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Growing *Shariatisation* in Indonesia: The Ulama Council of Indonesia (MUI) Moment?

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Former MUI Chairman Ma'ruf Amin is now the country's second in command, as vice president to Mr Joko Widodo. Photo: Taken in Jakarta on 23 October 2019 by Adek Berry, AFP.

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EXECUTIVE SUMMARY

- Under the Susilo Bambang Yudhoyono government (2004-2014), the MUI (Ulama Council of Indonesia) became more assertive in the public sphere than under Suharto's New Order. It issued numerous exclusivist fatwas (religious opinions) targeting religious minorities and wanted the state to oversee Islamic banking and finance.
- In 2016 and 2017, MUI leaders, especially its chairman Ma'ruf Amin, were involved in an active campaign that eventually led to Basuki Tjahaja Purnama's defeat in the Jakarta gubernatorial election. In the 2019 presidential election, Joko Widodo named Ma'ruf as his running mate and the pair eventually won.
- This article examines MUI's evolution from a state "lackey" to an organisation with significant influence. Between 1998 and 2018, MUI had not been able to exercise its influence on matters it most wanted: namely, halal certification, shariah banking, and shariah society. This was partly due to internal fragmentation.
- MUI today is, however, more homogenous, with conservatives filling up critical positions within it. The Indonesia Sharia Summit 2021 held recently bears testimony to the *shariatisation* project becoming mainstream in Indonesia today, and this is driven by business enterprises and growing middle-class Muslims. This paper examines whether this trend could be MUI's biggest window of opportunity to assert its influence.

INTRODUCTION

In 1975, Indonesia president Suharto formed the MUI (Ulama Council of Indonesia), envisioning it as a national body of Islamic scholars (ulama) that issued *fatwas* and recommendations (Islamic rulings and legal opinions).¹ However, the underlying political consideration for its formation was to appease conservative quarters angered by the government's secularising and developmental approach and the marginalising of Islam's public role. Suharto also wished to check the powers of the NU (Nahdlatul Ulama), then the most prominent Islamic political party. By forming MUI, Suharto wanted to create the impression that his regime was not anti-Islam. MUI's stature was not strong during its formative years. Had it not been for Hamka (Haji Abdul Malik Karim Amrullah), a prominent ulama, appointed as its first chairman, it would not have had any credibility. Several of its board members were political appointees and military men. Critics considered MUI a government "lackey" although it occasionally adopted dissenting views on the government, such as over the latter's family planning programme.

After the fall of the New Order in 1998, MUI became more assertive when pushing its conservative agenda. For instance, during its seventh congress in 2005, MUI restated its fatwas on the deviancy of the Ahmadiyah sect issued in 1980, causing many public relations problems for the Susilo Bambang Yudhoyono (SBY) government.² International human rights groups were critical of the SBY government for not doing enough to curtail MUI.³ MUI also did not counter the fatwa on Shi'a deviancy published by its East Jawa chapter, even though in 1984, MUI's position was for Indonesian Muslims (largely Sunnis) to be mindful of the differences between them and Shi'as. The MUI fatwa in 1984 fell short of declaring the Shi'as deviant.⁴ The East Jawa fatwa, however, fanned unnecessary tensions between the Sunnis and Shi'as in Sampang (East Jawa) and became the ideological basis for violent attacks on the minority Shi'as.⁵

In 2005, MUI issued the infamous SIPILIS fatwa, an acronym for anti-secularism, pluralism and liberalism. This was meant to inhibit differences of opinions on religious matters.⁶ MUI leaders' involvement in ousting Jakarta governor Basuki Tjahaja Purnama (Ahok) in 2017, and the elevation of its chairman Ma'ruf Amin as the country's vice president in 2019, were further manifestations of its renewed assertiveness.

But apart from issuing these controversial fatwas, MUI's lobbying behind the scenes for greater *shariatisation* has often escaped public scrutiny. Tracing its evolution from a relatively weak institution under Suharto to greater assertiveness during the SBY presidency, this article seeks to ascertain MUI's social and religious standing under the Joko Widodo (Jokowi) presidency (since 2014). In the past, MUI had witnessed internal power struggles and ideological competition even during the years of its perceived assertiveness, but the question is whether this remains the case today. Moreover, how does increasing *shariatisation* in Indonesia alter MUI's standing vis-à-vis other Islamic organisations? Does the increase in religious conservatism in Indonesia offer MUI its biggest window of opportunity to further assert its role in the public sphere?

This article argues that three factors help advance MUI's cause under the Jokowi presidency: Ma'ruf Amin's position as vice-president; the conservatives gaining a stronger foothold in the institution which also means more organisational unity; and rising middle class requesting for a *shariah*-compliant lifestyle. Still, MUI's public influence remains curtailed due to structural factors and inter-organisational rivalry. Clearly, rivalry within MUI mainly hinges on the contest between NU and Muhammadiyah members, although different political affiliations also contribute to its disunity. While MUI has been championing *shariatization* over the years, many other actors, including non-ulama and politicians, are jumping on the bandwagon to have a slice of the growing *sharia*-compliant industries such as Islamic banking and finance, halal certification, and *shariah* tourism.

MUI UNDER THE NEW ORDER: A STATE "LACKEY"

In the 1970s, Suharto wanted to reverse society's image that his regime was anti-Islam and secular. He needed a peak institution that could represent diverse Muslim voices and which would concurrently serve the regime's interest; MUI was to serve this purpose.⁷ The formation of MUI was also directed at weakening the influence then exerted by NU, the largest Islamic organisation in the country. Interestingly, while NU ulama were admitted as MUI members, a Muhammadiyah leader Hamka was offered to be its first chairman; Muhammadiyah is NU's rival. At the outset, NU's ideological differences with Muhammadiyah pivot on who represents the true Islam. NU represents traditionalist Islam that is more accepting of local practices such as visitations to graves of pious Muslims, the celebration of Prophet Muhammad's birthday (*maulid*), and communal prayers for the deceased (*tahlilan*); all these are frowned upon by the modernist-oriented Muhammadiyah.

While MUI was never part of the state apparatus, it received funding—or financial assistance—from the government. For that, observers considered it part of the New Order government. Some even labelled it Majelis "Ular" Indonesia replacing the term Ulama (religious scholars) with another "U" word, *ular* which means snakes. Two clear examples support this image of MUI being a state lackey: it supported the government's birth control programme; and allowed the raising of money through the national lottery scheme (Porkas). Many Muslims in the country objected to both.⁸ Other examples of MUI's controversial stances in agreeing with the state were its religious rulings on frog breeding, mechanical slaughtering of animals, and the permissibility of eating rabbit meat.

MUI critics, however, have tended to overlook the times it clashed with the Suharto regime. There were times when it issued fatwas not in line with the inclusive and secularist spirit of the New Order. For example, it declared the Ahmadiyah deviants despite the sect's century-old existence in the country. Similarly, it declared Shi'as as not representing mainstream Islam, urging Indonesian Muslims to be mindful of Sunni-Shi'a theological differences; however, the fatwa issued in the 1980s fell short of declaring Shi'as deviant. The MUI chairman also disallowed Muslims to wish Christians "Merry Christmas". Some have indeed argued that it was because of MUI's differences with the Suharto government that its chairman, Hamka, resigned.

LEADERSHIP DYNAMICS WITHIN MUI

MUI leaders often claim that the organisation is a “tenda besar” or big tent, the apex institution covering all Islamic organisations in Indonesia. In truth, the MUI of the 1990s and 2000s was run by “disgruntled” NU and Muhammadiyah leaders, plus some academics and independent ulama.

Interestingly, during the New Order period (1966-1998), NU only held the MUI chairmanship for three years; this was under Syukri Ghozali from 1981 to 1984. Suharto seemed more comfortable with Muhammadiyah leaders because he was personally more inclined towards modernism, and he saw NU as a bigger threat given its huge followership. Between 1984 and 1998, Hassan Basri, whose organisational affiliation was unclear, was the MUI chairman rather than an NU ulama. By contrast, after the fall of the New Order, Muhammadiyah only held the chairmanship for a year, and that was because chairman Sahal Mahfudz—also from NU—passed on in 2014, and Din Syamsuddin of Muhammadiyah—the vice chairman to Sahal—assumed the vacant position. The latter’s chairmanship lasted until 2015 and he was then replaced by Ma’ruf Amin, NU leader and politician who went on to become vice-president of Indonesia in 2019. Ma’ruf was replaced by another conservative NU leader Miftachul Akhyar in 2020. The presidents after Suharto were thus more comfortable with NU, and wanted to tap on the organisation’s huge following. With the fall of the New Order, NU’s fortunes clearly underwent a revival, after long being suppressed by the Suharto regime.

NU’s dominance in MUI in the post New Order period, however, does not fully explain the internal leadership dynamics within MUI. To understand this, one has to consider NU’s internal dynamics. NU too has always been a fragmented organisation despite being primarily a traditionalist organisation. Interestingly, the NU leaders who participated in MUI were those from the conservative camp.⁹ Arguably, conservative NU leaders sought refuge in MUI to get away from the progressive NU faction led by former Indonesian president Abdurrahman Wahid (popularly known as Gus Dur) who was helming NU then. Under Gus Dur’s leadership, conservatives such as Ma’ruf Amin and Ichwan Sam were somewhat sidelined in NU; thus they carved out a space for themselves in MUI and focused their efforts there. Following Gus Dur’s passing in December 2009, NU became gradually dominated by the conservatives again. The only consolation was that the ‘Gus Durian’—the term used for those who followed his progressive ideology—continues to have their footing in NU. Those who continued to struggle for Gus Dur’s progressive outlook formed other platforms – these included The Wahid Institute, LKiS, and Fahmina. These organisations continue to struggle for pluralism.

GROWING MUI ASSERTIVENESS POST-NEW ORDER

The post-New Order era saw MUI becoming bolder and more assertive in flexing its influence. Some commentators have even suggested that MUI had contributed to Suharto’s resignation. It was reported that Ali Yafie, an NU-affiliated MUI chairman from 1998 to 2000, was one of nine national figures who requested Suharto’s resignation, a taboo subject then.¹⁰ There were of course many factors that led to Suharto’s resignation, but MUI leaders

have always cited this occasion to argue that the institution played a part in hastening the fall of the New Order regime.

After the New Order, MUI's priorities changed. It sought to enforce elements of *shariah* provisions into government legislations to secure its authority as the country's peak Islamic organisation vis-à-vis NU and Muhammadiyah. In 2001, tensions between MUI and the government surfaced regarding the *halalness* of the Japanese-brand food seasoning *ajinomoto*. There were allegations that it contained pork enzymes; pork consumption is forbidden in Islam. The tension was between two NU figures: Sahal Mahfudz— then the MUI chairman—and Gus Dur—then the Indonesian president. MUI called for the product to be withdrawn, while the Gus Dur government said Muslims could continue to consume it. The 2005 MUI congress demonstrated the shift of MUI's attitude from being merely the state's spokesperson to being an assertive organisation in its own right. Scholars argue that its fatwas against Ahmadiyah, Shi'as, and liberals coincided with Indonesian Muslims' growing conservatism. Incidentally, there were violent attacks against followers of the sects after these rulings were issued, and while MUI was not directly involved, many contend that it could have provided more leadership to prevent violence or calm the situation, which it failed to do. Some attackers had taken the cue from MUI fatwas to launch the attack. Other scholars say that president SBY became pliant to MUI's advice, for example when he named Ma'ruf Amin as one of his presidential council members.

While many have emphasised its political and religious role, MUI in fact has a more extensive project, namely, pushing for *shariatization* and securing its role in the halal certification process and Islamic banking and finance. This had its origins in the SBY presidency, and though partly driven by religion, is essentially about politics and capitalism. Any halal certification or advisory body can earn commissions or charge administrative fees from every licence issued or advice given. It can also compel businesses to shut if they do not meet the body's halal standards. MUI wants to monopolise this role.

Under the SBY presidency, MUI had repeatedly failed to alter rules and regulations in its favour. It made some inroads in the field of *shariah* banking and finance; for instance, banks wanting to adopt *shariah*-compliant instruments were required to appoint MUI members as advisors. As it is, they must be consulted on *shariah* matters or transactions, and in return, MUI will grant *shariah* certificates as endorsements. But MUI's attempt to replicate this arrangement on halal certification for food and medicines were unsuccessful, and they were weakened by direct competition with the Ministry of Religion (Kemenag). Halal certification is a lucrative business, and MUI's halal certification institution LPPOM-MUI is tasked to oversee it, and to issue halal certificates to firms who meet its criteria concerning slaughtering techniques and more. However, in 2014, State Law No 33/2014 was passed to ascertain that MUI's role is restricted to theological aspects of the certification process, which is the less lucrative part. Meanwhile, the religious ministry is the authoritative body that issues certificates and charges for these. The law kicked in in 2019.

MUI UNDER JOKOWI PRESIDENCY: CREEPING *SHARIATISATION*

MUI continued to request for more significant public role during the Jokowi presidency. The Jokowi presidency can be divided into his first term (2014-2019) and the current second term (2019 -present). I contend that there is an apparent difference between MUI and state relations between these two periods. During Jokowi's first term, the state initially tried to continue past policies of marginalising MUI or slowing down its demands. Consistent with the Suharto government, progressives were appointed as ministers of religion ahead of the conservatives. The appointment of Lukman Hakim Saifuddin in 2014 serves as a case in point.

The Aksi Bela Islam of 2016 and 2017, which sought to demand for Jakarta governor Basuki Tjahaja Purnama to apologise and resign for blasphemy, was the turning point. About 200,000 Muslims protested against the Christian, Chinese Jakarta governor for making offensive remarks against their faith. These were the largest gathering after the *Reformasi* which toppled Suharto in 1998, reminding President Jokowi of the need to appeal to conservatives. MUI was not directly involved with these 212 movements, but the movement's leaders cleverly used MUI's fatwa to claim legitimacy, arguing that the movement's objective was to defend the MUI fatwa (GNPF-MUI). Moreover, Ma'ruf Amin, then MUI chairman, and Bachtiar Nasir, a MUI Board member, became the key symbols in rallying the protesters.¹¹ In one of the rallies, Jokowi appeared and shared the same stage with the rally leaders. Later, Ma'ruf was also named as a key witness during Ahok's trial, and the former Jakarta governor was subsequently jailed. Among the conservatives, the role of MUI leaders in the protests boosted the organization's image as the "defender of Islam". This also signalled to the political elites that MUI was a force to be reckoned with.

Suffering from the "black campaign" during the 2014 election and being surprised by the scale of the 212 movements, Jokowi had to battle the 2019 election against Prabowo Subianto and Sandiaga Uno who campaigned using religion. This left Jokowi with little choice but to consider a Muslim figure to win over the Muslim voters. But instead of naming progressives like Mahfud MD, the former constitutional court judge, as his running mate, Jokowi settled for Ma'ruf Amin instead. This indirectly placed MUI in the highest political order since its formation in 1975.

Internally, MUI under the current Jokowi presidency remains under the control of the conservatives. Those who reigned under Ma'ruf's chairmanship continue to helm the institution. There had been aspirations early on that the Jokowi presidency would provide opportunity for young progressive voices in Indonesia to take over the helm in MUI. However, young scholars who were initially rumoured to be possible leaders in MUI were not elected to the institution. This means that MUI will remain a conservative institution. MUI's general passivity in tackling attacks against minorities in East Kalimantan recently indicates that its stance has not changed since the 2005 fatwa. MUI vice president Anwar Abbas even said MUI must not be pressured to alter its fatwas against Ahmadiyah, and instead blamed the Ahmadiyahs for provoking the mainstream Muslim community.

Jokowi's only instrument for controlling the conservatives is through the minister of religion appointment. The minister holds the key to financial resources and can tweak policies that undermine MUI's authority. In 2019, Jokowi appointed a military figure Fachrul Razi as the minister of religion. The president justified the appointment of an army general to the post as necessary to quell radicalism, but he was also likely seeking to sideline the religious figures from repeating the 2016 and 2017 mass mobilisation. Fachrul's appointment lasted only slightly more than a year, however, and in December 2020, he was replaced by an NU and PKB politician Yaqut Cholil Qoumas. There is little discussion why Yaqut was selected and how much Ma'ruf had a say in this appointment. For the record, Ma'ruf is currently NU's supreme leader, but he too has a history in the formation of PKB. However, some argue that Jokowi himself has a strong liking for PKB.¹²

CONCLUSION: THE MUI MOMENT IN A CONSERVATIVE ENVIRONMENT

The current push for greater *shariatization* in Indonesian society serves MUI's push to assert its authority. *Shariatization* has become so mainstream that it has now been promoted by non-ulama, politicians and the business community. They have shown strong interest to boost the banking, finance and tourism sectors in the halal market. Numerous platforms have been created in Indonesia to promote shariah economics and finance. Jokowi too realises the potential of *shariatization*. In a recent interview, he remarked:

"The halal market has global potential. As the largest Muslim majority country, Indonesia must not only be a consumer. We have the potential to be a supplier for the global halal market. That is why we are now preparing infrastructure to support our entry, including by setting up a bank for funding and capacity building for halal products."¹³

MUI aspires to be the leading organisation providing theological opinions on halal consumption since it has a long history fronting *shariatization*. Today, Ma'ruf Amin is deemed to be the spokesperson on Islamic banking, finance and tourism. He currently chairs the Masyarakat Ekonomi Syariah (MES) or Shariah Economy Society, and its prominent members include Puan Maharani (Megawati's daughter and chair of MPR or People's Consultative Assembly) and current MUI chairman Miftachul Akhyar.¹⁴ In 2001, the MES was established to grow the sector, encouraging the existing finance and banking sector to implement Syariah principles.¹⁵ Other indicators of the sector emerging is the growth of Bank Syariah Indonesia (BSI). In February 2021, three Syariah banks merged with BSI to make it more competitive at the global level.¹⁶ On 22 and 23 September 2021, Ma'ruf was invited to deliver the keynote address for the Indonesia Sharia Summit 2021 entitled *Kemaslahatan Untuk Bangkit Bersama* (Wellbeing to Raising Again Together). The event was organised by the Metro Media Group Network. The project also included shariah banking practitioners, as well as social media influencers.¹⁷ These examples show MUI's and Ma'ruf's strategy to assert influence in Indonesian society beyond his vice-presidency.

¹ Fatwa-making in Indonesia is decentralized and Islamic institutions in the country have their fatwa-making bodies. Religious rulings issued by these bodies apply to their members. One should note, nonetheless, that in Islam, fatwas are legally non-binding.

² Sekretariat Majelis Ulama Indonesia, *Himpunan Fatwa: Majelis Ulama Indonesia Sejak 1975* (Edisi Terbaru) p.109-121.

³ Andras Harsono, "Indonesia's Ahmadiyah Push Back Against Discriminatory Laws," Human Rights Watch, <https://www.hrw.org/news/2017/06/23/indonesias-ahmadiyah-push-back-against-discriminatory-laws>

⁴ Ibid, p.55.

⁵ Aan Suryana, *The State and Religious Violence in Indonesia: Minority Faiths and Vigilantism*, (London and New York: Routledge, 2020).

⁶ Sekretariat Majelis Ulama Indonesia, *Himpunan Fatwa: Majelis Ulama Indonesia Sejak 1975*, pp.95-103.

⁷ M Atho' Mudzhar, *Fatwas of the Council of Indonesia Ulama: A Study of Islamic Legal Thought in Indonesia 1975-1988*. (Jakarta: Indonesia Netherlands Cooperation in Islamic Studies, 1993), 53. The strategy was in line with his method of streamlining political parties too. In 1973, the president streamlined the country's political party structure into three groups: mass-based party (Golkar), Islamic-based party (PPP) and nationalist (PDI). The PPP (United Development Party) also included NU which was then a political party.

⁸ Bramantyo, P. Indonesia: Ban on MUI? *AsiaViews*. 2 February 2009.

⁹ In other words, they can be referred to as the conservative traditionalists, and their opponents as the modernist traditionalists.

¹⁰ Syafiq Hasyim, "Indonesia's MUI Today: Truly Moderate or Merely Pragmatic," ISEAS: Perspective, <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/iseas-perspective-2020-3-indonesias-mui-today-truly-moderate-or-merely-pragmatic-by-syafiq-hasyim/>

¹¹ Syafiq Hasyim, "Indonesia's MUI Today: Truly Moderate or Merely Pragmatic," ISEAS: Perspective, <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/iseas-perspective-2020-3-indonesias-mui-today-truly-moderate-or-merely-pragmatic-by-syafiq-hasyim/>

¹² Budiarti Utami Putri, "Yaquut Cholil Qoumas Jadi Menag, PKB: Itu kecintaan Pak Jokowi Pada Kami," *Tempo.co*, 22 December 2020, <https://nasional.tempo.co/read/1416818/yaquut-cholil-qoumas-jadi-menag-pkb-itu-kecintaan-pak-jokowi-pada-kami>

¹³ Kishore Mahbubani, "Jokowi on transforming Indonesia: Fulfilling the people's mandate," *The Straits Times*, 9 October 2021.

¹⁴ In 1991, Bank Muamalat was formed, and this was followed by other institutions. The sector remained dormant when first mooted, as a result of President Suharto's ambivalent attitude towards Islamic revivalism.

¹⁵ Masyarakat Ekonomi Syariah Website, <https://www.ekonomisyariah.org/tentang-kami/profil-organisasi/>

¹⁶ Bank Syariah Indonesia Website, <https://www.bankbsi.co.id/company-information/tentang-kami>

¹⁷ The Minister of Tourism and Creative Economy Sandiaga Uno also delivered a speech endorsing the project during the conference. This was consistent with his earlier call, when he urged Indonesian youths to take advantage of the sharia economics which has grown from 5.72 per cent since 2019. These are related to halal food, fashion, agriculture. He added that the sharia economy is identified with CHSE (cleanliness, health, safety and Environmental sustainability). See *Antaranews*, "Menparekraf ajak anak muda kembangkan ekonomi Syariah," 13 July 2021.

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