NAHDLATUL ULAMA
Transformation of Indonesian ISLAM
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The various steps Islam has taken through the Indonesian nation’s history are characterised by the proselytizing of religiosity, society, economy and politics. Therefore, Islam in Indonesia will always be linked to the wider social, economic, and political aspects that face the Indonesian nation. With so many variants, Islamic groups in Indonesia compete for social positioning, social-capital, authority, and social-legitimacy. No wonder, historically, the Islamic movement in Indonesia has never been in agreement as a religious, social, economic, and political power. Indonesian Islam diversified in ways that were influenced by history and social-political conditions in global, national, and local settings. The growth of Indonesian Islam in this frame produced diversity in thought, perspective, faith, attitude, and platform.

NU and National Islam

In its varieties, Islam in Indonesia has given a huge contribution to the nation’s journey through history. The birth of Sarikat Islam in 1911, Muhammadiyah in 1912, Al-Irsyad in 1914, and Nahdlatul Ulama (NU) in 1926 was a huge contribution by Moslems in determining the future path of this nation. These organisations became evidence that Islam was not controlled by the paradigm of Arabian Is-

*Translated by Miftahul Ulum and edited by M. Nur Kholis Setiawan
lam or universal events that usually affect transnational Islamic groups. Islam in Indonesia since its birth has always stuck to the idea of nationality, and even though Indonesia had not yet been given a name or national identity at that time, the spirit of nationality was firmly stuck within an Islamic paradigm in Indonesia which was to set Indonesia free from Dutch colonialism.

Nahdlatul Ulama as one of the largest Islamic organizations was born in the period of the Indonesian struggle for freedom, and has made a great contribution to national history pathways. Jargon Islam and the concept of nationality had became a paradigm of NU as it interpreted Islam and Indonesia. For these reasons, Indonesia was built on a great foundation of Islam and the concept of Indonesia as a nation.

The remarks of KH Hasyim Asy’ari form an argument about how NU, since its early formation, was very close to the idea of nationality. That is, after the Dutch destroyed the Pesantren Tebuireng by ruining the building and banishing its books, KH Hasyim Ashari remarked to the santri (students). “This attack indeed gives us more spirit to keep on fighting to uphold Islam and true freedom” (Chairul Anam, Pertumbuhan dan Perkembangan NU, 1985:22). The attempts of Dutch to keep fighting against KH Hasyim Asy’ari seemed strengthen Islam and nationality. KH Hasyim Ay’ari’s response was not only based on normative-theology that the Dutch had attacked Islam, but had also formed a basic argument based on the combination of Islam and nationality.

Therefore, these events reasoned the next period when KH Wahab Hasbullah pioneered Nahdlatul Wathan. Nahdlatul Wathan was founded in 1916 and later become the headquarters of hardening discipline of Indonesian youth who educated and loved the mother land. Many people from Surabaya participated, especially generous ones which were pioneered by KH Abdul Kahar, and this contributed to establishing the institution. As part of their their learning activities, the students were obligated to sing heroic songs in Arabic which were composed by KH Wahab Hasbullah. It is obviously clear that NU, which was born on January 31, 1926 or Rajab 16, 1344 H as organized-movement of Ulama (Islamic scholars) was rooted in struggling for Islamic and Indonesian values (Chairul Anam, Pertumbuhan dan Perkembangan NU, 1985:25-26).

The basic commitment of NU founders in the formation of Islam and nationality is still perpetuating as a social-religious idea that is preserved by NU heirs up until now, and NU is still committed to Islam and nationality. That is why the kind of Islam that is upheld by NU remains in the frame of Negara Kesatuan Republik Indonesia (Unitary State Republic of Indonesia) or in other words, in an Islamic frame as a nation-state. In this context, NU refuses the establishment of a khilafah (Caliphs) that does not regard territorial areas. In determining state matters, NU finally placed Islam in the frame of nation state.
NU and Indonesian Islam

NU as a representative of Indonesian Islam has existed for a long time since the era of Indonesian archipelago Ulama, such Walisongo, Syekh Yusuf al-Maqassar, Syekh Khatib Minagkabau, Syekh Abdurrauf Singkel, Syelch Mahfud Termas, Syekh Nawawi Banten, and Syekh Khatib Sambas. These generations of Indonesian Archipelago Ulama then has been ordained by NU’s founder as the base foundation of Indonesian Islam. Certainly, the character that appeared from the Ulama of the Indonesian archipelago generation later inspired and became the character of Indonesian Islam.

As mentioned above, it shows that the characteristic of Islam in disseminating around Indonesia was peaceful with the result that Indonesian Islam has characteristics of tolerance, moderation and peace. This can be seen by Islam’s accommodation and acculturation with local culture that has a strong orientation towards and visions of nationality. The tradition heritage is not to be destroyed but to be kept along with Islamic teachings.

Because of the character of tolerance, Indonesian Islam did not engage in violence. In other words, it did not use expansion or colonization to have dialogue with local inhabitants and society. The spreading of Islam in Indonesia (which was not by expansion) later raises consequences that Islam in Indonesia is more accommodating of local tradition. Indeed, Islam as a religion that spread around the world came forward creatively, having dialogue with local people. Islam in Indonesia has seated itself in a position of accepting local culture, and modified it to be a new culture of the inhabitants which is still on the track of Islamic teachings. Hence,
Islam has changed the social-cultural and tradition of Indonesian religious society. Here what was done by Sunan Kalijaga (one of the nine pious leaders who spread Islam in Java) when doing his *dakwah* (missionary) in Java by using Javanese culture to the Javanese people as tools of spreading Islam. Sunan Kalijaga spread Islam in a peaceful way, which did not cause the local culture to vanish, but made it more interactive and dialogic. In return, Islam in Java is a kind of Islam that had already fused and mixed with the local culture. In Clifford Geertz’s study (*The Religion of Java*), Islam was a significant factor in the perspective and attitude of religion in particular areas. The combining of Islam-Java gave colors that appreciate the local culture.

Having dialogue with local culture is the base character of Indonesian Islam that was born a long time ago, and this dialogue is still alive in social tradition. Unfortunately, the maintenance of the Islamic tradition and the archipelago has been disturbed by some Islamic groups that support Arabian-Islam. The mindset, paradigm, and culture of Arabian-Islam regards this kind of Islam as final and the be-all which they apply to the entire Moslem population, even outside the Middle-East. This kind of Islamic paradigm has come to dispute local culture and has impacted on how we see and view Islam in Indonesia. As a result of this, we can see the next challenge is facing the infiltration of the transnational-Islam movement (Hizbut Tahrir, Salafi/Wahabi, Ikhwanul Muslinin, and Majelis Mujahidin Indonesia) which has entered the perspective and attitude of religion in social-religious contexts, and ultimately in NU.

NU as a people and organization should realize that the social atmosphere of religiosity has increasingly moved from local perspectives, faith, and original ritual of Islam of Indonesian Archipelago to be more close to Arabian forms of Islam. This reality is a consequence of globalization influences that bring Islam from other countries. Indonesia as Moslem-majority population has become a target and a marketplace for “the trader” of Islamic ideologies from the Middle-East.

**NU and Indonesian Islam in the future**

The greatest challenge of NU as pillar of Islam and nationality is based on the appearance and growth of Islam that refuses a nation-state and tradition of Islam. Those two things that have been judged and cited as history and ideology mistakes and principles in faith (aqidah) mistakes with falsehood in faith (bid’ah) and things that relate to superstitious (khurafat).

There are two major elements to consider for the future of Indonesian Islam. The first is the capability of NU to continue to exist as a pillar of Islamic nationality with tendencies of accepting the idea of nation-country as well as with a commitment to make Indonesia a country pertaining the state’s matter and Islam as a foundation for religion that deals with religiosity. Then there should be distinguished these two basic foundation of na-
tion so we can position them clearly: Islam as part of religious life and yet as person, groups, or organization, love to the nation is a part of commitment to glorify the motherland, and its dignity, yet as person, groups, and organization who embracing Islam, it becomes part of religious lives. In this way, NU occupies two frames; state and Islam, therefore the idea and the struggle of Khilafah Countries that do not recognize state territory and only make Islam as a bounded power is not relevant to NU and Indonesia.

Hizbut Tahrir Indonesia is idealized as Khilafah Islamiyah in an exaggerated imagination in the middle of existence of nation and country, and here we need to distinguish (differentiate) the history of Moslems as creative effort and endeavor (ijtiham) in the matters pertaining to the nation and the obligation of Moslem people to make a state (see Ibn Khaldun in Muqaddimah, al-Mawardi in AlAhkam as-Sulthaniyah and Muhammad Ibn Abi Rabi’i in Sulukul Malik fi Tadbiril Malamilik). The concept of the State in terms of Islam is part of historical reality that has been practiced by Moslem people for hundred of years that shows their political effort (ijtiham) in statesmanship.

Secondly, the capability of NU to perpetuate the Islamic tradition as a part of a cultural strategy to color the future of Islam means that NU should reformulate traditional Islam on its domain, faith, and perspective that should be different with the previous time. So, both the spirit and challenges that have grown, means that NU shall redesign traditional Islam which is inherited by generations and the off springs, in order to not lose its character and identity as it passes through the middle of this transitional era. Merely perpetuating traditional Islam might not change the reality of the numerous infiltration of perspectives, faith, and new ritual religious practices that are being disseminated by HTI, Majelis Mujahiddin Indonesia (Indonesian Mujahiddin Assembly), and Ikhwanul Muslimin.

Thus, traditional Islam as culture is no longer merely seen as the inheritance of past generations, but is also seen as something that needs to be revitalized in need of becoming a new society and culture. The spirit of Walisongo (the nine pious leaders who spread Islam in Java) who accommodated local tradition should be revitalized to reach a new spirit which will influence national culture in new and lasting ways that signal a move from the past.

These are just some of the future challenges facing NU in Indonesian Islam in order to bring about positive change that is rich in approach and strategy. It is for these reasons that if NU just merely returns to the past of traditional Islam, it will be the same as other Islamic groups such HTI, MMI and Ikhwanul Muslimin that also want to return to the old Islam from the past. It means that now, in the current moment, is the right time to pursue a new cultural effort (ijtiham) in the frame of a new Indonesian Islam.
THE INDIGENOUS ISLAM;
Finding the Face of Islam in Indonesia

M. Imdadun Rahmat, Musoffa Basyr Rasyad,
Khamani Zada, and Abd. Moqsith Ghazali

THE idea of the indigenous Islam is inspired genealogically by the idea of the indigenous Islam proposed by Abdurrahman Wahid in the late 80ies. In indigenousizing Islam there is description on how Islam as normative teachings from God are accommodated into the culture of the followers without loosing the identity of the followers. According to Abdurrahman Wahid, the process of self-identification based on the Mid-East culture is the detachment of the Moslems in Indonesia from their own culture. Moreover, the Arabization itself may not be suitable for the necessities in Indonesia. Indigenous-izing Islam is not an effort to escape from the rebellion of indigenous cultures but a way to preserve these cultures. The quintessence of the Indigenousizing Islam is therefore not to avoid polarization of religion and culture since this polarization is unavoidable. The Indigenousizing Islam has made religion and culture not two opposing forces but an embodiment of rational pattern of religion, which is not the take-for-granted form of religion. It also tries to bridge the gap between religion and culture.

At this point the idea of the

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1 Indigenousizing Islam in Bahasa Indonesia is Pribumisasi Islam. According to Bianca Smith (American Anthropologist, thank for her) there is no word for that specifically but we can say “the process of indigenousizing Islam” or to “make Islam indigenous” or localizing Islam or indigenousizing Islam” (red.)

indigenizing Islam is further developed into the idea of the indigenous Islam as an answer to the idea of the authentic Islam or the pure Islam that aims at the Arabization of any Moslem communities around the world. The indigenous Islam is meant to open opportunities for the poly interpretation of Islamic practices in every distinct area. Thus, Islam is no longer seen as a perspective but many. There will be no assumptions that Islam in Mid-East is the most truthful Islam since Islam as a religion has its own history, which is not final.

The idea of the indigenizing Islam proposed by Abdurrahman Wahid is indeed inspired by the teachings of the Walisongo in their Islamic proselytizing around Nusantara (archipelago) in about 15th and 16th century in Java. It can be said that Walisongo had succeeded to bring in the values of localities to Islam that made Islam in Indonesia a distinct Islam. The work of the Walisongo had created a new sphere in the Islamic thoughts in Indonesia, which is not a literal reflection of Islam in Arab. There was no thinking of Arabization in the early spread of Islam in Nusantara. This is different to what happened next in the preaching of Islam in the 17th century, with Abdurrahman Singkili and Muhammad Yusuf al-Maqassari as the most notable preachers that brought the idea of purification in the reform of Islam.

On the contrary the Walisongo found ways to accommodate Islam as religious teachings that interacted with culture in its history. For example, Sunan Bonang changed the Javanese traditional music, which was full of the Hindu esthetics into one that was full of dzikir (God remembrance) that promoted the love of the transcendental life. The song ‘tombo ati’ (the cure for the heart sickness) was one of Sunan Bonang’s creations. In the Javanese shadow puppets performance, Sunan Bonang modified certain stories and brought into it the Islamic exegesis. The long lasting war between Pandawa and Kurawa was interpreted by Sunan Bonang as the war between nafy (omission) and ‘itsbat (the establishment).

Sunan Kaliwaja did the same thing when he chose art and culture as media of proselytizing. He was very tolerant to local culture. He suggested that the community would be quite far to reach if they were blamed in the name of purification. Thus, preachers should approach the community step by step: we followed and influenced them. Sunan Kaliwaja was faithful to the idea that as soon as Islam was internalized, the old tradition would vanish by itself. He used wood carving, shadow puppets, Javanese traditional music gamelan, and the art of singing suluk, as media of proselytizing. Sunan Kaliwaja created the specific Indonesian Moslems’ clothes called as baju takwa, the celebration of sekatenan, Maulud, Layang Kalimasada, a version of Javanese shadow puppet story called as Petruk Jadi Raja (Petruk becomes a king), a landscape of the city center where there were always a temple, a big square land with twin beringin (name of a big tree in Java) and a mosque in it.

Meanwhile Sunan Kudus made approaches to the community in Kudus by
using Hindu’s and Budha’s symbols. These can be seen from the architecture of the big mosque in Kudus. The shape of the tower, the gate, and the place where Moslems take ablution *pancuran/pada-sam* symbolized the eight ways of Buddhism. It was definitely a compromise done Sunan Kudus.

Those were the heritage of the Wali-songo in their Islamic proselytizing throughout Nusantara (archipelago) that were not colored with the idea of purification or authentication of the Islamic teaching in a whole but with the adaptation and adjustment to the social and cultural condition of the indigenous people. That is why the communities at that time did not do any opposing actions against the teaching of the new religion Islam.

This history cycled and turned into new awareness. In the 1990ies many Moslem scholars criticized the communities’ religious life, which were mostly dominated by Puritanism. The Left-Islam of Hasan Hanafi and the idea of Islamic Post-Traditionalism supported by the thought of Muhammad Abid al-Jabiri, Muhammed Arkoun, Nashr Hamid Abu-Zayd, and Muhammad Shahrur had become main references of the traditional Islamic groups to criticize the thinking of Islam and at the same time made traditions golden bridges to the thinking of Islam that enabled to free the people. These efforts eventually produced the idea of the Indigenous Islam as the reactions to the previous thinking of Islam in the dynamic of its history.

Thus, the indigenous Islam as part of discourse rivalry is a continuation of previous ideas but equipped with different spirit and challenge. The challenge faced by the indigenous Islam is the universalization and authentication of Islam in its various forms that lead to the fundamentalism of Islam. This is the entry point of the idea of indigenous Islam.

Indigenous Islam Vs Authentic Islam

First of all there must be some explanations about the position of “tradition” as it is proposed by the authentic Islam as the main opponent of the indigenous Islam. There are double roles related to the concept of tradition suggested by the proponents of the authentic Islam. At one side, a call to return to and to hold on to the tradition and originality is a part of a moving-forward mechanism because through the tradition, the present and the closer past can be criticized. At the other side, this call is by any means a reaction to some challenges from external factors as they are induced by the western countries with all their military forces, economy, as well as science and technology that are considered a threat to the existence of the life of the Arabic nations and the Moslem people in general. Hence the objective of conditions, which on one hand promote the develop-

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ment of the revival discourse, on the other hand indeed have made the process and mechanism of the revival an apologetic and self-defense mechanisms.

For the supporters of the authentic Islam, Islam as it is exemplified by as-salaf ash-shalih is the most ideal and truthful form of religious life. Because of this belief, the uniqueness of the expression of Islam in Indonesia is considered as “modern stupidity” which is far from the truthful, authentic, and pure Islam. The originality (ashalah) of Islam disappears when it is infiltrated by external elements. Islam in Indonesia has lost its originality since it accommodated the local culture and local necessities. The acculturation of the local culture with Islam is seen as the cause of bid’ah and khawafat.4

This perspective is infect a self-identification to what is classified by Ernest Geller as great tradition or high tradition that looks at religion as what scripturally do, based on law, Puritanism, literalist, egalitarian, cold, and anti ecstasy.5 According to Geller, the high tradition is the ‘formal’ Islam or Islam that is considered closer to the holy scripture and it generally grows in cities. The high tradition, though it cannot be embraced at certain time, will always be a goal to achieve. Thus, when local cultures as a form of the low traditions, are threatened by degradation, Moslems easily jump to the high tradition in order to cope with the crisis they are facing. In other words, the fundamentalism of Islam is nothing else but the movement to reform the low Islam and make it the high Islam, though in reality the traditions revitalized are just variants of the low Islam. Talal Asad in The Idea of the Anthropology of Islam states that the division of the high tradition (the great tradition) and the low tradition (little tradition) based on assumption that there is a quintessence, which specifically refers to the high tradition, which is universal. This perspective is indeed suitable for the theology of the movement for the authentication of Islam but it is not suitable with the reality of the life of Moslems itself. In fact, a tradition called as the tradition of Islam is chains of unity between the present, the past, and the vision of the future, which is mainly created by the power relationship surrounding it. It means traditions cannot be simplified into high tradition and the low tradition, city and village, because traditions are some-


thing that exist and surround the life of Moslems and that they develop creatively depending on the power relationships that influenced them. Up to this point, it is clear that the contemporary Islam fundamentalism is a continuation of the previous purification movement that happened hundreds of years ago since the time of Ibn Hanbal, Ibn Taimiyah, and Ibn Abd. Al-Wahab. It is also a reaction to the present condition with the challenge of the modern world.

In its implementation, the spirit of religious purification and fundamentalism exists not only in the domain of ideas and opinions but also in real movement. The establishment of new Islamic groups fully equipped with mass movement such as Ikwanul Muslimin, Hizbut Tahrir Indonesia, Majlis Mujahidin Indonesia, Front Pembela Islam, Lasykar Jihad, etc. are signs that the challenges are in the praxis domain. Those groups offer real alternatives of the religious life that they call the authentic, Islamic, and kaffah (holistic) and it should be embraced by Moslems around the world because that kind of Islamic life is universal (shalih li kulli zaman wa makan; suitable for all places in all times).

However, behind the claim of that authenticity and universality, there are other things that make people raise questions; does authentic means everything that is Arab-like? Is the truthful Islam the one that is not tolerant to everything, which is not from Islam; local traditions as well as modernism? Will it still be the truthful Islam if Moslem act wisely in the context of humanity; including the cultural dimensions and problems people have? Would it be possible for the tolerant, friendly, and peaceful culture of the nation to walk in harmony with the truthful Islam? One more practical question is asked in this paper; where is the position of Islam as it is interpreted by Nahdhatul Ulama, Muhammadiyah, and other Islamic groups, which color the religious life in this nation in the new map of the authentic Islam?

The project of authentication and universalism in Islam in fact relies on the world view that Islam is a normative teaching framework, which is transcendental, standard, static, and everlasting. Thus, all of its textual building should take into account basic principles as they are written in the Holy Scripture and taught by the Prophet SAW in Mecca and Medina as the geographic base of the birth of Islam. This is due to the reality of Islam as a religion born in the time of Rasulullah, the time of Mecca and Medina, without hav-

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ing experienced the process of the history of teaching. At that time Islam was seen as religious teaching that was final, complete, and conclusive. Hence Islam could not be modified, contextualized, and reformed.

Authentication also means surrendering to texts of al-Qur'an, prophet traditions, and past experience (assalaf asshalih) in its textual form in the domain of social and politics. The basic reasoning for this is that the transcendental characteristics of al-Qur'an and prophet traditions have made them far beyond human culture. The sociopolitical actions of the prophet and his companions are regarded as final examples to be followed by Moslems whenever and wherever they live. The good examples here are not only the values and messages but also their forms and symbols. The phrase “Islam Kaffah,” or holistic Islam is meant to be the realization of Islam in all aspects of life; economy, society, nation with its form and symbols. This leads to a movement “Islamic Identity Politics” as it was framed by schools of Wahabi, Maududian, and Quthbian, which are believed by their supporters as the only truth and that is the authentic and universal Islam. The implementation of this concept for all Moslems around the world therefore is a must.

At this phase the authentication of Islam becomes trademark of the most truthful teaching and is able to be implemented in every area. Thus, Moslems outside the Mid-East regions shall take examples to what happened at the prophet’s time in Mecca and Medina. As the consequence, Islam in Mid-East is considered as the authentic Islam whereas Islam in other areas is not the authentic Islam. They are “peripheral Islam”, which are quite different from the characters of Islam in Mid-East. That is why the attitude of embracing Islam in Nusantara, which had undergone the process of cultural accommodation, is considered not the authentic Islam because it is changed from its original form.

In its early phase, the Wahabism with its ideology of Puritanism spread to Nusantara and had ruined the existences of the cultures of the local communities in great scopes. The accusation of being syncretistic and bid’ah had destroyed the color of the nation that had been passed from generation to generation as local identities. Consequently, it changed the way Moslems thought about their religion, from local Islam into universal Islam in their rituals.

On the next phase, when purification developed further into the domain of the socio-political system and it turned into fundamentalism, the ideology of Maududian and Quthbian eradicated the friendly, tolerant, and moderate expression of the socio-politics of Islam in Indonesia. The form of Islam, which was not dogmatic, not formalist, and focused more on the substance rather than the symbols, was a bit pushed away by the intention to formalize the Islamic laws. The terminology “the enactment of the Islamic laws” was reduced in meaning into “formalization of the Islamic laws”.

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The Indigenous Islam’s Perspective on Traditions

From the explanation above, it is clear that the pure Islam supporters deny the existence of local traditions. This perspective is in fact caused by the way they look at traditions through the optic of al-Qur’an and Hadits, which are considered transcendental, complete, holistic, and were descended from heaven. Even tough, in reality, al-Qur’an and Hadits were constructed based on traditions, which were particular and historical.

For the indigenous Islam, Islam is not an instant religion or in other words, is not created in empty space or on empty paper. Al-Qur’an, for example, though it is believed as the revelation of God, the Owner of the Mystery, it is indeed crossing the domain of the history. There are at least four arguments to support this thesis. First, God had chosen the language of human being, in this case Arabic, as the code of communication between Him and His messengers, the prophet Muhammad SAW. In the process of communication, according to Muhammad Arkoun, the communicator defines His being with specific expression. All literatures about 'i'jaz –at least in term of linguistics- confirms the strategic roles of this way of expression in the awareness of having Holy Scripture revealed in Arab context. Second, the roles of Muhammad as the receiver of the revelation on one hand and as the interpreter on the other hand also influenced the social process of rewording and textualizing of al-Qur’an. Muhammad was not a blank cassette recorder that had no personality but he was a clever, honest, and trustworthy (amanah) person. Thus, when he received the revelation, he actively apprehended, internalized and then retold the revelation in Arabic. Because of that, according to Nashr Hamid Abu Zayd, it is not a rebellion to say that al-Qur’an is the revelation of God with the text of Muhammad (Muhammadan text).

Third, since the time of the revelation, al-Qur’an had interacted with reality. Therefore so many happenings preceded the revelation of its verses and each verse was an answer to people’s problems at that time. Simply saying, there very few verses revealed without some external causes. When we follow the construction of al-Qur’an, we follow the life story of the prophet Muhammad SAW as well and the devel-

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9 Arkoun, Berbagai Pembacaan, p. 80
10 The involvement of Muhammad in this matter, according to Komaruddin Hidayat, was divided into two levels. First, The process of expressing the revelation in Arabic. Second, The interpretation of the teachings of Al-Quran into practices, which are then called as Hadits. See Komaruddin Hidayat, Memahami Bahasa Agama Sebuah Kajian Hermenutik, (Jakarta: Paramadina, 1996), p. 16.
12 Because of this, in 'Ulim al-Qur’an for example, they are well-known concepts about ashab an-
opment of the community around him.

Fourth, God’s words had been recorded in the form of notation or texts. This notation process had its own history, started from partial notes that were hard to see the connection between them to the establishment of the official closed corpus done by the third caliph Utsman bin Affan, as the only formal code of al-Qur’an in the 4th century of the Moslem calendar or the 10th century of Christian Calendar. Since that time, there had been a shift of al-Qur’an from its oral tradition to written tradition. This shift is a mark of how Moslem had come unto the stage of logo centism, a stage that refers to holy texts in al-Qur’an to get the answers of any changing situation and condition and does not refer to oral tradition any longer. Hence, in its recent form, al-Qur’an is no more than historical facts and literature. “Everything that exits on earth, however, has come into existence historically,” said Cantwell Smith. Everything, even though the Holy Scripture is believed to everlasting God’s revelation, when it is descended to earth, can be grouped into historical facts.

By considering the socio-historical

13 Here, the word text is used as technical term to refer to verbal records of communication. The fact is there are many scholars who give some formal and strict explanations about this term. But generally, it can be said that the word ‘text’ is used in two fields of epistemologies, which are dependant to each other. Those are “discourse analysis” and “Science about signs” or semiotics. In semiotics the concept of text has a very broad meaning. It includes all kinds of signs that produce meaning. Including in this concept of text are linguistics and non linguistics texts such as party, symbols, cocktail models, art and audio visuals: music, statues, advertisements, caricatures, etc. However, the term “text” in “discourse analysis” is limited to the system of language symbols that produces general meaning. The interaction between the two is like the relationship between the whole and the parts. This is because a science about symbols (semiotics) is a very holistic science that considers “discourse analysis” as its branch due to the fact that language is a system of symbols. For further reading, see Gillian Brown dan George Yule, Discourse Analysis, translated by I. Soetikno, (Jakarta: PT. Gramedia Pustaka Utama, 1996), p. 6 dan 189-203. See also Nasr Hamid Abu-Zayd, atTakfir fi Zaman atTakfir (Cairo: Sina li an-Nasyr, 1995), p. 105.


situations surrounding Allah's revelation, it can be concluded that there is a dialectic relationship between the texts of al-Qur'an and the reality of the culture. Right at the point where the bottom line is the culture, al-Qur'an is 'constructed' culturally and 'structured' historically. In other words, it can be said that al-Qur'an is a product of culture (al-muntaj al-tsaqafi). It means that not all doctrines and religion understanding can be implemented in all times and places, regarding that the idea of the universal Islam had taken and were from by the language and culture of Arabic, which was relative, having local dimension and particular. Therefore, it can also be understood that from time to time there are always some figures in the Islamic exegesis that try to actualize the messages of al-Qur'an and Islamic tradition that are everlasting.

Besides, in terms of Islamic law, we can find other astonishing facts; Islam inherited and borrowed many norms and traditions of the community in all aspects before Islam was born; rituals, social, economy, politics and law. Hajj, umrah, honoring Ka'bah, and purifying the fasting month of Ramadhan; the punishment of adulterers, thieves, drink khams, qishash punishment, diyat, qisamah, and 'aqilah; syura or discussion and caliphates, polygamy, slavery, and the use of magical things, are Arabic traditions that have been inherited by Islam. In the old books of Islamic law (fiqh), for example, we will easily find regulations in Islam that were taken from the previous traditions, either in time of the previous prophecies called as syar'i man qablana or in the time where there was no prophecy (the era of fathmah). There are many examples of this kind. Take one for example, there is an anecdote that to shake hand is not original from Islam, but it is inherited from the traditions of the previous era. It means Islam that exists in each area on this earth is always the result of the dialectic dialogue between revelation and tradition. It is not to exclude Islam in Mecca or Medina. Islam in Mecca is the result of the encounter of the revelation with the Arab local traditions as well as Islam in Medina. Through this perspective, it can be understood that the characters and genres of the verses revealed in Mecca are different to the ones revealed in Medina. It is Dr. Khalil Abdul Karim, an intellectual from Egypt, who is able to reveal the remainders of things inherited by Islam from the Arab communities. In his book entitled al-Judur al-Tarikhyyah as-Syari‘ah al-Islamiyyah he suggests that there are at least three patterns. First, Islam took parts of the Arab communities’ traditions and left the rests. Second, Islam took half and left half of the Arab traditions by reducing and adding them with pre-Islam practices. Third, Islam borrowed all norms of the previous Arab traditions in their most perfect forms without any modifications and kept the names.¹⁶

Due to its characteristics, which always

¹⁶ For further discussion see Khalil Abdul Karim, al-Judur al-Tarikhyyah as-Syari‘ah al-Islamiyyah (Cairo: Sina li an-Nasyr, 1990). This book is translated into Indonesia by M. Faisol Fatawi with the title
interact with reality, the tradition on a religion may change according to the social and cultural context of the community. Islam is a movement to open and give hope (the anthropology of the revelation) to all social groups such as religions, classes, ethnics, and gender, which exist in certain socio-cultural area to establish their self-identification to their localities critically and organize the existing differences between them as the consequences (the politics of recognition), and give ways to each of this distinct group to always look at their ideals to satisfy their own high value of humanity. That is why for the indigenous Islam, the ideal Islam as it is imagined by the supporters of the authentic Islam is not in existence. What exists is the real Islam that subsists among the plural communities. Islam, as a religion, is a living organism, in the context of Indonesia; the good Islam is Islam that comprehends the needs of the communities in Indonesia, their problems, and their future challenges.

In the indigenous Islam’s perspective, the local culture where the prophet was one of the actors gave two advantages simultaneously. [a] we know how skillful the prophet was in preparing domains where he could teach the essence of Islam. From what he had done, we can learn some lessons in case we want to do the same thing in our own places. [b] We can make some selections to see which of those traditions local and particular Arab is and which ones are universal teachings. We may also figure out the fundamental Islam hidden in the Arabic local cultures. It means Islam should be carefully thought of to get its quintessence. The process of selection, of course, should be done very carefully in order not to be trapped in any efforts to purify Islam.

The indigenous Islam does not have any pretensions whatsoever to import the local cultures in Arab and then spread them to many regions in Indonesia. The indigenous Islam is fully aware that the making of any Arabic local cultures as universal cultures is not a wise act and it often leads to the extermination of Indonesian local cultures. In addition, Abdurrahman Wahid says the process of self-identification to the cultures of the Middle East will only cause the revocation of Indonesians from their own cultures. This is due to the fact that Arabization is not always suitable with the necessities in Indonesia, Abdurrahman Wahid says further. Unlike Wahhabism or the supporters of the purification of Islam in Indonesia that intend to implant the local Arab traditions in the Indonesian archipelago, the indigenous Islam makes efforts to accommodate the quintessence of Islam into the Indonesian local cultures.

In its actions, the indigenous Islam

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18 See Abdurrahman Wahid, Pergulatan Negara, Pesantren, p. 119.
always takes into consideration the needs of the local communities when Islamic laws are to be enacted and at the same time it keeps the core of laws in Islam. These cores of laws in Islam are then framed to provide a constructive control over the degradation of the localities. To local traditions that practice some evil, hegemonic, and unfair conducts, the indigenous Islam will make critics. Take for example; the indigenous Islam will never tolerate any free sex practices, which grow uncontrolled in many advance countries. It will be impossible for the indigenous Islam to legalize free sex practices. There will be no choice. Free sex practices must be stopped in order to prevent the worse things to happen and to be passed from generation to generation. This condition will definitely degrade the dignity of human race. However, in narrowing the space for the free sex movement, the indigenous Islam will utilize cultures as its strategic media to fight free sex.

Meanwhile, for local traditions that guarantee justice and welfare for the communities, the indigenous Islam will act very appreciatively. Even, this kind of great local traditions (urf shahih), in the perspective of the indigenous Islam, have authority to interpret with their local views (takhshish) the generality of a text, either in al-Qur’an or in the prophet traditions (al-Sunnah). We may look at how a tradition,
which is profane, is authorized by religious leaders to interpret a text, which is revealed by God, with local view. It is said that tradition is one of the sources of Islamic laws (al-’adah muhakkamah). On this stage, it is interesting to note, in term of fiqh (Islamic laws), that what is in a tradition may become as meaningful as what is said in the holy scripture; al-’tsabit bi al-‘urf ka atsabit bi an-nash. From this point, it is very clear that religious leaders have given a very high appreciation to traditions. Tradition is no longer seen as “low” element, which is valueless, but as high as the Holy Scripture in certain level.

However, it should be confirmed here that the indigenous Islam shall never judge any theological beliefs, which local people embrace. Thus, terms such as musyrif, kafir (unbeliever), murtad (a convert) mubtadii are not in existence in the discourse of the indigenous Islam. In this theological domain, the indigenous Islam will never play God, as the only One having the authority to decide the “final judgment” in the life hereafter whether someone is unbeliever or unfaithful. Let it be the full authority of God. This is because Allah Himself says strictly “inna rabbaka huwa yafshilu baynahum yawma al-qiyamah fi ma kanu fihis yakhitalifun” (Truly, it is God who will decide in the life hereafter about the disputes among men).

19 This fiqh principles have been widely known by students in Islamic boarding schools who regularly read books such as qawa’id fiqhiyyah, al-Asyabah wa al-Nadha’ir written by Jalaluddin al-Suyuthi, al-Asyabah wa al-Nadha’ir written by Tajuddin al-Subki, etc.

20 Mubtadii is a satiric attribute subduced to a group of people that perform bid’ah, theological scandal, which shall never be forgiven. In the landscape of Indonesia, the people’s organization that loves to use this term is Muhammadiyah (the first version of Muhammadiyah). Bid’ah is often used by Muhammadiyah as the predicate of some Islamic groups that perform rituals, which were not exemplified by the prophet Muhammad. All localities that have the element of bid’ah, khurafat, takhbayul, mystic, are totally exterminated. The supporters of Muhammadiyah often want to cure the TBC. This specific term also used by Muhammadiyah to refer to superstitious (Takhayul), Bid’ah, and Churafat with an alternative that is the purer and more original Islam. The purposes of all of the actions of Muhammadiyah is to control, organize, and even dominate the beliefs of the community so that their beliefs are not infected by the TBC. Recently the second version of Muhammadiyah, pioneered by Prof. Amin Abdullah starts introducing “local wisdom”. Majlis Tarjih Muhammadiyah in cooperation with Muhammadiyah University of Solo organized a seminar specially focused on local wisdom. I do not know whether it is a kind of confession of its flaws in treating local cultures as tuberculosis. Let Muhammadiyah itself answer this question. Different to Muhammadiyah, NU supporters do not really pay much attention to the term bid’ah. NU, which grew in villages in its initial development, has undergone the amazing enrichment of cultures. The accommodative attitude of NU toward the cultures of the communities results in many criticism for its being the warehouse of bid’ah and superstitious, from its graveyard visit to its high appreciation to Kyai (religious leaders).

21 The best example for judgment actions was the subdue of the attribute of unbeliever to the President of Indonesia Abdurrahman Wahid by many figures of Islamic groups when Abdurrahman Wahid attended to a great exorcism ritual led by a Christian priest Romo Kunto at Parangtritis Beach in Yogyakarta, in 2001. See Ahmad Baso, Plesetan Lokalitas: Politik Pribumisasi Islam, (Jakarta: Desantara, 2002).
considering how many centuries it has absorbed all kinds of cultural manifestation from various communities. The local wisdom, as a product of the interaction between religion and culture is certain. If it does not practice, religion and culture are competing for their existences and one will come up as a winner and the other will disappear. This is surely counter-productive for the existence of religion itself.

The assumption is Islam cannot be narrowed in its scope so that it loses its relevant to traditions. Never forget that the rituals of Islam are always colored by the products of cultures. For the indigenous Islam, the Islam in Java, for an example, cannot be considered as pristine Islam, which is not influenced by localities but a kind of Islam as a product of contextualization process. Indeed, these localities have transformed Islam into various forms and expressions. In Java (just for an example) Islam has undergone a “redefinition” through an optic of indigenous-local Java, which is often different to an optic of indigenous-local-Medina.

Methodology of the Indigenous Islam

According to Abdullah Ahmed an-Naim, the formulation of the Islamic law (similar to formulation of other laws) indeed follows the stages of the community development. Techniques used to formulate the Islamic law from the Holy Scripture and ways to construct their concepts and fundamental principles are certainly the products of political, social, and intellectual history of Moslems. Through this understanding, we may be able to read between the lines the essence of the formulation of syariah (Islamic law) which is distinctive for every messenger of God, the official agents of revelation. In addition we will also notice the reasons why some of the Islamic laws of the previous messengers were no longer applicable and considered out of date in the time of Muhammad SAW so that they needed reformulation and modification. This reformulation and modification were not only implemented for the Islamic laws before the time of Muhammad (Syar’u man qablanah) but also for the Islamic laws of the time of Muhammad. This Islamic law reformulation, in the study of Islamic law, is popular by the term nasikh-mansuhk that is to invalidate or to modify laws, which were enacted previously because these laws are no longer applicable for fulfilling the needs of the communities. Those laws shall be replaced by new laws that satisfy the needs of the people.

22 The relation between Javanese culture and Islam is described in detail in Ull Abshar-Abdalla, “Serat Centhini, Sinkretisme Islam, dan Dunia Orang Jawa,” in Bentara Kompas, 4 Agustus 2000, p. 27
23 Here, Islamic law must always be thought of as way of implementing the main teachings of Islam. As a way, Islamic laws brought by the prophet and by the messengers are different due to the differences in space, time, and the level of the civilization of the communities, Thus, Islamic law is tentative, relative, and it is normal to annul previous Islamic law.
It is not impossible that something, which is valuable and functional in one place at one time, becomes valueless and useless in other places at other times. If the functionality of thing may change due to the change of time, it is possible that Allah asks men to do something because that thing gives benefits to them at one time but then at another time Allah forbids men to do that thing because that thing has lost its functionality. Ibn Rusyd in his book entitled *Fashl al-Maqal fi Taqrir Ma Bayna as-Syari'at wa al-Hikmah min al-Ittishal* says that the wisdom (hikmah) is the sibling of Islamic law revealed by Allah SWT.\(^{25}\)

Of course we are fully aware that not all benefit (mashlahat) may change because of the change of time and space. In this context we have to differentiate between mashlahah kulliyah-asasiyyah (the fundamental-universal benefit) and mashlahah far'iyah-juz'iyah (the particular-local benefit). Many people know that that mashlahah kulliyah is a form of benefit that is unlimited to any scope. What belongs to this category is justice (al-'adl) equality (al-musawah), freedom (al-hurriyyah), etc. According to scholars of the Islamic jurisprudence (usul fiqh), some texts that contain universal benefit (al-ayat allati tadhammanat mashlahanat asasiyyah) cannot be eliminated by any kinds of argument, because to abrogate (nasakh) these kinds of universal verses will make them incoherent with other verses and irrational.

Meanwhile, the second benefit (the particular benefit) will always change in parallel with the development of human civilization. It means the forms and reformulations of this second benefit are tentative, relative, and generally local. At this landscape, we can perform nasikh-mansukh. The cancellation of the previous Mohammedan Islamic laws which is not relevant with the civilization shall be looked at this domain.\(^{26}\)

For the indigenous Islam, nasikh-

\(^{25}\) Ibnu Rusyd, *Fashl al-Maqal fi Taqrir Ma Bayna al-Syari'ah wa al-Hikmah min al-Ittishal aw Wujub al-Nadhar al-Aqli wa Hudud al-Ta'wil* (Beirut: Markaz Dirasah al-Wihdah al-'Arabiyyah, 1999), p. 125. The image of this functionality is the chains that connect all principles of Islamic laws all the time, from the time of the prophet Adam to the time of the prophet Muhammad and to the present.

\(^{26}\) The first benefit (the universal benefit) is an orientation (al-ghayah) and primary (al-dhanuriyyat) in Islam, such as surrendering to God (al-islam), justice (al-'adl), humanity (insaniyyah), equality (al-musawah). This benefit is the inheritance of all religious founders, which are either Semitics or non-Semitics. Meanwhile, the second benefit (the particular one), we call it as a mean to achieve the first functionality (al-wasa'il) and thus, it is just a bolster to the first functionality (al-hajjyyat). Five daily prayers, divine tax, hajj pilgrimage, fasting and other technical and ornamental rituals are not the objectives (ghayah, al-dhanuriyyat), but vehicles and bolsters (al-wasa'il, al-hajjyyat) for achieving the first benefit. However, it should be confirmed here that to perform nasakh (to modify or to reform) matters that are 'ubudiyyah mahdah like the reconstruction of the movements in five daily prayers will not bring any advantages theologically and it will not be strategic to empower the suppressed people. Thus, nasikh-mansukh should be performed on matters that are non mahdah rituals.
mansukh in the field of mu'amalah-ijtima'iyyah should not be stopped although the prophet Muhammad was no longer an actor in the history of human race. Religious leaders, as the representatives of Muhammad, due to their knowledge on the formulation of Islamic laws, are given the authority to always reformulate Islamic laws through their ijtihad (independent judgment in a legal question). In making laws, besides considering the level of benefit as mentioned above, religious leaders also need to pay attention specifically to the situation and condition of the community as the object of the law. 27

It is undeniably basic necessity to consider the local culture and the civilization of the community when laws and regulation are to be made. That is the reason why some religious leaders require an expert of Islamic exegesis (a mufassir or a mujtahid) to find out sabab al-nuzul (the context of the revelation) of each verse. To apprehend the meaning of a verse based merely on grammatical argument 28 and putting aside local events surrounding the revelation will trap us in a full language logo centism and we all know that the life in this world is not words but reality. This reality is then described with words. 29

Through this platform of thinking, it is normal for some scholars of the studies of Islamic law to say that understanding the socio-historical setting of Arab during the formulation of religious laws to reflect the contains of the Holy Scripture is urgent and significant. Al-Syathibi in al-Muwafaqat fi Ushul as-Syari‘ah says that understanding the social condition of the Arab communities, as the initial locus of the revelation of al-Qur’an and the situation when a certain verse was revealed is

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27 Please consider that so many times the caliphate Umar ibn Khaththab did not enact a law because he believed that the time was not right to do so. Umar once avoided sentencing a thief to have his hand cut due to the fact that it was a time of no harvest.

28 A group of scholars that tend to pay attention to the lexical meaning will absolutely require an interpreter to understand the grammar of Arabic. For this prerequisite, we should ask a question, the prophet Muhammad himself was an illiterate (ummý), wasn’t he? It is told that the prophet was a man who could not read and write. It is interesting to think of what is stated by Abu Hamid al-Ghazali, “wa kullu syari‘ah la tadhkaru illa bi lughat, fa yashiru tilka al-lughat alat li ‘ilm kitab Allah wa sunnah rasulih. Wa min al-alat ‘ilm kitabah al-khatthh, illa anna dzalika layya dhanwiriyah idz kana al-rasul ummiyyan. Read Abu Hamid al-Ghazali, Ihya’ Ulum ad-Din, (Beirut: Dar al-Fikr, no year), Vol. I, p. 17.

one of the pre-requisites of being a scholar of Islamic exegesis (mufassir). By this argument, al-Syaithibi indeed wants to say that the aspects to be considered in understanding the meaning of a text is not only the grammatical aspect but also the socio-cultural aspect of the community when al-Qur’an was revealed.

Thus, we need more than just an effort to get to know the verses. It is more important to know which of those verses are universal and which of the verses are local-particular. This argument applies to Hadits also. To those verses of al-Qur’an or Hadits that are local Arab specified, it is not wise to take it for granted and put those verses into operation in Indonesia. Take for an example, it is impossible for religious leaders in Indonesia to oblige Muslims in Indonesia to give their zakat in Dirham and Dinar.

All of those early mentioned perspectives are described here to find out the deepest dimension of texts in al-Qur’an (al-bu’d al-jawhari) and then to implement it in our home countries. Al-Qur’an, which was revealed one thousand five hundreds years ago in the Arab inland with the language of Arab and its specific challenge, is in need of significance finding in the recent context of life by tracking down and searching the deepest meaning of al-Qur’an. For this purpose, contemporary scholars try to introduce a new kind of reading (qira’ah mu’ashirah) that is intended to help find the objective meaning. This new kind of reading is hermeneutic. Exactly at this point, the indigenous Islam borrows the method of hermeneutic as a new way of reading of religious texts and traditions. Of course this way of reading of the “foreign” hermeneutic to our tradition should be modified in order to suit with the socio-cultural contexts in Indonesia.

The definition of hermeneutic, according to Carl Braaten, as it is quoted by Farid Esack is the science of reflecting on how a word or an event in a past time and culture may be understood and become existentially meaningful in our present situation. Hermeneutic is used as a method of reading of texts with purpose to find new

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31 The fortitude of the Non Arab religious leaders to categorize plants and fruits that give lot of advantages for the owners as properties that make the owners pay the divine tax is a creativity that deserves high appreciation. It is hard to imagine if religious leaders take for granted the verbatim of all regulations in Arab communities as written in Hadist and in al-Qur’an in parts.
dimensions that were never found before and different to the already-known meaning. However, generally, hermeneutic is used to bridge the gap between the past and the present. Rudolf Bultmann says the term hermeneutic is generally used to describe the attempt to span the gap between the past and the present.³⁴

In the application of this hermeneutic method, scholars are divided into two groups. First, a non-objective group that believe that it is impossible for anyone to find out the objective meaning of texts, even by using hermeneutic. All kinds of interpretations are always subjective. They are built upon previous presumptions and pre-assumptions. In this perspective, the objective interpretation that aims at reproducing the real meaning of texts as it is meant by the author is definitely impossible to realize. This is because in interpreting texts, the interpreter always brings with him/her presumptions and pre-understanding. Those belong to this group are Farid Esack, Asghar Ali Engineer, etc.

Farid Esack states that hermeneutic presupposes a conclusion that the efforts to read and interpret the meaning of texts, including al-Qur‘an, happens in particular context. When an interpreter chooses an approach to understanding al-Qur‘an with particular context, it is almost impossible for him/her to reach to one universal interpretation of al-Qur‘an that can be used al over the world. “Meaning is always tentative and biased” Farid Esack adds.³⁵

The second group is the interpreter of the texts of al-Qur‘an (musfassir) who argue that the objective meanings hidden in the texts of al-Qur‘an may be found after we perform a kind of objectification by using hermeneutic tools. Belong to this group are Muhammed Arkoun, Fazlur Rahman, and Nashr Hamid Abu-Zayd.

According to Arkoun, al-Qur‘an is a book of revelations that contains some potential decoding of meaning as they are proposed by God to man kind. Al-Qur‘an is a corpus of limited affirmations but open in the form of Arabic. The only possible way to apprehend those affirmations is to read the written texts of those revelation (mushaf) that were codified since the 4th century of Moslem calendar (10th century of Christian calendar). Those texts shall be standardized as the products of an author.³⁶ Hence, all texts of al-Qur‘an can always be reread and reinterpreted optimal the meaning without presumption that potential decoding of meaning has been revealed and can be dissolved holistically. Meanwhile, optimal, according to Arkoun, cannot be implemented unless we look at various signs and symbols contained in al-Qur‘an in order the readers of the texts get familiar to those signs and symbols.

Of course, the knowledge about signs and symbols in al-Qur‘an is just a step in

³⁶ Arkoun, Berbagai Pembacaan, p. 91.
the activity of interpretation. In addition, according to Arkoun, the explanation on the critical relationship between one sign and another to get into the level of anthropologic as well as historic exploration must be done also. Thus a reading to al-Qur'an is expected to become an ideal reading, which produces precise understanding of the meaning as it is originally meant by al-Qur'an at the level of discourse not at the level of texts.\(^{37}\)

Meanwhile, in Fazlur Rahman's conception, the activity of interpretation is a work of finding out the universal moral messages of texts in al-Qur'an by paying attention to the objective condition of Arab, as a locus where these texts produced. After the moral messages of the texts have been understood then those texts are transformed into the present contexts.\(^{38}\) Hence, the process of interpretation as it is proposed by Fazlur Rahman consists of double movements; from the present contexts to the contexts of the revelation of al-Qur'an and from the contexts of the revelation of al-Qur'an to the present contexts.

In accordance to what Rahman says, Nashr Hamid Abu-Zayd suggests that a reading shall never stop at the meaning of the text (al-ma'na) but a reading should find the significance (al-maghza) of the text without denying the historical context and the social reality when al-Qur'an was revealed to the first generation. Meaning, according to Abu Zayd, is like a direct understanding of the utterances of the new born texts by analyzing the construction of words in the cultural context surrounding the text. Thus, meaning has a historical character. It means, it is impossible to get the meaning of a text unless we utilize some detail knowledge tools in understanding the internal context of the text and its external elements, which are reality and culture. Meanwhile almaghza, as it is related to meaning, it has a contemporary character. It means, it is a result of contemporary way of reading, which is beyond the time of the text. When al-maghza is separated with meaning, this kind of reading is trapped in an ideological twist (talwil) that keeps the understanding away from tawil. The other difference, in many aspects, meaning is attached to proportionate judgment while almaghza has an active character that changes in accordance to the change in the way of reading. Even though, it is related to meaning.\(^{39}\)

Abu Zayd admits that the discussion about the necessity of the interaction between almaghza and al-ma'na is quite the same with the qiyaas principle that hold on to illat in the discourse of the study of Islamic law. The finding of illat in qiyaas depends on the flexibility of the text toward the same reality, which is not conveyed ex-

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\(^{37}\) Arkoun, *Berbagai Pembacaan*, p. 7


explicitly by the text. The point is that the likeness itself is external whereas the difference remains depth. 'illa, which becomes a source of law as it is believed by scholars of Islamic law, sometimes is a part of dalalah and meaning through text manthuq but sometimes it is just the discovery of the scholars in Islamic law through ijtihad.

Between the two, Abu Zayd adds, qiyas is only a part, which has connection to juz'iy law and is nothing more than that. The conventional scholars of Islamic law had not dissolved almaghza, sense and significance, and the final purpose of the discussion about the five objectives of Islamic law, which are to protect the religion, soul, mind, dignity, and property. The word “protect” here connects to dalalah which was a popular word in the discourse of conventional Islamic law.

Hence almaghza is not generally the aim of syariah almqaashid al-kulliyah as a judgment’s of Fiqh experts (fuqaha) but it is the result of the creative process toward the text in the frame of reality and culture. To accompany this creative process there must be some restrictions for some texts. It is not enough just to reproduce the language; it must be accompanied by the establishment of the action of reality and culture, even it must also reconstruct the language over and over again. Simply saying the standard rule to judge “the creativity of the text” is by following contemporary ways. It means almaghza is not just influenced by meaning but also by the connections of its attribute to the contemporary reality. Thus, Abu Zayd adds, by adding with the contemporary elements almaghza will always be dynamic even though it is still attached to the restrictions of meaning. Meaning remains relative and the discovery of the historical meaning as it is understood by contemporary scholars in Islamic studies is not an instant effort but a continuous one. When almaghza is diametrically different to the analogue of Islamic law then it is restricted more and led to the targets of the creativity of the revelation.

The Indigenous Islam and the Politics of Identity

Many people know that the nash (text) source or the historical evidences of the concept of a nation in Islam has become a dispute and is still the subject of various interpretations. It is because there is no nash sharih or clear text (either al-Qur'an or al-Sunnah) that serves as the definite and everlasting reference on how a nation is built and organized. It is not surprising that the practices of Islam politics from time to time and from one place to another show a great diversity. Even, in the time of the four caliphates Khulafa al-Rasyidin this various Islam politics took place. The very famous example is the difference system of succession from Abu Bakar, Umar, Utsman, Ali, etc.

Because of the inexistence of nash sharih the caliphs performed ijtihad to decide some political actions that aimed at the prosperity of the people by using tools such as istishlah or istihsan. Istimlah allowed Abu bakar, before he died, to promote Umar to replace him as the caliphate,
even though the prophet Muhammad had never done this. *Istishlah* led Umar to charge taxes, to establish state institutions, to determine the borders of cities, to build jails, and to enact laws (*ta'zir*) to the law breakers such as those who mixed milk with water, and to take over the property of state officials who had some business in the middle of their terms. Even though, the prophet Muhammad had never done all of these things before. ⁴⁰

It was *istishlah* that encouraged the caliphates after the *Khulafa ar-Rasyidin* to establish posts and to make all state institutions share the culture of Arab, to launch money, and to do other practices of state politics without any rebellion from any religious leaders. We know that it is impossible for religious leaders to tolerate wrong doings. It was *istishlah* that also encouraged the formulators of Islamic laws (*jumhur fuqaha*) to give permission to fight other Moslems when there are Moslems that support the unbelievers and when there is no choice but to fight them. ⁴¹

Those things mentioned above show that almost all bases for the *ijihad* of the prophet’s companions in terms of Islam politics were the benefit. The principle of benefit does not stand by itself. It is always connected to the condition, situation, challenge, and needs of that particular community. When the context is different then there will be different laws. It is not abnormal to have various manifestations of Islam politics in order to achieve Moslems’ benefit with their specific and distinct social, politics, and culture.

It shows how important is the context in formulating laws for the people. Ibn ‘Abidin in his paper *Nasyr al-Urf Fi Ma Bana Min al-Ahkam ‘Ala al-Urf* says “there are so many laws that change in accordance with the change of time and the change of cultures of the communities or because of the status of emergency due to the downfall of a certain generation. If the laws remain the same, it will give more problems and cause more ruins in the community. This will also violate the rules of the Islamic law, which are built upon ease and comfort and the avoidance of lost and ruin.”

Hence, the assumption that the concept of Islam politics is one homogenous and universal is a denial of those rules above. The claim that the system of Islamic politics proposed by Quthb or Maududi with their “Politics of Islamic Identity Movement” is an absolute truth is not valid. This is due to the fact that most argument proposed by those two – as well as the *ijihad* of the prophet’s companions – are not built upon *nash qath’iy* and *nash sharih*. That is why there is a big opportunity for other Moslem leaders to develop their own different political concepts in order to achieve the people’s benefit. Of course, the concept should be suitable with the concept of the community.

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In the formulation of Islam political concepts, also the *ijtihad* of the prophet's companion, the sufficient understanding and appreciation of the context of the community is a must. *First*, we need to study very carefully the context surrounding the texts of al-Qur'an and al-Sunnah as well as political actions of the prophet and his companions. This is useful to verify and distinguish which of the teachings are manifestations of Arab local context and which are the deepest messages that serve as the quintessence. Thus, it will be clear which *nash* and which action is the manifestation of sociological factor and which one is a real theological factor. The sociological manifestation is profane. It is not the source of law, and therefore is not an obligation for everyone to practice it. Meanwhile, the theological manifestation (*ilahiyah*) serves as the source of law. It is applicable for all times and it is an obligation for everyone to practice it.

Therefore, what had been done by previous generations is not always suitable with the present generations that live in different places and times. This present generation is responsible only for implementing the deepest messages of the Islam politics. While for the particular regulations, they should be looked at as the product of *ijtihad* of religious leaders as the representative of the prophets. This is why the *people’s welfare* orientation is an important part of *ijtihad*. *Second*, the appreciation to traditions, cultures, social structure and the community condition is necessary to formulate a system, which is suitable and expresses the deepest messages of the Islamic teachings but still it follows the orientation of the people's benefit. This is because Islamic laws are formulated for the benefits of the people. According to Ibn al-Quyyim al-Jauziyyah, the construction and the bases of Islamic laws are wisdom (*hikmah*) and people's benefit in the worldly life and the life hereafter. Islamic laws are expressions of full justice, full blessings, full benefit, and full of wisdom. Thus, all matters that mislead the way of justice to the way of injustice, the way of *maslahat* (benefit) to the way of *mafsadat* (worse), the way of wisdom to the way of meaningless are not ways of Islamic laws even though there are parts of Islamic laws due to the process of *ta’wil* (interpretation).⁴²

Islam in South-East Asia, including Indonesia, has been said to have distinct concepts and manifestations of Islam politics compared to other Moslem regions in North Africa, Arab, as well as South Asia. Islam in South-East Asia has specific characters, for an example, Islam in this region is tolerant, moderate, and inclusive. Besides, Islam in this region is more culturally bounded and is not politics structural. This specialty is a product of a long sociological process. The heterogeneous socio-cultural traditions in this region produce local wisdom that makes Islam in this region adaptable to local demands and necessities. The history of the Islam politics

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in this region is also heterogeneous. Many changes in the possessors of the power of nations and kingdoms that also changed the position of Islam in the nation’s life always colored the history of Islamic Kingdoms in Nusantara. Take for an example, the position of Islam in the era of Demak Kingdom was different to the position of Islam in the following era, the era of the Pajang Kingdom and Mataram Kingdom. That is why a formalist approach to Islam politics did not become a collective memory and social imagine of the communities in Nusantara.

This condition made them felt easy to position Islam in the life of the nation. It was not strange that, though there was a serious dispute in the early phase of the Indonesian independence, the founders of the nation finally came up with a decision about the position of Islam in the life of the nation. Islam walked hand in hand with the concept of a nation state. A Western concept that based on equality of the people’s right. Thus Indonesia chose not to implement the concept of religious state that gives privilege to certain religion. This is the reason why Islam in Indonesia is known as tolerant, moderate, and inclusive.

This choice was actually based on the quest of benefits for the people. If we follow the disputes since the independence of Indonesia, the quest of benefits, not the arguments taken from nash, played the biggest portions of the dispute. Because in al-Qur’an or Hadits, we cannot find clear explanations about the concept and the form of Islam politics except those things that have connection to deepest meaning of the objectives of Islamic law.

The basic argument about the quest of benefit also became consideration in the dispute about the Jakarta Charter and formulation of Islamic law. For the supporters of “Politics of Islamic Identity” the argumentation taken from nash were not ones that related directly to the meaning of commands to implement things that they were aiming at. Eventually, they were also encouraged to use the quest of benefits for the people as the bolster of their arguments. Meanwhile, for those who disagree, including NU and Muhammadiyah, it was the quest of the benefits for the people that became the main reasoning for their arguments from the very beginning.43

Therefore, the political concept that is a product of ijtihad (Qutb and Maududi) must not be considered equal to al-Qur’an and al-Sunnah just to make it superior than other concepts. This is because the homogeneity of the forms will trap Moslem so that they are not able to seek for benefits for themselves. Thus, the dispute will be more useful when it is about the quest of benefits for the people and is not about forms and symbols, which are truly weak arguments in terms of nash. If the

Maududi's or Quthb's concept is more promising way to seek for people's benefit then everyone will be willing to implement the concept.

The dispute about the formalization of Islamic law, symbolism, and other kinds of politics of identity must be done by considering the benefits for the people. The extreme attachment to nash will lead to misinterpretation of the nash and finally makes the nash insignificant argument. It is better to perform ijtihad based on maslahah, which is absolutely one of the objectives of Islamic law.

That principle is the one put into practice by most people. In the issue about the implementation of Islamic law (syariat), most Moslems do not think that the implementation means the decision to promote Islamic law as the positive law in Indonesia. The implementation of Islamic law can still be done for the people's daily lives without making it the law of the nation. Because through formalization, the meaning of Islam as the total surrendering to Allah wholeheartedly will not be true anymore because all kinds of rituals are meaningful only if people intend to perform those ritual as expression of their being the creature of Allah, and not because they are afraid of sanctions and punishments from the state officials. The meaning of "iqamah daulah Islamiyyah" (the establishment of an Islamic state) or "tathbiq al-nidham al-Islamiy" (the enactment of Islamic system) are not always limited to the formalization as it is proposed by Maududian or Quthbian. The Islamization of the state or the system can also be done by modifying spirit, values, and substance without spending too much energy for the sake of identity. The form "nation state" with its system of democracy provides enough opportunities for making this nation Islam, in a sense that this nation protects the welfare of the people, including the non-Moslem people, so that their rights as citizen are satisfied. Take for an example, they are allowed to express freely their religions.
