced. It accords to an Islamic education teaching[29] that a baby is pure, while the environments who lead her/him to be good or bad person in the future. The writer just want to relate this theory to the fact that they do not come suddenly but by process.

The Cliffort Geertz's division of Javanese Muslim into three groups can help us to understand about what the wife exchange community has been perforomed. By the word "*dirambanke*" we understand that their loyal to Javanese value is quite strong rather than to Islamic value although formally they admit as Muslim. This phenomenon convinced the writer to follow Cliffort Geertz to put them into 3 groups, and one of them is Muslim *abangan* group. As Javanese people who generally take wayang stories as reference for important choices in life, this group does not consider that sex out of marriage as a big mistake.

Conclusion

There is some motivation to do it such as to have child as they do not have baby for long time of marriage. The second is economical factor. The third is ritual. Some couples belief that achieving family

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[27]It is mentioned in the article 27 of BW that a man only marry to one wife and a women only marry to one husband at the same time. This law is applied for European and the foreign eastern, not for Indonesian (inland Indische) except the Indonesian who realized to follow this law. Officially this law is not for Indonesian.

[28]The writer met him directly discussed about human being, imitation and creativity, in Jakarta 1n 1989.

[29]Hadith is reported by Al-Bukhary, Muslim and Ahmad.

prosperity could be done by mysterious spiritually action such as wife exchange program or following the indigenous medical practitioners by directing to contemplate in a mysterious place. The fourth is the desire to have fun and enjoyment. Probably, this wife exchange agenda is related to the result of Javanese values understanding to the true Islamic teaching, as what we call as syncretism understanding. However, the wife exchange activity is not given but emerging step by step, and influenced by global information that is not discussed in this research. They finally understand that the wife exchange agenda is rejected and unsuitable with community moral value.

Actually, most neighbors of the wife exchange group, particularly the local priests do not accept this activity, but they do not express their opinion openly. By silent they want to stop it without some noise. Regarding the negative impact of the wife exchange particularly to the younger generation's future, they seriously prevent it by conducting more intensive and serious religious preaching together within all villagers. This research also demonstrated that the Javanese willingness to involve in wife exchange is latent as long as the Muslim value on sex out of marriage is ignored in the social life.

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Group Life Protestant Christian–Catholic: Study of Religious Inter-Religious Harmony in Sungai Penuh City

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Abstract

Islam is the religion of *rahmatan lil'alamin* (mercy for all nature). In the Qur'an (Muslim holy book), even though it has been explained that Islam is the only religion that is blessed by Allah SWT, but in social life, Islam recognizes other religious entities and allows followers of other religions to worship with confidence each of them. According to data from the Central Statistics Agency (BPS), the ^religions^ adopted by the Sungai Penuh City community are of various kinds, namely Islam, Protestantism, Catholicism, Hinduism, and Buddhism. Sungai Penuh is a city with a majority Muslim community. Even reaching 99% of the Sungai Penuh City people embraced Islam. In Indonesia, the state has guaranteed religious freedom through the 1945 Constitution and Law No. 39 of 1999 concerning Human Rights. In the practice of Protestant Christians and Catholic in the City of Sungai Penuh as if living in groups. The group life was marked by the existence of certain areas which became their place of residence and did not spread to various areas in the Sungai Penuh City. This research is a qualitative research with the presentation of descriptive narrative data and sociological approaches. This study aims to determine the background and cause of the group life of Protestant Christians and Catholic in Sungai Penuh City. The data collection methods used are observation, interviews, documentaries. Then after the data is obtained, analyzed using qualitative data analysis techniques. Through this research, the community can take the values contained in religious harmony and implement it in the life of the nation and state so as to create a harmonious system of community life.

Keywords: *Group Life, Religious Harmony, Protestant Christian–Catholic*

Introduction

Islam is the religion of *rahmatan lil'alamin* (mercy for all nature). [1] Grace is meant based on the word of Allah SWT in QS. al-Anbiyaa [21] verse 107: *And we did not send you (Muhammad), but to (be) a mercy to the universe*. This verse explains that Islamic teachings are not only a mercy and affection for Muslims, but also for non-Muslims. In QS. Ali Imran [3] verse 19 explains that Islam is the only religion blessed by Allah SWT. But in community life, Islam recognizes the entities of other religions, and allows followers of other religions to worship with their respective beliefs.

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[1]Nurcholis Madjid, *Islam Doktrin dan Peradaban*, (Jakarta: Paramadina Bekerjasama dengan Dian Rakyat, 2008), Cet.Ke-6, 434.

Indonesia is one of the countries in the world that has heterogeneous societies, including in terms of religious ownership. This diversity spread in almost all parts of Indonesia, one of them in Sungai Penuh City, Jambi Province. According to the Central Bureau of Statistics (BPS) data, there are five kinds of religion adopted by the Sungai Penuh community, namely Islam, Protestantism, Catholicism, Hinduism and Buddhism. Sungai Penuh is a city with a majority Muslim community, and even reaches a percentage of 99% of the entire community.[2]

In Islam there is no compulsion to embrace Islam as explained in surat al-Baqarah [2] verse 256: *there is no compulsion in (adhering to) religion (Islam)*. This verse emphasizes democratization in embracing religion, meaning that Islam does not allow forcing others to embrace Islam. In its dissemination, Islam uses a system of da'wah which only to the extent invites, not forces. This is proof that Muslims value religious tolerance. Islam is a religion of peace, in which there are values for mutual respect and mutual respect for differences in beliefs and opinions. The doctrine of peace is at the core of religious tolerance, both fellow religious and inter-religious people.[3] This tolerance causes religious people to be safe and peaceful in carrying out their respective worship.

The application of tolerance in Islamic teachings is not in the field of aqidah or belief, but tolerance in social society. Correct tolerance does not need to confuse religious rituals that are believed with other religions or follow rituals that are not believed to be religious rituals.[4] Because the concept of tolerance in Islam is not justifying and recognizing all the religions that exist at this time, nor does it justify the procedures of worship of other religious people. There is no tolerance in terms of faith and worship. Tolerance is only in muamalah matters and social life.[5]

In Indonesia, the state has provided guarantees of religious freedom through the 1945 Constitution and Law Number 39 of 1999 concerning Human Rights. In the practice of Protestant Christians and Catholic in Sungai Penuh City live in groups. The group life was marked by the existence of certain areas which were their places of residence and did not spread to various areas in the town of Sungai Penuh City.

Society, Social Groups, and Social Interaction

Society is a human who is always related (interacting) with other humans in a group.[6] Society is a group of people who form a semi-closed (or semi-open) system, where most interactions are between individuals in the group. Generally, the term community is used to refer to a group of people who live together in an organized community. Soerjono Soekanto argues that the characteristics of people's lives are: (1) humans who live together at least consisting of two individuals; (2) mix or mingle for quite a long time;

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[2]Badan Pusat Statistik Kota Sungai Penuh, *Sungai Penuh dalam Angka*, (Sungai Penuh: BPS Sungai Penuh, 2018), 45.

[3]Zainudin, "Dakwah Rahmatan Lil Alamin: Kajian tentang Toleransi Beragama dalam Surat al-Kafirun", *Jurnal Dakwah*, Vol. 10, No. 1, 2009, 25.

[4]Moh. Abdul Kholiq Hasan, "Merajut Kerukunan dalam Keragaman Agama di Indonesia (Perspektif Nilai-Nilai al-Qur'an)", *Profetika, Jurnal Studi Islam*, Vol. 14, No. 1, 2013, 73.

[5]Ibnu Rusydi dan Siti Zolehah, "Makna Kerukunan Antar Umat Beragama dalam Konteks ke-Islaman dan ke-Indonesiaan", *Al-Afka*, Vol. 1, No. 1, 2018, 173.

[6]Elly M. Setiadi dan Usman Kolip, *Pengantar Sosiologi Pemahaman Fakta dan Gejala Permasalahan Sosial: Teory, Aplikasi dan Pemecahannya*, (Jakarta: Prenada Media, 2013), 5.

(3) realizing their lives are one entity; (4) is a shared system that gives rise to culture as a result of feelings of interrelation.[7]

According to Soerjono Soekanto, the notion of social groups is the set or units of humans who live together because they are interconnected in a reciprocal and influential manner.[8] The process of forming a social group because of the instincts of humans who always want to live together. Since humans are born, they have a tendency based on biological instincts to live in groups. There are two basic desires that humans have so they are motivated to live in groups, namely the desire to unite with the people around them, and desire for the surrounding natural situation.

Joining a group is something pure from yourself or by chance. For example someone is born in a certain family, but there is also a choice. The two main factors that seem to direct these choices are closeness and similarity. First, the influence of the degree of proximity or geographical proximity to one's involvement in a group cannot be measured. Groups are composed of interacting individuals. The closer the geographical distance between two or more people, the more likely it is to communicate with each other, socialize and interact. Second, similarity. The formation of a social group depends not only on physical closeness, but also on the similarities between its members. It has become a habit, every individual prefers to deal with other individuals who have similarities with him. The similarities in question are the same interests, beliefs or beliefs, values, ages or other personal characters. After the closeness and similarity, it is very possible for social interaction to occur.

Social interaction is the basis of social processes, the definition refers to dynamic social relations or in other words, social processes are related ways in people's lives which can be seen if individuals and groups of people meet and determine the system and forms the form of the relationship.[9] Kimball Young and Raymond W. Mack suggest that social interaction is the key to all social life, because without social interaction there would not be possible life together.[10] Furthermore, John J. Macionis stated that social interaction is a process in which individuals behave and react in relationships with other individuals, or vice versa.

In the Islamic perspective social interaction is an individual's ability to establish social relations. Social interaction is also referred to as fostering relationships with fellow humans and hablun minannas by trying to form friendships. Allah commands His people to always maintain the relationship. As the word of God in surah an-Nisa [4] verse 1: *And fear Allah who by (uses) His name you ask each other for one another, and (see) relationship silaturrahim. Surely Allah always watches over and watches over you.* In interacting socially with other individuals, an individual must establish good relationships, work together, help each other, and not cause conflict.

Inter-Religious Harmony

Etymologically the word harmony is derived from Arabic, namely *ruknun* which means pole, base, sila. The plural of *ruknun* is *arkaan* which means a simple building consisting of various elements. So harmony is a unit consisting of various different elements and each of these elements reinforces each

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[7]Soerjono Soekanto, *Sosiologi Suatu Pengantar,* (Jakarta: PT. RajaGrafindo Persada, 2006), 27.

[8]Soerjono Soekanto, *Sosiologi Suatu Pengantar...,* 104.

[9]Soerjono Soekanto, *Sosiologi Suatu Pengantar...,* 67.

[10]Soerjono Soekanto, *Sosiologi Suatu Pengantar...,* 67.

other.[11] Harmony is also interpreted as a shared life characterized by a good and peaceful atmosphere, living in harmony means not fighting, but united in heart, and agreeing in thinking and acting in order to realize shared prosperity. In harmony all people can live together without suspicion, full of enthusiasm and mutual respect and willingness to work together for the common good.[12] Harmony is an attitude that originates from the bottom of the heart, emanating from the willingness to indeed interact with each other as humans without pressure from any party.[13] While in social terms, harmony is interpreted by the existence of one that supports the existence of the other.[14]

In the context of Indonesianism, religious harmony means the togetherness of religious people with the government in the context of the success of national development and safeguarding the Republic of Indonesia (NKRI). Islamic teachings reveal a life of peace, harmony and tolerance. Religious harmony is a condition where people with different religions can accept each other, respect each other's beliefs, help each other, and work together in achieving a common goal.[15] So, tolerance contains meaning which means giving on the basis of kindness and generosity rather than rights. It is clear that tolerance occurs and applies because there are differences in principles and respect for differences or principles of others without compromising one's own principles. Maintaining tolerance is an urgent demand for Indonesian people who are facing development in all fields. This can be done by enriching the explanation with religious teachings that emphasize tolerance. In this way the soul of religious tolerance can be fostered among the adherents of each.[16]

In Islamic teachings, Islam is a religion of tolerance and respect for differences. This is as stated in surah al-An'am [6] verse 108: *And do not curse the worship that they worship other than Allah because they will curse Allah by transgressing without knowledge.* In Islam it is not justified to impose religion on other religious people (surah al-Baqarah verse 256). Islamic teachings forbid people to influence anyone to convert to Islam. Moreover, it forms social pressures. Islam also forbids abusive language against other religious people.

Dialogue on Inter-Religious Harmony

Dialogue and harmony between religious groups are two processes of communication between interfaith interfaith cooperation. Because, one part of the inter-religious harmony is the need for dialogue between religious groups.[17] The most important goal of dialogue is the creation of world peace. As stated by Hans Kung, quoted by Ganther Gebhradt, namely no peace among the nations without peace among the religions without diaologue among the religions. In the context of the reality of religious dialogue taking place in Indonesia, the dialogue seems to have a purpose to preserve the nation's unity and unity, support and succeed national development, fight poverty, backwardness and ignorance and work together to

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[11]Said Agil Husin al-Munawar, *Fikih Hubungan Antar Agama,* (Jakarta: Ciputat Press, 2003), 4.

[12]M. Zainudin Daulay, *Mereduksi Eskalasi Konflik Antar Umat Beragama di Indonesia,* (Jakarta: Badan Litbang Agama dan Diklat Keagamaan Departemen Agama RI, 2001), 67.

[13]Elza Peldi Taher, *Merayakan Kebebasan Beragama: Bunga Rampai 70 Tahun Djohan Effendi*, (Jakarta: ICRP, 2009), 84.

[14]Hamka Haq, *Jaringan Kerjasama Antar Umat Beragama: Dari Wacana ke Aksi Nyata,* (Jakarta: Titahandalusia Press, 2002), 54.

[15]Ibnu Rusydi dan Siti Zolehah, "Makna Kerukunan Antar…, 5.

[16]Lathifatul Izzah, "Melihat Potret Harmonisasi Hubungan Antar Umat Beragama", *Religi,* Vol. 11, No. 1, Januari 2013, 5.

[17]Khotimah, "Dialog dan Kerukunan Antar Umat Beragama", *Jurnal Ushuluddin,* Vol. 17, No. 2, 214.

support the realization of prosperity for all residents, eliminate gaps and uphold justice.[18] So to maintain that harmony between religious communities is always maintained. The function of interreligious dialogue should always be carried out, this is to eliminate suspicion between religious people.

In connection with the interfaith dialogue the Forum for Religious Harmony (FKUB), which has been established in various provinces and districts or cities and has been formalized by the government, became the most responsible forum for this activity. FKUB must be truly empowered according to their duties and functions. FKUB should hold interfaith or internal religious dialogue to establish communication regularly and periodically. This serves as an act of preventive inter-religious conflict caused by miscommunication.

Overview of Sungai Penuh City[19]

Sungai Penuh City is a city formed by the expansion of the main district (Kerinci Regency) and is one of 11 Districts/ Cities which was inaugurated by the Minister of Home Affairs, Mardiyanto (on behalf of the President of the Republic of Indonesia) on November 8, 2008, with a legal basis Law Number 25 of 2008 concerning the Establishment of Sungai Penuh City in Jambi Province (State Gazette Number 98 of 2008), was ratified by the Indonesian House of Representatives on July 21, 2008.

The geographical location of the Sungai Penuh City area is between $101°14'32$ "BT to $101°27'31$" BT and $02°01'40$ "LS to $02°14'54$" LS. The total area of 39,150 ha, which consists of Kerinci Seblat National Park (KSNP) covering an area of 23,177.6 ha (59.2%) and cultivation area of 15,972.4 ha (40.8%). With administrative boundaries: (1) the north is bordered by Depati Tujuh Subdistrict, Kerinci Regency; (2) the south is bordered by Sitinjau Laut District and Keliling Danau District, Kerinci Kerinci Regency; (3) in the West it is bounded by Pesisir Selatan Regency of West Sumatra Province and Muko-Muko Regency of Bengkulu Province; and (4) to the east, bounded by the Air Hangat Timur District, Kerinci Regency.

The topographic characteristics of Sungai Penuh City are diverse, in the West it is generally a highland area with hilly and mountainous natural conditions, while the conditions in the eastern part of the land are mostly unstable. Sungai Penuh City has a tropical climate, quite high rainfall and many rainy days and fertile land which causes a large part of the area to be used for agricultural land. In the physiographic system, the Sungai Penuh market in general is at an altitude between 500-1000 mdpl, which reaches 78.08% of the market area, a height of more than 1000 mdpl 21.92%, while the rest is at an altitude of less than 500 mdpl. Sungai Penuh City has a cool and comfortable climate, with an average rainfall of 86 mm3 and an average humidity of 80%. Kota Sungai Penuh's average wind speed is 7 knots, while solar radiation reaches 42%. The maximum air temperature reaches an average of $28.8°C$ while the minimum air temperature reaches an average of $16.9°C$ with an average air temperature reaching $22°C$.

In addition, population growth is growing rapidly without being balanced with the increasing quality of human resources, which will only become a problem which is the beginning of the next problems. Possible problems that will arise with the inconsistency of population growth with an increase in the quality of human resources are increasing the number of unemployed, because sometimes the qualifications needed for work are not fulfilled, which results in increasing levels of crime in the

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[18] Lathifatul Izzah, "Melihat Potret Harmonisasi…, 13.

[19] Badan Pusat Statistik Kota Sungai Penuh, *Sungai Penuh dalam Angka*, (Sungai Penuh: BPS Sungai Penuh, 2018).

community. For this reason, handling urban growth and development has become more stable and dynamic in economic movements.

No.	District	Islam	Protestant Christian	Catholic	Hindu	Budd hist	Confuci an	Total
1.	Sungai Penuh	9846	60	58		32		9.996
2.	Tanah Kampung	8689						8.689
3.	Hamparan Rawang	13950						13.950
4.	Kumun Debai	8572	5					8.577
5.	Pesisir Bukit	11128	22	6		7		11.163
6.	Sungai Bungkal	9750	350	16		9		10.125
7.	Pondok Tinggi	16977	35	45		4		17.061
8.	Koto Baru	8410						8.410
	Total	87322	472	125		52		87.971

Data source: FKUB (Forum for Religious Harmony) 2018

The population of Sungai Penuh City in 2018 is 87,971 people. The population density of Sungai Penuh City has caused the land to become narrow and requires the policy of Sungai Penuh City Government to overcome the problems arising from the overcrowding. Especially in Pondok Tinggi District which is the most populated area in Sungai Penuh City. Even though it has the largest population, the Pondok Tinggi area is not inhabited by many people who adhere to non-Islamic religions. This area is inhabited by many indigenous people who incidentally follow the religion of Islam. The area that is inhabited by many non-Islamic religions, Sungai Bungkal District.

Specifically for Protestant Christian in the City of Full River there are three schools, for more details can be seen in the following table:

No.	Flow Name	Leader	Addres
1.	GPDI (Gereja Pentakosta Di Indonesia)	Pastor R. Simamorang	Jl. Siak Lengih Koto Pandan
2.	IFGF (International Full Gospel Fellowship)	Pastor A. Aritonang	Jl. Mayjen H. A. Thalib No. 18 Sungai Penuh
3.	GPIB (Gereja Protestan Indonesia Barat)	Pastor Marlina Nova	Jl. Jendral Ahmad Yani No. 5 Sungai Penuh

Data source: FKUB (Forum for Religious Harmony) 2018

Existence Catholics and Protestants in Sungai Penuh

Marlina Nova, a Protestant Christian Pastor, stated that there were no records that were renewed in the year the Protestant Christianity entered Sungai Penuh. Long before 1945, Protestant Christians were already in Sungai Penuh. At that time, the only church in Sungai Penuh was the Protestant Christian Church and the church was still made of wood.[20]

According to Fatmawati, a Catholic historian, the entry of Catholics into Sungai Penuh has no clear historical record, but before 1960 there was already a Catholic in Sungai Penuh. The acceptance of the Sungai Penuh community towards Catholics is very good, so that today they can still live side by side without ever causing conflict after Catholic entry into Sungai Penuh.[21]

This is evident in the building of places of worship in Sungai Penuh City, there is a mosque building which is very close to the Protestant Christian church. That is, the Sungai Kota Full community has tolerance and mutual respect and carry out religious freedom and worship according to their respective beliefs without intimidating a particular religious group. Not only the places of worship are side by side, but some of them (Protestant Christians and Catholics) have shops and houses that are adjacent to Muslims. The spread of Protestant and Catholic Christians in Sungai Penuh City on average spread around the city center and markets. They live as entrepreneurs and traders who fill shops in Sungai Penuh City.[22] In addition, harmony between Protestant Christians and Catholics is also seen in the funeral of the deceased where in a family there are sometimes adherents of two religions namely Protestant and Catholic Christians between husband and wife, between parents and children.

Indonesia is known as a country rich in diversity, one of which is religious diversity. In Indonesia there are six religions recognized by the Government, namely Islam, Catholicism, Protestantism, Hinduism, Buddhism and Confucianism. The six religions were given freedom by the Government for Indonesian citizens to choose which religion they would follow. This is in accordance with the contents of the 1945 Constitution and Law Number 39 of 1999 concerning Guarantees of Freedom of Religion and Human Rights. On the other hand, the diversity of religions that exist at this time often triggers conflicts such as the cases of Ambon, Kupang, Poso and others, due to differences in the ideologies adopted by each religion, as well as the openness and lack of tolerance carried out by the community itself. Unlike the Sungai Penuh City community, although there are differences in understanding, Muslims adhere to tolerance to other religions so that harmony is maintained and social interaction continues to run well.

The above events are a form of awareness of the Sungai Penuh community that humans in their lives always need other people as life mates in carrying out life occupying certain environments. Humans as social beings always need association with other people. Each individual acts or interacts with others, both in groups and in society. With this interaction that causes the existence of association and openness and mutual respect between people who have different beliefs so that the creation of harmonization.

The harmonization between religious communities on the Sungai Penuh is always going well. This is supported by the frequent interfaith dialogue and the support of the Religious Harmony Forum (FKUB) held to eliminate misunderstandings and seek openness between religions found in Sungai Penuh. Interfaith dialogue is also not aimed at arguing or arguing between religious groups, until there are winners

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[20]Marlina Nova, Protestant Christian Pastor of Sungai Penuh City, *Interview,* 16 May 2019.

[21]Fatmawati, Sungai Penuh City Catholic Historian, *Interview,* 16 May 2019.

[22]A. Aritonang, Protestant Christian Pastor of Sungai Penuh City, *Interview,* 14, August 2019.

and losers. Dialogue is also not an attempt to hold others accountable in carrying out their religion. But dialogue seeks to provide understanding and understanding of life.

Religious dialogue, in essence, is a free, frank and responsible conversation, which is based on mutual understanding in overcoming the problems of national life.[23] Therefore, the principle of agreeing to disagreement needs to be developed (agree on differences). In this case, each participant in a religious dialogue must be in the midst of attitudes and actions.[24] This also caused a great tolerance among Protestants, Catholics and Muslims in Sungai Penuh City, with differences in their belief that they could live side by side and be full of peace since the arrival of the Protestant Christians and Catholics.

Protestant Catholic-Christian Group Life

Humans always have a sense of living in groups due to the changing and dynamic environment. These changes force people to use reason, creativity, feelings and endurance to deal with it as in cold weather conditions that require a jacket made by a tailor, in a hungry condition someone goes to a food stall to look for food, when someone is sick he goes to the hospital for his recovery, to find fish in the middle of the sea someone needs a boat and so on. Living in groups is a human instinct from birth. This instinct is an encouragement to always unite his life with others in the group.[25] The group instincts also encourage people to unite themselves with a larger group in the life around them. To meet this need, humans carry out an adaptation process. Adaptation is defined as a process of self-adjustment. In self-adjustment activities, each individual has different ways. Every individual who carries out his role as a social creature in the community certainly does the process of adjusting to other communities.

Group life does not only occur in the past, but still occurs in the present. This event is caused because this is a human instinct.[26] Something similar happened to Catholics and Protestants who seemed to live in groups. This was indicated by the existence of certain areas which became their place of residence and did not spread to various areas in Sungai Penuh. On the Sungai Penuh there is one Catholic church and one Protestant Christian church. Around the Catholic church there are houses of Catholics and small communion places that are also used as a place for Catholic gatherings. In addition to houses of worship, there are also several shop houses owned by citizens who are Catholic. This also happened to Protestant Christians who lived around the house of worship.

Departing from the events above, there are certain factors that have become the driving force for Protestant Christians and Catholics to live in groups. The first factor is the drive to maintain life. By forming or joining existing groups, they indirectly have tried to maintain their lives. This is due to the necessities of life that are not possible to be fulfilled all by living alone. The second factor is the instinct to maintain the continuity of the descent's livelihood. The instinct to maintain offspring requires the need for safety (safety need). Families can be a social group that can provide security. By natural instinct, humans must want to continue their generation and descendants. The third factor is the encouragement to improve

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[23]Afifuddin Harisah, *Islam: Eksklusivisme atau Inklusivisme? Menemukan Teologi Islam Moderat dalam Kontruksi Islam Moderat*, (Yogyakarta: ICCAT Press, 2012), 43.

[24]Ketut Gunawan dan Yohanes Rante, *Manajemen Konflik Atasi Dampak Masyarakat Multikultural di Indonesia*, Jurnal Mitra Ekonomi dan Manajemen Bisnis, Vol. 2, No. 2, 2011, 212.

[25]Bambang Tejokusumo, "Dinamika Masyarakat Sebagai Sumber Belajar Ilmu Pengetahuan Sosial", *Geoedukasi*, Vol. 3, No. 1, 2014, 39.

[26]Sudarto, *Konflik Islam-Kristen: Menguak Akar Masalah Hubungan Antar Umat Beragama di Indonesia*, (Semarang: Pustaka Rizki Putra, 1999), 79.

work efficiency and effectiveness. Today, individuals are required to do work effectively and efficiently to get maximum work results. Therefore, by living in groups, social groups are formed which can improve work efficiency and effectiveness to achieve common goals. This group also begins with the same perceptions, motivations and goals in meeting the needs of the individuals involved.[27]

Humans are basically social beings, have the instinct to live with other humans. Human instincts to live with other humans are called gregariousness.[28] This means that in his life between one another they always interact, humans cannot live alone. This is because humans have desires, desires and feelings to form themselves as whole human beings and can live together with other humans.

> The desire to live in groups is the essence of human beings as social beings. Since birth, humans have had the instinct to live in friends. Aristotle argues that humans are zoon Politikon, namely social beings who like to live in groups or at least prefer to find friends to live together, rather than living alone.[29]

> While according to Khotimah that:

> Humans are individuals of a society, where they cannot escape from the environment and socio-culture which is contrary to the common interests of each individual who lives in a society. Social interaction is the key to all social life, because without social interaction there will not be possible life together.[30]

Thus, the formation of group life is supported by the existence of social interaction. In people's lives there are activities called social interactions. Social interaction is dynamic social relationships that involve relationships between individuals between groups of people, as well as between individuals and groups of people. When two people meet, the interaction begins at that time. They admonish each other, greet each other, shake hands talking to each other. This activity is a process of social interaction activities.

The life of a group of Protestant Christians and Catholics in Sungai Penuh also occurs because of the process of social interaction, and because humans are social beings who need help from others. However, humans and their willingness to always live interconnected lives that are intended to sustain life or to eliminate the will of others; relationships aimed at maintaining that will are positive relationships, the purpose of which is to form a group that can work both outside and into groups.

Study Religious Interreligious Harmony in Sungai Penuh

Humans as social beings cannot be separated from relationships (social interaction) with each other. The relationship between humans in society is organized in a normative (legal) order that is agreed upon jointly by the community members which is called a value or norm that guarantees the realization of harmonization in the form of peace and tranquility. As social beings, humans need relationships and cooperation with others in fulfilling their daily needs, both material needs and spiritual needs. Islamic teachings encourage people to work together and help help (ta'awun) with fellow humans in terms of

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[27]Abu Rabi', "Christian-Muslim Relations in Indonesia: The Challengers of The Twenty-First Century", *Jurnal Studia Islamika,* (Jakarta: IAIN Syarif Hidayatullah, 1998), 24.

[28]Soejono Soekanto, *Pengantar Sosiologi,* (Jakarta: PT RajaGrafindo, 1982), 101.

[29]Abdul Ghaffar Mahfuz, *Tokoh Agama dalam Mewujudkan Kerukunan Antar Umat Beragama,* (Palembang: IAIN Raden Fatah, 1997), 75.

[30]Khotimah, "Interaksi Sosial Masyarakat Islam dan Kristen di Dusun IV Tarab Mulia Kecematan Tambang Kabupaten Ampar", *Kutubkhanah: Jurnal Penelitian Sosial Keagamaan,* Vol. 19, No. 2, 2016, 244.

kindness. In social life, Muslims can connect with anyone without borders, race, nation and religion.[31] In the absence of limitations in the social relations of the Indonesian people, of course, Indonesia will become a harmonious country with mutual respect and mutual need.

But to form such harmonization, tolerance and harmony are needed in one circle, namely cultural heritage. Efforts to recognize tolerance with others can be done socially and culturally. A cultural research is not only an interpretation of events, but rather in the details of the institutional order of phenomena as social integration and social systems. Culture also has a noble value with the institutions that surround it. As for the harmonization of culture will be formed with the awareness of a society in respecting other people based on their culture. The existence of harmony and order has been viewed by a society as a thing of noble value.[32]

Therefore, when the flow of globalization increasingly revolves through the novelty of the technology, information and communication system with the emergence of several social deviations, precisely the local wisdom from the noble culture becomes very important. A city without cultural results will be surrounded by nothingness, where people will only hunt for fashion, lose their identity and history, busy in a busy time. Ideally, a developed city has a culture so that the homogeneity of society is formed. The success and success of a city is not only seen from developments in every corner, but on the mindset of the people who have been formed and made aware of loving their own environment.[33] That is the basis and foundation of the Sungai Penuh City in realizing harmony in Sungai Penuh.

Sungai Penuh, with various cultures and beliefs that are believed by its adherents. Starting from the majority of the people who embraced Islam to minority communities that embraced Catholicism and Protestant Christianity. Although there are various pluralistic beliefs, the tolerance attitude of the Sungai Penuh community is conducive. The Sungai Penuh City community is also very aware that differences are not a reason for division.[34] Differences are not a problem as long as they look after each other and live together. Differences also include tolerance which is described by the term mejikuhibiniu (another word from pelangi), which is interpreted as a variety of people, races, groups and religions as God's creations, so they must respect each other.[35] If each group respects and agrees in differences, harmony will be achieved.

Marlina Nova stated that the cause of never having conflicts in Sungai Penuh was due to mutual care, mutual respect and mutual respect. Actually the bad factor is selfishness. Therefore, factors that can trigger disputes should be avoided.[36] This statement was reinforced by Anton, who stated that religious people must respect each other, not interfere with each other, but must always take care of each other. For example, in schools in Sungai Penuh there are children who adhere to different religions, but can play together, respect and respect each other. Even after graduating from school, they are still friends and hold reunions every year.[37]

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[31]Toto Suryana, "Konsep dan Aktualisasi Kerukunan Antar Umat Beragama", *Jurnal Pendidikan Agama Islam-Ta'lim*, Vol. 9, No. 2, 2011, 127-128.

[32]Ismatu Ropi, *Fragile Relation: Muslim and Christians in Modern Indonesia,* (Jakarta: Logos, 2000), 120.

[33]Rahmini Hadi, "Pola Kerukunan Umat Beragama di Banyumas", *Jurnal Kebudayaan Islam,* Vol.14, No.1, 2016, 72-75.

[34]Moh Abdul Kholik Hasan, "Merajut Kerukunan dalam Keragaman Agama di Indonesia", *Jurnal Studi Islam,* Vol. 14, No. 1, 2013, 68.

[35]Rini Fidiyani, "Kerukunan Umat Beragama di Indonesia", *Jurnal Dinamika Hukum,* Vol. 13, No. 3, 2013, 474.

[36]Sungai Penuh City Catholic Historian, *Interview,* 9 June 2019.

[37]Marlina Nova, Protestant Christian Pastor of Sungai Penuh City, *Interview,* 9 June 2019.

R. Simamorang said in daily life Protestant Christians must practice unconditional love. It means to love and sing each other indiscriminately. This attitude must become his lifestyle in daily behavior. The harmony in Sungai Penuh City occurs because of how a person of religion shows a response to the existing problems. Something that is forbidden is clear and something that is allowed is also clear. All religions teach all humans to do good.[38]

Based on the description above, inter-religious harmony in Sungai Penuh can work well. Because of the attitude of the people who realize the importance of mutual respect and respect, and also the most important is to maintain communication and frequent meetings between religious leaders in dialogue to maintain harmony.

Ahmad Zuhdi, Chair of the Sungai Penuh City Religious Forum (Forum for Harmony and Harmony) stated that the Sungai Penuh community highly respects tolerance and is very aware of the importance of brotherhood. With frequent meetings between major figures of religious leaders, there was a dialogue and exchange of ideas about information from each of the religions in Sungai Penuh City, so that there had never been a conflict between religious communities and tolerance was increasingly conducive.[39] This statement was strengthened by Marlina Nova who stated that she was also active and often held meetings in the FKUB (Forum for Religious Harmony). Dialogue is done by being open to each other and exchanging information, so that suspicion can shrink and disappear. This is a positive impact of the frequent meeting and discussion between religious people in the FKUB. The dialogue was conducted at the District / City Ministry of Religion Office or FKUB Secretariat.

The openness and frequency of dialogue conducted in FKUB is able to eliminate the suspicion that arises between religious communities, or in other words FKUB is able to create mutual trust among religious people. Mutual openness is also one of the factors supporting the peace behind the diversity and diversity of religions that exist in Sungai Penuh, which until now has never caused conflict. Dialogue and harmony between religious groups are two processes of communication between interfaith interfaith cooperation.[40] Because, one part of the inter-religious harmony is the need for interfaith dialogue. The point is often dialogue is the main key to eliminate suspicion that will trigger conflict. If inter-religious people often carry out dialogue, then harmony can be created.

Conclusion

There are various religions embraced by residents of Sungai Penuh City. The majority of the population adheres to Islam, while Catholic and Protestant Christianity can be said to be a minority in the Sungai Penuh City area. Although belonging to a minority, Protestants are well received by the people of Sungai Penuh City. Although there are differences of opinion, understanding and differences in beliefs on the part of different religions. However, the harmonization between religious communities in Sungai Penuh City always runs in an orderly manner. The Forum for Religious Communication (FKUB) often holds meetings to eliminate misunderstandings, and to eliminate various suspicions between religious people.

Christians Protestant and Catholic live in groups. This was indicated by the existence of certain areas which were their places of residence and did not spread to various other areas found in Sungai Penuh City. There is one Catholic church and one Protestant Christian church in Sungai Penuh City. Around him is

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[38]R. Simamorang, Protestant Christian Pastor of Sungai Penuh City, *Interview,* 14, August 2019.

[39]Ahmad Zuhdi, Chair of FKUB (Forum for Religious Harmony) Sungai Penuh City, *Interview*, 7 July, 2018

[40]Khotimah, "Dialog dan Kerukunan…, 214.

accompanied by several houses of worship and a place of fellowship of Christians. In addition to places of worship, the thing that marks Catholic and Protestant Christians living in groups is the existence of shop houses run by residents who adhere to Christian teachings that are around the Catholic church.

The driving factor for Catholic and Protestant Christians living in groups is the encouragement to maintain life, the urge to continue descent, the urge to obtain security and the encouragement to improve work efficiency and efficiency. The lives of Christians who form social groups occur because of the process of social interaction. And because Christians are also human beings who need each other human beings. Catholic and Protestant Christians in Sungai Penuh City carry out group life in the form of game concepts that arise due to kinship, blood ties and from fellowship which consists of people who are geographically close together so that they are useful for mutual help.

Relations between Christians and Muslims in the city of Sungai Penuh can be said to have never occurred in conflict. This is because the people of Sungai Penuh City realize that differences are not an excuse to divide. Besides that, it was also supported by an attitude of tolerance that was carried out in an orderly manner. Religious tolerance does not mean that someone who has had faith then moves or changes his belief to follow and blend in with the beliefs or worship of other religions (syncretism), nor is it intended to acknowledge the truth of all other religions / beliefs, but that he remains in a belief which is believed to be true, so that in him there is a truth he believes in his own voice which is not obtained from the giving of others.

In human life in this world it will not be separated from social life, so we as humans who live in a society must realize that we live impossible. For this reason, let us be good citizens, even though there are various differences around us. Furthermore, the authors suggest to the community of Sungai Penuh City to always maintain harmony between religious communities, namely by always maintaining interactions both directly and indirectly. We can make this happen by always carrying out interfaith dialogue. The Religious Harmony Forum (FKUB) should always be carried out to prevent misunderstandings, and to eliminate suspicion between religious people. Besides that, socio-cultural must also be considered and what is not less important is the management of harmonization between religious groups themselves.

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Political Contestation Between Islam, Adat and State in The Implementation of Perda No. 7/2018 About Nagari and its Implication to Local Social Institution in West Sumatera

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Abstract

The formulation of a Regional Regulation (Perda) does not mean that the problem of the system of structuring central relations with the regions in the bureaucracy can be resolved. On the contrary, as happened to Regional Regulation No. 7/2018, the application of local regulations can be a seed for the problems of regional and central relations in the complex nagari. Nagari is not only a form of customary law community unit, but also a unity of forms of social, cultural and political societies derived from traditional philosophy of basandi syarak, syarak basandi kitabullah (ABS-BK) in West Sumatra. Religion, politics and adat relations have become stronger with the implementation of Perda No. 8/2008 concerning Nagar as a derivative of Law No. 6/2014 concerning Village Government in West Sumatra. There is local and national political contestation in the process of selecting leaders as well as ways of taking decisions in development policy. This paper explains the forms of political contestation in the public sphere as well as its implications for the social institutions of civil society in the selection of leaders and decision making. The study used qualitative research methods and phenomenological approaches carried out in the nagari government at the district level of West Sumatra, the results of the study found that the polititical contestation between adat, Islam and state has an implication in the forming nagari as as system and nagari as an idea in West Sumatera
Keywords: *Political Contestation, Public Space, Social Institutions*

Introduction

Islam and good governance have the same perspective on gender equality and relgious tolerance, therefore Islam and good govenance are compatable in providing these issue in public policy [1] Policy of decentralization and regional autonomy in Indonesia since the reform era has obscured the boundary between religion, politics and indigenous areas[2] The desentralized and regional autonomy policy not only opens the room to the implementation of Perda Shariah, but also opens space to the revival of public identity and strengthen the the politics and *adat* (customs) relations, such as the form of the village-office in Bali[3] The implementation of Perda Shariah reduces the influence of Islamic *Abangan* (indigenous peoples), and transforms itself into an inclusive system that supports political pluralismm, pluralism is a new form of the Islamic sect-the era of reformation, as well as distinguishing itself from the authoritarian form of the New Order era[4]

The rise of local identity in politics forms a local identity with global concurrent in "Glocalisation" as a new form of political configuration binding [5]. Government concerns over pluralism rules spawned a fear of society that to prevent community participation in supporting good governance. The dilemma faced by this decentralization and regional autonomy policy is that on the one hand the local government serves as a means of implementing democracy at a local level, but on the other hand he has to be part of an administrative executive national government in the region concerned. Political contestation can occur due to the seizure of interest resulting from the devolution policy as the centralization of administrative administration of the central government to local governments, the devolution policy can generate local autonomy The area of government administration, but also can produce local community resistance to the autonomous forms of the administration decentralized by the central government. [6].

Policy on decentralization and regional autonomy is a form of local political institutionalization among them in the form of ideas of political democracy and good governance, development discourse in the form of local participation and civil society, and mobilization Local politics related to local, national and globalization issues.[7]. The idea of local government participation and reform reform is an idea that is as traditional as one another, but should not eliminate each other. Both of these ideas went like two railroads that went hand-in, but never met each other[8] The principle of accountability in the implementation of good governance cannot be implemented in a democracy climate that requires open space of ideas, while other opinions explain the social and cultural change factors of the environment that society faster than the change

[1]Ridho Al-Hamdi, 'Coping with Religious Tolerance and Gender Equality: Comparing Islam and Good Governance Perspectives', *Indonesian Journal of Islam and Muslim Societies*, 5.2 (2017), 163.

[2]Remy Madinier, *The Politics of Religion in Indonesia Edited By*, *The Politics of Religion. Syncretism, Ortodoxy, and Religious Contention in Java and Bali*, 2011.

[3]John Harriss, Kristian Stokke, and Olle Törnquist, *Politicising Democracy: The New Local Politics of Democratisation*, *International Political Economy Series.* New York: Palgrave Macmillan, 2005.

[4]Vedi R Hadiz David Bourchiers, *Indonesian Politics And Society : A Reader,* London: RoutledgeCurzon, 2004,

[5]Kevin R. Cox, *Spaces of Globalisation: Reasserting the Power of the Local* (New York: The Guilford-Press, 1997) <https://doi.org/10.1177/030981680007000110>.

[6]Anna Spiegel, *Contested Public Spheresl Female Activism and Identity Politics in Malaysia*, 1st edn (Heidelberg: VS Research, 2010).

[7]Hellmut Wollmann Noberl Kersting, Janice Caulfield, R. Andrew Nickson, Dele Olowu, *Local Governance Reform in Global Perspective* (Wiesbaden: VS Verlag fur Sozialwissenschaften, 2009).

[8]Keebet von Benda-Beckmann and Julia Eckert Franz von Benda-Beckmann, *Rules of Law and Laws of Ruling On the Governance of Law* (Furnham: Ashgate, 2009).

of national government policy allows the implementation of local democracy could support the implementation of good governance[9].

Implementation of the form of "New Governance" in developing countries, such as Indonesia obscure public affairs areas with personal affairs. The function of the state in regulating public affairs through the application of harsh laws also functions in regulating personal dealings through the implementation of soft laws, such as the policy of social and economic development of communities conducted by the government. This soft rule is used by the form of "new government" in the form of the decision making process based on the form of participation, decision making based on the form of network, diversity, and prioritizing Consultation from the use of tougher rules through the official mechanisms of centralistic governance as well as rules of command or other forms of control [10] The relationship between the use of harsh legal rule forms in public affairs with the usage of the legal rule of law regulating personal affairs is a form of a new hybrid government, it connects local democracy practices with the national in a good governance that combines aspects of participation, transparency and accountability the form of management of the "new government".

It is in line with the central government's policy of delegating its authority to the local government, so that the form of development planning that was formulated by the local government in line with the needs of the community environment. The decentralization policy not only generates regional autonomy, but also the resistance of local communities to local governments that threaten the local identity of the community. At the local level, Law Number 6 /2014 provides an opportunity for the regions to form (government) villages based on customs according to the origin rights of the local customary law community unit, in addition to ordinary (administrative) villages. In this Law, villages are formed based on the right of origin of customary law communities called "adat villages" [11]. This opportunity needs to be taken immediately by the Province of West Sumatra to re-function the Nagari government system according to *adat salingka Nagari*, based on the traditional philosophy *adat basandi sara ', sara' basandi kitabullah, sara 'mangato, adat mamakai.* Jurisdically, this desire can only be realized by establishing a Regional Regulation on Nagari as a substitute for the Regional Regulation of West Sumatra Province Number 7 of 2018 concerning the Nagari [12].

Nagari is the lowest government unit in West Sumatera led by Kapalo Nagari, as well as the unity of Adat community recognized by the Government through Perda (Regional Regulation) of West Sumatera province No. 13/1983 on Nagari and has *Kerapatan Adat Nagari* (KAN) which is led by a chairman of KAN Nagari is a genetically and historically customary legal community unity, has boundaries within a certain region, has its own property, has the authority to choose its leaders in deliberation and regulate and manage the interests of the community Based on indigenous philosophy and password, *Adat Basandi Syara ', Syara ' Basandi Kitabullah* and/or based on the origin and local customs within the province of West Sumatra. In Nagari there is a collective leadership called *Tigo Tungku Sejarangan, Tigo Sajarangan Sejarangan* is a limbago (instituion) or element where the representative of Nagari community can be chosen and choose to replenishment the position in the KAN, the Nagari government, and the Nagari judiciary, consisting of *Ninik Mamak, Alim Ulama,* and *Cadiak Pandai Ninik Mamak* is a customary institution consisting of several rulers who came from various tribes in Minangkabau tribes, and is filled by leaders of several large families or clans or clan called Penghulu, whose leadership is inherited hereditary as per Minangkabau matrilineal custom.

The position of the Penghulu was held by a Minangkabau man who was written and considered capable of leading wisely; *Alim Ulama* is the leader of Minangkabau society in religious affairs that has a broad

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[9]Manuel Castells, *The Power of Identity*, II Chichester: Blackwell Publishing, 2010.

[10]Grainne de Burca and HJoanne Scott, *Law and New Governance in The* (Portland: Hart Publishing, 2006).

[11]Harriss, Stokke, and Törnquist. *Op.Cit,*

[12]Sumatera Barat Gubernur, *Penjelasan Atas Perda Prov Sumbar Tentang Nagari*, 2018.

Islamic knowledge, experienced and can be an example/role model for Nagari society in the field of Islamic religion; Cadiak *pandai* is clever intellectual, thinker, or knowledgeable person, who is able to apply the science to the benefit of Nagari society and is obliged to provide views and opinions/considerations in taking every policy and decision in Nagari. The kinship system of Minangkabau people who put men as the new comers (*Urang Sumando*) who has no ownership in the family home of their wife, but only has the right in the household The sense of belonging in the family is separated between rights and property, ownership is under the authority of the wife's family and the right can be used by the husband as a newcomer (Urang Sumando).

The contestation between Islam, adat and state in conducting spatial interpretation, in the form of political contestation of space interpretation between social and cultural movements at the local level faced with the role of the state at the which generates a relationship between social and cultural movements at the local level [13]. The government considers the lowest index of West Sumatra democracy in Indonesia, in 2016 the West Sumatra IDI was at No. 33.[14] This assessment is based on the implementation of the Shariah Regional Regulation doi West Sumatra, while the West Sumatra Regional Government explains that the formulation of the Perda has been carried out through democratic means of presenting all stakeholder groups.[15] There are differences between the interpretation of adat, religion and the state in explaining the concept of space as a form of national and local political contestation

Local political contestation with the national in the implementation of decentralization and autonomy of this area has implications on the development of social institutions in the community. There is a change in the role of the country into the role of social and cultural movements in the concepts of mapping the political space, if the concept of the country is based on local cultural contexts while the context of social and cultural movements is based validate universal values. Ancient, the nation state was instrumental in defining the social movement and public space within the country frame, the role in the form of identification of the country about the idea of society that is closely related to the idea of national unity territories, populations living in the region, and their unique identity and cultural expressions. However, there are now different depictions of public spaces, public spaces are the most negotiations among diverse local, translocal and global organizations and institutions. [16]

Politics is not only the question of spatial mastery, but it is also a competition for what is personal and what is public. Politics can be interpreted as an interpretive struggle, about how the space is realized as a cultural and identity container? What are the limits? How are political ideas and practices being evaluated? [17] Some of these questions put politics not only as a matter of spatial control. But also the question of how the space is defined. With the merger of social and geographic spaces, the nation's country and community are conceptualized. Political science describes the activities undertaken by various institutions, not just state institutions. Politics is an abstract process separate from institutions that have been subscribed to political executor, political interactions can occur outside the government if they are regulated and related to the allocation of value incurred by the parties authorized. Politics cannot be applied when people both agree, so

[13]Jeffrey Hadler, *Muslims and Matriachs; Cultural Resilience in Indonesia through Jihad and Colonialism* (Ithaca: Cone;ll University Pressl, 2008).

[14]BPS, *Berita Resmi Statistik*, *Bps* (Padang, 2018), NO. 74/11/.

[15]Kumparan, *Gubernur Sumbar Protes Rangking Indeks Demokrasi Indonesia* <gubernur-sumbar-protes-rangking-indeks-demokrasi-indonesia>.

[16]Spiegel. *Op.Cit.*,

[17]Robert W Hefner, *Remaking Muslim Politics; Pluralism, Contestation, Democratization*, *Pluralism, Democracy, and the 'Ulama* (Princeton: Princeteon University Press, 2005).

the focus on the legation and implementation of this authority is removed from the gaps neglected by the State policy

The political approach to the government ignores political inputs, in addition to ignoring the combination of the private sector with governments outside the government itself. The political approach to the government in Nagari as an idea ignores the wider state structure. There is a difference in the political sense between Nagari as an idea with the Nagari as a system. The political notion of Nagari as an idea is an art in government, politics as government is the formal political mechanism of a country as a whole that contains institutions, laws, public policies, and major actors in government. A form of local political contestation with the national in the implementation of Perda No. 7/2018 on Nagari in West Sumatra has transformed the form of Nagari as a system to become a Nagari as an idea, as well as changes in political understanding of the form of public space Be a form of government. Politics can be interpreted as an interpretive struggle, about how the space is realized as a cultural and identity container? What are the limits? How are political ideas and practices being evaluated? This article aims to answer some of these questions

1. Theory and Methods
a. Poltical Contetstastion

The country is a broader phenomenon of coverage of the government, in a country with a legal phenomenon, the authority yng institutionalized, domination patterns that use violence and incentives. Governments consisting of several organisations and a number of rules are state actors, but do not yet cover the entire country. In the country there are broader rules and regulations of the Government, such as the rules of Adat, rules of religion, ideas and institutions of the-public called "Network Policy" [18]. There is a lot of understanding about politics, including the opinions of Lasswell [19] Who gets what, how, and when", "the fight to gain power" (Morgenthau 1948). "Patterns of power, rule and authority" [20] Three great views on politics, including: (1) politics as government; (2) Politics as a public life; (3) Politics as allocation of value by the authorities [21].

The political approach to the government ignores political inputs, in addition to ignoring the combination of the private sector with governments outside the government itself. The political approach to the government ignores the wider state structure. The government allows the political structure to occur, the relationship of authority with the market is when the authority is used to address the failure of private exchanges or if the structure and interests of the perpetrators do not result in mutual impact profitable. Politics as government is the formal political mechanism of a country as a whole that contains institutions, laws, public policies, and major actors in government. Political science studied activities conducted by various institutions, not State institutions   In this case politics relates to the things of the conflict, as well as the bearing pressure on making decisions collectively.[22]

The political notion of allocation of value by authorities has an understanding of the economy, both of which function in allocating scarce resources. The difference in economic allocation is voluntary, while politics do so through the use of authority in the form of decisions. The political explanation as this

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[18](Friedland et al., 1978)

[19]Harold D. Lasswell, *Politics: Who Gets What, When, How*, *McGraw-Hill Book Co* (Glencoe: McGraw-Hill Book Co, 1936), XCI.

[20]David Easton, 'An Approach to the Analysis of Political System', *World Politics*, 9.3 (1957), 383–400.

[21]David P Levine James A Corporaso, *Teori-Teori Ekonomi Politik*, Third (Yogyakarta: Pustaka Pelajar, 2015).

[22]James A Corporaso. *Ibid.*,

allocation brought about political understanding with the government as a political structure of the country, but the government was not identical with politics. The difference in this allocation method can be distinguished according to the goods that are shared, such as the goods that are declusiveness versus the unbudgeted allocation of values that bind the community through authority as the focus of political science. This definition relates political science with the state, power and conflict resolution, but the relationship is accidental.

b. *Public Space*

There are two approaches to understanding the public as an interaction. (1) from the equivalent of public understanding as a personal interest, the public is the territory of the person who has the same interests (common interest). The public is a response given to the impact of the effort to fulfill individual needs for the welfare of others. (2) The public is existence, meaning and purpose cannot be reduced to personal interest and personal needs arrangement The first public concept expresses indivdiu and his desire is the main social reality, while the second concept of viewing social reality has its own reality and is formed not to satisfy individual needs, this concept of the public explain about personal interest relationships with other personal form of mutual interest or interests of one's other interests.

While the second concept of seeing a personal relationship with the public as an institution that gives direction and meaning of personal interest or as a personal interest can run The function of public space is as a means for humans to feel, to perceive and compose reality.. The reality is a human personal intersubjective relationship, the public understanding according to Arendt is "the Common world". The sense of the general world is the result of human construction aiming to form an arena for life together. This reality, according to a neoclassical economic perspective, does not have to be connected with the society as a greater unity. The outside world is a set of opportunities and has a chance of interumental opportunities with defined options, the opportunities provided by this public space prevents the alienation of human self through the process of process of personal rights transactions [23]

This notion attributed the political sense as a public life with the notion of civil society as a means of society to fulfill their personal interests. [24] Traditional communities govern the behavior of members, its influence is determined by institutional level., in the economic needs the institution plays a role in regulating the choice and strength of community members. This tendency causes institutions to be not easily altered by the influence of individual preferences, although institutions are products of the history and cultural context of the community that can be used by individuals for the purpose of their interests

Local Institution

Local identity is a form of social construction that is dynamic by the long history of the past a community and the government outside the community [25], there is an internal influence of society and influence External government policy environment in the establishment of a local identity. This tendency to put the form of local identity is dynamic and not rigid, in the process of establishing local identity there is a difference between the importance of local people's interests with local people's idenitas. There is a difference between local issu and local identity, the formulation of government development policy is more related to the interests of local people without regard to local people's identification. Local identities are areas that are

[23]Philip J. Kain, *Schiller, Hegel, and Marx: State, Society, and The Aestahetic Ideal of Ancient Greece* (Quebec: McGill-Queen's University Press, 1982).

[24]I.V. Zhuravleva, 'Institutions of Civil Society in Space of Democratic Politics', *Procedia - Social and Behavioral Sciences*, 166 (2015), 546–51 <https://doi.org/10.1016/j.sbspro.2014.12.570>.

[25]Kees Terlouw, *Local Identities and Politics, Negotiating the Old and the New*, First edition, New York, 2017.

avoided or intentionally used to submit a local issue, and are performed by various actors using local issues as a means to form or re-change the form of local identity have.

There is a form of primary local identity as well as a secondary local identity, primary local identity is the initial local identity formed by the long history of the masala and the community. While the secondary local identity is a new local identity that is formed from the results of influences from outside the community, such as from the government through regional expansion policies that incorporate one area with other regions and produce New local identity form that is wider than the old local identity form. However, if the regional expansion policy aims to create more efficient administrative services and better economic development, the Government will encourage the public to re-discover the primary identity, Such failures are caused by the dominance of local people in certain communities compared to other communities and associate local issu with local identity in local politics [26]

The institutional approach to the government ignores the wider state structure, in the government there is a personal and personal purpose. Personal in terms of the area and institutional facilities used, these activities do not include public interests and public facilities that are recognised as public sectors. The political approach to the government ignores political inputs, while ignoring the combination of private and government sectors outside the government itself Local knowledge functions in institutional development can be explained from several approaches, some of the approaches used in explaining these same phenomena are overlapping and not separate from each other such as   Rational, historical, sociological and institutional discursive approaches [27] The rational approach of placing institutions as a result of individual rational choices to optimize their interests and choices, institutions only in the form of incentives to stimulate this action and reduce uncertainty [28] This approach can be used to explain actors ' knowledge about the impact of the institution they are making, and explain it from a function standpoint related to that institution.

The sociological approach explains how actors follow the rules and laws contained within the institution, efforts to identify with the culture of the institution is a form of individual interest. Human behaviour can be explained through symbolic understanding and its ceremonial purpose is not in its use. this approach describes the function of the institution in shaping actors rather than how actors form institutions. The historical approach illustrates the institution as a result of the regular human program, and explains institutional developments over time and often compares institutions from one country to another. The Institute's discursive approach explains how actors generate and legitimize ideas through a form of logical communication, and pay more attention to the process of interaction that results in these ideas. The institutional role is to provide a discourse framework to identify areas of less acceptable ideas in a discreetsive interaction.

The strength of the structure in binding members in the institution is determined by members' perceptions of the costs of losses or profits obtained from the institution, this clarity of perception encourages members to relate to institutions not by the level of centralization of institutional arrangements. Scott [29] describes the process of selecting attention, judgment, formation and categorization of concepts, attributes

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[26]Kees Terlouw, 'Transforming Identity Discourses to Promote Local Interests during Municipal Amalgamations', *GeoJournal*, 83.3 (2018), 525–43.

[27]Daniel Friel, 'Understanding Institutions: Different Paradigms, Different Conclusions', *Revista de Administração*, 52.2 (2017), 212–14.

[28]David J. Hess, 'Coalitions, Framing, and the Politics of Energy Transitions: Local Democracy and Community Choice in California', *Energy Research and Social Science*, 50.November 2018 (2019), 38–50 .

[29]Friel. Op. Cit.,

and emotions at this individual level as part of the formation of cognition institutions resulting from human intersubjectivity and individual interpretation, not as a larger and deterministic social process. Cognition institutions reflect the behavior of individuals in understanding their environment. This understanding arises from the results of interactions and involves subjective interpretation and social construction of individuals and other collective actors. Institutions generated from the historical process and the social context of human culture are not human designs

The institution has four layers in society the four layers consist of the upper and lower layers [30]. The upper layer can affect the lower layers, while the influence of the lower layers on the upper layers of the institution is limited. economic activity is in the second and third layers of the four layers of institutions operating in society. Some of the institutional layers, includes ; (1) an informal layer consisting of habits, traditions, norms, religion and customs. Although this institutional layer has experienced a slow change, but this informal institution has a long lasting bonding capacity in regulating the behavior of the community; (2), the institutional environment layer which consists of rules and laws as a form of formal rules, the nature of these formal rules is beyond the evolutionary process and outside the design framework; (3) governance layer resulting from the form of agreements and contracts carried out by a limited number of people in the community. This rule of government is designed to reduce conflict, as well as generate the benefits of various parties with each other; (4), this layer is the allocation of resources This layer in a company is at the production function layer and consists of institutions that guide the production of an organization. Instead, the government describes the operating regulations for various autonomous organizations

Methods

This research uses qualitative methods with a phenomenological approach. The use of this approach and technique is very reasonable because researchers want to explain how the implementation of government affairs at the lowest level as well as sociological and political reasons in the implementation of the village or Nagari in accordance with Law No. 6/2014 on Village. To obtain the primary data, it used in-depth interview techniques, observations and documentation studies. Qualitative research was chosen because the study had a more diverse approach than quantitative research (John W. Cresswell 2007). In addition, qualitative research aims to understand the dynamics of social comprehensively through the observation of attitudes, actions and objectives with a more natural method. Therefore, this research will observe a problem related to the role or actions of certain individuals.

Political Contestation Between Adat, Islam and State

The decentralization spirit in West Sumatera emerged since before the Law No. 22 of year 1999, the presence of law number 22 of year 1999 is a momentum for West Sumatera to realize its desire back to Nagari But before the exit of Law No. 22 of year 1999 such wishes can not be realized because juridically is not possible regardless of the "village" under Law No. 5 of year 1979. The implications of this government policy is the existence of leadership dualism in the Nagari between *Kapalo Nagari* as a unit of government and chairman of KAN as a unit of Adar Community, amendment of Law No. 22/1999 on local government strengthened the position indigenous peoples ' unity with the Government's recognition of indigenous peoples ' unity and the rights of their origins, as explained by Psl 18 B paragraph (2) Constitution 1945.

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[30]Paul J. DiMaggio Walter W. Powell, *The New Institutionalis in Organiztional Analysis,* Chicago: Chicago Univrsity Press, 1991.

The opportunity was disclosed by the local government of West Sumatera through a declaration back to the Nagari government system, as explained in Perda No. 10/2000 of the Nagari administration fundamentals. In 2004 the Government replaced the law Number 22 year 1999 concerning the regional government by Law No. 32 of 2004. Juridically, Law Number 32 Year 2004 does not provide other options for the regions to determine the type of village, so that it becomes a juridical obstacle. to return to Nagari based on the adat salingka Nagari. This judicial obstacle is answered by Law Number 6 of 2014 concerning Villages. This Law is a substitute for part of the contents of Law Number 32 Year 2004 which regulates villages, especially Articles 2000 to Article 2016. Unlike Law Number 32 Year 2004, Law Number 6 Year 2014 provides opportunities for regions to form (government) villages based on customs according to the origin rights of the local customary law community unit, in addition to ordinary (administrative) villages. In this Law, villages that are formed based on the right of origin of the customary law community are called "adat villages"

Law No. 6 of 2014 only provides a one-year grace period for the district / city government to establish customary law community units as traditional villages that hold the leading government based on customs. Article 116 paragraph (2) and paragraph (3) of Law Number 6 Year 2014 states: (1). Law No. 6 of 2014 was promulgated on January 15, 2014, so that currently 2017 has passed its deadline, the district /city government in West Sumatra can no longer directly assign Nagari as a traditional village. Determination of Nagari as a customary law community unit into a traditional village must go through the determination of first through determination first. Article 96 of Law Number 6 of 2014 states that the Government, Provincial Governments and District / City Governments conduct structuring of customary law community units and are determined to be Indigenous Villages. Although the determination of Nagari to become a traditional village is the authority of the district / city government, beforehand Law Number 6 Year 2014 gave special authority to the provinces in the arrangement of customary regulations.

Based on this authority, the West Sumatra Provincial Government felt the need to establish a Regional Regulation concerning Nagari whose scope of regulation was limited to the intended authority. This provision is contained in Article 109 of Act Number 6 of 2014 which states that "institutional arrangements, filling in positions, and the term of office of the Customary Village Head based on customary law are stipulated in the provincial regulations". Nagari as the unity of Adat Law Community has the philosophical of *Adat Basandi Syarak, Syarak Basandi Kitabullah*, in this philosophy contained social values, culture, religion and customs, so that the value needs to be preserved and life in the community as a life value. This regional regulation (Perda) No. 7/2018 concerning Nagari is a cornerstone and paying legal and reference for the local government of the Regency/city to form and run the Nagari government system as a leading government unit that applies in accordance with the local customary and cultural conditions of Nagari

The pattern of Village development assistance in UU No. 6/2014 on village government is given directly to the head of village, in order to formulate a development plan that is in line with the needs of village community environment. The allocation of village funds is determined by the population and the location of the village, this provision encourages the local government of West Sumatera to conduct Nagari expansion to obtain a considerable allocation of village funds. However, local government policies were opposed by indigenous peoples who threatened to lose their cultural identity by this policy. The amount of funds allocated by the APBD in Painan city is only Rp. 200 million, the amount to finance the construction of Nagari amounting to 70,000 people.

Furthermore, the Government proposed that the existing Nagari be in order to reduce the gap between the population and the needs of Nagari development, the idea of this expansion in line with the legislation governing provisions 800 The head of the family (KK) and a population of 4000 people as a condition of the expansion of the village, but the idea of the expansion was rejected due to the concern of loss of indigenous identity of the Nagari. There is a kieagreement conducted by the district government conducted by Syafrizal as deputy Regent with the chairman of KAN as the customary institution that the Nagari expansion will not create the expansion of customary institutions, the agreement signed in a treaty by seal .

The government's success in the Nagari expansion policy in the districtof Pesisir Selatan by using the government's approach to socialization and political communication with indigenous peoples, and involves not only locals but Also involved community leaders and nomads outside the Nagari. "At every Nagari there is an influential rooster (community figure), the success of supporting the figure supports the success of the government in conducting a Nagari expansion policy" [31], a negotiation strategy conducted by the Government with Community leaders through the form of "policy Network" is more using soft rules and avoiding the use of hard power (hard rule) in the form of government compulsion to the public to accept policy ideas of this Nagari expansion

The implementation of Nagari, which uses Policy network form that the government used to produce 10 new Nagari in Nagari Tapan, Silaut, and Lunang in South Coastal district without doing the policy of traditional institutions ' expansion, Community on 10 new Nagari remained united by old Nagari customary rules.. This network is conducted through the implementation of a double function of the customary institutions with government officials, such as that made by Syarizal who served as deputy Regent, and chairman of the District Customary institutions (LKAAM) and Association of Migrant Community Families (IKPS) Regency of Pesisir Selatan This policy network can reveal indigenous institutions with government agencies in the form of development goals as in public life, there is the same understanding of the politics between the government and indigenous peoples as the public life

Indigenous institutions (*Ninik Mamak*), religious institutions (*Alim Ulama*) and governments (cerdik pandai) are placed in the same position and rival at the time of politics understood as public life, as well as united by the government as the official authority executor of the country ate The implementation of LAW No. 6/2014 on village government in West Sumatera differs from other areas which have village governance system consisting of government agencies and customary institutions, such as "Village of Dinas" and "indigenous villages" in Bali. However, the customary institution in Nagari West Sumatera has more area and authority than the village government, as regulated by Perda No. 7/2018 on Nagari.

At each Nagari was formed by Nagari government as organizer of Nagari government alongside KAN (Kerapatan Adat Nagari) . KAN has the following authority: A. Vote and appoint Kapalo Nagari in deliberation and consensus;B. To distribute the aspirations of Nagari society; C. Supervise the implementation of Nagari customs and culture;D. Responsible for implementing the Nagari government to Kapalo Nagari; and E. Preserve indigenous values and cultures according to the custom Salingka Nagari. The authority of *Adat* (KAN) in selecting the leader (Kapalo village) is a form of an indirect electoral system conducted by the legislative institutions (KAN), as well as distinguishing the electoral system of the *Kapalo Nagari* in West Sumatera with other villages in Indonesia, which uses the direct selection system (*Pilkades*). In an indirect electoral system the government's authority is weaker than with customary institutions, the government (Kapalo Nagari) is responsible to the customary institution (KAN) who chooses it.

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[31]Lecturer by Syafrizal Ucok, University of Andalas, 2 March 2019

National and local political contestation on the implementation of Perda No. 7/2018 about Nagari in West Sumatera is the difference between nagari sense as an idea with Nagari as a system, nagari as an idea to use the rule of law (hard rule) as a form of state control over a region. In contrast, the meaning of Nagari as a system is the use of legal rules (soft rule) and involve a network of policies in formulating a decision The process of choosing a leader in the Nagari as an idea is done directly, while in Nagari as a leader election system is done indirectly through the results of a deliberation in consultation by customary institutions. The process of decision making in the Nagari as an idea is done in the institution and indirectly involving the participation of citizens, as the process of decision-making in the nagari as a system directly involving the members of the community. The local identity of Nagari as an idea united by the environmental factors of the external community as a form of secondary identity that is influenced by Government development Policy, while as a system is formed by the historical background of the emergence of the Nagari

The difference between the form of Nagari as a system with Nagari as an idea influenced by the differences in political sense, including politics understood as; Governmental approaches, allocation of value that binds society, public life. The approach used in the leader's election as well as the decision-making process that uses through official government rules is a political notion of a governmental approach, this approach is used in the election of leaders and way of updating to; The verdict by Nagari as an idea. The government is instrumental in controlling the Nagari region through the application of harder laws (hard rule), as well as to override the role of indigenous institutions (Ninik Mamak) and religious institutions (Alim Ulama). In contrast, Nagari as a system understands more political sense as a public life as well as using a soft rule in the selection of leaders and dispute resolution or form of oteher decision making process

The influence of public understanding of political life as a public life or government approach affects the form of Nagari as a system or form of Nagari as an idea The use of political sense as a public life puts the *Nagari Induk* (Primary identity) more using the form of Nagari as a system rather than the *Nagari Pemekaran* as the Nagari as an idea. The process of picking up and making decisions on the *Nagaroi Induk* involves more political life as a public life than *Nagari Pemekaran* Disputes or election leaders, such as the use of deliberation facilities in the process of the candidate Kapalo Nagari in Nagari Kurai Taji in the city Pariaman allows the election of leaders who can build a network of policies with ninik mamak (indigenous institutions) and alim ulama (religious institutions) compared with the open electoral system conducted at the election of the village head in Talawi, the city of Swahlunto which override the role of customary institutions and religious institutions in the process of electoral leaders as well as development planning.[32]

Conclusions

The nagari is the embodiment of Minangkabau adat in West Sumatera, there is the dynamic tension between Islamic reformism and the matriarchate that not only has preserved the matriarchate in the face of colonialism, but has made West Sumatra used to be the incubator for that extraordinary generation of Indonesian leaders. Nagari is not only a form of customary law community unit, but also a unity of forms of social, cultural and political societies derived from traditional philosophy of *basandi syarak, syarak basandi kitabullah* (ABS-BK) in West Sumatra. The formulation of a Regional Regulation (Perda) does not mean that the problem of the system of structuring central relations with the regions in the bureaucracy can be resolved. On the contrary, as happened to Regional Regulation (Perda) No. 7/2018 in West Sumatera, the application

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[32]Interviews with the head of KAN Talawi, 18 October 2018

of local regulations can be a seed for the problems of regional and central relations in the complex nagari The implementation of Perda No. 7/2018 on Nagari in West Sumatra strengthened the Nagari as a kinship system, as well as distinguishes it from Nagari as an idea of government development policy emerging from the implementation of the Nagari expansion as Implementation of Law No. 6/2014 on village government in West Sumatera.

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Islamic Populism in Indonesia:

The Equivocal Truth and Oligarchy in Indonesia's Election

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Abstract

Islam moved back to the national political stage, after being on the outskirts of the stage for decades. Since the beginning of the reform era to the present, the strength of Islamist groups has slowly begun to continue to dominate. The rise of political Islam in Indonesia during the first reform era was marked by the emergence of various political parties with various variants, and appeared as participants in the 1999 elections. In the process, mainstream Islamic political organizations that were able to survive until now were (PKB), (PAN), (PKS), and (PBB). However, outside the political parties, there are also Islamic based mass organizations that are able to appear as alias pressure group pressure groups. For example, Nahdlatul Ulama and Muhammadiyah. Not only that, but also there are other Islamic organizations that tend to also appear on the political stage as pressure groups such as FPI, the GNPF Ulama, and various organizational variants 212. This paper discusses the conditions of developing Islamic populism in Indonesia that are pinned to certain groups for political interests a group and also oligarchic clicks or a handful of people who control large scale political or economic resources. The method used in this paper is literature. The main information in this study was obtained through the analysis of the research from Heinrich Boll Stiftung, Professor Edward Aspinall, ANU, and Professor Vedi R Hadiz, University of Melbourne Australia. And the result from analysis are the rise of Islamic populism brings bias and equivocal truth in society and click oligarchy gains the benefits and remain to mobilize their agenda or interest.
Keywords: *Islamic populism, oligarchy, democratic muslim.*

Introduction

Islamic Populism has become one of the most popular approaches to studying the politics and democracy of Indonesia in recent years. Some writings use populism as their approach. Aspinall wrote about Indonesia's election and the return of ideological competition, Ihsan Ali Fauzi wore about Nationalism and Islamic Populism and Vedi Hadiz wrote about Islamic populism and the oligarchy. Based on several studies on populism above, this paper attempts to serve the equivocal truth of Islamic populism

in Indonesia and the bargain background from the populism in Indonesia. This paper argues that in some respects, populism is part of the positive dynamics of democracy because it becomes a direct channel of people's congestion by an oligarchic system, but it also argues that populism in the Indonesian political context has the potential to inhibit and even reverse the development of Indonesia democracy. The variants of populism that will be described in this paper are the Joko Widodo group and the Prabowo group have the potential to disrupt democracy.

To discuss the problem, this paper is divided into five parts. The first part is the Introduction. The second part describes the reborn of Islamic populism. The third part discusses Islamic populism in Indonesia with its equivocal truth. The fourth section explains the reason for this emerging Islamic populism and its possible development that can eligible for the click oligarchy maintain their influence in democracy. And the last part is the conclusion.

Islamic Populism in Indonesia: A Reborn after Soeharto Era

Indonesia's transition has been no easy ride since 1998. Even after the unprecedented socio-political change, the configuration of power relations seemed to favor oligarchic persistence. Indeed, a legacy of corporatist centralization was always going to make democratic rearrangement vis-à-vis political power a complicated affair. And the country continues to experience widespread corruption and officials, especially the judiciary, remain open to bribery and graft. Hardly a unique situation, one of the lessons from the democratization literature is that legacies of the authoritarian rule can constrain a polity's rearticulating even as the old institutional structures unravel.

May 2018 marked 20 years since the resignation of long-time autocrat Suharto, a moment that paved the way for Indonesia's widely lauded transition to democracy. Indonesia's political landscape experienced rapid and transformative change following the fall of the New Order: competitive elections returned; the party system was liberalized; restrictions on free media and pluralistic civil society were lifted; the military's social and political functions were abolished; independent judicial and law enforcement institutions were established; a massive program of administrative and fiscal decentralization was undertaken; and direct voting for executive leaders presidents, governors, mayors and district heads was introduced. Indonesia became one of the great success stories of democracy's third wave (Huntington 1991). Yet, over the past decade, more somber tones have come to characterize many assessments of Indonesian democracy. The themes of democratic stagnation and regression became prominent in academic analyses written during Susilo Bambang Yudhoyono's second presidential term (Aspinall 2010; Tomsa 2010; Fealy 2011; Aspinall, Mietzner, and Tomsa 2015). Despite some initial optimism around the election of Joko Widodo (Jokowi) in 2014, these concerns have been even more pronounced since he assumed the presidency (Warburton 2016; Mietzner 2016, 2018; Hadiz 2017)

In 2017, Indonesia's democratic ranking suffered its most dramatic decline to date according to the Economist Intelligence Unit's (2018) Democracy Index, and it is now clearly at risk of slipping from the category of 'flawed democracy' into that of 'hybrid regime'. Incremental improvements in Indonesia's ranking in Transparency International's Corruption Perceptions Index have tailed off since 2014 and, indeed, its comparative international standing fell several places in the latest survey (Transparency International 2018). The country's position on the Press Freedom Index fluctuated during the 2010s (RSF 2018), but the expansion of politically connected 'oligopolies' (Tapsell 2017) ensures the media remains substantially less free and pluralistic than it was during the first decade of reforms.

The position of democracy index is deliberately a green light for Islamic populism in Indonesia to gets serious attention in line with the development of populism in various parts of the world. The phenomenon of Islamic populism after the new order goes hand in hand with the strengthening of identity politics in the struggle and struggle for power. Two years ago, conservative right-wing mass mobilization and racist political rhetoric in the 2017 Jakarta Regional Election opened the way for the victory of the pair Anies Baswedan and Sandiaga Uno (Anies-Sandi) defeated the pair Basuki Tjahaja Purnama and Djarot Saiful Hidayat (Ahok-Djarot). Many observers and the media labeled the defeat of the incumbent as an indication of the strengthening of Islamic populism in Indonesia, as it is now a phenomenon in various places (Kompas, July 24th 2017).

This is seen, Islamic populism as a symptom and response to the social dislocation caused by neoliberal globalization and the crisis of representational democracy in the context of the absence of a progressive political movement. The main focus is on the construction of a political subject in the form of a multi class coalition on behalf of "the people" against a group of "elites" who are considered corrupt and oppressive. Of course, the construction and the manifestation of populism that emerged cannot be separated from specific social transformation, which distinguishes the character and trajectory of politics of populism from one place to another.

This argument criticizes ideational and descriptive approaches that emphasize the aspects of ideas and rhetoric of political elites in political mobilization on behalf of "the people" against "elites (Canovan, 1981)", mobilization approaches that emphasize organizational aspects (Mouzelis, 1985), and who see populism as a "political style" (Moffit, 2017). Besides, this also criticizes explanations that emphasize cultural conflict (Inglehart, 2016) and security-oriented analysis in understanding the strengthening of Islamic populism, which actually provides the basis for the reproduction of narrative exclusionary Islamic populism. In Indonesia, such problematic explanations dominate public discussion and become the basis of state policy based on excessive fear of the strengthening of Islamic populism.

In fact, fragmentation has become a feature of prominent Islamic populism in Indonesia after new orders which have led to the birth of exclusionary and racist religious sentiments in electoral competitions. Although the mobilization of conservative Islamic populism has succeeded in leading Anies-Sandi to become the winner of the Jakarta election, for example, the political trajectory of Islam can be predicted to have no prospects. They are only meaningful in electoral competitions, but they are not important for political subjects in the formulation and public policymaking.

Islamic Populism in Indonesia: Its Equivocal Truth

The study of populism in Indonesia is dominated by the development of Islamic populism. Hadiz (2016) mentions the emergence of old Islamic populism, which emerged as a legacy from the rise of Pan Islamism that emerged in the early 20th century. At the end of the New Order, populism in the form of a student movement emerged to reduce the power of the Soeharto regime which was considered corrupt and undemocratic. Afterward, during the reform period, several analyzes showed that there were forms of populism occurring in Indonesia that were pinned to several presidents from Megawati Soekarnoputri, Susilo Bambang Yudhoyono to Joko Widodo (as governor).

Megawati is perceived as a representative of 'small people' (Ziv 2001); Susilo Bambang Yudhoyono is considered populist because of the program of providing cash assistance to the poor (Mietzner 2009); while JokoWidodo is considered populist because it represents the wishes of many people (Hamid 2014).

Not only that, the appearance of Prabowo Subianto as a presidential candidate and bringing his newly formed party, Gerindra (Great Indonesia Movement), into the strongest opposition party is also considered to represent the populism phenomenon (Aspinall 2015).

But lately, the attention of researchers has begun to turn to populism among Muslims in Indonesia and assume that religious identity (in this case Islam) has become a new source for political mobilization. Anies Baswedan's victory in the DKI Jakarta gubernatorial election in 2017 was one of the cases that represented him and became part of populism in the form of political mobilization of Muslim right wing groups (Setijadi 2017).

Hadiz also explained that Islamic populism is just a variant of populism which is suitable for analyzing a phenomenon in a country that is predominantly Muslim, Islamic populism, movements/alliances formed consisted of various asymmetrical classes (multiclass coalitions) and the mass gathered in them varied (heterogeneous). The difference between classes in Islamic populism will be lost united by a certain shared religious symbol (Hadiz, 2016).

This concept is understood as a social and political phenomenon that arises from common people, usually those who are not highly educated, fight economic inequality, cultural threats from those who have different values in the country and from abroad, the establishment of an elite establishment elites, and governments that do not work effectively for them (Dalio et al. 2017, 2).

Islamic populism is very closely related to the utilization of mass mobilization to fight rapacious elites and use religion as a form of shared political identity. In the view of Islamic populism, each individual, despite having diverse characteristics, is part of the community of believers as a representation of the people who move because they have been marginalized from the secular elite, the ummah is the terminology needed to mobilize the mass support base, in the middle the fact that in alliances there is a complex diversity in the era of modern society (Hadiz, 2016).

This growing reality is both the government and opposition each displays their populist faces both from a political perspective to a diversity identity that is pinned to accommodate national agendas, namely tolerance, peace, pluralism, and Bhinneka Tunggal Ika. We can see this phenomenon when political leaders in both the opposition and government coalitions imagined the anti Ahok campaign as a tactical blueprint that could be recycled in the subnational elections of 2018 and even used against Jokowi in the 2019 presidential race. The importance of religion in national elections is well established. One survey conducted in early 2018 found that a plurality of voters considered presidential and vice-presidential candidates' religious identity to be the most important determinant of their support. The same survey suggested that only a quarter of voters felt their current choice of president was final, with more than half indicating it was still liable to change (Poltracking Indonesia, 2018).

In this context, opposition forces were eager to perpetuate the cleavage exposed in Jakarta, and to strengthen a narrative constructing Jokowi's governing coalition as antagonistic towards the ummah. Following the Anies-Sandiaga victory, Prabowo publicly thanked the Islamic Defenders Front (FPI) for its support of his chosen candidates, and in the months that followed, opposition leaders such as PKS president Sohibul Iman repeatedly suggested that the 'spirit of the Jakarta victory' should be 'transmitted' to other regions and the upcoming presidential contest (Kumparan, Dec 26th 2017; Jawa Pos, June 9th 2018). In April 2018, Amien Rais a senior National Mandate Party (PAN) figure and the advising chairman of the Brotherhood of 212 Alumni memorably described Gerindra, PKS, and PAN as 'parties of God' for their defense of the faith against Ahok, in contrast with the 'parties of Satan'

that had nominated him and that formed the core of Jokowi's coalition (CNN Indonesia, April 13th . 2018).

Yet even as the opposition coalition sought to consolidate the support and mobilization capacity of Indonesia's conservative Muslim constituency, Jokowi and his coalition partners worked to subvert the potentially threatening alliance. The government adopted two principal strategies. On one hand, the more mainstream elements of the anti Ahok movement were coopted and accommodated within Jokowi's increasing 'big tent' coalition. On the other, less acquiescent figureheads of the 212 Movement and Islamic groups possessing more radical ideological orientations were met with repression.

Although Jokowi's published polling figures remained stable during the Jakarta campaign, the government's Islamic credentials were generally seen as weak during the first half of his term. Not only was Jokowi's inner circle dominated by non-Muslims and perceived secularists, but the Indonesian Democratic Party of Struggle (PDIP), of which he is a member, had also long presented itself as a bastion against the Islamisation of national politics. Moreover, the exclusion of Islamic organizations from government patronage was not limited to the ultraconservative FPI and PKS; the leaders of more moderate religious organizations Nahdlatul Ulama (NU) and Muhammadiyah also complained of a relative decline in state largesse during Jokowi's tenure. In short, with his first two years in the office having been dedicated to the construction of an effective party coalition, the president had done little to defuse accusations from conservative quarters that his administration was 'anti-Islamic'.

However, following the shock of the Jakarta campaign, and fearing the continued mobilization of hostile sectarian sentiment, Jokowi and his coalition partners worked assiduously through 2017 and 2018 to enhance the government's Islamic credibility. The first concession to conservative demands, of course, had been the decision to allow Ahok to be charged and prosecuted on blasphemy charges, which resulted in his sentencing to a two-year jail term. However, the government's broader strategy to consolidate support from Islamic groups required a more proactive approach, involving closer attention to the material demands of Islamic civil society at the organizational level, and the strengthening of personal bonds between the president and leading ulama.

As the largest Islamic organization, NU has been the primary recipient of government attention. While *nahdliyin* (NU members) have been well represented in Jokowi's cabinet since he took office, NU elites noted that most of these appointees were cadres from the NU aligned National Awakening Party (PKB) rather than candidates backed by the organization's central board (PBNU) (Detik, June 9th 2016). In recent years, PKB has strengthened its influence within NU by channeling otherwise inaccessible state patronage to the organization's leadership. In early 2017, however, the finance ministry announced Rp 1.5 trillion ($112 million) in financial support to an NU led microfinancing scheme (CNN Indonesia, Feb 23th 2017), soon followed by promises from the president that more than 12 million hectares of land would be distributed to Islamic organizations and pesantren (Detik, Apr 26th 2017). NU was encouraged to put forward further proposals for social and economic programs that could receive government funding (though NU members grumble that the promised patronage has been slow to materialize, meaning Jokowi is yet to 'repay' NU for its support during the Jakarta protests).

Jokowi has wooed NU by symbolic means also, eagerly adopting NU's doctrinal pillar of 'Archipelagic Islam' (Islam Nusantara). As Fealy (2018a) explains, NU has used the concept both to extol the virtues of a culturally sensitive and predominantly Javanese Islamisation process', and as a bulwark against 'what it sees as Arabised forms of the faith, such as Salafism and Muslim Brotherhood style

Islamism'. While Jokowi had shown support for the concept from the early days of his presidency, he has been even more effusive in his praise of Islam Nusantara in the latter half of his term, seeing it as an ideological shield against his puritanical adversaries.

Jokowi has also invested heavily in his relationships with prominent clerics. The clearest illustration of this has been the president's fawning embrace of Ma'ruf Amin, whose concurrent occupation of the MUI chairmanship and the position of rais 'aam (president) of NU make him 'the most powerful ulama in the nation' (Fealy 2018b). Ma'ruf played a key role in the Islamist campaign against Ahok: it was under his leadership that MUI deemed Ahok a blasphemer in 2016, and Ma'ruf served as an expert witness for the prosecution during Ahok's trial. Indeed, Ma'ruf had been prepared to deliver the Friday sermon during the 212 demonstrations, on the condition Jokowi's attendance could be guaranteed (Jokowi attended only at the last minute).

Yet following Ahok's defeat and trial, Ma'ruf was quickly transformed from a dangerous figurehead for conservative resentment towards Jokowi into one of the president's closest allies. Ma'ruf was lavished with praise and patronage arranging meetings between the president and foreign investors (Detik, 2 Apr. 2018) and hosting Jokowi's launch of a sharia based micro credit bank at his pesantren in Banten (OJK, 14 Mar. 2018) and he repaid Jokowi with vocal defense of the president's religious, leadership, and policy credentials (Republika, 2 Apr. 2018; SindoNews, 14 Apr. 2018; Merdeka, 11 May 2018). Though Ma'ruf was aligned with NU's most puritanical and ideologically conservative wing, Jokowi recognized him as someone with whom he could do business: a canny political operator whose career had been characterized more by pragmatism than dogmatism (Fealy, 2018).

The government's accommodation of conservative Islamic leaders has not been limited to those from NU. Senior 212 activists have been invited to private audiences with the president (Kompas, Apr 25th 2018). The controversial Functional Groups Party (Golkar) politician Ali Mochtar Ngabalin a member of Prabowo's 2014 campaign team and a participant in the Defence of Islam rallies was appointed to Jokowi's presidential staff in May 2018 and given a lucrative commissionership in a state-owned enterprise shortly thereafter (Kompas, July 19th 2018). These efforts have prevented Jokowi's political opponents from maintaining a monopoly on conservative Islamic discourse.

In this way, the post Ahok landscape has been characterized not only by the further consolidation of conservative and majoritarian Islamic agendas within Indonesia's political mainstream but also by the increased willingness of government actors to wield the state apparatus as a tool for the de-legitimation and suppression of oppositional and critical political expression. Worryingly, the latter tactics which were developed by the government in response to the radical elements of the 212 Movement are now being employed against more mainstream expressions of the democratic opposition.

This study found that the concept of Islamic populism has limitations in explaining the phenomenon of populism in Muslim societies more broadly. One reason is the application of certain approaches that limit their ability to explain other broader phenomena.

This creates an opaque and even equivocal thing for the community, where what is needed is economic prosperity for the quality of their lives and political stability so that the life processes of each other are maintained and not polluted by the noise of the political elite. Thus, the flow of Islamic populism which is being followed by the community is increasingly farther to find a truth that is desired by all parties. Both the government and the opposition fought against each other in the form of Islamic populism. Both are bringing their face of Islam to state the position that they are pro Islam. Jokowi has

NU as the partner to confirm they are representing the real Indonesia in a form of Islam Nusantara and the opposition also has PKS, FPI, and their supporters to fight back and act as the new hope of poor people, which led the people in endless political exhaustion but also without clear meaning in the context of economic prosperity and political stability.

Emerging Islamic Populism and Its Possible Development: A Click Oligarchy in Indonesia's Election

Top party leaders are increasingly involved in coalition building and nomination dynamics, they are more likely to interpret broad patterns at *pilkada*, and they now speak of these elections as national barometers of partisan support and campaign capacity. The 2018 simultaneous *pilkada* represented the biggest day of voting in Indonesian history outside of national elections. Half the country's 34 provinces went to the polls, including the major demographic centers of East, West, and Central Java, North and South Sumatra, Lampung, and South Sulawesi; elections were also conducted in 39 cities and 115 regencies. More than three quarters of Indonesian voters were eligible to take part. Political elites in both the government and opposition camps identified the 2018 *pilkada* as an important litmus test of the cohesiveness of the political coalition that had defeated Ahok, and a test of the degree to which the polarising, religiously charged campaigning that had proven so effective in Jakarta could be recycled in other parts of the country.

The eventual pattern of nominations in the larger provinces suggested that the government's strategy of ideologically mixed tickets had mostly paid off and that the lack of cohesion in opposition ranks and the weakness of opposition backed candidates had greatly reduced the prospects of a coordinated and effective perpetuation of Jakarta-style sectarian campaigns. This was particularly apparent in the three major Javanese provinces, which have the most plausible claim to bellwether status given they contain almost half of the national population. East and Central Java saw two horse races between 'rainbow' tickets, all of which featured NU members. The Central Java race was particularly noteworthy in this regard: despite the region's reputation as being PDIP heartland, the party and its incumbent governor, Ganjar Pranowo, now saw an Islamic running mate as a necessary precaution against religiously charged campaigns. Ganjar, who had won on a single party ticket in 2013, selected as his deputy Taj Yasin Maimoen, son of United Development Party (PPP) grandee and influential ulama Maimoen Zubair.

A similar pattern arose in West Java, where the primary axis of competition appeared to be between two rainbow tickets: the cosmopolitan and social media savvy Bandung mayor Ridwan Kamil and the conservative Tasikmalaya regent Uu Ruzhanul Ulum against the incumbent deputy governor Deddy Mizwar and the pluralist Purwakarta regent Dedi Mulyadi. Both Deddy and Uu had established links to Islamist networks and had openly supported the Defence of Islam action. Additionally, both candidate pairs were nominated by parties well established in the ideological centre, apparently reducing the scope for stark polarisation.

However, the marginal opposition backed candidates Sudirman in Central Java and Sudrajat in West Java were able to make surprising electoral gains that carried them much closer to victory than polls had predicted, despite the efforts of frontrunners to burnish their Islamic credentials, and despite their care to accommodate Islamic elements in their coalitions. In both provinces, the mobilization of Islamic networks seems to have been an important factor in this late surge. Although Ganjar and Yasin won the Central Java election, their lead narrowed by almost 20 points before polling day. Sudirman benefited from his running

mate's influence in NU, and strong grassroots campaigning by PKS, which highlighted Ganjar's alleged involvement in a major corruption scandal.

Islamist campaigning was even more influential in West Java, where PKS had spent a decade in power and had long maintained a militant support base in the province's urban centers. Sudrajat and his PKS running mate, Ahmad Syaikhu, polling at between 5% and 8% only a fortnight before the election, surged past Deddy Mizwar and Dedi Mulyadi and finished only marginally behind the winning ticket of Ridwan and 'Uu. An influx of financial support notably from outgoing governor Ahmad Heryawan, who was seeking to boost his credentials as his party's preferred vice presidential nominee6 was an important factor in this late mobilization. However, Islamist messaging also played a crucial role in the dying stages of the campaign: not only was social media flooded with recorded messages from leading conservative figures declaring support for Sudrajat Syaikhu but PKS cadres also returned to a proven strategy that constructs electoral choices as part of voters' religious obligations.

Even though the elections in Java did not see a recycling of the incendiary sectarian mobilization seen in Jakarta, the Ahok case did have a discernible impact on candidate and party strategies. Although the leaders of the 212 Movement failed to build on their Jakarta success, the Islamisation of mainstream politics continued.

The dynamization from 2018 *pilkada* just continue to the final round of the whole election contest. Over the past four years, Prabowo has remained by far the most popular of Jokowi's potential presidential challengers, despite the relative rarity of his public appearances. Indeed, no other political figure has come close to matching Prabowo's polling numbers, which have mostly hovered between the high teens and high twenties (SMRC, 2017). However, riding high on his successful wooing of Islamic elites and bolstered by popular support for the government's crackdown on fringe Islamist groups, Jokowi entered 2018 with his electability at record levels (Indikator Politik Indonesia 2018). Unsurprisingly perhaps, Prabowo showed little of the energy and ambition that had characterized his preparation for previous presidential bids in 2009 and 2014. For much of the year, the only enthusiastic assurances of his intention to stand came from Gerindra functionaries who had built their political careers on their chairman's coattails, and who saw his continued presidential ambitions as vital to their political relevance. A Tempo cover story in January, which suggested that Prabowo was priming himself for a third run at the presidency, relied almost entirely on assertions from Gerindra party cadres (Tempo, Jan 14th 2018). But everything needs to be discussed by their coalition.

The process of choosing the Jokowi's deputy and Prabowo's deputy are a clear picture of how the Islamic populism is gaining and gaining. The long talk between the two coalitions is producing many figures. Both coalitions is using the same flank of the Islamic population. Jokowi's coalitions is in a dilemma when, yet it quickly became apparent that all was not well with the president's coalition. Following a meeting with Muhaimin and Ma'ruf, PBNU chairman Said Agil publicly stated that Mahfud was not an NU cadre an assertion rejected by many NU activistsand said that NU would not be supporting either side in the presidential election. PBNU board member Robikin Emhas added that 'if the vice-presidential candidate is not an NU cadre, *nahdliyin* will feel no moral obligation to work for [Jokowi's] success' (Detik, Aug 8th 2018). Then, the clear warning is sense, announced to a surprised press pack that Ma'ruf Amin would be his running mate. Ma'ruf, who was not at the announcement, responded by thanking Jokowi for 'respecting Islamic scholars and respecting NU' (Detik, Aug 9th 2018).

Jokowi's a last-minute change of mind serves only to reignite old questions about his weakness when dealing with party elites. In delaying his declaration of a vice presidential candidate, Jokowi had hoped to prevent defections from his coalition. Ironically, it was PKB which Jokowi had worked hard to keep on the side that most strongly rejected Mahfud and demanded Ma'ruf's selection. That Jokowi was spooked by threats that PKB and NU would withdraw their support demonstrates that his deep insecurity around issues of Islamic identity has not abated. Moreover, there can be little doubt that Jokowi's acceptance of Ma'ruf was a disappointment to many pluralist supporters who are sympathetic towards Mahfud and have not forgotten Ma'ruf's central role in Ahok's trial.

On the other side, Prabowo's coalition demanding the same way to choose and recruit his deputy. In July, it saw two significant developments in the opposition camp. First, the National Movement to Safeguard the Fatwas of Islamic Scholars (GNPF-U; effectively a renamed GNPF-MUI) staged a national 'gathering of Islamic scholars' (*Ijtima'Ulama*) for selecting its preferred presidential and vice-presidential nominees to lead an 'ummah coalition' (*koalisi umat*) (Tempo, July 27th 2018). Its presidential recommendation went to Prabowo, and two names were put forward for the vice-presidential ticket: the young ultraconservative cleric and 212 campaigners Abdul Somad; and the Susilo Bambang Yudhoyono era social affairs minister and paramount leader of PKS, Salim Segaf al-Jufri. Second, after Yudhoyono's earlier efforts to pitch Agus Harimurti Yudhoyono as a running mate for Jokowi fell through, he instead approached Prabowo. The day after GNPF-U made its declaration, Susilo Bambang Yudhoyono (SBY) concluded a productive meeting with the Gerindra chairman by announcing that we have come to an understanding: Prabowo is our nominee for president (Kompas, July 30th 2018). Finally, the uncertainty over Prabowo's willingness to stand started to dissipate. This presented Prabowo with a dilemma. Money had become a major problem for him since 2014, and a shortage of funding was one of the major reasons for his hesitancy about a third presidential bid.

Prabowo instead took a running mate from within Gerindra, settling on Jakarta deputy governor, Sandiaga Uno, only hours after Jokowi announced Ma'ruf. Sandiaga's wealth (he funded 80% of the campaign costs in Jakarta, by the reckoning of one senior source) has helped to alleviate one of Prabowo's biggest weaknesses: campaign financing and logistics. His candidacy also worked around the stalemate among Prabowo's coalition allies, all of which sought to prevent a second party winning a place on his presidential ticket (and therefore a comparative advantage in the coattail stakes). When Prabowo and Sandiaga submitted their nomination in a Gerindra themed parade, it was with the backing of PKS, PAN, and PD. Meanwhile, despite the absence of an 'Islamic' candidate on his ticket, many in Prabowo's Islamist support base adopted the refrain that it is 'better to support a president chosen by ulama than an ulama chosen by the president'.

By the clear process of both coalitions, both sides, both groups and both Islamic base. This is the real template of what was happened in Indonesia election's is a huge plot to see how the Islamic populism is gaining and growing immediately since 2017. It brings many things to the society. Polarisation can't be ignored. It was costly for the national united. The elites just let it flow and not to take any attention to make the tense stable or slowing down return to its place.

There are three possibilities to confirm that Islamic populism is the click oligarchy agenda in the name of a political objective. First is social inequality that has historically been very high. Second is that it is accompanied by an increase in the number of educated young people who have high aspirations so that between reality and aspirations is very distant. Third, there is no organization capable of channelling the

aspirations and interests of these groups so that in times of tension, at any time they can be assembled for temporary political purposes.

The accumulation of disappointments and socio-economic problems cannot be overcome easily. Then, where is the connection? The narrative of sociability which is a central part of identity politics contains the narrative that the ummah is part of a social group that has been systematically marginalized. From the colonial era, after the New Order colonial period to this democracy. So, it provides enormous potential for the elites who are competing with each other now. The mass of people who are angry, disappointed and maybe also the level of trust in the institution is not too high. It is here that there is a meeting between developments in the underworld and interests in the upper stream. The factions of the oligarchs who competed were able to mobilize religious sentiments. This is related to the accumulation of broader socio-economic disappointments to advance the competition of their fellow political interests (Hadiz, 2018).

Some communities themselves have been conditioned to receive support based on the ummah's identity. This is because of the increasing religiosity in Indonesia as many other Muslim majority communities have been since the 1970s and 1980s. In the 1990s and 2000s, people increasingly consumed products that confirmed the ummah's identity through mass media, for example, or the fashion, banking and even housing industries which also turned out to be economically more profitable for investors. And today, Islamic Populism in Indonesia is increasingly absorbed in competition between oligarchic factions. The point is to mobilize the masses before the election based on the identity of the ummah, at least temporarily to eliminate the barriers between groups of people who are very different in their interests.

Conclusion

Fragmentation has become a feature of prominent Islamic populism in Indonesia after new orders which have led to the birth of exclusionary and racist religious sentiments in electoral competitions. Although the mobilization of conservative Islamic populism has succeeded in leading Anies-Sandi to become the winner of the Jakarta election, for example, the political trajectory of Islam can be predicted to have no prospects. They are only meaningful in electoral competitions, but they are not important for political subjects in the formulation and public policymaking.

This study found that the concept of Islamic populism has limitations in explaining the phenomenon of populism in Muslim societies more broadly. One reason is the application of certain approaches that limit their ability to explain other broader phenomena.

This creates an opaque and even equivocal thing for the community, where what is needed is economic prosperity for the quality of their lives and political stability so that the life processes of each other are maintained and not polluted by the noise of the political elite. Thus, the flow of Islamic populism which is being followed by the community is increasingly farther to find a truth that is desired by all parties. Both the government and the opposition fought against each other in the form of Islamic populism. Both are bringing their face of Islam to state the position that they are pro Islam. Jokowi has NU as the partner to confirm they are representing the real Indonesia in a form of Islam Nusantara and the opposition also has PKS, FPI, and their supporters to fight back and act as the new hope of poor people, which led the people in endless political exhaustion but also without clear meaning in the context of economic prosperity and political stability.

There are three possibilities to confirm that Islamic populism is the click oligarchy agenda in the name of a political objective. First is social inequality that has historically been very high. Second is that it is

accompanied by an increase in the number of educated young people who have high aspirations so that between reality and aspirations is very distant. Third, there is no organization capable of channelling the aspirations and interests of these groups so that in times of tension, at any time they can be assembled for temporary political purposes.

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Model Contribution of Islamic LawAs a Law Of Material Sources in the Development of National Criminal Law Perspective Paradigm Of Islamic Modernism

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Abstract

The Indonesian nation to date does not yet have its own national law product. The development of national law is still proceeding. The idea of a profile of national law going forward continues to be a discourse. The purpose of this study is: to examine the model contribution of Islamic law as a law of material source in the development of national criminal law in the perspective paradigm of Islamic modernism and analyze its problems. The novelty of this research is a model of the contribution of Islamic law as a material source in the development of national law. This type of research is a library research with a philosophical approach. Research data is collected through document search online, and analyzed according to reflective thinking flow. The results of this study indicate that in the perspective of the Islamic modernism paradigm, the model of Islamic law in the criminal field is more strategic and realistic as a source of material or law materials juxtaposed with other law materials such as customary law, Western law and international conventions. Contribution as a material source is a style of Islamic law that emphasizes the substance aspect, not its formal law, or prioritizes content rather than form. Provisions in Islamic law are transformed into social ethics which are considered to be in accordance with universal values and provide justice. The position of Islamic law as a source of material will be faced with internal and external problems. Its internal problems will be difficult to accept by Muslims who want the formal application of Islamic law as a positive law. Whereas the external problem is that there is a possibility that the notion of positively conceiving Islamic law will be difficult to accept by law experts due to the influence of receptie theory.

Keywords: *Model, Islamic law, source of material law, national law, modernism*

Introduction

The life of the people in colonial situations is different from the free and independent situation. Moreover, people's lives continue to grow along with the times. Development has led to a shift in culture, values and attitudes that have an impact on shifting views of the law. This needs to be balanced with the development of the law by reconstructing existing laws or building new laws. Laws that are created and implemented in accordance with the old situation will be adapted to new situations and reach out to new problems. If this situation continues to be forced, it will lead to mistrust and apathy of society towards the legal mechanism. Even vigilante acts become inevitable as an outlet.

These problems are more specifically addressed in the Criminal Code which currently applies in Indonesia as the main book, not in accordance with the legal needs of the community. Moreover, the contents are not extracted from the culture and legal awareness of the Indonesian people, but the inheritance of the invaders whose ideology is different from the Indonesian nation. Initially the founding fathers wanted the Criminal Code to be temporary. But ironically until now it has been maintained and used.

Legal failure in realizing justice can be caused because the law used is not appropriate. The Criminal Code which has been used in Indonesia until now can be an obstacle in upholding justice. The use of laws that are not suitable and miss can also lead to the application of the law inappropriately and forcefully, which in turn will reduce the authority of the law itself in the community [1]. The public's distrust of the enforcement of criminal law is increasingly greater due to the practice of administering criminal law that is also too normative-procedural.

The solution to the problem above is the need to develop a new criminal law that is in accordance with the norms in Indonesian society itself. It becomes illogical that criminal law imposed in Indonesia continuously is a law that is not in accordance with the norms or values adopted by the Indonesian people.

The construction of a new criminal law is proceeding, but there is no certainty when it will be completed. That is, the Indonesian nation continues to try to build national law even though it is limited to substance or legal material in the form of legislation. Specifically for criminal law material in the form of Draft Criminal Code. Since the beginning of the discourse until now, there are no signs that indicate when it will be discussed and ratified in parliament. Various designs have also changed since the Draft Criminal Code of 1964 until now. Improvements and additions to the material continue. The hope is that the formulation of the Draft Criminal Code is truly a legal product that is in accordance with the legal awareness of the Indonesian people.

As a result of the nation's long journey in the Dutch colonial law system, the formulation of national law is still dominated by Dutch heritage law. Even though the formation of national law certainly cannot only depart from the conception of Dutch law. There is a customary law that has long been maintained in the community. Likewise there are Islamic laws that have long been implemented by Muslims. Even supporters of the application of Islamic law argue that because the majority of Indonesians are Muslims, it is necessary to apply Islamic law [2]. National law must not ignore the existence of both.

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[1]P.A.F. Lamintang & Djisman Samosir, *Hukum Pidana Indonesia,* Bandung: Sinar Baru, 1983.

[2]Lina Kushidayati, "The Development of Islamic Law In Indonesia", *QIJIL; Qudus International Jurnal of Islamic Studies,* Volume 1, Number 2, July-December 2013.

Islamic law covers all aspects of life, both personal and individual, social and state, which in history have been applied in the archipelago in the days of the Islamic empire. But during the Dutch colonial period until now, it was only limited to law in the family field. Later, it expanded into engagement law (muamalah) such as the shari'ah economy, syari'ah banking and syari'ah insurance. As for Islamic law in the criminal field, it is still debated even though some of the provisions in it have formed public law awareness.

Islamic law in the criminal field is also important to be used as a material source in the development of national criminal law, although not all, can be offended, criminal, responsibility, or for certain parts of the three. As a material source, Islamic law is a material in the development of law that is selectively juxtaposed with other legal sources. However, contribution as a material source requires methodological studies so that it can be theoretically justified and accepted by the majority of Muslims.

The purpose of this research is to examine the model of contribution of Islamic criminal law as a material source in the development of national criminal law, reviewing the position of Islamic criminal law as a material source in the development of a national criminal law perspective paradigm of modernism and analyzing its problems.

This type of research is a reseach library because the object being studied is a document which is secondary data. The focus of this research study is normative, namely doctrinal legal research or theoretical legal research. It is called normative legal research because what is examined is the law from the theoretical or normative aspects, not to review the applied aspects or their implementation. The approach used is philosophical. A philosophical approach is an approach that views law as a set of ideal values that must be a reference in the formation, regulation and implementation of law. A philosophical approach is used because this study is ideal by using a legal philosophical perspective that views law as law in ideas or ius constituendum. The data used is secondary data. Secondary data is data that is not obtained by researchers directly or originating from other parties in the form of written documents. The researcher obtained data through searching library materials online. Data collected was analyzed qualitatively. Qualitative data analysts are a form of analyst by interpreting and describing data through words in a narrative with scientific logic.

Model of the Contribution of Islamic Criminal Law as a Material Source in the Development of National Criminal Law

Study the position of Islamic criminal law in the development of national criminal law, it is necessary to look at the position of Islamic law in the national law system. The national law system in Indonesia as a result of its historical development is plural. So called because until now in general there are three law systems that have their own style and structure, namely Customary law, Islamic law and Western law inherited from the Dutch.

The aspiration to build national law is also a dialectical struggle between the tendency to be separated from the colonial law system and the tendency to feel comfortable with the law system (status quo). It has become a historical record of the nation's struggle through the Jakarta Charter consensus to the compromise efforts of pre and post the proclamation of Indonesian independence on August 17, 1945 with the present Pancasila formula. This shows that Islamic law already has historical and sociological roots, and has a long history of struggle for existence.

Throughout the history of the course of law in Indonesia, the presence of Islamic law in the national law system cannot be separated from the struggle for existence. Islamic law always reinforces its existence both as written and unwritten law in various fields and legal practices[3].

There are two forms of Islamic legal functions in the development of national law: 1) Make Islamic law a positive law that applies only to Muslims. 2) Law of Islam through the expression of values or principles of Islamic law that will apply not only to Muslims but also to all citizens[4].

In contrast, national law in the perspective of Islamic law can be classified into three groups: 1) Laws that are in line with Islamic law, such as family law and most civil law. 2) Laws that do not conflict with Islamic law even though they are not exactly the same as Islamic law, such as the law of murder and robbery. 3) Laws that are contrary to Islamic law, such as the law on sexual relations without marriage, liquor and gambling, where the perpetrators are punished only if they damage or disturb others[5].

Islamic law in the public sphere in the context of Indonesia has been guaranteed and regulated in the 1945 Constitution of the Republic of Indonesia (the 1945 Contstitution) article 29 paragraph (1): "Every citizen is given the freedom to embrace religion and belief and practice his religion and beliefs each". There are three meanings related to this article, namely: 1) That in the Republic of Indonesia State there must not be a rule that is contrary to the rules of Islamic law. 2) That the Republic of Indonesia is obliged to implement religious provisions: Islamic provisions for Muslims, Christian provisions for Christians and Hindu provisions for Hindus, as long as the implementation of religious teachings requires the help of state power. 3) Islamic law that does not require the help of state power to implement it, because it can be carried out by each of the followers of a religion, is a personal obligation for each person who runs it himself according to his own religion[6].

Furthermore, to position Islamic law into the development of national criminal law, it must at least look at four things: 1) The obligation for Muslims to carry out / apply all the teachings of Islam, including its legal aspects if they want to become devout believers. 2) The pluralistic condition of the Indonesian people with a plurality of religions, cultures and espoused values. 3) There is a dichotomy in the study of law in Indonesia, namely Western law in the faculty of law, Islamic law in the Shari'ah faculty, so that when someone starts studying law at the law faculty, what is learned and developed is Western legal theory. 4) The absence of the same conceptions and strategies within the Muslim community regarding the position of Islamic criminal law, whether as a formal source or sufficient as a source of material.

Many studies have been carried out in the form of seminars, workshops, and research in order to replace the Western laws of Dutch colonial heritage which are often justified as not in accordance with national culture. Not a few scientific works have tried to explore the wealth of Islamic legal theories to be juxtaposed and made a comparison with Western legal theory. Law that provides theories is Western law and Islamic law. The relationship between Customary law and Islamic law does not really need to be

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[3]Abdul Halim Barkatullah & Teguh Prasetyo, *Hukum Islam Menjawab Tantangan Zaman yang Terus Berkembang*, Yogyakarta: Pustaka Pelajar, 2006, 70.

[4]Muhammad Julijanto, "Implementasi Hukum Islam di Indonesia; Sebuah Perjuangan Politik Konstitusionalisme", at *Conference Procedings Annual International Comference on Islamic Studies*, Mataram, September 2013, 78.

[5]Masykuri Abdillah, "Kedudukan Hukum Islam dalam Sistem Hukum Nasional", *Jurnal Jauhar,* Volume 1, Number I, Desember 2000, 51.

[6]Syamsul Anwar, *Studi Hukum Islam Kontemporer,* Jakarta: RM Books, 2007.

questioned, because in Islamic law, customary (*'urf*) can be used as a source of law (*al-adat muhakkamah*). It remains that Islamic law and Western law need to be studied further. The theoretical competition for the formation of national law depends on the extent to which the two law systems can provide a theoretical foundation in a broad sense that is in accordance with the Indonesian context[7].

Indonesia is a law state based on the 1945 Constitution and aims to ensure certainty, order and law protection for all Indonesian people[8]. After independence, the Indonesian nation has a constitution, namely the 1945 Constitution of the Republic of Indonesia, which by Law of the Republic of Indonesia Number 12 year 2011 about the Establishment of Legislation Regulations is placed in the highest hierarchy of laws and regulations. All laws must refer directly to the constitution. Viewed from the point of view of the theory of law, the constitution is a source of written law in formulating the rules of positive law, in this case the law. As a source of written law, its nature is limited and generally contains basic rules in the administration of the state, social and economic life, including guarantees of human rights and citizens. To explore and formulate positive legal norms, using written law alone is not enough. There are unwritten sources of law, namely various conventions that grow and are maintained in the practice of state administration, as well as laws that live in the community. As a consequence, the development of national law will include three elements of legal sources that have equal and balanced positions, namely customary or customary law, Islamic law and Western law that originates from Dutch law.

The position of Islamic law in the midst of national law, is no longer the question of seeking the legitimacy of the existence of Islamic law. The discussion here does not merely seek formal legal legitimacy, but is directed at how much Islamic law is able to contribute its values in real terms. As one of the three law systems in force in Indonesia, Islamic law has an important and strategic position. Islamic law can be used as a source of national law development, especially in the criminal field.

It should be stated here that there are two kinds of legal sources, namely the source of material law and formal law sources. Material legal sources are legal materials that do not have a certain form and have not been formally binding, but can be used as law content with certain forms in order to become binding, for example through the legislative process. Whereas formal legal sources are legal sources that have a certain form and are binding on the enactment as a law because they have been established (enforced) by authorized institutions such as the legislative process. In addition to through the processes and products of formal law sources legislation can also be in the form of jurisprudence, conventions and doctrines[9].

Islamic law itself in terms of implementation varies. Some can be carried out by individuals without state or community assistance such as the laws in the area of ritual worship. There are those whose implementation requires assistance from state power in an administrative or service framework such as family law. Some are not possible without state intervention, such as criminal law[10].

The transformation of parts of Islamic law into national law is a continuation of what has already taken place. Its applicability is not something new, and not utopian, but has a long historical root. Islamic

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[7]Achmad Gunaryo, *Pergumulan Politik dan Hukum Islam,* Yogyakarta: Pustaka Pelajar, 2006.

[8]Arif Rahmat & Lalu Husni, Aris Munandar, "Certainty of Legal Distribution of Inheritance Through Grants; Study in Dompu District, Dompu Regency", *International Journal of Multicultural and Multireligion Understanding,* Volume 6, Issue 2, April, 2019.

[9]Moh. Mahfud MD.,"Politik Hukum dalam Perda Berbasis Syari'ah", *Jurnal Hukum,* Volume 14, Number 1, Januari 2007, 15.

[10]Syamsul Anwar, *op.cit.,* 14.

law in Indonesia is a law that lives, develops, is known and is partially adhered to by Muslims. Since the occupation of the Dutch government until post independence, Islamic law in force in Indonesia is indeed limited to the law of practical worship, family law (ahwal al-syakhsiyah) only. Later, it expanded into engagement law (muamalah) such as the shari'ah economy, syari'ah banking and syari'ah insurance. The criminal law is actually debatable because since the colonial era the Dutch government was kept away from Muslims.

The national criminal law system is a law system that is not based on a particular religion but gives a place to the religions adopted by the people to become a source of law. It means that religious law as a source of law is interpreted as a source of material law (source of law material).

In order to contribute to the development of national law, the position of Islamic law in the criminal field should be a source of material law in formulating provisions in national criminal law. Not only Islamic criminal law is used as a source of material law, but also customary law, including Dutch inheritance law if it is still considered in line and accepted by the public, and various international conventions.

The description of the formulation of Islamic criminal law in the development of national criminal law can be clarified in the following demonstration:

Demonstration
Position of Islamic Criminal Law in Development
National Criminal Law
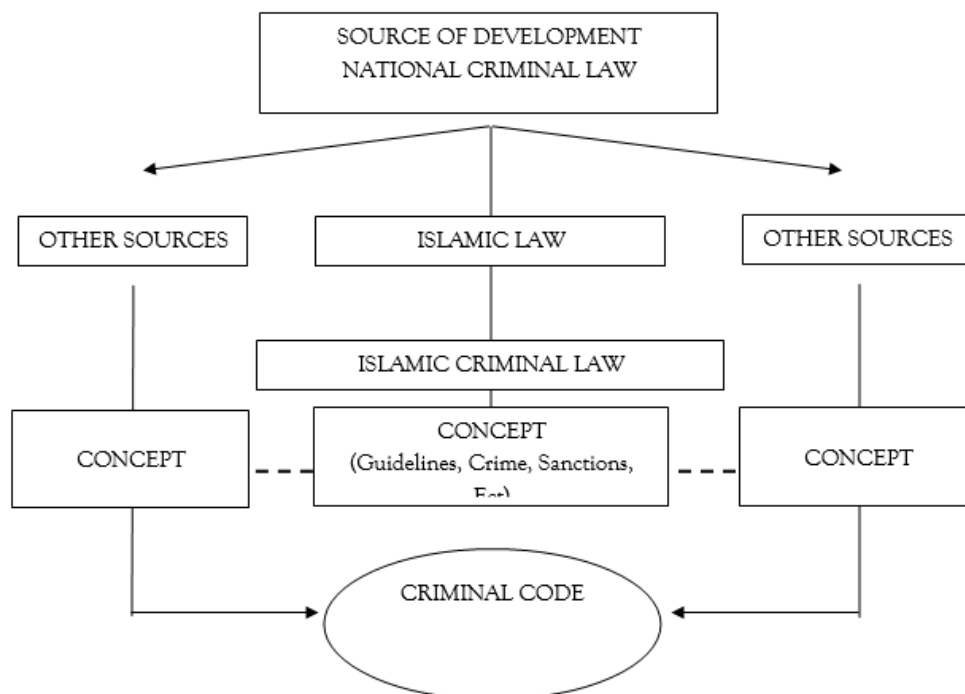
Based on the above exercise, the position of Islamic criminal law reflects the development of national criminal law as a source of law along with other legal sources. As one source, the concepts contained in Islamic criminal law can complement each other, and both can contribute to the future national criminal law specifically the National Criminal Code.

Islamic criminal law can be absorbed even though not all of them, can be offended, sanctioned, or for certain parts both. Examples of crime to eliminate lives, can be absorbed as well as sanctions. Diyat sanctions in which there is a process of forgiveness and peace can also be accepted by the Indonesian people. Moreover, Indonesian people are known as forgiving people and always prioritize togetherness and deliberation in solving problems.

With the position of Islamic law as a material source, it can play an important role in shaping and developing norms that can be absorbed in the Draft Criminal Code. Although as a material source or material, the rules contained in Islamic criminal law cannot be applied and applied formally as Islamic criminal law.

Given that Islamic law since its arrival in the Indonesian archipelago is a law that lives in Indonesian society, not only at the symbol level, but also at the practical level (implementation)[11], the state cannot formulate national criminal law by ignoring Islamic law. Especially if formulating provisions that are contrary to Islamic law, of course will be rejected by Muslims. The state must establish criminal law in accordance with the legal awareness of its people. If the opposite, then the state will become an authoritarian state that imposes its own will on its people.

Position of Islamic Criminal Law as a Material Source in the Development of National Criminal Law Perspective of the Modernism Paradigm

If Islamic criminal law is positioned as a material source, an epistemological foundation is needed so that it can be academically insured and acceptable to Muslims. As a material source, there is no label for Islamic "criminal" law. After the product of the national criminal law has been ratified, which also comes from Islamic criminal law, what applies is national law, without mentioning the source / origin, and no longer as an Islamic criminal law. Maximum will only be referred to as criminal law in line with Islamic criminal law. If a law does not have an identity as Islamic law, the problem is that there is no theological attachment of Muslims to submit to the law. There is no theological burden if Muslims do not comply with these law rules.

Islamic law itself, including jurisprudence jurisprudence, grows in the lives of different people, with a diverse law stream even though only four mainstream schools have grown until now. Generally, the scholars accept a variety of interpretations and are aware of mistakes in every opinion they issue while still looking for a meeting point (consensus / ijma ') [12].

Methodologically Islamic criminal law as a material source / material in the development of national criminal law, is a style of Islamic law that emphasizes the aspect of substance or purpose, not formal legal. The purpose of Islamic law is for the benefit of humans. There is a rule in the usul fiqh which states: "*al-hukmu yataghayyaru bitaghayyuri al-amkinah wa al-azminah* (the law changes in line with changing circumstances and conditions)". The teachings of Islam require the greatest benefit to the people with the flexibility of the existing law. There is a rule in ushl fiqh; "*ma la yudraku kulluhu la yutraku kulluhu* (what all

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[11]Sulasman, "The Process of Decolonization on Islamic Law in Indonesia: A Historical Perspective", *Tawarikh: International Journal for Historical Studies,*Volume 8, Number 2, April, 2017.

[12]Samsudin Aziz, "Kanunisasi Fikih Jinayat Kontemporer; Studi Materi Muatan *Qānūn Jināyat* Aceh dan Brunei Darussalam", *Jurnal al-Ahkam*, Volume 24, Number 2, Oktober 2014, p. 184.

cannot achieve, all must not be abandoned)" [13]. If Islamic criminal law cannot be a formal source in the formation of national criminal law, then being a material source is an acceptable position.

Islamic criminal law with a substantial pattern prioritizes content rather than form[14]. According to Fazlur Rahman, that Islamic teachings including the legal provisions contained in the Qur'an, must be seen as the spirit of his ideals (moral ideas). According to him, the Qur'an's moral ideals are trying to make improvements to social structures towards the creation of a just and egalitarian structure. What is the purpose of the law must be taken into account. Rahman distinguishes Islamic teachings into two types:

1. A fixed and universal teaching, namely the essence, called "moral idea".
2. Temporal and local teachings, which can therefore change according to the context of time and place. This section is called "legal specific" [15].

Some provisions in Islamic criminal law such as criminal acts of eliminating lives along with their criminal sanctions (*qiṣaṣ-diyat*) as material sources / materials along with other sources, can become social ethics. This makes it very possible for Islamic criminal law to enter the state's public policy which is not a legitimate Islamic state. The absorption of Islamic criminal law into national criminal law is its values, such as protection, justice, equality, and honesty. Those values are the main goal. Provisions in Islamic criminal law which are considered to be in line with the law awareness of the Indonesian people such as the concept of *qiṣaṣ-diyat*, or forgiveness should be packaged as social ethics. As a social ethic, the concept of *qiṣaṣ-diyat*, or forgiveness can be applied because it is seen as a punishment that can provide justice for victims.

The style of Islamic law is in line with the paradigm of Islamic modernism that appears to reconcile Islam with modern attributes such as democracy, human rights, nationalism, rationality, science, equality and progress. The emergence of the paradigm of Islamic modernism was also a response to European colonialism towards the Islamic world in the 19th century defense[16]. Islam often gets various challenges, especially in social change. The emergence of various movements to change the direction of Islam which was originally carried out textually in a contextual direction[17].

The paradigm of Islamic modernism is a refreshing understanding of religion and social reform that has helped democratize Islam and become the main actor who shaped the economy, political and intellectual life in the Islamic world[18]. Islamic modernism movement against taklid in the past by moving back ijtihad. According to the paradigm of modernism, ijtihad is a rational interpretation of the Qur'an to meet the needs of modern society. The paradigm of Islamic modernism aims to bring Islam to a progressive religion. As is the case in the West with an emphasis on rationality and human freedom, Islamic modernism harmonizes Islamic beliefs with modern values through *ijtihad*[19]. Muslims must have a new interpretation construction with a modern framework and rational prerequisites so that they can survive

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[13]Muhammad Khayr Haykal, *al-Jihaad wa al-Qitaal fii al-Siyaasah al-Syar'iyyah*, Juz I, Beirut: Daar al-Bayariq, 1996.

[14] Pramono U. Tanthowi, *Kebangkitan Politik Kaum Santri*, Jakarta: PSAP, 2005.

[15]Fazlur Rahman, *Islam dan Modernitas; tentang Transformasi Intelektual*, Terjemah, Bandung: Pustaka, 2000.

[16]Tauseef Ahmad Parray, "Islamic Modernist and Reformist Thought: A Study of the Contribution of Sir Sayyid and Muhammad Iqbal", *World Journal of Islamic History and Civilization*, Volume 1, Number 2, December 2011.

[17]Muh. Dahlan, "K.H. Ahmad Dahlan sebagai Tokoh Pembaharu", *Jurnal Adabiyah*, Volume XIV, Nomor 2, November 2014.

[18]Robert R. Bianchi, "Islamic Globalization and Its Role in China's Future", *Journal of Middle Eastern and Islamic Studies (in Asia)*, Volume 9, Number 3, December 2015.

[19]Kamarudin Saleh, "Transformasi Pemikiran Pembaharuan dan Modernisme di Malaysia; Satu Penelitian Awal", *Jurnal International Journal of Islamic Thought*, Volume 2, Desember 2012.

and be accepted in modern life. In addition, Muslims must also be freed from the mystical perspective, the attitude of decency (freezing of thought) and blind taqlid because they will not deliver Muslims to compete in the modern century.

Formulate national law in a country that identifies itself as a state not on the basis of a particular religion, but gives space to religion, the influence of religion will always color. Even in countries that clearly identify as even secular countries. For example; India's constitution expressly states that India is a secular state, but in practice Hindu law greatly influences law in India. The influence of Buddhism on Thai and Myanmar national law is also very strong. The Philippine Marriage Law, also prohibits divorce, which is certainly an influence from the Catholic religion.

One aspect of Islamic law that is most replaced by modern law is criminal law. Colonization becomes the starting point for the transfer of Islamic law to the model of Western law in Islamic countries or the majority of the population is Muslim. Ages XVIII to XX, Islamic countries are generally colonized by Western countries. Colonial countries were forced to follow the laws of their parent country.

After these Muslim countries became independent and had the authority to implement their own law system, some returned the application of Islamic criminal law in state life like countries in the Middle East. Others continue the colonial law system such as Indonesia which inherited Dutch, Malaysian and Brunei laws which inherited British law.

In general, Islamic countries or countries with a majority Muslim population in applying Islamic law can be classified into three major groups, namely:

1. Enforce Islamic law as a whole

   Countries belonging to this group are Saudi Arabia, Yemen, Bahrain, Qatar, United Arab Emirates, and Kuwait. Later Brunei Darussalam, which since October 22, 2013 has implemented Islamic law with the Case Order Number 83 (3) through the Royal Negara Brunei Darussalam Newsletter. These countries impose Islamic law with certain styles of schools or variations. Islamic law which is applied refers directly to the Qur'an and hadith with the support of the ulama's opinions contained in the books of fiqh and a collection of fatwas, as well as through codifications such as Brunei Darussalam[20], has codified Islamic criminal law called Qanun Jinayat which contains ḥudud , qiṣaṣ and ta'zīr.

2. A country that applies Islamic law with reformation

   Countries belonging to this group are Egypt, Sudan, Jordan, Syria, Tunisia, Morocco, Algeria, Lebanon, Iran, Iraq, Libya, Pakistan, Afghanistan, Bangladesh, Malaysia and Indonesia. These countries made prior reforms to Islamic law to be applied, combining several schools of thought (such as in Egypt between Hanafi schools and Shafi'i). Some even mix with Western law and use the traditions and administration of Western legal models. The tendency of the application of Islamic law especially in the criminal field leads to "transplanting" of the Western law system. That is, Islamic criminal law is applied but with the application procedure according to Western law. Moreover, post-colonial Muslim countries are in the nations-state system, which in fact is a model adopted from the

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[20]Dato Seri Setia Mohammad bin Abdul Rahman, "Kemasukan Islam ke Brunei Darussalam dan Undang-undangnya", dalam Dato Seri Setia Metussin bin Baki, ed., *Sejarah Penubuhan Mahkamah Syariah Negara Brunei Darussalam*, Brunei Darussalam: Jabatan Kehakiman Negara Brunei Darussalam, 2005, p. 29.

West[21]. Particularly Indonesia applies Islamic law only in the field of family law along with Western law, and Customary law. Later it penetrated into the economic field, especially banking.

3. Countries that do not enforce Islamic law

Countries included in this group are Turkey, and countries with minority Muslims. Turkey has abandoned Islamic law and replaced it with Western law in all fields. Even though during the Ottoman Caliphate[22], the law system that was put in place was totally Islamic law that had the character of Hanafi Madhhab. The political revolution pioneered by Mustafa Kamal, has eliminated Islamic law along with the abolition of the Ottoman Caliphate. Islamic law was replaced with massive imports of laws in France, starting with the import of penal code (criminal law), code civil (civil law) and code commerce (commercial law). To implement the new law a secular justice system was built[23]. However, as the political power changed which was later dominated by Islamists, Turkey returned gradually to restore Islamic identity. Rules that are contrary to Islamic law began to be revoked, such as the prohibition on wearing headscarves for Muslim women in government institutions.

Sociologically the existence of Islamic law remains the hope of the Islamic community by making it a source of national law. Especially before the Dutch colonial arrival, Islamic law was enacted and rooted in society[24]. The results of research conducted by the Gallup World Poll state that as many as 79% of Muslims in 10 countries with a majority Muslim population want Islamic criminal law to be a source of law, some even want total implementation[25]. Even in Indonesia there were also initiatives to implement Islamic criminal law locally in the Aceh region.

Every religion always grows along with the traditions and geographical conditions of the local area. The dialectic process occurs between the teachings of the religion and culture of the adherents. Although religion is believed to come from God, religion has developed among its followers who are also cultural beings. It is no exaggeration if Indonesian Islam in its legal aspects will give birth to a new school that enriches the colors of Islam that develops in the Middle East as a majority and Islam that develops in the West whose position is a minority.

Problems in the Position of Islamic Criminal Law as a Material Source

A similar law phenomenon can cause unequal reactions from different communities, or from different individuals. Murder is a universal phenomenon, but the handling and view of a society towards the phenomenon is different, so that it can be emphasized the important function of law as a "guiding behavior". The consequence of this function is that the purpose of law development can shape human

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[21]Abdullahi Ahmad al-Naim, *Islam and the Secular State: Negotiating the Future of Shari'a*, USA: Harvard University Press, 2008.

[22]Abdullahi Ahmad al-Naim, "Sharia in the Secular State: A Paradox of Sparation and Conflation", dalam Peri Bearman, ed., *The Law Applied: Contextualizing the Islamic Sharia* London and New York: IB Taurus, 2008.

[23]Tahir Mahmood, *Personal Law in Islamic Countries; History, Text, Comperative Analysis*, New Delhi : Academy of Law and Religion, 1987.

[24] Sulasman, *op.cit.,* 134.

[25]The countries studied are: Libanon, Malaysia,Turki, Indonesia, Iran, Maroko, Mesir, Pakistan, Yordania, Bangladesh. Tahir Wasti, *The Application of Islamic Criminal Law in Pakistan: Sharia in Practice,* Leiden and Boston: Brill, 2009.

behavior. Whereas human behavior is strongly influenced even shaped by social factors, culture, psychology, politics, economics, religion, and others.

Law as a global phenomenon has similarities throughout the world consisting of social norms, rules made by the state, and ethical values[26], with various variations and specifics. According to Menski, the first element is called the triangle of society, the second element is called the triangle of state, and the third element is called the realm of values and ethics. This confirms the basic premise that all law is a specific culture and a contract or negotiation. By understanding this phenomenon, the development of law from a pluralistic material is a necessity.

However, placing law as a material source will be difficult to accept by Muslims who want the application of Islamic law in total and intact, without having to be mixed up, especially with Western law. These circles want Islamic law to formally play a major role in law life. The orientation of his thoughts tends to religious texts in textual and legal-formal meanings. Muslims in state supervision must carry out Islamic criminal law. The rules contained in al-Quar'an and the hadith about criminal acts and their sanctions are very clear, just to be followed, without requiring complicated interpretations, let alone mixed up which can actually diverge. There is a separate section that gives state authorities (based on expert studies) to formulate, interpret and create namely ta'zir's criminal acts and other rules that are subtle.

The position of Islamic law as a source in the development of national criminal law will also not be separated from external problems. For example, it is possible to assume that it will make Islamic criminal law a positive law, or make Indonesia a country based on Islamic shari'a. Regarding this assumption, it can be stated that so far the Dutch law has been made as a positive law and made as a source of even formal material law, but Indonesia is not considered to be a Dutch state. The Basic Agrarian Law clearly states that as a law formulated based on the rules of customary law, there is also no assumption that Indonesia has become a customary state.

The next external problem is the problem of struggle between Islamic law, customary law, and Western law in academic discourse among legal experts and in the historical struggle of its existence. For example; to determine what law was first born in Indonesia, according to mainstream understanding among legal experts in Indonesia, or which was developed in learning in law faculties, the answer was customary law. In fact, there are not a few views of law experts who seem not to know the existence of Islamic law in Indonesia. Others see it as a subsystem of customary law. This view is certainly worth the question.

It must be admitted that legal science learned in Indonesia is a Western perspective. Colonial experience gave rise to a strong enthusiasm for the superiority of Western law, so that many ex-colonial countries deliberately transplanted their laws through the process of acceptance and acculturation of their former colonial masters after independence[27]. Even though colonialism itself is not actually aimed at legal transplants. Even if the colonial rulers impose the enactment of their law system only for political purposes.

If a legal expert is honest and is not classified as Islamophobic, then the answer is clear. When Lodewijk Williem Christian van den Berg (1845-1927) gave birth to the theory of receptio in complexu, as mentioned above, it was to show Islamic law applied in the archipelago in all its fields, not customary law. Customary law was not created at that time. Van den Berg states that for Muslims full Islamic law applies,

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[26]Werner Menski, *Comparative Law in A Global Context; The Law system of Asia and Africa*, New York: Cambridge University Press, 2006, p. 5-6.

[27]*Ibid.,* 37.

because he has embraced Islam even though there are deviations in the implementation. The essence of the theory of receptio in complexu from van den Berg emphasizes that the law that applies to a society is the law of the religion adopted. Every religious person is subject to the law of his religion[28].

The next round, the theory of receptio in complexu was opposed by Christian Snouck Hugronje (1857-1936), advisor to the Dutch East Indies government on Islamic affairs and the sons of the earth. Based on his investigation of the people of Aceh and Gayo in Banda Aceh as contained in his book *De Atjehers* and *Het Gajola*, it was argued that what applies to Muslims in both regions is not Islamic law, but customary law. Islamic law does enter into customary law, but that influence only has legal force if it has been truly accepted by customary law[29]. This theory was then known as the receptie theory. The main points of Hugronje's receptie theory are that for indigenous people basically customary law applies, and Islamic law will apply if the Islamic legal norms have been accepted or absorbed by customary law communities.

The receptie theory was further developed by Cornelis van Vollenhoven and Betrand ter Haar which were solely aimed at the interests of preventing the emergence of Pan-Islamism in Indonesia and to strengthen the grip of the invaders. According to them, allowing Islamic law to develop greatly endangers colonial interests. However, this theory actually developed systematically and influenced indigenous law experts to date[30].

It was because of this view and suggestion of followers of the receptie theory that in 1922 the Dutch Government formed a commission to review the authority of Priesterraad or the Raad of Religion in Java and Madura. The commission is headed by P.A. Hoesein Djajadiningrat was under the influence of the Haar ter, and gave a recommendation to the Governor-General of the Dutch East Indies to review the authority of the Religious Courts. Furthermore, the authority of the Religious Court was revoked based on the Staatsblad of 1937 Number 116, and the efforts of Islamic kings in Java to spread Islamic law among the people were stopped by the Dutch government since 1 April 1937[31]. The existence of the Religious Court in addition to the District Court was condemned by Snouck Hurgronje. According to him, the Dutch government's policy to recognize and hold a Religious Court in addition to the District Court is a mistake that is regrettable because it can affect the development of Islamic law[32].

The receptie theory proposed by Hurgronje was challenged by figures and Islamic law thinkers in the Dutch East Indies. According to them, the theory put forward by Hurgronje had political aims to abolish Islamic law from Indonesia and break the people's resistance to the rule of the colonial government imbued with Islamic law. With this theory, the Dutch wanted to turn off the growth of Islamic law in society which was carried out in line with the pursuit, exile and murder of prominent Islamic leaders and scholars such as in Aceh and Sumatra.

After Indonesia's independence, criticism of Hurgronje's receptie theory which had influenced Dutch-educated law scholars was increasingly strong, and addressed the surviving figure, Betrand ter Haar. Hazairin (1905-1975), expert on customary law and Islamic law from the University of Indonesia, who was a student of Ter Haar, did not agree with the teachings developed by his teacher. Hazairin formulated the

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[28]Aqib Suminto, *Politik Islam Hindia Belanda,* Jakarta: LP3ES, 1985.

[29] Sulasma, *op. cit,* 136.

[30]Soetandyo Wignjosoebroto, *Dari Hukum Kolonial ke Hukum Nasional; Suatu Kajian tentang Dinamika Sosial Politik dalam Perkembangan Hukum Selama Satu Setengah Abad di Indonesia,* Yogyakarta: Genta Publishing, Cet. Ke-9, 2009.

[31]Aqib Suminto, *op.cit.,* 6.

[32]Zaini Ahmad Noeh, *Sebuah Perspektif Sejarah Lembaga Islam di Indonesia,* Bandung: Al-Maarif, 1982.

receptie exit theory in order to deny the receptie theory. According to Hazairin, receptie theory is a "devil theory", because it invites people not to obey and carry out the commands of Allah and His Messenger. According to receptie theory, Islamic law is not a law if it has not been accepted into and become customary law. If it has been accepted by customary law, Islamic law is no longer said to be Islamic law, but customary law. Customary law determines whether Islamic law is legal or not. According to Hazairin, Islamic law is a law that is independent and independent of other legal influences[33].

When Indonesia entered its independence period, Islamic law colored the national law system and the order of people's lives. The reasons presented by Hazairin are based on the opening of the 1945 Constitution that; With the blessing of Allah's Almighty mercy and driven by noble and free desires, the Indonesian people hereby declare their independence. Reaffirmed again in paragraph IV of the Opening of the 1945 Constitution; The state is based on the One Godhead. The body of the 1945 Constitution Article 29 paragraph (1-2) is a guarantee for the ongoing implementation of Islamic law in Indonesia. By itself the theory of Receptie Hurgronje was rejected or out.

The receptie exit theory initiated by Hazairin was subsequently developed by Sajuti Thalib in his book, Receptio a Contrario: Relationship to Customary Law with Islamic Law. Sajuti Thalib stated that for Muslims, Islamic law applies and applies according to the legal ideals, moral and inner ideals of Muslims. Customary law applies if it does not conflict with Islamic law. Sajuti Thalib also considers Hurgronje's receptie theory to be a "devil theory", because it does not originate from the will of Islamic shari'a and common sense. Islamic law is a stand-alone law and cannot be subject to customary law, so it is Islamic law that characterizes customary law[34].

Because of its history, the transformation of Islamic law, customary law and Dutch law into different national laws. Customary law and Dutch law are relatively easier, politically, and intellectually in the eyes of Western law than Islamic law. Since colonial times, Dutch law has always been sought to become national law and applies to all groups of society through codification. Customary law is also promoted by supporters to be given more space to become national law. They assume that only with respect to traditional legal institutions and the culture of society can social evolution work.

Conclusion

Based on the description above, it can be concluded that Islamic law in the midst of national law is no longer a matter of seeking the legitimacy of the existence of Islamic law. As one of the three law systems in force in Indonesia, Islamic law has an important and strategic position. Islamic criminal law can be a material source in the development of national criminal law. As a source of material law, Islamic criminal law will be coupled with other legal sources. If Islamic criminal law is positioned as a material source, an epistemological foundation is needed so that it can be academically insured and acceptable to Muslims. As a material source, there is no label for Islamic "criminal" law. After the product of the national criminal law has been ratified, which also comes from Islamic criminal law, what applies is national law, without mentioning the source, and no longer as an Islamic criminal law. Maximum will only be referred to as criminal law in line with Islamic criminal law. Internal problems if Islamic law in the criminal field is positioned as a material source along with other sources, then Islamic law is no longer Islamic law. This

[33]Achmad Irwan Hamzani, *Kontribusi Hukum Islam dalam Sistem Hukum Nasional,* Bogor: RWTC, 2017.

[34]Habiburrahman, *Rekonstruksi Hukum Kewarisan Islam di Indonesia,* Jakarta: Prenada Media Group, 2011, 30.

position will be difficult to accept by Muslims who want Islamic law as a formal source. There is no theological attachment to the legal product, so there is no burden if it does not comply with the legal rules. The external pattern of Islamic criminal law as a source in the development of national criminal law allows the presumption that Islamic criminal law is a positive law or state which is based on the Islamic Shari'ah. The next problem is the problem of struggle between Islamic law, customary law, and Western law in academic discourse due to the influence of receptie theory. Not a few views of legal experts who seem to not know the existence of Islamic law, and there are also those who view it as a subsystem of customary law.

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Effect of Awareness, Attitude, Reference Groups in Halal Cosmetic Repurchase Intention: Moderation Role of Religiosity and Mediation Role of Purchase Intention

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Abstract

This study aims to examine the effect of halal awareness, attitudes and reference groups on intention to repurchase intention with intentions as mediator variables and religiosity as moderator variables. The respondents consisted of 461 Muslim female students in 10 faculties in Sebelas Maret University with conventional sampling techniques. Test the validity based on factor analysis with the criteria for loading factors above 0.5 and the reliability test based on cronbach`s Alpha criteria above 0.6 and the classic assumption test all fulfilled the specified criteria. The analysis tool uses multiple regression, regression with moderation and regression with mediation. The results of the analysis show that: First, halal awareness, attitudes and reference groups each have a positive and significant effect on intention. Both moderating roles are only proven by the influence of attitudes on intention, while it is not proven on the influence of halal awareness and reference groups on intention. Third, the intention to mediate the influence of each of the halal awareness, attitude and reference groups on the intention to repurchase halal cosmetic products. The implications and limitations of the findings of this study are interesting to discuss and develop in future research activities.

Key words: *Halal awareness, attitude, reference group, religiosity, repurchase intention*

INTRODUCTION

Understanding and fulfilling the halal criteria for Muslim religious consumers in producing and connsuming products as important aspects of Islamic law is a necessity. Halal products re not only in terms of the ingredients but also the process must be in accordance with Islamic principles.[1]

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[1] Tong, F. W., Khin, A. A., & Khatibi, A. (2015). Impact of Changing Consumer Lifestyles on **Intention to Purchase towards Green and Halal Foods of the Chicken Meat Industry in** Malaysia. *International Journal of Marketing Studies*, 7(6), 155-166

Moschis and Ong, ((2011) states that the religion refers to one's beliefs about absolute provisions and the quality of the quality of a religious teaching and the scriptures that are inherent[2]. According to Johnson *et al.* (2001) religiosity is defined as the extent to which an individual is committed to his religion as well as matters of religion are reflected in the attitudes and behavior[3]. Religion provides beliefs and values that direct one's behavior.It is means that existence of rules and prohibitions in religion influences a person's behavior in making choices[4] Mokhlis (2009). However, it is also realized that among the business community and users of various food, beverage, cosmetic There is still a lot of medicine that is lay and according to Rajagopal *et al.* (2011), awareness of halal products, halal-certified products and knowledge of halal brands is still very low[5].

Halal logo according to Aziz & Chock (2013) is a representation of quality measurement and fulfillment of religiosity[6] Halal labeling research here is for cosmetics products in the cosmetics industry in Indonesia that have grown positively with an annual growth rate of 13.03% and given that 87% of the population of Indonesia is Muslim, the demand for halal products in Indonesia continues to increase including cosmetic products. Halal cosmetics are cosmetics that are not contaminated with pigs, and slaughtered animals are not in accordance with Islamic law and harm the body such as mercury and hydroquinone. The study of Habib & Aslam (2014) and Ji and He (2013) research on coca cola consumers in Pakistan shows that product loyalty affects the intention to repurchase the preferred brand[7,8]. The community's attitude towards the intention to buy halal products according to (Aziz & Chok , 2013), determined by the level of awareness of the concept of halal [6]

[2]Moschis, G. P., & Ong, F. S. (2011). Religiosity and Consumer Behavior of Older Adults: A Study of Subcultural Influences in Malaysia. Journal of Consumer Behaviour. Vol. 10(1): 8–17

[3]Johnson, B. R., Jang, S. J., Larson, D. B., & De Li, S. (2001). Does Adolescent Religious Commitment Matter? A Reexamination of the Effects of Religiosity on Delinquency. *Journal of Research in Crime and Delinquency*. 38(1): 22–44.

[4]Mokhlis, S. (2009). Relevancy and Measurement of Religiosity in Consumer Behavior Research. *International Business Research*, 2(3): 75 – 84

[5]Rajagopal, S.. Ramanan, R., Visvanathan, and Satapathy, S."(2011) Halal Certification: Implication for Marketers in UAE," *J. Islam Mark.*, 138–153

[6]Aziz, Y. A., & Chok, N. V. (2013). The role of Halal awareness, Halal certification, and marketing components in determining Halal purchase intention among non-Muslims in Malaysia: A structural equation modeling approach. *Journal of International Food & Agribusiness Marketing*, 25(1), 1-23

[6]Aziz, Y. A., & Chok, N. V. (2013) *0p.Cit*

[7]Habib, S., & Aslam, S. (2014). Influence of Brand Loyalty on Consumer Repurchase Intentions of coca cola , *Global Journal Of Engineering Science And Researches* 6 (14), 168-175.

[8]Ji, F., & He, Y. (2013). Study on the relationships among customer satisfaction, brand loyalty and repurchase intention. *Journal of Theoretical and Applied Information Technology*, 49(1), 180–18

Besides that halal awareness has an effect on intention, if the perception about the awareness of halal cosmetics labels increases, the interest in repurchasing will increase. The purpose of this study is to examine and examine the effect of halal awareness, attitudes and reference groups on the intention to repurchase with intention as moderation and religiosity as a moderating variable. Based on this description, this research was conducted

Study of Literature and Development of Hypothesis
Halal Product Awareness
        . Whereas according to Nurcahyo and Hudransyah (2017) halal awareness is the level of understanding of Muslims in knowing issues related to halal concepts [9]. Yunus *et al.* (2014), among factors that are indicators of consumer awareness in choosing halal products are raw materials, religious obligations, production processes, product hygiene / health and also related to knowledge of international halal products and the halal term is always associated with thayyiba in the sense that it is permitted by religion as well as fulfilling the criteria of healthy, clean and quality of obedience for Muslims.[10] According to Tong et al. (2015) halal labeling is the inclusion of writing or halal statements on product packaging to show that the product referred to as halal products.[1]

Religiosity
Religiosity according to Stolz (2008) is a characteristic of individuals who have a tendency to apply religious values that are in accordance with divine values that are followed and are individual preferences, emotions, beliefs, and actions that refer to religion[11].   Kahle *et al.* (2005) explain that religion and religiosity and value have implications for customer behavior and this has not been widely studied [12]

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[9]Nurcahyo, A. and Hudrasyah, H. (2017) The influence of halal awareness , halal certification snd personal societal perception toward purchase intention.*Journal of Business and Management*, .6(1),21-31

[10] Yunus, N. S. N. M., Rashid, W. E. W., Ariffin, N. M., & Rashid, N. M. (2014). Muslim's Purchase Intention towards Non-Muslim's Halal Packaged Food Manufacturer. *Procedia-Social and Behavioral Sciences*, 130, 145-154

[11] Stolz, J. (2008). The Explanation of Religiosity: Testing Sociological Mechanisms Empirically. Observatoire des Religions en Suisse ORS – *Working Papers* 8, 1-35

[12] Tong et al. (2015)

[12] Kahle, L.R., Kau, A.K., Tambyah, S.K., Jun, S.J., & Jung, K. (2005). Religion, religiosity, and values:Implications for consumer behavior. Paper Presented at the Australian and New Zealand Marketing Academy Conference

Religion according to Mokhlis (2009) religion and diversity is one form of cultural factors that color the mindset and behavior of a person or group of people in interpreting their lives [4] While according to Rehman and Shabir (2010), religiosity plays a very important role in a person's beliefs, knowledge and attitudes in all aspects of his life [13]. Alam and Hisham (2011) explain the role of religiosity in the behavior of a person and or group of people who can strengthen or weaken various determinants of intention and behavior including repurchase behavior [14] Pettinger *et al.* (2004) states that the religion influences customer attitudes and behavior as well as influencing purchasing decisions and eating habits. According to Run et l., (2010), religiosity is the extent to which an individual is committed to his religion, where it is then reflected in attitudes and behavior[15]

Reference Group

Reference group according to Bourne (1957), is a group whose perspective is taken by someone both individuals and groups of individuals in building values, beliefs, attitudes, opinions, and open behavior [16].Reference groups can be very small (only a few close friends) or big enough (fan clubs of sports teams or even political parties. But according to Clark and and Goldsmith (2006) research, it also suggests that reference groups can also be a barrier to innovation and innovative behavior [17] According to Barbara *et al.* (2013) reference groups expressed by the concept of subjective norms influence the intention to behave [18]

[4]Mokhlis, S. *et al.* (2009). *0p.Cit*

[13]Rehman, A. and M.S. Shabbir, M. S. (2010) The Relationship Between Religiosity And New Product Adoption. *Journal of Islamic Marketing,* 1(1): 63-69

[14]Pettinger, C., Holdsworth, M., & Gerber, M. (2004). Psycho-Social Influences on Food Choice in Southern France and Central England. *Appetite,* 42, 307 – 316

[15]Run, E. C. De, Butt, M. M., Fam, K.-S., & Jong, H. Y. (2010). Attitudes towards offensive advertising: Malaysian Muslims' views. Journal of Islamic Marketing, 1(1), 25–36

[16]Bourne, F. S. (1957), "Group influence in marketing and public relations," in Likert, R. and Hayes, S. P., eds., *Some Applications of Behavioral Research.* UNESCO: Paris

[17]Clark, R. A., & Goldsmith, R. E. (2006). Interpersonal Influence and Consumer Innovativeness, *International Journal of Consumer Studies,* 30(1), 34–43.

[18]Barbara J. G., Rosario, D.I. (2013). The smoking attitudes, knowledge, intent, and behaviors of adolescents and young adults:Implications for nursing practice. *Journal of Nursing Education and Practice.*3,(1), 40-50

According to George (2004) a person may be motivated either positively or negatively by certain reference groups such as close friends, family, colleagues so that they are motivated to have certain intentions and behave for example to buy something through the internet [19] Linan and Chen, (2006) explain that determinants of entrepreneurial intention include personal attitudes, perceived social norms and perceived behavioral control [20]

Hyman (1942) explained that a reference group is a person or group of people who significantly influences the behavior of someone or another party because it has a perspective or value that is appropriate and accepted as a guide in behaving [21] Whereas Park and Lessig (1977) explain that reference groups have significant relevance to evaluations, aspirations, or individual behavior [22]

Intention to behave

Intention can be explained as a concept of desire that consumers want to do, also helps predict the feasibility of individual behavior in the future. Paladino (2008) states purchase intention is defined as a relative measure that aims to carry out certain behaviors [23.]Barr (2007) states that purchase intention is the desire to own a product, purchase intention will arise if a consumer has been affected by the quality and quality of a product, information about the product [24] .

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[19]George, J. F. (2004). The theory of planned behavior and Internet purchasing. *Internet Research*, 14(3), 198-212.

[20]Linan , L. Y., & Chen, C. S (2006). The influence of the country-of-origin image, product knowledge and product involvement on consumer purchase decisions: An empirical study of insurance and catering services in Taiwan. consumer marketing, 23, 248-265

[21]Hyman, H,H. (1942).The psychology of status: *Archives psychology*, 269, 94-102

[22]Park, C., W. and Lessig, V.P. (1977).Students and houseswifes:Differnces in susceptibility to refrence group influences. *Journal of Consumer research*, 4, 102-110

[23]Paladino, A. & Baggiere, J. (2008). Are we "green"? An empirical investigation of renewable electricity consumption. *European Advances in Consumer Research*, 18, 340–341

[24]Barr, S. (2007). Factors influencing environmental attitudes and behaviors. *Environment and Behavior*,39(4), 435–473.

However, understanding the consequences of intentions involves and creates disagreements and points of view as happened. Warshaw & Davis (1985) argue that expressions of sentences or phrases like " I will try " or " I want to " predict individual behavior expectations, while " I expect " measure behavioral intentions [25]. On the other hand, Fishbein & Stasson, (1990) has criticized the steps proposed by which state that the difference between actions only concerns voluntary behavior [26]

Repurchase Intention

For the occurrence of repeat purchases by customers of certain products according to Dick & Basu, (1994) it is necessary to continue to make customers as partners or partners [27] Kuan *et al.* (2008), explain repurchase intention as a possibility or willingness of customers to use a product and or service and engage in repeat buying behavior on the same product and or service in the future and explain that repurchase intentions and behaviors related to the possibility of a customer to use and involve the purchase transaction activities with the same products and services as they have been doing [28]. Some other writers for example Oliver (1999) define loyalty as equalizing repetitive intentions including repurchasing reflecting customer loyalty as a consumer commitment to a particular organization [29]. According to Sri Wahyuni and Cahyadi (2007), when purchasing decisions are made, brand awareness has a very important role [30].Aziz & Chok. (2013) explained that awareness of halal products related to knowledge in proved that awareness of halal products and halal product certification became a factor that influenced the the intention to buy halal products and services not only for Muslim consumers for non-Muslim consumers [6]

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[30]Sri Wahjuni, A dan I Gde Cahyadi, I. G. (2007). "Pengaruh Elemen Ekuitas Merek Terhadap Rasa Percaya Diri Pelanggan Di Surabaya Atas Keputusan Pembelian Sepeda Motor Honda". *Majalah Ekonomi*,17 (2), 145 – 156

[6]Aziz, Y. A., & Chok, N. V. (2013) *0p.Cit*

[25]Warshaw, P. R., and Davis, F. D. 1985a. "The Accuracy of Behav ioral Intention Versus Behavioral Expectation for Predicting Behavioral Goals," *Journal of Psychology* 119 (6) 599-602.

[26]Fishbein, M. and Stasson, M. (1990). The role of desires, self-perceptions, and perceived control in the prediction of training session attendance. *Journal of Applied Social Psychology*, 20, 173-198

[27]Dick, A.S., & Basu, K. (1994). Customer Loyalty: Toward an Integrated Conceptual Framework. *Journal of Academy of Marketing Science*, 22(2), 99-113

[28]Kuan, H. H., Bock, G. W., & Vathanophas, V. (2008). Comparing the effects of website quality on customer initial purchase and continued purchase at ecommerce websites.Behaviour& Information Technology, 27(1), 3-16

[29]Oliver, R.L. (1999). Whence Customer Loyalty. The Journal of Marketing, 63(Special issue), 33-44.

The same thing was also conveyed by Shaari & Arifin (2010) hypothesizing but also and then it was proven that the intention to consume halal food was related to the awareness of halal products [31]. But the research of Hasibuan *et al.* (2017) concluded that awareness of halal products did not affect the intention to buy products including halal cosmetics [32] On the basis of this description of theoretical and empirical studies the hypotheses are arranged as follows:

Hypothesis 1: There is a positive effect of halal awareness on the intention

The attitude and intention

Lerbin & Aritonang (2015) explain the role of attitudes as a mediator variable, the effect of dissonance on cognitive attitudes and intention to repurchase [33]. Larasati, Hijrah hati & Safira (2005) explain the influence of attitudes and intentions of Muslim consumers in buying halal cosmetic products [34]. Khalek 2014) with Malaysian Muslim population respondents between the ages of 16-35 years and the results of the study showed intention to consume halal food in Klang Valley, Malaysia was predominantly influenced by Muslim positive attitudes [35] The same thing was conveyed Rachbini (2018) also concluded that there was an influence of attitude on intention to behave [36] On the basis of this description of theoretical and empirical studies the hypotheses are arranged as follows:

Hypothesis 2: There is a positive effect of halal attitudes on intention

[31]Shaari, J. A. N., & Mohd Arifin, N. S. (2010). Dimension of halal purchase intention: A preliminary study. *International Review of Business Research Papers*, 6(4), 444-456

[32]Hasibuan,H. A., Nasution, M. D. T. P , and Anggraini, F. (2017) The Effect of Halal Label, Halal Awareness and Brand Image on Consumer Intention to Buy. *International Journal for Innovative Research in Multidisciplinary Field*, 3(11). 140-147.

[33]Lerbin R. Aritonang (2015 as a). Attitude Mediator between Cognitive Dissonance and Intention to Repurchase a Product, *Mediterranean Journal of Social Science*, 6 (5)), 133-140

[34]Larasati1, A., Hijrah Hati, S. R., and Safira, A. (2018). Religiusitas dan Pengetahuan Terhadap Sikap dan Intensi Konsumen Muslim untuk Membeli Produk Kosmetik Halal, Jurnal Bissnis dan Manajemen, 8 (2),105 - 114

[35]Khalek, A. A. (2014), Young consumers` attitude toward halal food and JAKIM`s halal certification in Malaysia, Procedia Social and Behavioral Science, 121, 26-34

[36]Rachbini, W. (2018). The Relationship of Attitude, Subjective Norm, Perceived Behavioral Control on Halal Food Purchasing Behavior in Jakarta, IOSR Journal of Business and Management,20(1), 28-37

Reference Groups and Intention

Ryan (1982) explains that the formation or formulation of intention behaves influenced by personal attitude variables and social references 37 Ajzen (1991) describes social norms or often termed subjective norms that reflect serious positive attention of certain parties to certain people to behave and behave in certain ways to take advantage of opportunities offered by the environment 38   Rachbini (2018) explain that social norms are important determinant variables in explaining customer intentions and behavior 36 Listyoningrum (2012) adopted TPB as one of the valid models in predicting the intention of Muslim communities to consume halal food through the role of attitudes, subjective norms and perceived behavioral control.39. On the basis of this description of theoretical and empirical studies the hypotheses are arranged as follows:

Hypothesis 3: There is a positive influence of the Reference Group on intentions

 The Role of Moderation of Religiosity on the Effect of Awareness, Attitudes and Reference Groups on Intention

In this research, the role of religious moderation on the influence of independent variables in this case will also be formulated with variables: halal awareness, attitudes, reference groups towards buying intentions based on recommendations from the research findings of Awan, Siddiquei, & Haider (2015) [40] and also supported by Haque et al. (2015) [41].But Alam and Hisham (2011) explain the role of religiosity in the behavior of a person and or group of people who can strengthen or weaken various determinants of intention and behavior including repurchase behavior explained the results of his research that Religiosity commitment cannot act as a moderating variable on the relationship of brand awareness to the purchase intention of Islamic product brands [42].

[37]Ryan, M. J. (1982). Behavioral intention formation: A structural equation analysis of attitudinal and social influence interdependency. *Journal of Consumer Research*, 9, 263-278

[38]Ajzen, I. (1991).Organizational behavior and human decision processes, 50, 179-211

[36]Rachbini , W. (2018), *Op.Cit*

[39]Listyoningrum A. 2012. Analysis of Muslims consumers buying intention on product which its halal certificate were not renewed. Jurnal Ekonomi dan Keuangan Islam 2(1):40-51

[40]Awan, H. M., Siddiquei, A. N., & Haider, Z. (2015). Factors affecting Halal purchase intention–evidence from Pakistan's Halal food sector. *Management Research Review*, 38(6), 640-660

[41]Haque, A., Sarwar, A., Yasmin, F., Tarofder, A. K., & Hossain, M. A. (2015). Non-Muslim consumers' perception toward purchasing halal food products in Malaysia. *Journal of Islamic Marketing*, 6(1), 133-147.

[42]Alam, S. S., Hisham, R.M. (2011). Is Religiosity an Important Determinant on Muslim Consumer Behavior in Malaysia?. *Journal of Islamic Marketing*, 2(1): 83-96

On the basis of this description of theoretical and empirical studies the hypotheses are arranged as follows:

Hypothesis 4: Religiosity moderates the effect of halal awareness on intention
Hypothesis 5: Religiosity moderates the effect of attitudes on intention
Hypothesis 6: Religiosity moderates the influence of reference groups on intention

Role of Mediation intention on the effect of halal awareness, attitudes and reference groups on intention to repurchase

The role of mediation of intention on the influence of the independent variable on the intention to repurchase halal cosmetics production was based on references from Kusumawati *et al.* (2014) which showed the role of mediating intentions on the influence of attitudes, reference groups on tax paying behavior[43] Also similarly put forward by Howard (1977)[44] On the basis of this description of theoretical and empirical studies the hypotheses are arranged as follows:

Hypothesis 7: Intention to mediate the effect of halal awareness on the intention to repurchase
Hypothesis 8: Intention to mediate the effect of attitudes on repurchasing intentions
Hypothesis 9: Intention to mediate the influence of reference groups on the intention to repurchase

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[43]Kusumawati, A., Halim,A., Said and Mediaty (2014)Effects of Intention Mediation towards Attitude, Subjective Norms and Perceived Behavioral Control on Taxpayers' Behavior *Quest Journal of Research in Business and Management,* 2 (10), 26-32

[44]Howard, J. A. (1977). Consumer Behavior: Application of Theory, McGraw-Hill, New York, NY.

RESEARCH METHODS

Population and Samples

The population in this study is at least Muslim female students in the third semester of the 10 faculties in the UNS, covering faculties: Teacher Training and Education, Economics and Business, Law, Social Sciences and Politics, Agriculture, Engineering, Cultural Sciences, Design and Interior, Mathematics and Natural Sciences; and Medicine. The respondents consisted of 461 Muslim female students in 10 faculties in Sebelas Maret University with conventional sampling techniques.

Data Collection Techniques and Variable Measurements

Data collection was done by distributing questionnaires for each variable using a five Likert scale: Measurement of awareness variables using references used by Aziz and Chok, (2013) 6, religious referring to the opinion of Alam and Sayuti, (2011) 44 reference group variables referring to Witt's opinion (1969) 45 As for the attitude referring to the opinions of Taib et *al.* (2008) 46and the intention to use halal cosmetic products adopted the opinion of Linan and Chen (2006) 8 and repurchase intention variables modified in the references used by Varga *et al.* (2014)

Based on the description of the literature and the formulation of hypotheses, it can be described the model of the framework of thinking / research as can be seen in Figure 1
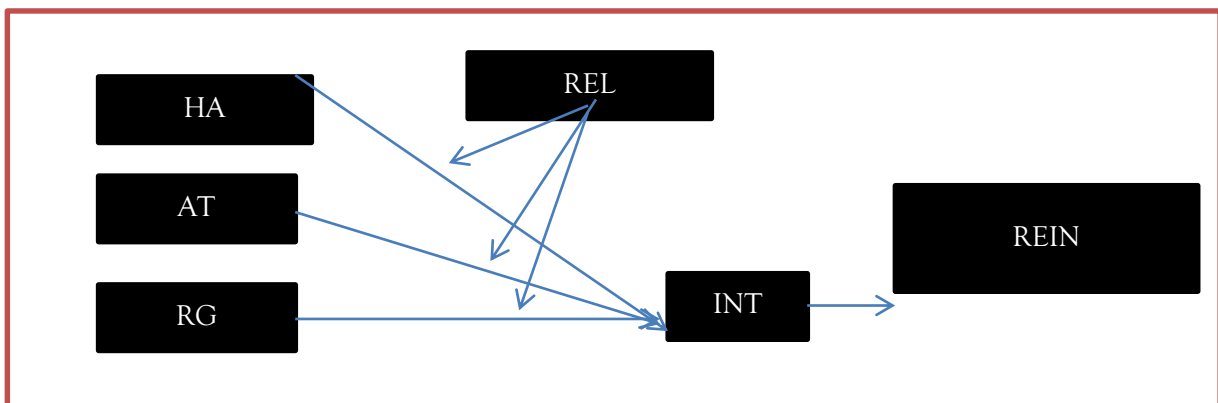

Figure 1. Framework for Research Thinking

Note : HA = Halal Awareness; AT = Attitude; RG = Reference Group; REL = Religiosity; INT = Intention to purchase; REIN = Repurchase Intention.

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[6]Aziz and Chok, (2013) *0p.Cit*

[44]**Alam, N. S . and Nazura Mohamed Sayuti, N.M. (2011) "Applying the Theory of Planned Behavior (TPB) in halal food purchasing", International Journal of Commerce and Management, 21 Iss: 1, 8 – 20**

[47]Varga,A.,   Dlacic,J.,   Vujicic, M.   (2014).Repurchase intentions in a retail store-exploring the impact of colours,. God. 27920. 2, 229-244

[48]Taib, F.M., Ramayah, T. and Razak, D.A. (2008), "Factor influencing intention to use diminishing partnership home financing", *International Journal of Islamic and Middle Eastern Finance and Management*, 1(3), 235-248

[49]Witt, R.E. (1969).Informal social group influence on consumer behaviour choice. *Journal of Marketing Research*, 6, 473-477

Analytical procedure

The analysis tool uses multiple regression, regression with moderation and regression with mediation, with halal awareness, attitudes, reference groups as independent variables, and buying repurchase intention as the dependent variable and religiosity as moderator variables and intentions as mediator variables

ANALYSIS AND DISCUSSION

Demographically, the majority of respondents from faculty of education (27,11 %) and Faculty of Engineering, (14,43%) and aged between 19-21 years (82%) were in semesters 5 and 7 (75.5%) and had started using halal cosmetics since 2011 (79%). From the results of the Validity Test for the attitude variable (S), there are two items of the religious variable (R), and two items variable repurchase intention (NMU) was deleted because they have of LF <0.5. The reliability test results for all variables meet the criteria with Cronbach's Alpha> 0.6. and from the classic assumption test all variables meet the criteria

The Effect of halal awareness , attitude and reference group on intention

By referring to the coefficient (β) and with p at <0.05. It appears that respectively the awareness of halal products, attitudes, and reference groups partially has a positive and significant effect on intention as can be seen in Table 1

Table 1. Results of Multiple Linear Regression Models

Independent variable	β	p	Significance
Halal Awareness (HA)	0,116	0,005	Significant
Attitudes (AT)	0,569	0,000	Significant
Reference Group (RG)	0,117	0,002	Significant

Source: Primary Data processed, 2018

The role of moderate of religiosity in the effect of halal awareness, attitude and reference group on intention

As we seen on Table 2 it appears the role of moderate of religiosity in the effect of halal awareness , attitude and reference group on intention, that based on probability numbers (p) in

the interactions of HA × RL; S × R; and KR × R. In this Table 4 , show that only KPH × R is p: 0.0113 <0.05. This means that religiosity only moderates the influence of attitude on INT. (negative), and does not moderate the influence of HA on INT, and on the influence of KR on INT

Table 2.Results of Regression Models for Moderation Analysis

Step	Independent variable	β	p	Significance
First	HA	0,116	0,005	Significant
	AT	0,569	0,000	Significant
	RG	0,117	0,002	Significant
Second	HA	–0,067	0,816	Insignificant
	AT	1,310	0,000	Significant
	RG	0,154	0,622	Insignificant
	REL	0,633	0,001	Significant
	HA × RL	0,222	0,647	Insignificant
	AT× RL	–1,167	0,013	Significant
	RG × R	–0,086	0,838	Insignificant

Source: Primary Data processed, 2018

The role mediating of intent on thr effect of HA, AT, and RG on REIN

As we seen on Table 3 it appears that based on probability numbers in the fourth stage of regression after entering the mediator variable (intention) on each independent variable (respectively the HA; AT, and RG variables) to be regressed to REIN, only Attitudes remain influential on REIN with β and smaller p,<0,05; while the HA and RG variables have no effect on REIN. This means that INT partially mediates the influence of Attitude on REIN, while Intention fully mediates on the influence of HA on REIN and RG on REIN

<p style="text-align:center">Table 3. Results of Regression Models for Mediation Analysis</p>

Step	Relationship path	β	p	Significance
First	HA– INT	0,116	0,005	Significant
	AT– INT	0,569	0,000	Significant
	RG – INT	0,117	0,002	Significant
Second	INT – REIN	0,716	0,000	significant
Third,	HA – REIN	0,129	0,003	Significant
	AT – REIN	0,534	0,000	Significant
	RG – REIN	0,120	0,002	Significant
Fourth	HA– REIN	0,074	0,055	Insignificant
	AT – REIN	0,266	0,000	Significant
	RG – REIN	0,064	0,065	Insignifican
	INT – REIN	0,471	0,000	Significant

Source: Primary Data processed, 2018

Discussion

First, for hypotheses 1, 2, and 3, each of which shows the results of a positive and significant direct effect of the variables of awareness of halal products, attitudes and reference groups on the intention to buy halal cosmetics. The findings of this study are in line with some of the findings of previous studies. For the influence of halal awareness according to the study: Astuti and Cahyadi (2007),Aziz & Chok. (2012); Shaari & Arifin (2010) and not in accordance with the research of Hasibuan et al., (2017). For attitudinal influences according to research from Lerbin & Aritonang (2015); Larasati et al. (2018); Ajzen (2005) and Rachbini (2018); Khalek *et al.* (2015) and not in accordance research show that cognitive attitudes as independent variables have no effect on behavioral attitudes. For reference groups according to research from Ajzen (1991) Rachbini Olsen (2001) Alam & Sayuti (2011) and not in accordance with research from Zahra et al., (2016) explained that, the reference group did not have a significant effect on Purchasing Decisions. Clark and Goldsmith (2006) also suggest that reference groups can also be a barrier to innovation and innovative behavior

Second, there are two of the 3 research hypotheses related to religious moderation roles proposed, the results are not proven, namely H4 and H6 which relate to the moderating role of religious variables on the effect of awareness on buying intentions and religious moderation on the influence of reference groups on buying intentions. This means that religious variables do not strengthen or weaken the influence of awareness on buying intentions and religious moderation on the influence of reference groups on buying intentions. These results contradict the recommendations of the research efforts of Cloud, at al. (2015) and also supported by Haque *et al.* (2015), but in accordance with Mudzakkir & Nurfarida's research, (2014) explain the results of his research that Religiosity commitment cannot act as a moderating variable

on the relationship of brand awareness to the purchase intention of Islamic product brands. For the 5th hypothesis the results show the role of religious moderation on the influence of attitudes on negative buying intentions. This means that the high level of respondents' religiosity actually weakens the influence of attitudes on buying intentions. These results are indeed interesting to study Furthermore. The possibility that can be explained, among others, is that religiosity is not the main basis in influencing buying intentions, but rather is determined by other factors, for example the quality and value of products purchased in accordance with energy, time and cost to consume the product in this case cosmetics halal. It may also be explained because of the high religious sensitivity, it actually encourages the use of natural ingredients of their own cosmetics and do not have to be obsessed with using halal cosmetics excessively, although it still has an interest in choosing, buying and repeating buying cosmetics labeled Islamic. It might also be related to the opinion of Kurland (1995) that intention is an unclear term in relation to voluntary behavior. Intention according to Amin *et al.* (2011) manifested when individuals express proposed activities related to planned behavior actions in the future.

Third, for hypotheses 7, 8, and 9 about the role of mediating intentions on the influence of intentions, each of the halal awareness, attitudes, and reference groups all mediates in the intention to repurchase. The intention was to partially mediate the influence of Attitudes at repurchase intention, while intention was fully mediating the influence of halal awareness on ase repurchase intention and towards reference group at repurchase intention. This finding is in line with the results of previous studies, among others, explained by Kusumawati *et* al., (2014) which shows the role of mediating intentions on the influence of attitudes, reference groups on the behavior of paying taxes. Also similarly stated by Howard (1977); Bagozzi et al., (1989); Alam and Hisham (2011). This shows the importance of always making continuous quality improvements in translating the meaning and spirit of KPH, attitudes and reference groups as bridges to maintain and / or increase the occurrence of product repurchase behavior in the future.

CONCLUSIONS AND SUGGESTIONS

Conclusion

First, awareness of halal products has a positive and significant effect on the intention and behavior of buying halal cosmetics products for the Muslim student community in Sebelas Maret University Surakarta. The same thing shows that the intention and behavior of buying halal cosmetic products is also influenced by attitudes and also influenced by reference groups.

Second , religion is proven to only moderate the influence of attitudes on the intention and behavior of buying halal cosmetic products. This means that the attitude of respondents is marked by religious / sharia values in buying and using halal cosmetic products as an integral part of understanding Islamic / Islamic lifestyle) in all aspects of life without exception including using cosmetic products. While the variable awareness of halal products is not strengthened or weakened by religious values. The same thing for the reference group variable is also not moderated in religious values. This means that the influence of the reference group on the intention and behavior of using cosmetics products labeled halal does not differ between respondents who are high or low in religion.

Third, the role of mediation in the intention to buy and use halal cosmetic products turns out to mediate the influence of each variable on the awareness of halal products, attitudes, and reference groups on the

intention to buy and reuse halal cosmetic products. This explains that the intention to buy and use halal cosmetic products must always be updated in the context of this research through strengthening the variable awareness of halal cosmetic products, attitudes and reference groups as a bridge / media for the hope and realization of future buying behavior of halal cosmetic products,

Suggestions

First, business actors involved in production activities, distribution of various products and services for halal cosmetic products must always strive to make the process of continuous quality improvement both the quality of input, process and output of halal cosmetic products.

Second ,for future research, it is better: First, use non-conventional sampling techniques, so that they can be used for the purposes of more objective research results. Second, the research period is not only based on a single point in time, but needs to be based on several periods that are expected to illustrate the dynamics of a more objective customer opinion

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The Politics of Ethics-Based Kiai: Contestation of Gus Dur and Kiai Khos in the Internal Conflict of the National Awakening Party

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Abstract

This article is motivated by anxiety due to the crisis of political ethics today. Indonesia is experiencing a decline in political culture due to the actions of the political elite. Political ethics has begun to be abandoned so that what emerges is politics without values. Indonesia needs a figure who can be a role model in politics. Gus Dur and the khos kiai are figures who can be role models in politics. They have a dual role, namely as Islamic boarding school kiai and the National Awakening Party administrators. Although controversial, Gus Dur was a figure who did not exploit his symbolic capital, economic capital, social capital and cultural capital for his own interests, as well as the khos kiai. The relationship between Gus Dur and the khos kiai was full of dynamics. Gus Dur formed a khos kiai to increase his political legitimacy. The khos kiai who in the first internal conflict of the National Awakening Party supported Gus Dur then shifted his political support from Gus Dur in the second internal conflicts the parties based on the mass of the nahdliyin people. Borrowing Bourdieu's theory of capital and using documentation and interview techniques, this paper aims to explain the political actions of Gus Dur's and khos kiai, two important figures Nahdlatul Ulama in the internal conflict of the National Awakening Party.

Key words : *Political Ethics, Gus Dur, Khos Kiai, National Awakening Party*

"nahnu nuhibbu Gus Dur walaakinnal haqqa ahabbu ilaina min Gus Dur"
we love Gus Dur, but our love for the truth exceeds our love for Gus Dur (khos kiai)

Introduction

One important note from the celebration of regional head elections and the simultaneous general election some time ago was the crisis of figures who put forward political ethics. The absence of figures who can be role models in politics is a serious problem faced by the Indonesian people today. The leaders show

more pragmatism and political opportunism than idealism. Politics is only interpreted as limited to the use of all means to achieve power. Political pragmatism became a dynamic in the simultaneous regional head elections. The main aim of the political elite is only how to win an electoral competition by getting as many votes as possible. For this purpose, party elites do not make the regeneration process and party ideology considerations, both in coalitions and in the determination of candidates, but rather in the electability of incumbents and the popularity of candidates (Ekowati ; 2019).

Politics of attack, slander and spread of hatred are also carried out by the elite to gain power. Such behavior is not only carried out by those who are different parties, but also with other parties. Although one party, they must compete with each other in order to win in electoral contestation. The hate virus does not only occur in social media and other communication media spaces, but also takes place in the real world. The non-educational phenomenon certainly impacts on voter behavior because it becomes a daily news menu that can be accessed by all levels of society.

The negative impact of behavior that ignores political ethics is the emergence of vertical and horizontal conflicts. Moreover, if there is one that makes differences in ethnicity, race and religion as the basis. The results of a study conducted by Lestari (2019) show that the victory of the Candidate Pair of Governor Anies Baswedan and Sandiaga Salahuddin Uno in the Jakarta Regional Head Election in 2017 with a vote of 3,240,332 or 57.95% of the total valid votes was due to using identity politics as a tool to attract voter sympathy to one candidate who has the same identity background. Research on identity politics in the 2017 Head of Regional Special Capital Region of Jakarta was also conducted by Endang Sari (2016) using the perspective of constructivism from Pierre Van Den Bergh (1991). According to Bergh, identity politics both ethnic and religious were deliberately constructed by the political elite to gain power.

Sari's research (2016) shows that the rise of Islamic identity politics in the election of the Governor and Deputy Governor of Jakarta 2017 is carried out through the development of self-image and upholding self-esteem as humiliated Muslims so that fellow Muslims must choose those who are religious and religious. This condition was presented to build psychological as the majority who were injured as well as space to build the majority power limit to those who were seen as minorities in order to maintain the demarcation of the power and interests of the political elite in the name of religion. Segregation of society after the election of the Governor and Deputy Governor of Jakarta is still felt today. The politicization of identity in the election of the Governor and Deputy Governor of Jakarta was manifested in efforts to mobilize the masses to show the power of numbers to the authorities. Continuous mass mobilization will clearly disrupt political stability. The concentration of the masses in public spaces will also trigger rival movements, so that friction and social conflict are inevitable (Herdiansyah; 2017).

The crisis of figures are not only related to candidates who will advance in electoral contestation, but also related to elites who have gained power. The consequence of the era of openness and advancement in information technology made the people able to monitor the performance of government officials for twenty-four hours. On the one hand, the people will immediately give a positive response if the government's performance is good. However, on the other hand if the government's performance is far from what is promised, criticism will emerge, ranging from polite to rude. The continued high level of poverty, unemployment and corruption has made the people increasingly critical of the way the government works in dealing with the problem. Many figures on behalf of the people to gain power, but forget the people after they came to power. Not a few of them actually neglect or abuse their mandate for their own personal interests.

The number of figures who abuse their power can be seen by those involved in corruption cases. Indonesia's Corruption Perception Index is still far from ideal, namely 37. Throughout 2018, there were 29 Regional Heads involved in corruption, starting from the Governor, Mayor and Regent. Meanwhile, the Corruption Eradication Commission during January-March 2018 has processed as many as 60 members of the People's Legislative Assembly and the Regional People's Representative Council related to corruption. (*https://www.cnnindonesia.com/national/20180710102802-12-312895/kpk-proses-60-anggota-dpr-dprd-kurun-januari-maret-2018*). The number of cases handled by the Corruption Eradication Commission shows that corruption still occurs even now it becomes a symptom in various government institutions, both central and regional or in the legislative, executive and judicial domains. (*https://nasional.kompas.com/read/2018/12/18/12495661/kaleidoskop-2018-29-kepala-daerah-*   *terjerat-Cases-corruption? page = all*).

Based on the explanation above, it is important and relevant to explain the political actions taken by Gus Dur and the khos kiai in the second internal conflict of the National Awakening Party. They are important figures in Nahdliyin who have a large influence in national politics. Gus Dur was the grandson of Kiai Hasyim Asy'ari, founder of Nahdlatul Ulama, while the khos kiai was a senior kiai who became a scientific reference for NU residents. The khos kiai referred to in this paper are Kiai Abdullah Faqih, Kiai Mas Muhammad Subadar and Kiai Abdurrahman Chudlori. Both Gus Dur and the khos kiai had a dual role, namely as boarding school caregivers and functionaries of the National Awakening Party. As religious as well as political leaders who were raised in the lives of Islamic boarding schools, Islamic values have internalized their political thoughts and actions. In addition, as a double figure, they also have all forms of capital, namely economic, social, cultural and symbolic.

By using Pierre Bourdieu's capital concepts and qualitative analysis techniques based on data from interviews and documentation, this paper aims to explain the actions of Gus Dur and khos kiai in the second internal conflict of the National Awakening Party. Their political actions are interesting because previously they were always one word and deed, but then they became two conflicting parties in the second internal conflict of the National Awakening Party. It is also interesting to explain how they use economic, social, cultural and symbolic capital in their political actions. Although not ideal, their political actions can be a reference as well as an inspiration for balancing strategies to apply Islamic values in polite political practice.

Understanding Bourdieu's Capital Concepts

Instinctively humans are zoon politicum, namely creatures who have the desire to rule or control. Islam forbids his followers to ask for a position because of the heavy responsibility. In the view of Islam, position is a trustworthy business that must be accounted for not only in the world, but also in the hereafter. Quoting Weber's opinion, Bryan S. Turner (1974), explained that there was no power that remained stable, moreover that power was achieved in a compelling way, both physically forced and through cunning. This statement implies that the position is an affair that requires a lot of capital to get it.

Bourdieu explains that capital is a work which accumulates in the form of a block or body, which if owned privately by an agent or a group of agents, will enable them to have social energy. Capital can also be understood as a set of resources and power that can really be used. The capital a person has will determine his position in the structure of the domain and also the power he has. Capital is the principle of

differentiation and hierarchy that applies in every domain (Bourdieu; 1995). Referring to Bourdieu's opinion, there are four types of capital needed in the political realm, namely economic, social, cultural and symbolic. Although different, these four types of capital can be mutually converted and passed on to others with different exchange rates and difficulties. Each type of capital is acquired and accumulated with mutual investment in other forms of capital. *First,* Economic Capital which includes the means of production (machinery, land, labor), material (income and objects) and money.

Second, Cultural Capital is an overall intellectual qualification that can be produced through formal education or family inheritance. Included in cultural capital include the ability to present themselves in public, ownership of high value cultural objects, knowledge and expertise from the results of education, as well as diplomas or certificates (degree). *Third,* Social Capital is a collection of actual or potential resources related to the ownership of a network of relationships to know and recognize each other. This capital refers to social networks that are owned by actors (individuals or groups) in relation to other parties who have power. In other words, whether or not a person's or a group's determined social capital is in a position that can control and possess networks and relations. The more networks, relationships, and important positions occupied, the stronger social capital will be.

Fourth, Symbolic Capital, namely status or recognition that can manifest into an objective form and institution. All forms of prestige, status, authority and legitimacy that accumulate are forms of symbolic capital. Symbolic capital is also present in a soft form, namely how individuals or groups are perceived. The term kiai khos, traditional, polite, tolerant and inclusive can be a representation. Factually, symbolic capital is an acknowledgment, whether institutional or not, obtained by someone from "other people" or "certain groups". A person will have symbolic capital if they are recognized by society after accepting the prerequisites for ownership of character which is very valuable in the view of society. The effectiveness of this capital is very dependent on the recognition of those who believe it, then whether the recognition is implemented and invested as a powerful weapon in the fight against cultural reproductive fields. In other words, the use of symbolic capital will only be maximized if it is supported by social and cultural capital. The unstable and temporal character of symbolic capital can only be an intermediate target for carrying out social mobility. In order to be stable and strong, it needs to be supported by reliable competencies and a strong network.

Capital Comparison of Gus Dur and Khos Kiai

Gus Dur and the khos kiai have the same position in terms of economic capital. They are descendants of large kiai who have wealth in the form of boarding schools with all the facilities. But they are different from the side of social, cultural and symbolic capital. Gus Dur has a wider geneological network and intellectual capacity than the khos kiai because of his patronage, patron-client relations, the influence of the habitus of the Arab and Western worlds and his association with various parties, both in terms of religion, ethnicity, nation and ideology. As a child of state officials, namely the Minister of Religion, Gus Dur had interacted with various groups since childhood through his father's guests. Of the three khos kiai, only Kiai Abdullah Faqih has a social network with scholars in Saudi and scientific sanad who are clear because they have studied religion in Mecca as students of Sayyid Alwi bin Abbas al Maliki. Clarity of scientific discipline is of greater value in the pesantren community. While the social and cultural capital of the Kiai Mas Muhammad Subadar and Kiai Abdurrahman Chudlori are limited to the nahdliyin

citizens, pesantren and their communities. Gus Dur's symbolic capital was also superior to the khos kiai because Gus Dur was not only known as a kiai, but also intellectuals, humanists and politicians. Comparison of the capital of Gus Dur and the khosi in brief can be seen in the following table.

Table 1
Capital Comparison of Gus Dur and Khos Kiai

Types of Capital	Gus Dur	Khos Kiai		
		Kiai Abdullah Faqih	Kiai Mas Muhammad Subadar	Kiai Abdurrahman Chudlori
Economic Capital	Owners of Tebuireng Islamic Boarding Schools, Jombang, East Java and Ciganjur, Jakarta with all amenities	Owners of langitan, Islamic Boarding Schools, Tuban, Eat Jawa with all amenities	Owners of Roudlatul Ulum Islamic Boarding Schools, Besuk, Pasuruan, East Java with all amenities	Owners of Tegalrejo Islamic Boarding Schools, Magelang, Central Jawa with all amenities
Social Capital	Having national and international level networks with various groups across religions, ethnicities and countries	Caregivers of the Langitan Tuban boarding school which became the basis of Gus Dur's political consolidation and the National Awakening Party	Spokesperson for Kiai Khos and Rois Syuriah, Nahdlatul Ulama, Pasuruan and Deputy Syuriah of Nahdlatul Ulama, East Java	Caregivers of the Tegalrejo Islamic Boarding school, Magelang, Central Java. One of the most influential pesantren in Central Java
Cultural Capital	Genius, the strength of nasab and patronage of the kiai-santri and the complexity of education and career put Gus Dur at the top of the authority of the ulama	The main reference in Nahdlatul Ulama, especially concerning the public interest and once studied in Makkah became a student of Sayyid Alwi bin Abbas al Maliki	Pure educational background for boarding schools (Islamic boarding schools in Besuk, Pasuruan and Lirboyo, Kediri, East Java)	Alumni of Ploso Islamic Boarding School, Kediri, East Java and the political foundation of the clerics and chairman of the Shura Council of the National Awakening Ulama Party
Symbolic Capital	Gus (kiai child), Kiai of Islamic Boarding School, Waliyullah,	The axis of Khos Kiai, Kiai of Islamic Boarding School, Waliyullah	Khos Kiai khos, Kiai of Islamic Bording School	Khos Kiai, Kiai of Islamic Boarding School

	Humanist and Scholars			

Source : (Suswanta ; 2018)

Referring to Bourdieu, the position of agents in the realm is determined by diversity, the amount and the relative weight of the capital they have. In terms of diversity, the number and relative weight of capital owned by the agent is high, so he occupies the dominant class and vice versa. In other words, the dominant position of agents in the political sphere is determined by the number of types of capital owned. Based on this, Gus Dur's position is more dominant than the khosi kiai, because of the superiority of all the capital he has. Gus Dur became the dominant class, while the khos kiai became a marginal class.

Contestation in Internal Conflict of the National Awakening Party

There were three controversial Gus Dur political actions as the dominant class which triggered the emergence of the second internal conflict of the National Awakening Party. *First*, deactivation Alwi Shihab and Syaifullah Yusuf. *Second*, it does not make Islam *ahlussunnah wal jama'ah* the party principle. *Third*, the term village kiai was raised to deconstruct the term khos kiai. Related to the first political action, concerns about the emergence of conflict of interest due to multiple positions in parties and government were the main reasons for the deactivation of Alwi Shihab and Syaifullah Yusuf. They were both elected by President Susilo Bambang Yudhoyono to become ministers in his government cabinet, respectively as Coordinating Minister for People's Welfare and State Minister for the Empowerment of Disadvantaged Regions. The deactivation of Alwi and Syaifullah was only done through a plenary meeting. In the accountability speech at the 2nd Conference of the National Awakening Party in Semarang, Abdurrahman explained:

> "... I need to remind Alwi Shihab who demanded at the South Jakarta District Court against the Central Board of the National Awakening Party, that this move would harm his boss, President Susilo Bambang Yudhoyono. If it comes to him who is suspected, thank you, right? Why should Alwi Shihab and Syaifullah Yusuf not hold concurrent positions to become ministers and party administrators? Not because there is nothing, so that there is no conflict of interest, so that there is no collision of interests in the party and the minister ... "(Gus Dur; 2005).

The Alwi-Syaifullah group supported by the khos kiai expressed objections because the reason for double positions was that there was no legal basis so they were considered too far-fetched. According to them the prohibition to double the position was against natural law and at the practical level it became a barrier for cadres to develop their careers and experiences in the political field. Furthermore it was stated that the party should be proud if there were cadres who were entrusted with the position of minister, because one of the objectives of politicians entering politics was to hold public positions, including ministerial posts. In line with that, Choirul Anam, Chairperson of the East Java National Awakening Party's Regional Leadership Council, also stated that the decision to refuse concurrent positions was not in line with the spirit of the party's Articles of Association / Bylaws, especially through plenary meetings. Based on these rules, the party fully supports every cadre who dedicates himself to acting including becoming a

minister as a form of service to the nation and the state. This does not require party members to give up their positions in party management as happened when Gus Dur became President even though at that time he was still the General Chair of the Shura Council. At that time the party did not consider concurrent position as a problem (Kamarudin; 2008).

Meanwhile, related to the second political action, namely the absence of Islam *ahlussunnah wal jama'ah* as the principle of the National Awakening Party, Gus Dur wanted to place Islam as an ethical value in a national and religious context. This will give a new nuance in the color and orientation of the Islamic movement and the interpretation of its teachings, so that the tension of Islam and the state can be eliminated for the sake of humanitarian needs (Hikam; 1991). Gus Dur's commitment was evidenced by the presence of the National Awakening Party, a mass-based party that was not based on Islam and was open. The principle of the National Awakening Party is Pancasila, while the basic principle of its struggle is to uphold truth and honesty, uphold justice, maintain unity, foster brotherhood and togetherness in accordance with Islamic values ahlus sunnah wal jama'ah. Regarding the principle and struggle of the party, Abdurrahman explained:

"... a question disturbed the party in the long run why the National Awakening Party did not make religious interests a foothold, why is it nationalism and democracy as the basis? This party prioritizes national interests. To adjust the interests of national law with fiqh, it certainly becomes the main party, ... The party in this case certainly acts to prioritize the substance of Islamic law through national law and not prioritize formal religious symbols. Why? Because the Republic of Indonesia is a country with its own national interests and not a religious state ... (Gus Dur; 2003).

Meanwhile, the kiai actually feel uneasy with the principle of openness. As revealed by a spokesman for the Khos Kiai namely Kiai Mas Muhammad Subadar:

"Actually, the kiai (all this time) have never been comfortable with the principle of an open party. The kiai want the principle of the party, Islam in the name of the people, sometimes. But, rather than continuing to fuss, the clerics were 'forced' to follow the wishes of the people / groups who wanted the open principle. The clerics 'succumb' to the pretext, what is meant by a container, the important thing is to follow Islam as ahlussunnah ..... The purpose of emphasizing Islamic principles is ahlussunnah waljama'ah so that the struggle for mission is really based on the creation of social and political order in Indonesia in harmony with the religious vision of ahlussunah waljama'ah. So that harmonization is achieved and avoids clashes between religion and state (*li-ishlahil ummah diniyyatan wa ijtima'iyyatan, iqtishodiyyatan wa siyasiyyatan, fikriyyatan wa akhlaqiyyatan*). " (Zaim; 2007)

In addition to the problems of the party principle, the clerics also felt uneasy with Gus Dur's second policy as chairman of the Shura Council which placed some non-Muslims as central administrators. The clerics were shocked to see a number of non-Muslims in the ranks of the Shura Council and Tanfidz Council after the Second Congress in Semarang. Those who are the central management are Ratu Krishna Bagoes Oka (Shura Council), Hermawi Fransiskus Taslim, SH, Dr. Maria Pakpahan, MA, MSc., Anak Agung Ngurah Agung, SE, Drs. Alexius Gregorius Plate (Tanfidz Board). There are differences of views between the kiai and Gus Dur related to attitudes and

relations with non-Muslims. The concept of Gus Dur, the management of the National Awakening Party: 50% NU, 25% non-NU, 25% non-Muslim, while the kiai wanted relations with non-Muslims to be placed on the portion. Non-Muslims may become party members, but do not have the right to lead the party.

The kiai likens public transportation. Party letters, such as Motor Vehicle Ownership Proof and Vehicle Number, must be in the name of Islam in the name of Allah. If there are non-Muslims who feel one goal, and want to participate, the party is ready and will deliver it to the destination. Efforts to build Muslim and non-Muslim cooperation do not have to be done in parties, but can be done in the parliament or the legislature. The kiai argued that it was the sweat and hard work of the people who made this party a party that was taken into account in national politics. While fellow non-Muslim Protestant friends have their own forum, namely the Peace and Peace Party. Each of them can walk independently without fighting each other (Zaim; 2007).

The difference in the principle of the party and the placement of non-Muslims in the central management is actually a consequence of the different views of the khos kiai and Gus Dur regarding Islamic and political relations. Theoretically, the thoughts of Islamic relations and politics are divided into realistic and exclusive ideals. Exclusive or idealistic Islam wants a political concept (party, state, parliament) that is fully Islamic. While Islam is inclusive or realistic, it is more interested in solving the problem of how historical developments related to politics can be accommodated in the view of Islam. In this context, Islam is used as a complementary factor for state ideology and parties (Malik; 1998). The political thinking of the kiai belongs to the category of idealistic exclusive Islam, while Gus Dur's political thinking is included in the category of realistic inclusive Islam.

As for the third political action, Gus Dur deliberately brought up the term village kiai to deconstruct the khos kiai. Initially, the discourse of the khos kiai raised by Gus Dur was to improve Gus Dur's political position, although he was also able to move the social and cultural capital possessed by the kiai. This is in line with Bourdieu's thought, that social and cultural capital can be converted into symbolic capital. Furthermore, after becoming symbolic capital, it will be easily converted into economic capital. With the blanket of symbolic capital, economic, cultural, and other blessings will be easily obtained so that the position of agents in the realm will be even stronger (Ngatawi; 2009). Social networks, as social capital the kiai can increasingly be utilized optimally. Likewise, scientific capacity, as cultural capital the clerics are drawn into the broader political territory of the terrain, even on a national scale.

In subsequent developments, the relationship between Gus Dur and the khos kiai did not work in harmony. The khos kiai shifted his political support from Gus Dur because he was disappointed with the dismissal of Alwi Shihab and Syaifullah. The momentum of the split between Gus Dur and the khos kiai occurred in the Semarang party Congress II in 2005. Gus Dur's side deliberately did not invite Alwi-Syaifullah's group and designed the event to win Gus Dur and Muhaimin as Chair of the Shura Council and Chairman of the Tanfidz Council by manipulating the rules of the game . The Alwi-Syaifullah group uses the legitimacy of the khos kiai clerics to fight Gus Dur and reject the results of the congress because they are deemed legally flawed and unconstitutional. Although colored by the rejection action, the congress finally continued and succeeded in establishing Gus Dur as Chair of the Shura Council and Muhaimin

Iskandar as General Chair of the Central Board of the National Awakening Party for the period 2005-2010. In the momentum of the conference there was a symbolic struggle between Gus Dur and the khos kiai.

As a form of resistance to the *mufarraqah (shifted)* khos kiai, in addition to ignoring the meeting's invitation and appeal from the khos kiai, Gus Dur deliberately made more progressive maneuvers by forming a forum of the People's Ulama Silaturrahmi. The forum was intended to bring up the discourse of the village kiai while criticizing the khos kiai (www.dpp-pkb.org). The discourse continues to be exhaled in order to delegitize the khos kiai and to achieve the imaging target ahead of the 2009 elections. The counter strategy of discourse conducted by Gus Dur actually makes the khos kiai believe that the attitude of the *mufaraqah* is true. The clerics reject the accusation of pragmatism against him. They felt that the emergence of the khos kiai discourse which was later deconstructed with the discourse of the village kiai was for Gus Dur's political interests. The kiai also never asked and declared themselves as khos kiai. In his writing in Jawa Pos, Kiai Abdullah Faqih stated that he was uncomfortable hearing and bearing the title of khos kiai. He wrote more fully:

> "... it is not known exactly who started and raised the term khos kiai. Actually, it's also uncomfortable to carry and hear the title. Because the kiai, called the khos kiai, did not feel there was anything that needed to be overstated regarding the status or social strata. Although its existence is able to be used as a justification and legitimacy of groups and certain interests. "(Faqih; 2007)

Political Actions of Kiai as Social Praxis

Discourse contestation between Gus Dur and khos kiai concerning constitutional versus unconstitutional issues related to the deactivation of Alwi-syaifullah, khos kiai versus village kiai and inclusive Islam versus exclusive Islam is not the first time this has happened in the nahdliyin environment. As a religious organization (*jam'iyyah diniyah*), Nahdlatul Ulama formed the *Lajnah Bahtsul Masa'il*. In the beginning, the lajnah was only responsible for studying social issues, fatwa issues, and developing standardized yellow books taught in pesantren. However, in its development, the image of the lajnah rose when managing contemporary problems faced by modern society in general. For example, the Nahdlatul Ulama has issued a fatwa on human cloning, human rights, labor rights, drugs and international problems. In short, Bahtsul Masa'il provides alternative religious solutions to everyday problems that arise and develop in society.

The Bahtsul Masa'il forum accommodates all opinions in the broad spectrum of views from those who agree to those who refuse. In the process of discussion starting from understanding facts about contemporary issues that will be discussed until the withdrawal of the sources of the arguments takes a short time. The pros and cons argue for days over each other arguments to issue arguments or reference books. In circumstances where a solution cannot be found and agreed upon, the decision is made to acknowledge two or three main opinions as opinions that are equally true. Any opinions that are used by residents will not be blamed by those who are different. Nobody feels right and the other is wrong. All opinions are true, as long as there is legitimacy in the view of fiqh. Thus, the contestation of constitutional versus unconstitutional

discourse, khos kiai versus village kiai and inclusive Islam versus exclusive Islam has become part of the kiai habitus.

The all-round "fiqh" approach to political matters made Gus Dur and the khos kiai relatively easy to understand while accepting government provisions regarding the principles of Pancasila in the life of the party and at the same time able to understand if anyone insisted that an Islamic party should be based on Islam. Both of these opinions have fiqh justification. For those who are pro will argue that in the view of fiqh, the principle of Pancasila is one of the many technical requirements in the context of the Indonesian state which is not a religious requirement. Thus it may use the principle of Pancasila, but it may or may not. There is no reason to reject Pancasila as a party principle because it does not replace the position of religion in the life of the party. Furthermore, it is only to be tested on the field which gives more benefit in the sense that it can be accepted by all parties, get a lot of votes and become a big party. The fact shows that as a newcomer, the Party founded by Gus Dur immediately became the top three in the 1999 and 2004 elections. Thus, Gus Dur's action to establish the National Awakening Party as an open party with Pancasila as its principle was not opportunistic, but praxis, namely action which is justified by fiqh and aims to raise the party. Gus Dur's political actions are also a creative form of maximizing potential, both related to the pesantren's habitus and the social, cultural and symbolic capital that they already have. In summary, Gus Dur's actions as praxis can be seen in the following table:

Table 2
Gus Dur's Political Actions, Praksis Sosial dan Konteks Sosio Historis

Gus Dur's Political Actions	Social Praxis	Socio-Historical Context
Bring up the discourse of the khos kiai	Increasing Gus Dur's political bargaining position before the Central Axis and the power of the non-National Awakening Party parliament	Abdurrahman needed political and spiritual legitimacy because of his weak position when he was nominated as president by the Central Axis camp. The strength of the National Awakening Party is only 10% in the House of Representatives and the Central Axis cannot be relied upon because their allies are tactical
	Building mutual relations (mutual symbiosis), Gus Dur gained political and spiritual legitimacy, while the social and economic position of the khosi rose as a national figure	Gus Dur's political instincts saw the potential of pesantren kiai as a symbol of new political power amid political turbulence and the absence of strong political leadership at the beginning of the reformation after the collapse of the New Order
Dismiss Alwi-Syaifullah	Give a "warning" to every Parati National Awakening cadre to uphold political ethics regarding multiple positions because they are vulnerable to conflicts of interest	Avoid conflicts of interest because of multiple positions
	Ethically, Alwi-Syaifullah should resign before being deactivated	Gus Dur's anger and disillusionment because he felt betrayed by his two cadres

	because political ethics is far more important to enforce than the constitutional and unconstitutional debates	who accepted positions as ministers without their knowledge and goals.
	Sanction Syaifullah because it was indicated by using money politics in his nomination as Secretary General of the Central Board of the National Awakening Party at the Extraordinary Deliberation Party in Yogyakarta	Syaifullah indicated that she was practicing money politics in her candidacy as Secretary General of the Central Board of the National Awakening Party in Extraordinary Deliberation in Yogyakarta
Bring up the discourse of the village kiai	Giving space to the village kiai to show their existence and a "unique" way of advising the khosi who have indicated "elite" groups that are exclusive and contaminated with political interests	Abdurrahman was disappointed with the attitude of the khosi who opposed the deactivation of Alwi-Syaifullah and the Semarang congress and the mufarraqah which led to the establishment of the Ulema National Awakening Party
	"Symbolic clash" between Gus Dur and Alwi's camps. Abdurrahman's camp delegated the Khos kiai, while the Alwi camp exploited the Khos kiai symbol	There are indications that the khosi have developed into elite groups far from the people and have been contaminated by political interests
Establishing the National Awakening Party is not based on Islamic ahulssunnah wal jamaah and as an open party	The consequences of differences in understanding between inclusive-substantialistic Islam and exclusive-formalististic Islam	To maintain the image of being a champion of democracy and pluralism and the Nahdlatul Ulama as a moderate Islamic movement. Gus Dur establishes the National Awakening Party not based on ahlussunnah wal jamaah and as an open party
		Expand the base of support and networking of the National Awakening Party from minorities

Source : (Suswanta ; 2018)

The shift in the political support of the khos kiai was indeed related to the unilateral deactivation of Gus Dur's Alwi-Syaifullah, the establishment of the National Awakening Party as an open and nationalist party and the emergence of village kiai discourse as a counter to the discourse of the khos kiai. The support of the khos kiai is a result of the persuasive and humane approach of Alwi-Syaifulah. The clerics shifted their political support from Gus Dur because of Gus Dur's non-persuasive and non-humane approach, namely by deconstructing the khos kiai with the village kiai. As for the pattern of formation of symbolic capital, the khos kiai follows the pattern of mediation. In the pattern of mediation, the conversion process is carried out by agents who have symbolic capital with a very high weight so that they can occupy a dominant position in political battles, in this case Gus Dur. By utilizing this dominant position, agents convert the various capital possessed by the kiai, namely economic, social and cultural capital. The

economic, social and cultural capital of the kiai actually has a high weight, but has not been utilized optimally.

While Gus Dur as an agent actually also has all types of capital and is in a dominant position. However, in the national level political struggle, it feels that it still needs to add support and legitimacy so that its position is stronger in order to increase bargaining power with the Central Axis and the power of non-National Awakening Party parliament, considering the National Awakening Party only gets 10% of seats in parliament. For this reason, Abdurrahman explored various capitals owned by the kiai. The potential capital was actualized and then converted into symbolic capital which Gus Dur could use and play in political battles.

The kiai's political actions in the perspective of the dialectic of Bourdieu's structural agents are dynamic processes, always in a state of tug-of-war in the interests of pragmatism and idealism and not linear. This perspective has resulted in "the praxis of kiai-style political actions" which have been formed through a process of "cyanization of action". Political actions which on the one hand are recognized by traditionalists as idealists, but on the other hand are criticized by modernists as pragmatic and even opportunistic actions. This is because the agents who play, namely Gus Dur and the khosi kiai have a subjective dimension (habitus) which gives him the ability to reformulate the actions that surround them. The result is a unique, unique and mixed political action. The kiai's political actions are carried out beyond the dichotomy of pragmatism versus idealism. As an example, the pragmatic dimension of the deactivation of Alwi-Syaifullah was Gus Dur's disappointment because he felt betrayed by two of his trusted people, namely becoming a minister in President Susilo Bambang Yudhoyono's cabinet without his permission and permission. At the same time, this action also has an idealistic dimension, namely the importance of upholding party-political ethics regarding concurrent positions. Ethically, Alwi-Syaifullah should resign from his position as General Chair and Secretary General before being deactivated. This is because political ethics is far more important to enforce than the constitutional and unconstitutional debates. Considering praxis is an action carried out as an end in itself or for itself, then questioning the motive of an action loses relevance because what is more important is explaining the meaning and socio-historical context of the action.

Bringing up the discourse of khos kiai and village kiai, deactivating Alwi-Syaifullah and establishing the National Awakening Party as an open and nationalist party are not just ordinary political actions. The political action shows discourse contestation and negotiations between Gus Dur and the khosi in the political sphere of the National Awakening Party. Gus Dur's political actions can be interpreted as symbolic advice or a unique way of advising the khosi kiai. The message to be conveyed is that the realm of practical politics with the principle of losing and winning is not a suitable arena for playing khosi kiai. The suitable playing field and glorifying the khos kiai is an Islamic boarding school education. The right-wrong principle according to *ahlussunnah wal jama'ah 's* Islamic teachings can be applied in that domain. Moreover, there are indications that the khos kiai become an exclusive group that is increasingly distant from the ummah and increasingly dissolves in the pragmatism of power.

Likewise, the critical attitude of the khos kiai which led to a shift in political support (*mufarraqah*) from Gus Dur was not an ordinary political act. The political action also illustrated the occurrence of discourse contestation and negotiations between khosi kiai and Gus Dur. The facts show that the discourse

developed by Gus Dur was more dominant than the khos kiai because of the gap in the power of capital, especially its social, cultural and symbolic capital. Nevertheless, the political actions of the khos kiai can be interpreted as symbolic advice or a unique way of advising the kiai towards Gus Dur in order to restrain his ego, put himself right and be consistent between behavior and action. In other words, these contestations and negotiations result in non-dichotomous, mixed and unconsolidated political actions. For example, there was an appreciation of the symbols of the khos kiai, but at the same time there were agents who delegitimized the symbols of the khos kiai with the village kiai. There are agents who insist on the deactivation of Alwi-Syaifullah unconstitutional, but at the same time there are other agents who continue to hold congresses to elect a new party chairman and secretary general. This is the relevance as well as the contribution of the dialectical agent-structure perspective as a knife of analysis in rereading opportunistic stigmatization of kiai's political actions, namely not opportunistic but praxis. The political actions of the khos kiai as social praxis can be seen in the following table:

Table 3

Political Actions of the Khos Kiai as Social Praxis

Political Actions of Khos Kiai	Explanation	Social Praxis
1. Criticism of Gus Dur's controversial actions, namely: Establishing the National Awakening Party as an open party, raising the discourse of the khos kiai and the village kiai, deactivating Alwi-Syaifullah and holding the Second Party Congress 2. Shifting political support to Alwi Shihab in the second internal conflict of the National Awakening Party	1. Kiai is a critically marginalized class in the realm of the National Awakening Party because the kiai are the dominant class in their pesantren 2. The khos kiai and Gus Dur's habitus are the same, namely the pesantren's habitus, only differing in type & weight of their social, cultural and symbolic capital 3. Differences in the types and weights of social and cultural capital that influence differences in perceptions about the concept of Islamic parties	1. Critical actions to the mufarraqah are unique ways the kiai advised Gus Dur to obey the rules of the game and not be arbitrary when the power 2. Alwi-Syaifullah received support because they adopted an intensive and humane approach to the clerics, while Gus Dur took a confrontational approach. 3. *Mufarraqah* is the peak of the kiai's disappointment in Gus Dur's controversial actions

Source : (Suswanta ; 2018)

Conclusion

The results of the study show that the political actions of Gus Dur and the khos kiai in the National Awakening Party were "unique and polite practices of the kiai" through "kiaization of actions". Unique because on the one hand it is the result of the creativity of agents who have the ability to optimize social, cultural and symbolic capital they have. On the other hand, a polite practice guided by pesantren

habitus, namely *ahlussunnah wal jama'ah's* ideology that places the people's welfare, in this case the Nahdlatul Ulama and the National Awakening Party as a priority of the struggle. Gus Dur's political actions, ranging from involving the Executive Board of Nahdlatul Ulama in the formation of parties even though Nahdlatul Ulama had decided to return to khittah 1926, established the nahdliyin party as an open party that was not based on Islam while mass-based Islam and gave rise to the khos kiai discourse and delegated it to village kiai and the political actions of the khos kiai shifted their political actions to Alwi Shihab in the internal conflicts of the two parties even though in the first internal conflict, khos kiai fully supported Gus Dur as a manifestation of this unique and polite practice.

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The Concrete Political Economy: A Struggle of Symbolisms of Community and Power

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Abstract

This article will discuss the reciprocal relationship between economic and political factors that influence the power structure that exist within a country through liberalization of democracy. The economic tendency as politics can be seen from the dynamics of the major political battles process which among them are the election for people's representatives from the government of a country. The emergence of political Islam groups which is the Indonesia's political oligarchy faction by carrying Islamic populism sentiment as a controversy tool for the political elite. The existence of maximizing usability process that obtained by individuals and the use of authority to achieve goals. It shows the existence of renewal in democratic process that makes democratic vehicle by carrying the symbolism of community. This article uses literature method as the writing method and also uses comparative studies from Islamic law literature studies. The purpose of this article is to give a comprehensive description of the relation between the efforts to realize the state's goals in political warfare process for the election of people's representatives. Wherein, the efforts to realize the goals of the state will not be separated from the problems of power, inter-class conflicts and resistance to change. The development concept to realize justice for all Indonesian people through policies issued by the government can truly be realized. Political warfare that uses Islamic populism with community symbol do not become pragmatism in maintaining power because of the demands of capital accumulation in gaining power.

Key words: *Democracy, Community symbol, Political economy*

Introduction

The community ability towards the surveillance of development implementation is indispensable currently, especially the development that is able to anticipate and resist the external shocks. This development surveillance can be in the form of the achievement adequate growth rates and the distribution evenly of the community's struggle results. The state is as an activator of national development which is assumed to be a strategic function from the giving of responsibility for doing things to community.

Based on Guelermo O'Donnel's study that the state has emerged as a political power that is not only relatively independent dealing with their elite supporters factions of and civil comunity, which later became a dominant force that has a capable of overcoming both. The state make a strong surveillance towards civil comunity, especially in an effort to prevent the people masses involve in political outrageously active in order to the industrialization acceleration procces of won't be disturbed.

[1] Therefore, the state is required to be able to stimulate the economic activities through a series of sustainable deregulation policies for the acheive of bargaining that can support the development of political economy.

Actually, the attitude change from community will depend on the influence of the holders of the power themselves, as long as the types of state officials and a set of values that are considered as an inherent part in real democracy are still exist. As for democracy in Indonesia is highly depend on political elite's behavior of cultural structures, economic and ideology that become a model, especially the perspective to the political development

In political system of liberal democracy which originated from the edict of Vice President No. X on November 3, 1945. The position of political infrastructure vis-a-vis the political superstructure is relatively stronger, creating a figure of the bureau-nomia political system.[2] According to Martin Albrow, He According to Martin Albrow, he differentiates three basic positions about the functions of officials in democracy country, namely:

1. The officials who demand too much power and need to be returned to its original function;
2. The officials who have a real great authority and duty that getting bigger so that the position must be run wisely;
3. Authority is necessary for the officials so that it must be found the service methods that can be shared together. The problem that must be solved in order to be able to build and develop democracy is by placing a bureaucracy consistently within the political system.[3]

Therefore, the collapse of democracy values cause by the existence of values contradiction that was done by authority holder itself which eventually will implicate to the community. The real democratic values are not only concern the goals of community that are determined by the majority decision. However, it also concerns with how the objectives of what the people desire can be applied through existing effective methods, not only on how the arrangements in democratically are implemented.

Nevertheless, the perspective about democracy from time to time will always run into development in line with the increasingly complex of relations between the citizens. Democracy is as liberté, egalité, fraternité, effective citizen control over goverment policy. In addition, democracy also implies the existence of civil liberties in politics, namely in the form of freedom of speaking up, publishing, gathering and having organization, which are needed for the political debate and the implementation of those election campaigns.[4]

The role of political parties effort as a political system of doing democracy in realizing community welfare, in fact face a struggle to be good behave or not being bad towards who and anything before taking an attitude that supports, defends, advances, damages, limits and even deadly attitudes. Regarding to the political and economic linkages in the democracy state system in development that the economy is the democracy development basis, where democracy life will ease tensions due to political conflict,[5] but the fact

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[1]Muhammad AS Hikam, "*Otoriter Birokratik dan Redemokratisasi: Sebuah Tinjauan Kritis dan Beberapa Studi Kasus*", Political Science Journal No 8, Jakarta: AIPI-LIPI, 68.

[2]Moeljarto, Tjokrowinoto, *Pembangunan Dilema dan Tantangan*. Yogyakarta: Pustaka Pelajar Offset Press, 1996, 159.

[3]Dara Aisyah, Relationship between Bureaucracy and Democracy, http://library.usu.ac.id/download/fisip/admnegara-aisyah.pdf, accessed on July 7, 2019. at 12: 35 UTC+7.

[4]Samuel P. Huntington, *Gelombang Demokratisasi Ketiga*, Jakarta: PT Intermasa Press,1995, 6.

[5]Seymour Martin Lipset, *Poltical Man: The Social Bases of Politics*, Baltimore Maryland: The John Hopkins Unversity Press, 1983, 31.

is not always like that because it can bear authoritarianism as happened in South Korea, Taiwan and countries in Latin America. On the other hand there also an opinion that democracy is the basis for economic development, because through democracy the space for society freedom is opened without exception the rulers who have large capital must pay attention to the comunity desire.[6]

The high of cost amount of holding general elections has potential for political parties and politicians to do an authority consolidate to get funds for the general election capital. The Election System that uses the most votes cast mechanism also forces the legislative candidates to collect money. Power is used as an instrument to dredge profits. The massive authority of the House of Representatives regarding to budgeting makes this institution has a potential to manipulate it for personal gain. While the leader is not authorized to reprimand and punish the guilty member, because each members of the House of Representatives was an extension of the faction and while the faction became an extension of the political party. Furthermore, the broker process can be carried out by the legislative, executive and budget peeper who have no authority but close to politicians or officials at the ministry.[7]

Alignment between political systems and economic systems is needed in the elaboration of the values of economic democracy in the entire national economic system if not just a myth. Referring to Article 1 Section 2 of the 1945 Constitution of the Republic of Indonesia, then the people who have sovereignty in determining important decisions in the political field, this means that in Indonesia sovereignty is in the hands of the people, then political power is in the hands of the people.

Pursuing and using the authority remains to be an arena of people competition from generations. The struggle to get authority in obtaining political power is inevitable and even it becomes a human nature which has implications to the substantial life issue.[8] In Islam, power is a responsible to Allah and as a responsible it obligatory conveyed to those who have the right to receive it, it's mean that it's carried out and maintained in accordance with the principles of power in the Qur'an and Sunna. There is no one who has an absolute power, but that power is delegated to humans as representatives (caliphs) on earth who receive orders to uphold a fair government and realize a common prosperity.[9] Islam sees political power based on the might of Allah SWT and the power of Rasulllah SWT that reflects God's power.

The population of Indonesia which is predominantly Muslim with a diversity of mazhab, a multireligious fact makes country political fight from Islamic politics a struggle of symbolism in reaching power in government. This will happen if Islamic political parties focus only on political issues which are reduced to internal party affairs solely to gain power in government, especially at the election of people representatives in the general election process that politicizing Islam. Nevertheless, there has never been a

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[6]Barrington Moore, The Social Origins of Dictatorship and Democracy, Lord and Peasent in the Making of the Modern World, Boston: Beacon Press, 1966.

[7]https://yappika-actionaid.or.id/cari-modal-pemilu-anggaran-digangsir, accessed on July 8, 2019, at 06:08 UTC+7.

[8]Miriam Budiarjo, *Dasar-Dasar Ilmu Politik*, Jakarta: Gramedia Pustaka Utama, 1977, 35.

[9]Usman Jafar, "*Kekuasaan dalam Tradisi Pemikiran Politik Islam (Refleksi Atas Pemikiran Politik Islam)*", Jurnal Al-daulah, Vol. 6 , No. 2, (December 2017), 1.

single political organization as a representation of the wishes of "ummah" or "people".[10] Political parties can be referred to as "general election participants" if they have fulfilled several stages, as follows:

1. Registering himself to the General Elections Commission accompanied by an application letter and documents of general and particular requirements;
2. Passing through the administrative and factual verification stage in the field to ensure the requirements to become a participant in the general election as regulated by the law;
3. Obtaining a decision from the KPU as a political party of general election participant.[11]

Righteously, Ideology politics is inseparable from Islam, politic and religions are interrelated. Politics without ideology cannot direct what they can fight for or vice versa. Ideology without politics won't be able to become practical, it will only be an abstraction that leads to utopia. When politics becomes the main tool for ideological debates, then each political party will indoctrinates their cadres with certain ideologies that can be a democracy, socialism or fascism. When politics comes into contact with economic liberalization, the basis of political parties that should be strengthened shifts to the desire of how to gather the masses as a means to achieve victory. The attitude of prioritizing politics rather than ideology which is more focus on practical matters only, caused a stretch and erode relationships between religion and politics, especially concerning for Islamic political parties in Indonesia that fighting for Islamic political aspirations.

The representation of Islam that used in economic trends in politics is also unavoidable and will play an important role in Indonesian politics in embracing investors with Islamic culture in general elections. The symbolism of community in taking over power towards the state and economic resources is the interests for the one who feel that they were marginalized by poverty from the existing power structure. The existence of this condition makes Islam be politicized to gain power. For this reason, in this paper, we will discuss further the relationship between economic and concrete politics of efforts to realize the goals of the state in the process of fighting the election of representatives of the people.

The article uses the literature method as a writing method and also uses comparative studies from Islamic law literature studies. According to Sugiyono, literature studies are related to theoretical studies and other references that relating to values, culture and norms that develop in the social situation under study, besides that literature studies are very important in conducting research, this is because research will not be separated from scientific literature.[12] Furthermore, by using literature techniques in an effort to collecting data of various materials that was found in the library space, such as newspapers, books, magazines, manuscripts, documents and so on that are relevant to the research, [13] including those sourced from the internet.

Community Symbol, Implementation of General Elections and Power

In a democratic country, the relationship between the ruler and the people is not a power relationship but it based on a law that upholds human rights. According to Mahasin, there is no obstacle

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[10]Vedi R Hadiz, *Populisme Islam dan Kaum Oligarkis pada Pilpres 2019*, https://www.suara.com/wawancara/2019/02/25/072000/vedi-r-hadiz-populisme-islam-dan-kaum-oligarkis-pada-pilpres-2019, accessed on July 7,2019, at 16:00 UTC+7.

[11]Article 6A paragraph (5) 1945 Constitution of the Republic of Indonesia. check the Constitutional Court of the Republic of Indonesia, 1945 Constitution of the Republic of Indonesia and Constitution of the Republic of Indonesia Number 24 Year 2003 about Constitutional Court, 65.

[12]Sugiyono, *Metode Penelitian Kuantitatif Kualitatif dan R&D*, Bandung : Alfabeta, 2012, 291.

[13]Koentjaraningrat, *Kamus Istilah Anhtropologi.* Language Training and Development Center. Jakarta : Depdikbud, 1983, 420.

for religion to side by side with democracy, as long as the basic elements of democracy in an Islamic perspective include: *as-syura, al-musawah, al-'adalah, al-amanah, al-masuliyyah* and *al-hurriyyah.* [14]

Democracy according to political science / government means sovereignty is in the hands of the people. Indonesia is a democratic country where political power is in the hands of the people, as stated in Article 1 Section 2 of the 1945 Constitution of the Republic of Indonesia which states that sovereignty is in the hands of the people and carried out according to the Constitution. Referring to Article 1 Section 2 of the 1945 Constitution of the Republic of Indonesia, then the people is the one who has sovereignty in determine important decisions in the political field.

The existence of emphasis that so focused on citizens or people then in democracy government always give attention to the citizens. The implications of such a perspective are on the laying of the democracy pillars which always prioritizes the citizen's interests. Those democracy pillars are:

(a)   People's sovereignty;
(b)   Government based on the agreement of the governed (people);
(c)   Majority power;
(d)   Minority rights;
(e)   Guarantee of human rights;
(f)   Free and honest elections;
(g)   Equality before the law;
(h)   Reasonable legal process;
(i)   Government restrictions in constitutional;
(j)   Pluralism of Social, economic and political, and;
(k)   Values of tolerance, pragmatism, cooperation and consensus.[15]

Citizens or people (demos), in democracy always get attention, even focused on it. Therefore, the real role of citizens is always emphasized in the political process**.**[16] Democracy is built on two principles, namely self-government and the stipulation or direct constitution making by the people. The difficulty of enforcing the practice of democratization inside a country by the ruler, along with the complexity of the problems and the challenge its faces and more than that is concerning the commitment and morality of the ruler itself. The possibility for manipulation happen in order to get the power of authority will always be there, including through information media to legalize manipulation acts of political activities.

In other words, the relationship between religion and democracy in a social community involves many variables, including non-religion independent variables.[17] Theologically, the failure of many Islamic countries to develop democratic political mechanisms among others is due to the existence of legalistic and formalistic views in seeing the relationship between Islam and politics. Therefore, a substantialistic approach to Islamic teachings is needed in order to encourage the birth of synthesis that possible between Islam and democracy.[18]

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[14]Aswab Mahasin in Imam Aziz, et.al., (ed)., *Agama, Demokrasi dan Keadilan*, Jakarta, Gramedia. 1999, 30.

[15]Diane Ravicth, What Is Democracy?, translation of Budi Pyaritno, Amerika: United States Information Agency, 1991,6.

[16]Afan Gafar, Politik Indonesia: *Transisi Menuju Demokrasi*, Yogyakarta: Pustaka Pelajar, 2000, 6.

[17]Zainuddin, *Islam dan Demokrasi*, https://www.uin-malang.ac.id/blog/post/read/131101/islam-dan-demokrasi.html, accessed on July 5, 2019, Pukul 14:22 UTC+7.

[18]Bahtiar Effendy, "*Islam dan Demokrasi: Mencari Sebuah Sintesa Yang Memungkinkan*" in M. Nasir Tamara and Elza Peldi Taher (eds.), *Agama dan Dialog Antar Peradaban,* Jakarta: Mizan, 1996. 100.

The application of democracy in Indonesia shows that Indonesian Muslims are very accepting and positively related to the concept of democracy which has been considered contrary to Islamic teachings by some Islamic bachelor.[19] In other hand actually according to Saiful Mujani that there is no single element of Islam that has a negative correlation and significance with one of the democracy element.[20] If Islam arrives to conflict with certain democratic postulates that is because the general character as a religion ... involves many holy axioms".[21]

In reality democracy and Islam are often misused even though in reality they must complete each other. Not all countries including Arabic countries which majorities are Islamic countries can run their governments democratically based on Islamic. The problem is actually related to the power not with religion. In the implementation, government has the meaning of "authority" which refers to legitimacy claims; rights and justifications for perform power. Therefore it is important to monitor the balance between the two to avoid corrupt power. Supervision of society from the possibility of politicians that use religion and move public opinion in gaining political and financial benefits, or to get votes in the holding of elections for electing people's representatives.

The phenomenon of making religion an instrument of gaining power or making political choice as if it were the choice of people towards the religion they believed in. Symbols become vehicles that deliver understanding (the vehicle of meaning), which according to Geertz, symbols are:

> Assuming the symbols as the connecting lines between human thought with reality outside, which is where thinking must always be related or confronted; in this case human thought can be seen as "a form of traffic system in the form of significant symbols". Thus the symbols source is two, namely (1) which originate from outside reality which manifests as social and economic realities; and (2) which originates from within and which is realized through conceptions and social structures. In this case the symbols become the basic for the realization of the model part of concepts systems in the same manner with how the religion or the belief reflects and manifests the forms of social systems.[22]

The increasing number of the practice of using religious symbols as a tool to legitimize a political action presents the wishes of "the people" or "the people should be stopped". The religion symbol as a community symbol is used by the political elite to show power will forget the essence of religion itself and even it also can bring Indonesian community increasingly divided.

The utilization of religion as an issue and symbol to gain support or to attack political opponents has consequence of putting forward this sense, where debate about political does not prioritize dialectical reason or compete with ideas so that they lose substance, how to improve the quality of life of the community. In one hand, the society is more religious but on other hand religiosity does not correlate with its political choices. Its development, Islamic-based and mass-based Islamic parties will stay away from the themes of symbolic struggle.

The relations of Power assume anentity community or group has more power, occurs because of unequal power relations carried out by more powerful or authoritative parties to construct differences in

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[19]Kiki Muhamad Hakiki, *Islam dan demokrasi: Pandangan Intelektual Muslim dan Penerapannya di Indonesia*, Journal of Insight (1:1 January 2016), 1.

[20]Saeful Mujani, *Muslim Demokrat: Islam, Budaya Demokrasi, dan Partisipasi Politik di Indonesia Pasca Orde Baru* Jakarta: Gramedia Pustaka Utama, 2007, in Kiki Muhamad Hakiki, 15.

[21]Bassam Tibi, *Ancaman Fundamentalisme: Rajutan Politik Islam dan Kekacauan Dunia Baru*, Yogyakarta: Tiara Wacana, 2000, 325.

[22] http://digilib.unila.ac.id/3548/15/BAB%20II.pdf, accessed on July 7, 2019, at 11:26 UTC+7.

power. In the implementation of General Election, the condition of this relationship is raised in the practices of certain religious symbolism which seems to be more important, noble, and honorable.

General Elections in Indonesia as one of the democratic parties held every 5 years. The holding of this Election is held as the alteration of power leadership with a democratic system. General Election in its implementation has three purposes, namely:

1. As a mechanism for selecting government leaders and alternative of public policy (public policy);
2. Elections are the transfer of conflict of interest from the community to the people's representatives councils through the elected representatives or the party that wins the seat so that the community integration is guaranteed;
3. Elections as a means of mobilize, motivate or accumulate the people support towards the state and government by participating in the political process.[23]

The first general election was held in 1955 and after 2004 the election reforms the community was able to elect people's representatives directly, the President, the Vice President, the House of Representatives, the Regional Representative Council and the Regional House of People's Representatives (DPRD of Regency and City). In the fifth election after reform was the 2019 General election, it was held simultaneously on April 17, 2019. District / city general elections to elect regents and members of the Regency DPRD and members of the City DPRD which are carried out simultaneously at the respective levels of government in accordance with the state schedule set. In accordance with the ruling of the Constitutional Court, the legislative elections and the presidential election in 2019 are carried out simultaneously.

In harmony with its development, then implementation of general elections and the practice of political activities should have been idealized, namely more integrity with a more substantial foundation of political ethics (rule of ethics). The essence of general elections is as a means of democracy which is essentially to run a state government by, from, and for the people. Through general elections the people can choose the leader of the country or his representatives who are entitled to make a policy based on the will of the people which is outlined by the country leaders or those people's representatives.[24]

For this reason, it is particularly urgent to prioritize ethical considerations to perfect the legal logic for substantive justice. Thus, the quality of democracy must be demanded not only as formalistic procedural democracy, but democracy which is more substantial and has integrity. This is intended to ensure that the implementation of the functions of the power holders is not mixed up and does not create an interest conflict between the actors in one branch of power and the actors from the other branches of power. At present the quality of Indonesia's democracy is faced to the condition of the emergence of a wide potential conflict of interest between:

(i)   Market economy actors, with;
(ii)   The owners and media managers, with;
(iii)   Managers and Head of a non-governmental organization (NGO) and Civil society organizations(CSOS), and with;

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[23]http://repository.unpas.ac.id/13193/5/BAB%20II.pdf , accessed on July 6, 2019, at 10:51 UTC+7,

[24]Ahmad Farhan Subhi,*Pengusulan Pasangan Calon Presiden dan Wakil Presiden Sebagai Peserta Pemilu Menurut Undang-Undang Pilpres*, Jurnal Cita Hukum, Vol. 3 No. 2 (December, 2015), 30.

(iv)   The officials of state organizer.[25]

These four interest conflicts in their development then can also be held by one hand. Those four branches of the power must be separate from each other, so that today's democracy can work in healty and high quality because it is balanced by the justice (rule of law), both according to the rule of law as well as integrity according to the size of the modern ethical system (rule of thics).[26] Democracy is closely related to the principle of administering a law state with a reason that in democratic literacy, the general election is one of the nine principles of the law state.[27] Democracy in Indonesia is a democracy that is framed by constitutional norms. Therefore, the implementation of democracy must be in accordance with the constitution which is obeyed in general election activities, the formation of rules and the implementation of the authority of state institutions.

The Relation of Concrete Political Economic of Islamic Populism in the Fight of Election of People's Representatives

The position and power is one of the important things for humans. Humans only get the delegation of power from God as a representative (caliph) on earth to realize mutual benefit. Position and power can be a source of happiness when properly executed. For Muslims it's such happiness if the power possessed is carried out in accordance with the rules of Allah SWT.

Religion is the basis of politics or power, where between religion and politics are interdependent.[28] The power possessed by humans is the mandate of Allah the Almighty and that power is relative (nisbi). State power is a political instrument for continuing the prophetic mission to preserve religion and set the world.[29] This view gives religious legitimacy towards state institutions, namely the state is understood as a political institution with religious sanctions. Reduce the state as a means to adjust the law of God's or syariah whereas Shariah gets a central position as a source of legitimacy towards political reality.

The concept of modern power tends to lay the state or the politics leadership with a variety of constitutional powers that massive in the region of law and constitution. As for the process of selecting people's representatives in government is a process of transition of power inside the state. The basic character of state power is the power that political power has. The state's strength is basically based on phenomena:

1. The internal phenomenon of state power is its power towards the individual and the territory of the country;
2. External phenomena are the state freedom to regulate foreign affairs and relations with other countries, freedom to make an agreement with other countries and the right to declare war and neutrality. [30]

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[25]Jimly Asshiddiqie, Pemilihan Umum Serentak dan Penguatan Sistem Pemerintahan, http://jimly.com/makalah/namafile/173/PEMILIHAN_UMUM_SERENTAK.pdf.,accessed July 6, 2019, at 09: 49 UTC+7.

[26] Jimly Asshiddiqie, Simultaneous General Election ..., 7.

[27]Ali Masykur Musa, *Sistem Pemilu: Proporsional Terbuka Setengah Hati,* Jakarta: Pustaka Indonesia Satu (PIS) collaboration Parliamentary Support and Public Participation, 2003,162.

[28]Suyuti Pulungan, *Fiqh Siyasah: Ajaran, Sejarah, Pemikiran,* Jakarta: RajaGrafindoPersada, 2002, 237.

[29]M. Din Samsuddin, *Politik demi Tuhan: Nasionalisme Religius di Indonesia*, Bandung: Pustaka Hidayah, 1999, 46-47.

[30] Samir Aliyah, *Sistem Pemerintahan, Peradilan dan Adat dalam Islam,* Jakarta: Khalifa, 2004, 88.

Based on the two basic phenomena of state power mentioned above, it is clear that the state in the concept of legislation is the owner of power, while the government is the executor of power in the name of state. Power is built on the basic of the country's political system, where the existence of the highest political power is in the people hands. The state has gained power since the people entrust the public power to the state as the owner of the power.

In the end, the power was aimed to human self, especially the power of government in the state.[31] In Islam, the mean and purpose of power is:

1. Maintaining religion, especially for the Caliph who is responsible for maintaining the Islamic faith. In this case, it is done by optimizing the authority that has been given by Syara to him. the state is the only one that have a right to kill one who apostates and warn anyone who deviates from the state;

2. Arranging community affairs by applying Syara' law to them without discriminating between individuals and others;

3. Maintaining the state and community from people who undermine the state. The way is by protecting regional boundaries, preparing solid military forces and sophisticated weapons to fight the enemy;

4. Spread the Islamic preaching to all humans, namely by way of jihad as did by Prophet SWA on several battles, such as the conquest of Mecca and the war of Tabuk;

5. Eliminating conflicts and disputes among community members by full justice. This is done by imposing sanctions on those who commit despotic act, showing a justice towards those who are oppesed according to the law which is ordered by Allah SWT.[32]

The mean and purpose of this power is in harmony with the principles of power in Islam, namely:

1. Principle of brotherhood and unity;
2. Principle of equality;
3. Principle of mutual aid and defend the weak;
4. Principle of peace;
5. Principle of enforcing legal certainty and justice;
6. Principle of deliberation,
7. Principle of economy and trade;
8. Principle of defending country;
9. Principle of human right;
10. Principle in determining the officials and execution of an affairs;
11. Principle of amar ma'ruf nahi munkar.[33]

Noting the principles in Islamic power where as mentioned above, according to Al-Ghazali that there are two values in the principles of Islamic power namely (1) justice and (2) trustworthy (honesty). To carry out justice, the government must be strong-handed to prevent despotism both from the government officials as well as within the community.[34] Justice is related to the trust value of power, therefore the fair

[31]Inu Kencana Syafiie, *Al-Quran dan Ilmu Politik*, Jakarta: Rineka Cipta, 1996, 90.

[32]M. Husain Abdullah, *Studi Dasar-Dasar Pemikiran Islam*, Bogor: Pustaka Thariqul Izzah, 2002, 121.

[33]Suyuti Pulungan, *Fiqh Siyasah: Ajaran, Sejarah, Pemikiran*, Jakarta: RajaGrafindoPersada, 2002, 6.

[34]Imam Abu Muhammad Al-Ghazali, *Etika Berkuasa: Nasihat-Nasihat Imam Al-Ghazhali*, Translator, Arief B. Iskandar, Bandung: Pustaka Hidayah, 1988, 103.

ruler must also perceive power as a trust, if most of the despotic ruler is unfair and untrusted, then the world will collapse.[35]

Therefore, political morals are urgently needed in the battle process of the power transition in the election of people's representatives. The best basic of moral politics of the fight of the power struggle in the political system is religion. The moral demanding to the happiness even though the happiness is not the basic of morality and the only one of the best for morality as well as happiness, which is aimed by morality, is religion.[36] The enforcement of political orders which arranged by Islamic norms is not the aimed itself but it is the way to do a kindness through the creation of a social environment which encourages spiritual practices through the application of the God's rules.[37]

Islam has increased the political ethics and power from meaning of humane and the legal towards understanding a servitude which religious, Islam connects between the advantages of moral and the respect to the law and the obedience to Shariah.[38] The government power is expected to be able to regulate all aspects of life, both community and individuals, with rules that meet the objectives of the religious ethics of community.

The combination of politics and religion which is a direct result of the essence of Islamic theology is also revealed in the area of constitutional theory.[39] Under pretext that scholar act as a supervisor of "constitutionality", then the rules of government and the administrators in order to convince comunity that the rules do not violate the texts or the spirit of Shariah.[40]

Seeing power does not stand alone with many relations, when power is understood oppressiving heading in the direction of the power to produce righteousness which allows actions and policies which made as if they were true. The power of the power holder can influence others to follow certain desires both in small groups and large groups. This allows the position of the power holders to become a competition for the political elite to get it.

The emergence of practical politics that is done by political elites is the most important part as a forum that uses political power to carry out political actions. Political battles of political elites in holding general elections, show the existence of competition and struggle in relations or interactions where later on will emerge the winner that persist, which gives birth to the concept of political contestation in holding general elections, henceforth in that contestation there are several parties with different interests that give rise to competition naturally.

Religious pluralism which is owned by Indonesian people as a religious symbol can be manipulated by political elites who indirectly use to describe identity to gain support and gain power. Islamic populism as an Islamic mass base which is reduced as the political power of religious symbolism of the majority of

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[35]Imam Abu Muhammad Al-Ghazali, *Etika Berkuasa: Nasihat-Nasihat Imam Al-Ghazhali,* Translator, Arief B. Iskandar, Bandung: Pustaka Hidayah, 1988, 78.

[36]Zainal Abidin Ahmad, *Ilmu Politik Islam II: Konsepsi Politik dan Ideologi Islam,* Jakarta: Bulan Bintang, 57.

[37]Zainal Abidin Ahmad, *Ilmu Politik Islam II: Konsepsi Politik dan Ideologi Islam,* Jakarta: Bulan Bintang, 163.

[38]Siti Komariyah, *Konsep Kekuasaan dalam Islam*, Skripsi, Jakarta: Fakultas Syariah dan HuKum UIN Syarif Hidayatula, 2007. 67.

[39]Usman Jafar, *Kekuasaan dalam Tradisi Pemikiran Politik Islam (Refleksi Atas Pemikiran Politik Islam),* Jurnal Al-daulah, Vol. 6 , No. 2 ,(Desember 2017), 353.

[40]Ibnu Taimiyah, al-Fatawa al-Kubra, jiid 5, 17

religions in Indonesia which is a mass base with grass roots that represents the repressed class so that it becomes a particular political force.[41]

The beginning of the emergence of Islam as a political power was a transformation of the comunity economic power that was aimed to against the hegemony of China's and colonial economic power in local market.[42] As for the existence of Islamic populism reaction is the realization of a grassroots mass base from the political power which is reduced in the holding of general elections. Furthermore, this condition is influenced by political economy in countering the oligarchic capital hegemony and is reinforced from the unavoidable condition of a class approach with the state is unavoidable because economic gap will cause

     1. Relationship of dependence and oppression;

     2. Inhumane work relation; and

     3. Possible understanding of the political rights of citizens which different.[43]

The democratization of the Indonesian political system is indeed running, but Indonesian politics economy is still remains of clientelistic, patrimonial, and neoliberalistic with the idea of the corporation (market) as the main actor. As a result, the political appearance of the capital owners that makes politics as an arena to reinforce their business hegemony which manifests itself as an oligarchy.[44] The power of capital owners is become the most important part of the oligarchy that is trying to be built between the government, the elite of capital owners, and the mass media.

In its development, Islamic and political relations or Islam and the state, are not merely manifestations of religious normative views, or merely reactionary responses towards the strength outside of Islam, but also the part of the transformation of Indonesian society itself.[45] Even so, in Indonesia, the chances of Islam being involved in politics are enormous, because however this situation is not avoided as a result of a wider economic political change.

The role of political parties has given a significant contribution for the national political matters system, especially in the life of a dynamic and changing Indonesian comunity. In its position as democracy pillar, the role of political parties in the national political matters system is a forum for selection of national and regional leadership.

This political institutionalization has invited a very high political participation in various political activities such as campaigns, general elections and critical attitudes of the comunity in monitoring the running of the government and the development process. If the practice of people democracy through the general election is not more than just a fulfillment of the ruler political legitimacy, becoming a chosen of people's representatives in the government who succeed won the general election, then need supervision to see further the efforts of the elected representatives in the effort to achieve the people's collective goals in general.

The important of institutionalizing of political parties in the development process of post-general election politic. Institutionalization of parties can be seen from how the parties strengthen themself in terms of

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[41]Vedi R. Hadiz, "*Political Islam in Post-Authoritarian Indonesia*", CRISE, Working paper, Vol. 2. (February 2010), 1.

[42]Ahmad Rizky Mardhatillah Umar, "*Melacak Akar Radikalisme Islam di Indonesia*", Journal of Social and Political Science, Vol. 14, Number 2, (November 2010), 174.

[43]Thomas Meyer und Nicole Breyer (Mitarbeit), *Die Zukunft der Sozialen Demokratie*, Bonn. 2005, 14.

[44]Ahmad Rizky Mardhatillah Umar, *Melacak Akar Radikalisme Islam di Indonesia*, Journal of Social and Political Science, Vol. 14, Number 2, (November 2010), 179.

[45]Epistemé, Vol. 11, No. 1, Juni 2016, 40.

rooting, legitimacy strengthening, making rules of the game, and increasing competitiveness. This is intended to maximize the functions which are possessed by political parties, both the functions of political parties towards the state and the functions of political parties towards the people. The political parties' functions towards the state among others are creating the effective governance and existance of political participation towards the ruling government. Whereas the functions of political parties towards the people among others are fighting for interests, aspirations and values in comunity and providing protection and security. Most political parties at this time have not fully provided political education and carried out the process to make someone become cadres and political recruitment which effective to result leader cadres who have political abilities.[46]

The implementation of general election gives an influence with people's political participation towards the turn of the old political elite to the new political elite. The political elite in Indonesia are the solidarity maker and the administrator. The solidarity maker can be seen from the ability to keep the national in unity while the administrator can be seen from the ability to plan and implement development programs.

Thus, it is expected that the people's democracy practice through general election is not more than fulfill of the ruler political legitimacy. Implementation of general election also demands the community critical attitude in monitoring the running of the government and the process of sustainable development. The sustainable development is "development that meets current needs, without taking a risk that the next generation must be able to meet their needs".[47] Therefore, every country extremely needs to make efforts to rebuild integration. In other words, public political culture that is participatory and populist as social capital is expected to bear and be able to form a civil society that enhances people's welfare fairly and evenly. The integrity and unity of the nation can survive from the forms of political conflicts that will might still occur for later can be resolved correctly.

Conclusion

Democracy in Indonesia is a democracy that is framed by constitutional norms. The voter turnout level in general elections will determine the maturity in democracy of Indonesian community which dynamic and being changing. The existance of political economy influence in countering oligarchic capital hegemony and be strengthened from the condition of a class approach with the state cannot make fragmatism in maintaining power because of the demands of capital accumulation in gaining power.

The relation of Islam and politics or Islam and state is not merely the embodiment of a religious normative view, as well as the part of community transformation itself. The economic political changes that more widespread from the reciprocal relationship between economic and political factors in democracy liberalization will be affected to the power structure. The tendency of economic as a politic appears in the election battle processes of people's representatives in the government.

Political fight that uses Islamic populism with comunity symbolism as a means of controversy for the political elite is influence on the extemely high political participation in various political activities. However, the people's political culture in the people's democracy practice on general election process cannot only as the fulfillment of the political legitimacy of the ruler. The general election implementation

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[46]http://ditjenpp.kemenkumham.go.id/htn-dan-puu/507-peran-partai-politik-dalam-enyelenggaraan-pemilu-yang-aspiratif-dan-demokratis.html, accessed on 9 July 2019, at 09:21 UTC+7.

[47]Volker Hauff (Hg.) 1987, *Unsere gemeinsame Zukunft: der Brundtland-Bericht der Weltkommission für Umwelt und Entwicklung*, Greven,46.

demands the community critical attitude to be able to supervise the running of the government and the process of the sustainable development.

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Exploring Indonesian civil Islam within the Rise of Populism

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Abstract:

Islam in Malay World has its distinctive features. Among others, Muslims in this region has always been regarded as moderate on their practices and views, although we cannot disregards those who are conservative in their nature. Indonesia in this regards shows that the Muslim community adhere to this basic religious notions of the state. Hence Indonesian civil Islam could be regarded as the future key reference in term of religious practice that sparks peaceful co-existence among the multi-ethnic society. This paper aims to analytically discuss on this notion of Muslim society in the biggest Muslim nation in the world. Since this paper is using a kind of library research approach, it will use mostly content analysis method. It is anticipated to show that although the world is changing rapidly with change has become so fast, there still those who abide with the moderate, some look conservative as well as those who upholding populist approach in their activities.

Introduction

There are ways on looking at Islam nowadays on whether it is on the rise in term of political gain or it is undergoing a monumental crisis. As a religion with the second largest followers in the world and being taken as a method of worship by millions of believers, certainly Islam becomes alive and well discussed subject in many arena. There are scholars, such as Allawi, who retreated that most people especially in the west understand the modern Islam through its politics (political Islam) and may be a little unfortunate that they also learn from the violent manifestations of radical Islam. He asserts that "when Islam is seen only in term of ideology of political Islam, it is not in crisis, but rather one cause of crises." [1] Hence this has caused the rest of the world profound concern and anxiety towards Islam, which should have been promoting peace rather than violence. The world Islam itself comes from the root word of *sa-la-ma*, which means peace and safe. However in the modern era of crisis within the Islamic civilization, misunderstanding of Islam does exist, and in some area which Islam had built over the centuries, its civilization has been seriously undermined.

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[1] Ali A. Allawi, The Crisis of Islamic Civilization, USA: Yale University Press, 2009, p. 1.

Nevertheless, in this modern time, one cannot ignore that living within multicultural society need an extra understanding with each other, either inter or intra-religion. As Esposito states that from Egypt and Sudan to Malaysia and Indonesia, most Muslim countries are multi-faith societies. At the same time, Muslim diasporas across the world live as religious minority communities in many countries from different continents, be it in Europe, Africa, America, to China and in many other Asia countries. Therefore, Esposito argues that Muslim today like Jews, Christians and people of other faiths, face a world in which robust religious pluralism has become a necessity, a matter of faith and citizenship as a reality.[2]

In one way, it seems that reform within the followers of Islam is necessary to make sure they are relevant to the modern society of the world. Not a long ago, in an interview with Mehdi Hasan on Aljazeera in the year 2014, Tariq Ramadan expressed his view on the need of reform the Muslim minds. He particularly said that "what I'm advocating is not to reform Islam. Islam doesn't need a reform. What I'm advocating is to reform the Muslim minds."[3] This view has been supported by Zulkifli Hasan who asserts that Islam does not need any *sahwah* or upraising, reform or revolution. What is needed most is the Muslim upraising, especially from the aspects of reforming Muslim minds and intellectual strength.[4] By subscribing to reform agenda then the Muslim can attain their momentum on rebuilding the nations and the glory of Islamic civilization. This must need participation of Muslim in the society especially in term of political power, without which will affect the nation building of the Muslim society.

How does "civil Islam" emerge?

It is interesting to note that the discussion of "civil Islam" has come to the Malay World with the 'baggage' of many Muslim majority countries seem not ready with accepting full democracy system which one would see as it does not compatible with Islam. It becomes unfortunate that for many decades there were increasing number of Muslim scholars and political leaders and activists who subscribed to this idea. They tend to believe and made argument that Islam authorizes and sanctions democratic processes for an Islamic political rule and order. However, changes for the better future of states lies on the civic citizens who envisage of having workable system which is needed in developing the nations.

In this regards, Means once stated that "Malaysia and Indonesia provide examples of two Muslim-majority states that have made significant democratic reforms and have become committed to making democracy work in combination with what is called "Civil Islam"."[5] As of late, the feature of democracy and Islam has been regarded as compatible by Muslims population as it was never subject to open public debate especially

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[2]John L. Esposito, The Future of Islam, New York: Oxford University Press, 2010, p. 181.

[3]The full transcript of his interview with Aljazeera about Islamism and the rise and fall of the Muslim Brotherhood can be found here: https://www.aljazeera.com/programmes/headtohead/2014/03/transcript-tariq-ramadan-201432820219269232.html. Accessed on 22 July 2019.

[4]Zulkifli Hasan, Kebangkitan Generasi Baru: Realiti dan Prospek Masa Depan, in Zulkifli Hasan (ed.), Masa Depan Strategik Kebangkitan Islam, Kuala Lumpur: Angkatan Belia Islam Malaysia & Ilham Books, 2017, p. 83 (pp. 83-110).

[5]Gordon P. Means, *Political Islam in Southeast Asia*, Petaling Jaya: Strategic Information and Research Development Centre (SIRD), 2009, p. 379.

in Indonesia. As both countries experience Reformasi movements, Indonesian is quite advanced by focusing on the authoritarian characteristics of their incumbent regime and made demands for democratic participatory reforms. The discourse on whether democracy could deliver what they sought for reforms was not really asked or addressed.[6]

According to Means, some studies on the political and institutional reforms within Muslim societies in Southeast Asia, Malaysia-Indonesia included, make the claim that these societies are moving inexorably towards genuine 'civil society' model that tolerates diversity, gives space for individual freedom, promotes pluralism, and respects civil decency. [7] This is what has been raised up and studied by several scholars such as Hefner in his Civil Islam: Muslims and Democratization in Indonesia,[8] Peletz, Islamic Modern: Religious Court and Cultural Politics in Malaysia,[9] Bush in his Islam and Civil society in Indonesia,[10] and many others.

Nevertheless, some would see that the democratic system is just a temporary strategy adopted especially by Islamic party in order for them to gain power, thus provide the opportunity to implement Sharia law. This what has been argued for instance by Zachary Abuza in various publications to say that the Sharia law is still the core agenda for the Islamic party.[11] This development has not become a concern to some, however it does make people to think over it. If we were to look into 2004 parliamentary election in Indonesia, well-known to local as *pemilu*, Islamist parties only gained 14 percent of the vote but they gained 20 percent of the seats. Means analysed that when Yudhoyono formed his coalition, two Islamist parties were included in the government, which were the *Partai Keadilan Sejahtera* (PKS) and *Partai Bulan Bintang* (PBB).

Indonesian should be able to see that these two parties did not campaign with the so called Islamist manifesto or agenda, rather they stressed on building the future Indonesian generation by focusing on anti-corruption, among others. For those who sceptical with Islamist parties like Abuza, would be concerned with the rising support that they gained which may be waiting for the appropriate time to unveil their core Islamist agenda. For him, this could be a step for radical Islam in making headway as an increasing political force that could well continue to increase due to local problems such as poor economic performance, unemployment and fear of globalization.

    [6]Ibid.
    [7]Gordon P. Means, ibid., p. 380.
    [8]Robert W. Hefner, Civil Islam: Muslims and Democratization in Indonesia, Princeton: Princeton University Press, 2000.
    [9]Michael G. Peletz, Islamic Modern: Religious Court and Cultural Politics in Malaysia, Princeton NJ: Princeton University Press, 2002.
    [10]Robin Bush, Islam and Civil Society in Indonesia. Unpublished paper presented at the sixth annual CSID conference on 'Democracy and Development: Challenges for the Islamic World,' Washington DC, April 22-23, 2005.
    [11]See for instance in Zachary Abuza, Muslims, Politics and Violence in Indonesia: An Emerging Jihadist-Islamist Nexus?, NBR Analysis Vol. 15, No. 3, 2004, 5-55.

Influence of Ulama' in Indonesian civil Discourse

With the fact that the 'assumption' of relating Islamist to radicalism could well be proved otherwise, Islamist in Indonesia are working hard towards putting religion as driving force in the country without creating unnecessary fears among the citizens. Civil discourse on religion and politics or religion and democracy continues to be popular, even though this has been and continue to be in several forms of approaches. The recent *pemilu* 2019 shows that Islamist agenda can be included in the discourse during the election campaign, and at some points must also be made clear to the public. This can be easily noticed with the two candidates of presidential election (wellknown as *pilpres*) that went concurrently with *pemilu* 2019, with the coalition of the incumbent candidate Jokowi brought with him an established Muslim scholar (*ulama'*) Kiyai Maaruf Amin, while the contestant candidate Prabowo partnered with Sandi, a descendant of *ulama'*.

Both teams have had supporters from the sector of *ulama'*, who were showing their presence during the recent election in Indonesia. Since Maaruf Amin was from Muslims organization of Nahdhatul Ulama (NU) and was the Head of Majelis Ulama Indonesia (MUI), it was not a surprise that Jokowi-Amin managed to get huge support from *ulama'* and people of religiously-educated background mostly from *pesantren*, who once thought to have an idea of anti-establishment. But they instead showed that *ulama'* and religious educated people could also contribute to the development of the state and proved the doubters wrong in this matter. The *ulama'* can also be among the leader of the state. Similarly, the support of *ulama'* also received by the Prabowo-Sandi camp, who also showed that they were ulama' friendly.

This is to the extent that Sandi was regarded as *ulama'* by Hidayat Nur Wahid, the ex-Speaker of Indonesia People's Consultative Assembly (MPR) for the period 2004-2009. This has been reported widely including reports by the international media.[12] When this recognition comes from someone of high calibre as Hidayat, who is also the deputy of *Majelis Syuro* Partai Keadilan Sejahtera (PKS), it does indicate that Sandi was highly regarded by PKS and without doubt this recognition also being echoed by the parties of his coalition. In short, during the recent 2019 election both teams have had strong support from *ulama'* who once seen as not productive and did not like to be involved in politics.

This has marked a new venture towards Indonesian civil Islam in the country that has many *ulama'* and those of religiously-educated background in various sectors such as education, *pesantren*, higher education institutions, Non-Governmental Organizations (NGOs) also known as *organisasi massa (ormas)*, as well as government sectors and religious ministry. This is clearly shows that the democratic system works quite well within the system of Indonesia that inevitably form what is called Indonesian civil Islam.

The Nuance of Nusantara Muslim based on *Rahmah* and *Wasatiyah* (moderatism)

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[12]Tim CNN Indonesia. Hidayat Nur Wahid Sebut Sandiaga Tergolong Ulama. 17 September 2018. Available online at: https://www.cnnindonesia.com/nasional/20180917164702-32-330852/hidayat-nur-wahid-sebut-sandiaga-tergolong-ulama. Accessed on 4 August 2019.

Living within multicultural and multi religious society requires one to be implementing *rahmah* (mercy) and *wasatiyah* (moderate) towards relation with others. Malaysia and Indonesia in this case are not exceptional since both countries are regarded of having plural society. In one of his public lecture in Kuala Lumpur with the title of 'A Muslim Century: Myth or Reality? In Search of Modern Pillars of Wisdom, Ali Mazrui has mentioned about the uniqueness of Malay nations in this part of the world. Commenting on this, Raimi emphasizes that according to Mazrui, it looks like the Malays were sent by Allah SWT as a test to all and not least to provide an example of managing multicultural co-existence.[13]

Referring to the Quranic verse of chapter al-Hujurat: 13 that is related to the concept of multicultural or plural society, he threw a very interesting argument: "the Malay are scattered in diverse countries, and are in power in some of those countries. They are often surrounded by other people who are not Malay. Are the Malay people being challenged by God to manage pluralism and learn the skill of democratization? Was it part of God's grand design that the history of the Malay people has included a naturalist phase, a Buddhist phase, a Hindu phase, and finally a Muslim phase? Was this multi-religious evolution of the Malay people intended to be a preparation for future multi-cultural leadership?"[14]

The basis of Islam provide guidance and solution to our modern time in dealing with multicultural society. Gada has rightly said that the plurality and diversity of religions is not a new thing that we experience in postmodern world.[15]

The example of *Sahifah Madinah* should be upheld in recognizing 'the others' within the Muslim rule of the society. This could be a well advance reference that recognize people of different religion, which is not totally alien in Islamic history. The formation of Ummah in Madinah with the presence of the Jews helps to understand that there should be no problem in term of relation between Muslim and non-Muslim as long as those people respect to the agreement, or in our context could be referred to constitution. Article 25 of *Sahifah Madinah* mentioned that: "*Wa anna Yahudi bani Awf ummatun ma'a al-Muslimin*," which means the Jews of Awf family is [recognized] citizens among Muslim. The word *ma'a al-Muslimin* (among Muslim) was obvious as it was not use the word '*min al-Muslimin*' (part of Muslim). This give a huge impact to the Jews in recognizing their political participation in Madinah with other fellow Muslim, in what can be called as an inclusive vision of the Prophet Muhammad based on the Islamic teaching of not discriminating others.[16]

Hence we can safely stress out that since early days of Islam, it shows that Islam has the formula of facing with the multicultural and plural society; not the chauvinist ideology, narrow nationalism or other

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[13]Mohamad Raimi Ab. Rahim, Mengemudi Gelombang Nahdah, Memartabatkan Khayra Ummah, in Zulkifli Hasan (ed.), Masa Depan Strategik Kebangkitan Islam, Kuala Lumpur: Angkatan Belia Islam Malaysia & Ilham Books, 2017, p. 44 (pp. 1-59).

[14]Cited in Mohamad Raimi Ab. Rahim, Mengemudi Gelombang Nahdah, p. 44. See also Ali Al' Amin Mazrui, A Muslim Century: Myth or Reality? In Search of Modern Pillars of Wisdom, Putrajaya Premier Lecture Series, 2010. Some of his points in this lecture can be found here: http://www.ssig.gov.my/blog/2010/05/27/a-muslim-century-myth-or-reality/. Accessed on 22 July 2019.

[15]Mohd Yaseen Gada, On Pluralism, Religious 'other', and the Quran: a post September-11 discourse, *Indonesian Journal of Islam and Muslim Societies*, Vol. 6, No. 2, 2016, pp. 241-271.

[16]Mohamad Raimi Ab. Rahim, Mengemudi Gelombang Nahdah, p. 44.

ideologies which do not recognize 'the others.' Hence Islam brings *rahmah* (mercy) as the Prophet Muhammad who was sent down as a mercy to all universe. This is according to the Quranic verse chapter al-Anbiya: 107, which means: "and We do not send you down (Prophet Muhammad) except as a merciful to all universe."

In understanding the relation between people and ruler, we shall look into the discourse among scholars. Al-Raysuni states that Islam prioritizes the people's position as he mentioned it in his book *Al-Ummah hiya al-Asl*.[17] In this regard, one should be able to understand that the role of people is bigger than the leaders. In fact, people power is able to shape the direction put by the leaders or the government. Hence, in our region, the word "*suara rakyat suara keramat*" (voice of people is voice of sacred) becomes popular once there is a confrontation between ordinary people with those who are in power.

Moderate, Conservative and Populist

Islamic countries are working hard to proof that they can protect citizens of different faiths, ethnics and cultures with the one adopted by the state or their leaders. Observing this phenomenon, Esposito states that "around the world, international and domestic initiatives in interreligious and intercivilizational dialogue are producing new ideas and actions. Christian and Muslim organizations in countries with long-established churches (Egypt, Lebanon, Pakistan, Malaysia and Indonesia) increasingly turn to dialogue and exchange programs to promote mutual understanding and respect; universities in Egypt, Qatar, Lebanon and Indonesia have newly instituted or expanded courses in comparative religions."[18] This initiative would certainly open the mind of many, bringing the understanding towards people that differ from one another especially in their faith and religion. This would eventually create a so-called moderate society.

The debate on what constitute moderate Islam has not been easy to resolve. It may be prolonged without any concrete solutions in understanding the word moderate itself. Too often, for non-Muslim and Muslims alike, "moderate" Muslims are played off against "fundamentalist" Muslims; fundamentalism is simply equated with religious extremism and terrorism, as stated by Esposito. Within the Muslim community, this is one of the ways to differentiate people who are having a different view with the majority. Those who try to fight and impose their own view on others may also be a kind of extremism. In an even more restrictive usage, a "moderate" Muslim is defined as someone "just like us." Thus for many western secularists, moderate Muslims are those who advocate secular liberalism. On the other hand, conservative or traditionalist Muslims are regarded as fundamentalists. This means that they have possessed the idea that theologically close-minded, suspicious, or extreme. Moreover, liberal or self-styled progressive Muslims often fall into the same trap, appropriating the term "moderate" solely for themselvesand using the term "fundamentalist" to dismiss or ridicule those exposing more conservative theological positions.[19]

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[17]Ahmad al-Raysuni, *al-Ummah hiya al-Asl: Muqarabah Ta'siliyyah li Qadaya al-Dimuqratiyyah' Hurriyyah al-Ta'bir, al-Fann*. Beirut: al-Shabakah al-Arabiyyah li al-Abhas wa al-Nashr, 2012. pp. 10-15.

[18]John L. Esposito, The Future of Islam, p. 181.

[19]John L. Esposito, The Future of Islam, pp. 168-169.

Combating extremism, radicalism or terrorism require a new strategy that also need a democratic reform. In the case of Indonesia for instance, one could see that although Megawati's administration had acted with confusion on domestic terrorism, it made a significant progress on democratic reforms. A series of amendments to the constitution were passed, both during the Wahid's era and under the administration of Megawati. One of those significant changed was the transformation of Parliament by making the primary legislative body (DPR) entirely elected through a complicated electoral system that combined a proportional representation system with voting for individual candidates. The members of DPR was increased by 550 members, with all candidate selected based on party tickets. At the same time, the reforms show that they were encouraged to have 30 percent of women as their candidates, however nothing could be imposed on the failure to do so.[20]

The reform that attract most attention was on the new system for the selection of the president. For the first time in Indonesia history, the president was to be selected by direct popular election. President and Vice President must be nominated by one of the larger parties in DPR. Megawati began as the frontrunner for president who expected to gain a second term by utilising the powers that she hold as president and the popularity of his father's leadership. However, with the new election system, it open up to others to contest directly in the election.[21] By using his own strategy, Yudhoyono who formed a new Democrat Party and initiated a coalition with small reform-minded and Islamic parties proved to be remarkably successful. Although it looks tough to gain popular votes, Yudhoyono with his strategy to partner with Jusuf Kalla, a well-known business man and previously been affiliated with Golkar, reflected his campaign strategy designed to bridge between Islamist-Nationalist divide. Four main issues became the focus of Yudhoyono campaign which include promise to stimulate economy, to curb separatism, to fight corruption and to counter terrorism. Both candidate avoided the key issue such as the status of Sharia Law and the extent of public support for Islamic institution. Although Megawati was so distraught by the result and refuse to arrange for smooth transition, Yudhoyono dan Jusuf Kalla was successfully installed as the elected president and vice president.[22]

What could be the main point to raise out is how success Yudhoyono was to create a moderate image that upholding a democratic freedom to the people and at the same time focusing on countering extremism. This was done through engagement that combined political dialogue and gave more attention to human right issues and a more restrained role for the military. He gained his popularity during his tenure as security minister under the cabinet of Megawati, which his strategy to uncover and detained terrorists has helped the country to be a safe place to live in.

The democratic reforms which has taken place since over a decade ago is undergoing with the current *pemilu* 2019, which has proved to be the most highest voters who turned out to give their votes during this election. The incumbent candidate partnered with Maaruf Amin was declared the winner by the constitutional court of Indonesia, after the initial official result was challenged by Prabowo. There was a small violent took place however it was under control as the supporters of Prabowo slowly accept the result.

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[20]Gordon P. Means, Political Islam in Southeast Asia, p. 306.
[21]Gordon P. Means, Political Islam in Southeast Asia, p. 306.
[22]Gordon P. Means, Political Islam in Southeast Asia, pp. 308-309.

It is also important moment showed by both presidential candidates where they give commitment to each other and agreed to meet in one of the LRT coaches in Jakarta recently, while Prabowo seems accepting the result and wanted to move on and offer to help Jokowi's new administration, specifically for his second term in office.

The show of the leaders undoubtedly crucial to make sure that the followers calm down and focus on developing the country economically, create jobs opportunity, commitment against the rasuah, and togetherness in facing terrorist threat, not only in Indonesia but to the neighbour countries and for the regional security. This smooth transition is hardly seen in any other Muslim majority countries, which transition of government means bloodshed, internal fight, civil war and so on. Look at what happened in the Middle East, the Arab spring which at the beginning seems so promising to bring about change in that region, it has turned out to be a nightmare conflict just after only a few years down the line. Hence, the democratic process that happened in Indonesia is something that should be proud of, without denying there are still rooms for improvement, as Mazrui said it carries the example of managing multicultural society in this world.

Populist enthusiasm

Exploring the future for Indonesian civil Islam, one cannot ignore the phenomenon that shows the emergence of populist movement that influence the public opinion and their political inclination.

According to a report by David Molloy in BBC news portal, the populism is on the rise. In the context of Europe, the rise of populism is associated with the right movement while it also help Trump to win in the US presidential election as he was crowned the 45th President of the US. In another instance, its association with the right movement in Europe has shown that populism gain it momentum by having an idea of anti-immigration as it happened some countries, for instance in Italy.[23]

There is no clear indication on the notion of populism as it can be anywhere in political spectrum. However, Mulloy quoted Prof Mudde who mentioned that "most successful populists today are on the right, particularly the radical right."[24] This could be the way that the right organization defending the idea and becoming the champion of nationalist which seems not compromise with "the others" who do not belong to their group of races, different in colour, culture and so on.

By quoting Prof Muddy, he continue to say that "like Marine Le Pen in France, Viktor Orbán in Hungary, and Donald Trump in the US, combine populism with [anti-immigrant] nativism and authoritarianism." This shows that how populism has attracted some people to follow by lamenting to the global problem of immigration and somehow threaten those immigrant that they do not belong to their society and have to

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[23]David Molloy, What is populism, and what does the term actually mean? BBC New 6 March 2018. https://www.bbc.com/news/world-43301423. Accessed on 1 August 2019.
[24]David Molloy. Ibid.

back to where they come from. This is what recently happened in the US, where the President has told the congress women whose their family not from the US to go back to their origin.[25]

Populism sometime is being taken within the concept of identity politics. However, Wahyu Prasetyawan looks at it in different manner when relating it to Indonesia, which according to him the identity politics is dominating the political atmosphere. He argues that "identity politics, rather than populism, is a salient explanation for understanding electoral politics in Indonesia."[26] Nevertheless, it differs in the west where populism is more correctly to describe the situation as he said that "with the victory of Donald Trump in the 2016 US presidential election, followed by the increasing influence of right-wing political parties in Europe, it has become fashionable to use populism as a way to understand politics—especially electoral politics." As he looks at populism as a threat to democracy, the same idea was echoed by another Indonesian scholar, Abubakar Eby Hara who has clearly mentioned in his article on the threat of populism.[27]

The same idea argued by Joshua Kurlantzick who wrote an article in Council on Foreign Relations, which much can be understood from its title that "Southeast Asia's Populism Is Different but Also Dangerous."[28] In this regards, Kurlantzick argues that the populist in Southeast Asia is different form the one in Europe, North America or Brazil. This is in the sense that populist in this region tend to focus more on "spurring religious and ethnic divides, countering drug trafficking, particularly of methamphetamines, and appealing to the working and lower-middle classes." This means that they have less focus on the issues such as immigration, economic decline, and trade.

Exploring Indonesia populism, one may see that some issues have been utilized and used by both the opponent and the ruling elite to gain support in the election. One of the issues as Kurlantzick pointed out is the recent earthquake and tsunami in Sulawesi exposed the lack of preparation for major natural disasters, despite previous experiences with devastating quakes and tsunamis. There was also a fear of economics slow down as there was a decline in the Indonesian currency. This in a way affected foreign investment in Indonesia as well as put the investors at low of confidence and at risk of leaving the country. As a consequence to this unstable economic situation, Kurlantzick argues that "the political beneficiary

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[25]Ilhan Omar is one of the congresswomen who have been told to go back to where they come from. This has sparked anger among public as they argue that they were born in the US and have adapted and dedicated their life in the country. Reports on this are available in many channels, among them is what has been reported by Aljazeera. For example, this report with the title: 'Disgusting, racist': Trump slammed for attack on congresswomen. https://www.aljazeera.com/news/2019/07/racist-trump-slammed-attack-congresswomen-190714184044872.html. Accessed on 1 August 2019.

[26]Wahyu Prasetyawan, Populism or Identity Politics: Explaining Electoral Politics in Indonesia, Kyoto Review of Southeast Asia. Available online at: https://kyotoreview.org/yav/populism-identity-electoral-politics-indonesia/. Accessed on 3 August 2019.

[27]Hara, Abubakar Eby. Populism in Indonesia and its Threats to Democracy. Third International Conference on Social and Political Sciences (ICSPS 2017). Atlantis Press, 2017, pp. 106-111. Available online at: https://www.researchgate.net/publication/323181667_Populism_in_Indonesia_and_its_Threats_to_Democracy. Accessed on 3 August 2019.

[28]Joshua Kurlantzick, Southeast Asia's Populism Is Different but Also Dangerous. Council on Foreign Relations. 1 November 2018. Available online at: https://www.cfr.org/article/southeast-asias-populism-different-also-dangerous. Accessed on 4 August 2019.

would be Jokowi's opponent, former Lieutenant General Prabowo Subianto, whom he defeated in the last presidential election."[29] Hence, in one of the campaigns, Prabowo looks to follow the strategy of Trump by using the slogan of "Make Indonesia Great Again" by focusing on improving the situation of economic disparity.[30]

Nevertheless, since the Souteast Asia's populism is different with the others, Indonesia also experienced the same connotation during the latest most-covered and historical election that was carried out in 17 April 2019. There was a different experience of populism during the campaign during this general and presidential election. The confirmed result was announced on the 21 May 2019 where the election committee formally recognized the incumbent candidate, Jokowi, as the winner. The opposing candidate, Prabowo, has taken the matter to constitutional court in order to declare that the election was unfair and the result should be nullified. In this regard, the constitutional court instead stand by the election result and rejected entirely Prabowo's legal challenge. Thus it gives Jokowi a much needed affirmation that install him as the president for the second and last term in the office.

What has struck the eyes of many researchers and political analysts is the way the campaign has been undergone and the response of Prabowo and his supporters after the result has been announced. Karen B. Brooks put is as "Indonesia's election exposes growing religious divide."[31] This is interesting to look into because unlike other democratic countries in the world, especially in the west, religion has been quite a dominant factor during the election campaign in Indonesia.

Prabowo who seems to be closed to the fundamental Islamist group has used the support given to him to promise of bringing back Habib Rizieq to the country should he won the election. Habib Rizieq is a well-known figure in Indonesia who lead FPI - *Front Pembela Islam* (Islamic Defenders Front) which successfully pressured the government to take action against Basuki Tjahaja Purnama (known as Ahok), a Christian of Chinese ethnic, the then Governor of Jakarta and accused him of religious blasphemy. This is referring to Ahok's 'misinterpreting' the Quranic verse 51 of Surah al-Maidah. Supporting the fundamental Islamist group, Prabowo shows his dissatisfaction with the journalists and criticised them of manipulating the number of those who turned out in mass gathering on 2 December 2018 as part of anniversary 212, which has been a mass-demonstration commemoration as an effort to expel Ahok in 2016.[32]

With the influence of FPI and other groups who opposed him, Ahok was defeated in the governor's election that has been in 19 April 2017. A few months later, Ahok was taken to the court for the accusation

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[29]Joshua Kurlantzick, ibid.

[30]Bagus Prihantoro Nugroho. Antara 'Make Indonesia Great Again' Prabowo dan Kemenangan Trump. Detik.com. 12 October 2018. Available online at: https://news.detik.com/berita/4253079/antara-make-indonesia-great-again-prabowo-dan-kemenangan-trump. Accessed on 4 August 2019.

[31]Karen B. Brooks. Indonesia's Election Exposes Growing Religious Divide. Council on Foreign Relations. 22 May 2019. Available online at: https://www.cfr.org/article/indonesias-election-exposes-growing-religious-divide. Accessed on 4 August 2019.

[32]Haris Prabowo. Ada Donald Trump di Balik Makian Prabowo Terhadap Wartawan. 6 December 2018. Available online at: https://tirto.id/ada-donald-trump-di-balik-makian-prabowo-terhadap-wartawan-dbaE. Accessed 4 August 2019.

of insulting Islam in his speech while citing that Quranic verse, and was found guilty of blasphemy and inciting violence.[33]

The argument on the rising of populism in Indonesia seems centred on this mass mobilization of people on 2 December 2016, known as 212 rally. The aim was to overthrow political opponent, in this case it refers to Ahok who has been at the centre of argument, while he seems to have the support of Jokowi as the President of Indonesia. Habib Rizieq, who is in self-exiled in Saudi, has told his supporters that the year 2019 is the right time to change the president. His famous argument states that it is forbidden (*haram*) in Islam to vote for the candidate who is supported by political parties that support blasphemy, which clearly meant to reject Jokowi. This is especially referring to the party that support Jokowi and Ahok, namely the Indonesian Democratic Party of Struggle (PDI-P).

Thus, Asmiati Malik and Scott Edwards clearly state that "it is very easy to identify the strategy of those using political populism by conveying polarizing messages. The message is simple, clear, direct, repetitive, and very easy to remember. Their target market is emotional and rational-emotional voters."[34]

According to Brooks, Prabowo ran a divisive campaign using religion as a weapon against Jokowi. Although Jokowi was seen as a moderate Muslim, he was accused of not being a true Muslim. This 'weak' attribution of Jokowi has been utilised by Prabowo to mobilize a group that was seen as radical Islamists against Jokowi. Brooks said, Prabowo "also laid the groundwork for charges of "systematic fraud" in the weeks before the election, as polls showed him substantially behind Jokowi. When the results were released, he quickly rejected them."[35]

Hence, with the huge support from the FPI and other hardliner Islamist Group, Prabowo stand to protest the election result which was announced by the election committee (KPU). The protest among the Prabowo's supporters that started on 22 May 2019 has its own consequences where at least six people were killed and hundreds more injured as an effect of the riot. People has come to the street in support of Prabowo, where he was also threaten to mobilize a million people to rally on the streets, while he prepares for the challenge of the result, which he needs to do it within three days after the official result was announced.

Brooks articulates that "while Prabowo's fraud claims are dubious, the threat of violence by religious hard-liners in a country with a history of ethnic and religious violence is real. Indonesian police and counterterrorism units have already arrested Prabowo supporters who either called for violence, including waging "jihad," or were caught with weapons and bombs."[36]

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[33]The Guardian. Jakarta governor Ahok sentenced to two years in prison for blasphemy. Available online at: https://www.theguardian.com/world/2017/may/09/jakarta-governor-ahok-found-guilty-of-blasphemy-jailed-for-two-years. Accessed on 4 August 2019.

[34]Asmiati Malik and Scott Edwards. From 212 to 812: Copy and Paste Populism in Indonesia and Malaysia? TheDiplomat.com. 18 December 2018. Available online at: https://thediplomat.com/2018/12/from-212-to-812-copy-and-paste-populism-in-indonesia-and-malaysia/. Accessed on 4 August 2019.

[35]Karen B. Brooks.

[36]Karen B. Brooks.

Looking at the wide spectrum of what happened within the Indonesian civil Islam, one would think on how far will the populism be in this region. One may agree or disagree to what Kurlantzink said that "if Prabowo wins, it might signal that populism, with authoritarian elements, will have started to take over Southeast Asia. Such a shift might make an already combustible region even hotter, and undermine the stability of the anchor of Southeast Asia."[37]

The fact that Jokowi and his partner Maaruf Amin has won the recent election means a lot to the future of democracy in Indonesia and perhaps to the people of Southeast Asia. Being the largest population in the region and the most populous of Muslim nations, there are always attempt on the approaches to win the people's heart, as for the political leaders it becomes important not just to win people's support but most important for them is to win in the election. Thus far, despite there are debates on many issues surrounding democracy, religion, minority rights and so on, Indonesia seems to be flourished by their own approaches in creating civil society, with moderates, conservatism and populism are colouring the whole people activities in the state. What more, Indonesian are still regarded as moderates in the world at large.

Conclusion

From the above discussion, it seems that being the largest Muslim state in the world, Indonesian civil Islam could not disregard the effect of religion in their activities especially in politics of the country. Indonesia as many would be agreed on is a moderate and conservative in nature however it does not prevent the populism ideas to spread within its population and somehow could influence the state policy as well. Hence it would not be exaggerating to say that while populism is on the rise, there are other factors which Indonesian considered in their society, thus making sure that they are keeping the state safe by having moderate ideas that can balance the interrelationship between different ethnics within the state.

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[37]Joshua Kurlantzink. In presidential elections, Indonesia risks rolling back democracy. Council on Foreign Relations. 27 September 2018. Available at: https://www.axios.com/in-presidential-elections-indonesia-risks-rolling-back-democracy-54018feb-2c43-44df-a7b7-f6b8bfa8a518.html. Accessed on 4 August 2019.

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Tajdid and Islah in Islamic History: An Analysis of Five Key Thinkers, 9-16th Centuries

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Abstract

Throughout Islamic history, Muslim thinkers and intellectuals have sought to reconsider the ways how various branches of Islamic knowledge were taught, disseminated and practiced. These efforts at rethinking and reconsidering Islam was broadly termed as Revival(Tajdid) and/or Reform(Islah). In this paper, I examine the meanings and career of the concepts of Islah and Tajdid from 9th to the 16th century. I focus on five key thinkers that were known as major proponents of Tajdid and Islah. I show that even though these thinkers may have come from different backgrounds and ideological positions, they all share the same objective of making Islam up-to-date in addressing new challenges while remaining as a dynamic force in its respective milieus. The thinkers whom I will examine are Muhammad ibn Idris al-Shafi'i (767-820 C.E.), Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazali (1058-1111 C.E), Ibn Rushd(1126-1198 C.E) , Taqī ad-Dīn Ahmad Ibn Taymiyyah(1263-1368 C.E.), and Ahmad Sirhindi(1524-1624 C.E.). While hailing from different epochs, these thinkers engaged in the reformation and revitalization of Islamic thought through the use of Ijtihad (Independent thinking) that points to the continued vitality of Tajdid and Islah for over a millennium.

Keywords: Tajdid, Islah, Reformation, Revival, Ijitihad

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