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Post-Presidential Election 2019

Indonesia's Shariatisation Agenda: Where is MUI Headed?

By Syafiq Hasyim

SYNOPSIS

Indonesia, as a non-theocratic state, is quite adept at inducting sharia law in its legal and public spheres. The Indonesian Ulama Council, MUI, is a key institution behind the shariatisation drive. How will shariatisation develop now that the 2019 general election is over?

COMMENTARY

SHARIATISATION – the inclusion of Sharia law in the legal, political, and social spheres in Indonesia – will continue to take place despite the fact that Indonesia is a non-theocratic state. Being a Pancasila state does not mean sharia-inspired regulation cannot be legislated as part of the national legal system in Indonesia. Indeed, Sharia can become one of the sources of legislation, alongside adat or customary law and Western or secular law.

Since its inception in 1975, the Majelis Ulama Indonesia (the Indonesian Council of Ulama, MUI) has undertaken the agenda of shariatisation through its publication of fatwas and religious recommendation (*tawsiyya*). Many of these have been adopted as state law. MUI's shariatisation was not as effective in the Suharto era due to the ruling regime's strong control of political Islam. In the current Reformasi era, MUI has conducted a "cultural shariatisation" that emphasises more on the practice of sharia-based public morality.

More Space for Shariatisation

Due to its increasing independence, MUI in the reform era has more opportunity to undertake shariatization, which takes two forms: The first is the shariatization of lifestyle in the economic and consumption spheres as evident in state laws on sharia banks and halal products.

The second is the shariatization of public morality such as the state law on anti-pornography and the joint decree of the Ministry of Religious Affairs, Ministry of Home Affairs and Attorney-General on the ban of the Ahmadiyah sect regarded by mainstream Muslims as deviant.

The Ma'ruf Amin Cause

The role of MUI in undertaking shariatization continues unabated, but it will henceforth run differently due to the elevated position of Ma'ruf Amin as the new vice president of Indonesia following the recent general election. Although he will no longer be the general chairman of MUI, his strong legacy in this ulama council cannot be denied.

Ma'ruf Amin is not an ordinary MUI leader. He is the most energetic and innovative leader that MUI has ever had for the shariatization agenda since the ulama organisation's establishment in 1975. Two major examples of his legacy are (1) his ability to initiate a sharia-based economy and to consolidate and strengthen the role of MUI in halal issues; and (2) his ability to convince lawmakers and politicians to produce sharia-inspired national law.

The new position of Ma'ruf Amin can impact the future role of MUI in shariatization in at least two ways. Firstly, there is no one who can replace his role as the persistent motivator of shariatization in the MUI. Secondly, Ma'ruf Amin himself could have possibly changed his orientation due to his election as the country's vice president.

He is now not only the president for the MUI members and Indonesian Muslims but is also vice-president for the whole country whose citizens come from various religions, theological inclinations, race, and ethnicity.

Neutrality

The neutrality of MUI is conducive for the shariatization agenda. The presidential election of 2019 was a test of its neutrality. This was evident in the MUI stance facing the appointment of Ma'ruf Amin as the running mate of Joko Widodo (also known as Jokowi).

This situation was not so easy for MUI because it had never had an internal regulation when its board members, especially the general chairman, ran for a political position. Some MUI branches asked for the resignation of Ma'ruf Amin from the MUI leadership while others disagreed.

The stance of MUI was to decide to retain Ma'ruf Amin as a non-active general chairman. His two deputy-chairmen took over in their acting capacities; one from NU and another from Muhammadiyah, representing the two largest Muslim organisations.

Although MUI tried to project its neutrality in this way, this did not convince outsiders, especially those who have already had a different stance from MUI. This issue of MUI's neutrality is likely to influence the future of shariatisation.

Increasing or Decreasing Support?

The increasing tendency of populist Islamism over the last five years seems to have boosted the otherwise decreasing popularity of MUI in the eyes of conservative Muslim groups. In the post-Ahok period, MUI was invited by President Jokowi to get involved in several national projects such as *redistribusi aset* (asset redistribution) and empowering the sharia economy.

The involvement of MUI in the government projects can, of course, be used as a vehicle for the shariatisation agenda, but it can also be a trap for MUI. Indeed, the Islamic conservative groups accused MUI of being too inclined to the ruling regime. This accusation will lead to decreasing support from the Islamic conservative groups for the shariatisation agenda.

So far, the attraction of MUI for Islamic conservative groups is its role in the shariatisation agenda, for which these Muslim groups are the main supporters. When these groups no longer support or are attracted to MUI, the shariatisation agenda will also decline in support. The elevation of Ma'ruf Amin as vice president will accelerate this decrease.

What Next?

Given the circumstances, the future of shariatisation in Indonesia is uncertain. However, if MUI wants to still lead the shariatisation drive, there are a few things that it could do:

Firstly, MUI should consolidate the *ummah* (the Muslim community) by winning its hearts and minds. As the Muslim community is now deeply divided, MUI should play the role of a unifier.

Secondly, MUI has to change the orientation of shariatisation from the structural to the cultural. Structural shariatisation, which refers to the use of the state as a vehicle, also polarises Indonesian citizens in general.

Thirdly, shariatisation has to benefit the entire *ummah*, including the minority groups. Fourthly, MUI's agenda of shariatisation should also be framed as inclusive. MUI's position in the shariatisation agenda should be to provide intermediation and facilitation for any groups within the *ummah*.

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