STUDIA ISLAMIKA

INDONESIAN JOURNAL FOR ISLAMIC STUDIES

Volume 26, Number 2, 2019

Bureaucratizing Sharia in Modern Indonesia: The Case of *Zakat*, *Waqf* and Family Law

Asep Saepudin Jahar

Qur'anic Exegesis for Commoners: A Thematic Sketch of Non-Academic *Tafsīr* Works in Indonesia

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Saiful Mujani

ISSN: 0215-0492 E-ISSN: 2355-6145

STUDIA ISLAMIKA

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Indonesian Journal for Islamic Studies

Vol. 26, no. 2, 2019

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STUDIA ISLAMIKA has been accredited by The Ministry of Research, Technology, and Higher Education, Republic of Indonesia as an academic journal (Decree No. 32a/E/KPT/2017).

STUDIA ISLAMIKA has become a CrossRef Member since year 2014. Therefore, all articles published by STUDIA ISLAMIKA will have unique Digital Object Identifier (DOI) number.

STUDIA ISLAMIKA is indexed in Scopus since 30 May 2015.

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STUDIA ISLAMIKA, Gedung Pusat Pengkajian
Islam dan Masyarakat (PPIM) UIN Jakarta,
Jl. Kertamukti No. 5, Pisangan Barat, Cirendeu,
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Phone: (62-21) 7423543, 7499272, Fax: (62-21) 7408633;
E-mail: studia.islamika@uinjkt.ac.id
Website: http://journal.uinjkt.ac.id/index.php/studia-islamika

Annual subscription rates from outside Indonesia, institution: US$ 75,00 and the cost of a single copy is US$ 25,00; individual: US$ 50,00 and the cost of a single copy is US$ 20,00. Rates do not include international postage and handling.

Please make all payment through bank transfer to: **PPIM, Bank Mandiri KCP Tangerang Graha Karnos, Indonesia,** account No. **101-00-0514550-1 (USD), Swift Code: bmriidja**

Harga berlangganan di Indonesia untuk satu tahun, lembaga: Rp. 150.000,-, harga satu edisi Rp. 50.000,-; individu: Rp. 100.000,-, harga satu edisi Rp. 40.000,-. Harga belum termasuk ongkos kirim.

Pembayaran melalui **PPIM, Bank Mandiri KCP Tangerang Graha Karnos, No. Rek: 128-00-0105080-3**

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State, Religious Education, and Prevention of Violent Extremism in Southeast Asia

Abdallah

In the last two decades, violent extremism has become the center of attention for the world. The 9/11 attack in New York which devastated the World Trade Center (WTC) twin towers were a "big bang" for the violence phenomena triggered by the existence of radical religious ideas. The tragedy carried out by the al-Qaeda extremist group triggered tension in many countries which at some level it gave birth to the symptoms of a so-called called "Islamophobia"—a religious perspective that sees Islam as the estuary of violence. That dark event, then, has signaled a new chapter in the portrait of global diversity.

Since then, violent extremism phenomena have been increasingly affecting the Southeast Asian region. Bali Bombing I (2002), Bali Bombing II (2005), attacks on the Ahmadiya group in Cikeusik, Banten (2011), Sunni conflicts with Shia community in Sampang, Madura (2013), burning of churches in Singkil, Aceh and burning of mosques in Tolikara, Papua (2015), the bombing on Thamrin Street, Jakarta (2016) and the suicide bombings in three churches in Surabaya (2018) have shown us that violent extremism was a bitter

 DOI: 10.15408/sdi.v26i2.12204

experience for Indonesia. This gives a gloomy representation for the essence of religious understanding that rests on the idea of *raḥmatan li al-'ālamīn*—becoming a blessing for the entire universe. Also, the phenomena have alarmed us to be cautious and worry about threats on Indonesianism that upholds diversity.

In addition to Indonesia's cases, violent extremism is also found in other Southeast Asian regions. For instance, there have been incidents of Marawi's attacks on the Southern Philippines (2017), the involvement of Universiti Teknologi Malaysia (UTM) students in a jihad action against the Thai military armies (2009), and the alleged Jemaah Islamiyah (JI) terrorist relationship with Singapore (2001) (Samuel, 2018; Chan, 1971; Nisa, 2019). At this point, Southeast Asia is a fertile ground for birth, growth and development of violent extremism and horizontal conflicts related to majority-minority nexus.

A number of studies have shown that violent extremism which relies on radical religious ideas has even penetrated educated youngster cohorts. Students (both secondary and university students) are exposed to the notion of intolerance and radicalism: around 58% of them have radical opinions, 51.1% have intolerance opinions for Muslim internal circles, and 34.4% have intolerance opinion for external Muslim groups (PPIM, 2017). Furthermore, 60% of activists from Islamic Clergy (*Rohis*) stated that they were willing to do jihad, going into war zones like in Syria, 10% of them supported bomb attacks at Jakarta's Thamrin Street, and 6% gave support to Islamic State in Iraq and Syria (ISIS) (Wahid Institute, 2016). This indicates that extracurricular activities have become a vehicle to spread radical religious ideas (Maarif, 2018).

Similar things were also found in Malaysia where 11% of Malaysians had a positive view of the ISIS extremist movement (Global Attitude, 2015) and 42% of Malaysian students sympathized with ISIS (MYRISS, 2017). On a broader scale, supports for ISIS have spred to other Southeast Asian countries as depicted in the support of the Philippine and Thailand citizens at 5.2% and 2.4% respectively (MCM, 2017 and 2018).

At the same time, religious extremism has infiltrated deeply through educational instruments. For example, religious textbooks taught in schools have presented exclusive religious ideas (PPIM, 2016), Islamic literature leading to the concept of khilafah has been consumed by young people (SPs UIN Sunan Kalijaga, 2017), and extracurricular

organizations have become a means for teaching a conservative religious understanding (CSRC, 2017).

At this level, education—more specifically, religious education—has become a propaganda tool for extremist groups through curriculum and textbooks. Textbooks and curriculum play pivotal roles in education. Through these two educational instruments, extremist groups demonstrate exclusive and radical religious narratives. Textbooks have been a battle ground for the struggle of various groups, including Muslim groups, to have their influences. All groups have competed for influence to try to affect the orientation of education with their respective ideologies (Apple, 2000). The struggle for influence often triggers tension between one group and another and is prone to conflict. In the Indonesian context which is naturally multicultural in terms of ethnicity, ethnicity and religion, the national education curriculum should be formulated by involving all groups and arranged in an inclusive, deliberative and dialogic manner (Gutman, 1987).

Through religious education, the state should have an important role in preventing violent extremism narratives by inculcating citizenship values that are based on religious understanding that is inclusive and upholdin g humanity values. Extremist groups inject violence ideas using re l igious legitimacy because they are able to present political authority and have a strong influence. Therefore, religious education must provide inclusive religious teaching as a counter narrative (Limba, 2017; Nisa, 2019).

Violent extremism cannot be seen as a simple matter and its solution requires a holistic approach by examining the role of the state and civil society. Some questions are worth considering: *To what extent have state policies regulated religious affairs? How have these impacted religious educatio n? What roles does civil society play in religious education? Does religious education have resilience or vulnerable to violent extremism?*

Addressing the above context, in 2018, Pusat Pengkajian Islam dan Masyarakat, the Center for the Study of Islam and Society, of the Syarif Hidayatullah State Islamic University Jakarta (PPIM UIN Jakarta) conducted studies on a regional scale related to government policies on religious education in six different countries in Southeast Asia; they were Indonesia, Malaysia, Singapore, Philippines, Thailand and Myanmar. This study focused on analyzing state policies on religious education in an effort to prevent violent extremism in the

 DOI: 10.15408/sdi.v26i2.12204

six countries. Furthermore, this study examined the implementation and interpretation of government policies on religious education in a particular school or region and identified some main actors (e.g. government, principals, and religious education teachers).

This study used a qualitative approach by utilizing data collection methods related to document review of policies and religious education textbooks. Researchers in each country collected documents related to government policy for religion by reviewing 1) the federal state constitution and the status of religion in the country, 2) laws surrounding religious affairs such as religious freedom, and 3) religious education administration and books in schools. Furthermore, this research investigated religious education policies in schools, whether they only benefited a particular religion and ignored the others, whether they provided proportional space to all religions, and whether religious education emphasized tolerance for different religions.

The study also examined student textbooks in schools with the emphasize on three types of schools: public schools, schools based on minority beliefs, and schools based on majority beliefs. In addition, whether religious education played a role in preventing violent extremism and whether religious education presented a policy providing space for dialogue and instilling values of tolerance and equality and freedom. In addition to conducting in-depth interviews, this research also explored some important information by conducting a Focus Group Discussion (FGD) involving policy makers, civil society organizations, religious leaders, principals and academics. Then, the findings of the study produced three critical issues:

The Relation of State and Religion

Relations between state and religion in these six plural Southeast Asian countries emphasize that the formation and defense of shared national identity are a challenging task. In the case of Malaysia, Islam is the official religion in the country. Thus, Islamic groups in the constitution have a special position compared to non-Islamic groups. Non-Islamic groups are protected under the constitution of religious freedom which allows them to practice their respective beliefs and are given the right to manage their own religious affairs such as building places of worship. In Thailand context, the identity inherent in the Thai King and Buddha is reflected in the constitution. At this point, being

Thai is the same as submission to Buddhism, King and Theravada. Buddhist themes and figures are embedded in Thailand's constitution and regulations. The Thai government through the National Buddhist association sends letters to schools to hold Theravada rituals that are conducted regularly. At this level, those who are not part of the majority belief are always marginalized.

In the Indonesian context, religion seems not central than nationalism because the the constitution is not based on religion. However, the state supports and recognizes all religions (Islam, Catholicism, Protestantism, Hinduism, Buddhism and Confucianism) as the heritage of its citizens. However, in practice, Islam as the majority religion plays an important role in state policy which often leads to restrictions on non-Islamic religious people. For example, even though at school, students are provided textbooks which recognize six religions, in terms of rituals and celebrations, other religious groups are not accommodated by the school. This is very different from the Philippines where there is a separation of church and state which is the main ideology for the country. Though, Catholicism as a belief in the majority is given special privileges. Nevertheless, as a democratic country, the Philippine government gives authority to the Autonomous Region of Muslim Mindanao (ARMM) to manage and regulate education in Islamic-based schools.

In line with the Philippines, Singapore is a secular country that separates religion and politics. The Singapore Constitution does not recognize any religion because religion is placed as a private domain. However, in some cases, the state protects and facilitates other religious groups to develop such as facilitating houses of worship. In 1989, religious harmony became a moral foundation for the state to control and supervise religious groups in Singapore in carrying out their respective religions. While in Myanmar, as stated in its constitution, Buddhism is the majority religion, and the country also recognizes other religions. But in practice, Buddhism is given special privileges compared to other religions. This can be seen from several cases of abuse against minorities in that that tragedy has been indicated to be supported by the regime.

Practically speaking, there is a gap between what is written in the state constitution and the implementation in real life situations. When referring to the constitution, each country is committed to respecting the rights of citizens regardless of the background they belong. Several

 DOI: 10.15408/sdi.v26i2.12204

countries such as Malaysia, Myanmar and Thailand define ethnic groups with certain religious affiliations. The majority groups often treat minorities as 'the others' only because of ethnic or religious affiliations. This can be seen from some statements, such as "If you are Malay, it means you are Muslim," also "True Myanmar people must be Buddhists," "Thais are Buddhists" and so on.

Consequently, this results in privileges from the state to the majority group who enjoy more space in national life. This, in turn, gives birth to the practice of limitation, discrimination and even persecution of minorities. The minority, in this case, is often the target of public suspicion, discrimination and ill-treatment which, ironically, is supported by the state. Only in Singapore, a country that states that it adheres to the understanding of secularism, the state is neutral towards religion so that there are no discriminatory practices which are tolerated. In the Philippine context, even though they claim to be a secular state, they have difficulties in alienating Catholic priests from political dynamics.

State Relations and Religious Education

Religious education is implemented in various forms. In Indonesia, Malaysia, Singapore, Thailand and Myanmar, religious education is implemented in the forms of formal religious education in schools, the teaching of values, the teaching of norms and ethics. They are attached to school lessons other than religion. In the case of Indonesia, religious education is institutionalized through state policies to be enacted in schools. The state also provides space for every religious group. In its implementation, religious education varies according to the types of schools of either public, private, or religious-based institution. Indonesia gives authority to schools to manage their respective religious education. In Malaysia, the state requires Islamic religious education for Muslim students and requires non-Muslim students to take Moral Education.

In the Singapore context, government policy requires students to take citizenship education. For madrasas, the state oversees the curriculum around Islamic teaching materials. Whereas in the Philippines, religious education policies in the Philippines vary according to the majority religion in an area, whether it's a Catholic majority or a Muslim majority. In practice, religious education follows the majority religion. Religious education also provides space for each believer.

Furthermore, religious education in Thailand officially takes the form of teaching about religion (Social Studies, Religion and Culture). However, it is dominated by Theravada Buddhism, except for the Muslim majority schools. In fact, the Ministry of Education, in some cases, urged that the celebration of Theravada Buddhism must be a holiday at school. Unlike Thailand, religious education in Myanmar is not institutionalized in public schools. However, Buddhist rituals are generally carried out in public schools. Religious education is given specifically by schools that have declared themselves to be religious-based schools such as madrasas and monastic schools.

At this level, the relationship between the state and religious education seen in state treatment of the majority group is also reflected in national education and religious education policies. The study found that countries that embed religion with a national identity would provide more convenience for ethnic and religious majorities in a certain education system that often limits freedom of the minorities. In terms of national development, several countries in Southeast Asia have shown that they have not succeeded. This is indicated from the components of religious education which emphasize the aspect of unity rather than diversity. At a certain level, minority groups, both ethnic and religious, often have their own religious education taken care of.

Religious Education and Prevention of Violent Extremism

Although in the past few decades there has been an increase in the threat of violent extremism and, at a certain level, horizontal conflicts occurred in Southeast Asia, the study found that religious education has not played a role in preventing violent extremism (PVE). The efforts made by Singapore are that religious education must participate in promoting the PVE concept through Citizenship Education and Islamic education. Similar things are also seen in the Philippines where religious education is institutionalized through value education. However, PVE themes have not been integrated in the subjects.

In the Indonesian context, public schools provide religious teaching for recognized religions. Planting tolerance values through teaching is still superficial. For example, coexistence is taught but not practiced substantially. Teaching religious education is left to the school. At this point, private schools play a large role in religious education which to a certain extent is outside the supervision of the state. While in Malaysia,

religious education for Muslim students has not touched on concepts that are relevant to PVE. However, for non-Muslim students there is a moral education that is equated with Islamic education for Muslim students. This moral education includes values of tolerance and instills respect for others.

Interesting things were seen in Thailand where Muslim-dominated areas, especially in conflict areas, PVE themes such as peace and reconciliation were taught in Islamic-based schools. However, this study found that Buddhist schools still deal with Islamophobia. Important to note, PVE themes are not available at school. Similar things were also found in Myanmar where the concept of education and PVE was not in school. Students receive very little information about different beliefs, and therefore they do not understand the traditions and beliefs of other religions. Further implications for this are lack of awareness that often triggers conflict. This is because people see other religions as a threat.

In general, religious education still focuses on the aspect of piety/religiosity instilled in every young generation. This type of religious education has been criticized because it is still trapped in the conventional, lacking in openness, critical and independent attitude. It fails to form a generation that is ready to live in a multicultural and multi-religious society. Religious education still does not provide a space for dialogue involving various religions nor does it promote tolerance values such as the "Diversity Education" program in schools. The study also showed that the relationship between the state and religion of the majority in six Southeast Asian countries (both Islam, Buddhism, Catholicism and even secularism) with various applied religious education policies (both conventional, secular or multicultural) contributes to the emergence of problematic relations between majority groups and minority groups. However, it is important to note that Singapore, apart from being a secular state, can be a good practice for religious education policies in an effort to prevent violent extremism through moral education.

In the final session, this study was disseminated at a regional seminar entitled, "Nurturing Faith: State, Religious Education, and Prevention of Violent Extremism in Southeast Asia," in Jakarta. In this dissemination, there are relevant stakeholders from Indonesian government, a number of CSOs in Indonesia, representatives from ASEAN's six countries, PPIM partners, education practitioners and journalists. The event invited some scholars such as the prominent Indonesianist from Boston University, Prof. Robert W. Hefner, who was

appointed as the keynote speaker, Dr. Hew Wai Weng from Universiti Kebangsaan Malaysia, Dr. Mohammad Shamhuri bin Juhari from Lee Kwan Yew School of Public Policy, NUS, Singapore, Prof. Rito Baring from De la Salle, Manila, the Philippines, Dr. Kriya Langputeh from Fatoni University, Dr. Melissa Crouch from the University of New South Wales, Australia, and Prof. Dr. Drs. H. M. Sirozi, MA., From Raden Fatah State Islamic University, Palembang, Indonesia.

In his keynote speech, Hefner said that "Religious studies of CVE vary in Southeast Asia, because of their complexity and reflexivity; for example, not in all cases the majority agree with the system, but on the contrary, they rebel against it. CVE will be very effective by applying a broader perspective, relying on majority and minority religious groups, not always stuck in "traditional values," and also prioritizing structural performance that fully involves the religious community in state policy and administration."

This study produced a number of recommendations for future steps related to government policies for religious education and violent extremism. First, at the regional level, countries in Southeast Asia must promote the principle of inclusion as part of national identity, formulate legality protection for minorities. ASEAN countries must promote regional capacity development for their officials to fight violent extremism by strengthening moderate education through the development of national curricula and teacher training.

Second, at the state level, Indonesia must strengthen the resilience of extremist propaganda through public education that focuses on inclusive values, democracy and citizenship. The education system as a whole must revive a cooperative attitude so that every student and citizen can feel that they have a stake in society. Also, the government must use its authority to oversee religious education curricula in private schools and religious education in order to contribute to preventing violent extremism.

Third, at the community level, the education system as a whole must strive to minimize the cracks created in the community. Fourth, at the school level, education must have initiatives to teach anti-discrimination and acceptance of differences both culturally and religiously, and foster interaction between ethnicities and between religions.

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 DOI: 10.15408/sdi.v26i2.12204

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The journal invites scholars and experts working in all disciplines in the humanities and social sciences pertaining to Islam or Muslim societies. Articles should be original, research-based, unpublished and not under review for possible publication in other journals. All submitted papers are subject to review of the editors, editorial board, and blind reviewers. Submissions that violate our guidelines on formatting or length will be rejected without review.

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2. Booth, Anne. 1988. "Living Standards and the Distribution of Income in Colonial Indonesia: A Review of the Evidence." *Journal of Southeast Asian Studies* 19(2): 310–34.
3. Feener, Michael R., and Mark E. Cammack, eds. 2007. *Islamic Law in Contemporary Indonesia: Ideas and Institutions*. Cambridge: Islamic Legal Studies Program.
4. Wahid, Din. 2014. *Nurturing Salafi Manhaj: A Study of Salafi Pesantrens in Contemporary Indonesia*. PhD dissertation. Utrecht University.
5. Utriza, Ayang. 2008. "Mencari Model Kerukunan Antaragama." *Kompas*. March 19: 59.
6. Ms. *Undhang-Undhang Banten*, L.Or.5598, Leiden University.
7. Interview with K.H. Sahal Mahfudz, Kajen, Pati, June 11th, 2007.

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ستودي اسلاميكا

مجلة **إندونيسية** للدراسات الإسلامية

السنة السادسة والعشرون، العدد ٢، ٢٠١٩

تقليد نغونيا لمسلمي بيغايامان ببالي: تطبيق الشريعة الإسلامية في بلدة الهندوس

محمد عارف