

# STUDIA ISLAMIKA

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## Two *Fatwâs* on *Jihâd* against the Dutch Colonization in Indonesia: A Prosopographical Approach to the Study of *Fatwâ*

**Abstraksi:** *Ketika Revolusi Indonesia pada 1945 sedang berlangsung dan perang mempertahankan kemerdekaan berkecamuk di hampir semua kota penting di Jawa, Nahdlatul Ulama (NU) mengeluarkan fatwa tentang perlunya "berjihad" mempertahankan kedaulatan RI dari penjajahan Belanda. Karena basis massa NU yang kuat, pengaruh politik fatwa tersebut cukup luas.*

*Tak lama setelah fatwa diumumkan KH. Hasyim Asy'ari, Ketua Umum PBNU, pada 21-22 Oktober 1945, di Surabaya, ulama dan tokoh agama di Jawa bagian timur yang berada dalam jangkauan fatwa itu menyebarluaskan fatwa dan berhasil memobilisasi kekuatan tempur masyarakat Muslim. Perlawanan anti-Belanda meluas, kesadaran ideologis perlunya memerangi orang-orang kafir tertanam kuat, bahkan menunaikan ibadah haji pun diharamkan menggunakan kapal angkut milik Belanda. Fatwa ini kemudian dikukuhkan sebagai sikap politik NU secara nasional pada Muktamar NU ke-16 di Purwokerto pada 26-19 Maret 1946.*

*Secara singkat, fatwa jihad terdiri dari empat butir. Pertama, kemerdekaan Indonesia yang diproklamasikan pada 17 Agustus 1945 wajib dipertahankan. Kedua, pemerintah Republik Indonesia, sebagai pemerintahan yang sah, wajib dilindungi dan ditaati. Ketiga, kalangan Muslim,*

khususnya yang tergabung dalam NU, harus angkat senjata melawan Belanda dan sekutunya yang ingin menjajah kembali Indonesia. Keempat, kewajiban ini adalah salah satu bentuk jihad dan merupakan kewajiban setiap Muslim (fard 'ain) yang tinggal dalam radius 94 km dari tempat dikeluarkannya fatwa. Sedangkan yang berada di luar wilayah tersebut harus membantu saudara-saudaranya. Oleh karenanya, siapa saja yang meninggal dalam pertempuran ditetapkan sebagai syahid.

Diskusi timbul berkenaan dengan basis hukum yang mendasari fatwa, bila dilihat dari perspektif jurisprudensi Islam. Pimpinan NU menyadari, tiga isu utama fatwa—diwajibkannya perang, status syahid, dan diperbolehkannya membunuh musuh—merupakan tema polemik dalam pemikiran hukum. Menyadari persoalan ini, NU mendasarkan fatwa tentang jihad itu pada kitab-kitab fiqh yang umumnya diterima baik di kalangan Muslim tradisional.

Bagi orang yang mengikuti sepak terjang NU dalam berhadapan dengan pemerintah kolonial, dikeluarkannya fatwa jihad boleh jadi mengejutkan. Perilaku politik organisasi ini dikenal akomodatif terhadap pemerintah Hindia-Belanda. Pada akhir dasawarsa 1920an misalnya, NU pernah mengeluarkan fatwa tentang posisi pemerintah Belanda yang secara *de facto* dipandang sebagai pemerintahan yang sah, karena memberi kebebasan bagi Muslim untuk menjalankan kewajiban agamanya. Bahkan, mengikuti Sayyid Utsman, seorang ulama keturunan Arab Hadrami yang dikenal sangat dekat dengan pemerintah Belanda, NU pernah mengharamkan jihad melawan Belanda. Akan tetapi, melihat perubahan-perubahan politik menjelang tahun 1945, khususnya dengan masuknya Jepang dan diberinya kesempatan bagi NU untuk tampil sebagai kekuatan politik yang nyata, sikap politik NU di atas bisa dimengerti. Setidaknya, pendidikan militer yang diperoleh massa Muslim di desa-desa dan tumbuhnya rasa patriotisme mereka selama masa pendudukan Jepang turut mempengaruhi keluarnya fatwa yang menyokong gerakan perlawanan anti-Belanda.

Sebuah catatan yang patut dikedepankan adalah, bahwa sejarah revolusi fisik Indonesia jarang sekali menyinggung peran Islam dalam membentuk ideologi perlawanan. Pengaruh penting yang ditunjukkan fatwa jihad NU tersebut, yang kemudian didukung oleh meluasnya ideologi jihad dalam perang kemerdekaan, telah menyumbangkan lembaran penting dari sejarah yang terabaikan itu.

## فتويان عن الجهاد ضد الاستعمار الهولندي باندونيسيا: منهج البحث الجماعي في دراسة الفتاوى.

خلاصة: عندما قامت الثورة الاندونيسية سنة ١٩٤٥م واندلعت الحرب للدفاع عن استقلال البلاد وشملت جميع المدن الكبرى بجاوه تقريبا، أصدرت جمعية نهضة العلماء ((Nahdlatul Ulama (NU)) فتوى بوجوب الجهاد للدفاع عن سيادة الدولة الاندونيسية من الاستعمار الهولندي. ونظرا لتأصل نفوذ النهضة لدى الجمهور المسلمين كان لذلك الفتوى أثره البالغ والواسع أيضا، بل يقال إنه كان العنصر الحاسم في اشتراك المسلمين باندونيسيا في حرب الاستقلال.

فما ان أعلن الفتوى رئيس جمعية نهضة العلماء وهو الشيخ هاشم أشعري (KH. Hasyim Asy'ari)، في ٢١-٢٢ أكتوبر ١٩٤٥م من مدينة سورابايا (Surabaya) حتى نهض جميع العلماء والشيوخ في مناطق جاوه الشرقية - وهي المناطق التي استطاعت أن يصل إليها خبر الفتوى - ينشرونه وتمكنوا من تعبئة قوات حربية من المجتمع الاسلامي، وتوسع العداء ضد هولندا في الوقت الذي ترسخ فيه الايمان بوجوب محاربة الكفار، بل تم تحريم استعمال السفن الهولندية حتى ولو للسفر إلى الحجاز لأداء فريضة الحج. وفي المؤتمر القومي للجمعية المنعقد بفورويكيرتو (Purwokerto) في ٢٦ - ١٩ مارس ١٩٤٦م تم اعتبار الفتوى تعبيراً رسمياً للموقف السياسي للنهضة العلماء.

وهذا الفتوى عن الجهاد عبارة عن حكم شرعي يستند إلى حجج أربعة وهي: أولاً، أنه يجب الدفاع عن استقلال اندونيسيا المعلن عنه فى ١٧ أغسطس ١٩٤٥م؛ وثانياً، أن الحكومة الاندونيسية القائمة على الشرعية يجب حمايتها وطاعتها؛ وثالثاً، أن المسلمين وأعضاء جمعية نهضة العلماء بصفة أخص يجب أن يرفعوا السلاح أمام هولندا وحلفائها التى تريد أن تعود إلى استعمار اندونيسيا؛ رابعاً، أن هذا الواجب (الوطنى) يعد من أنواع الجهاد، وأنه فرض عين على كل من يقيم ويقطن الأقطار بمسافة ٩٤ كيلو متراً من مكان صدور الفتوى، بينما يجب على من يقطن خارجها أن يساعدوا اخوانهم، وعلى ذلك فكل من لقي حتفه فى الحرب فقد كتب له الشهادة.

وقد أثير جدل حول الأسس التى بنى عليها الفتوى، على الأقل من الناحية الأصولية، ولم يكن ليغيب عن زعماء نهضة العلماء أن العناصر التى وردت فى الفتوى - وهو وجوب الحرب، والموت شهيداً، وحواز قتل الأعداء - مثيرة للجدل، ولذلك فقد رجع فقهاء النهضة فى سبيل التأكيد على صحة الفتوى إلى الكتب الفقهية المعتمد عليها لدى أهل السنة، فاعتبار المسافة ٩٥ كيلو متراً على سبيل المثال يتمشى مع المسافة التى يشترط بها لقصر الصلاة، وهي مأخوذة من رأى شمس الدين الغزى.

وبالنسبة لمن يتابع مواقف نهضة العلماء من الحكومة الاستعمارية كان صدور الفتوى غريباً بعض الشيء، فقد عرف عن هذه الجمعية تسامحها مع الحكومة الهولندية، حيث ذهبت على سبيل المثال فى العشرينيات من هذا القرن إلى إصدار الفتوى بشرعية الحكومة الاستعمارية الهولندية لأنها سمحت للمسلمين أن يمارسوا حياتهم الدينية بحرية، بل طبقاً لما ذهب إليه

السيد عثمان وكان مقربا إلى الحكومة الهولندية أن نهضة العلماء كانت تحرم الجهاد ضد هولندا، على أنه نظرا للتطورات السياسية التي حدثت قبل حلول سنة ١٩٤٥م، وخاصة بدخول اليابان وإفساح المجال على أثره لنهضة العلماء أن تظهر كقوة سياسية لها مكانتها وأهميتها، يحق للمرء أن يتفهم مثل هذا الموقف، على الأقل كان للتدريبات العسكرية التي أخذ عنها جمهور المسلمين بخظ أوفر، أثرها في صدور الفتوى من أجل التشجيع على حركات المقاومة ضد هولندا.

والحقيقة التي تجدر ملاحظتها هي أن تاريخ الثورة الاندونيسية قلما يشير إلى الدور الإسلامي في تكوين الأسس العقديّة للمقاومة، ومن هنا كان لفتوى الجهاد الذي أصدرته نهضة العلماء أهميتها، فقد أسهم في نشر عقيدة الجهاد من أجل الاستقلال، حيث أثبت بذلك صفحة هامة من الأحداث كان التاريخ يتجاهلها أو يتغافل عنها.

### A. KH. Hasyim Asy'ari: Jihad is incumbent for every Indonesian Muslim.

**H**asyim Asy'ari was born in Nggedang, a small village in the north of Jombang, a small city in East Java, on February 14, 1871/Dhû al-Qa'da 24, 1287 H. His father was Kyai Asy'ari and his mother was Halimah.

His early life was spent in a religious atmosphere. He was educated in his very early years by his grand father, Kyai Usman the head of *pesantren* (traditional Islamic boarding school) Nggedang until 1292/1876. After that he was personally educated by his father, Kyai Asy'ari, because at that time his father moved to Keras, a small village in South Jombang to found a new *pesantren*. From his father he learned basic religious knowledge. Finally he mastered all traditional Islamic books, known in Indonesia as *Kitab Kuning* (*al-kutub al-safra*), both small books (*al-kutub al-mabsûtat*) and average books (*al-kutub al-mutawassitah*), available in his father's *pesantren* and could teach them to his father's students (*santri*) when he was thirteen years of age.<sup>1</sup>

After studying for nine years under the supervision of his father, he began to travel from one *pesantren* to another. It was a tradition among Indonesian Islamic scholarship to be a travelling student (*santri musafir*) before becoming a religious dignitary (*kyai*). He went to Pesantren Wonokoyo which was located in Jombang and studied there for a short time. After that he studied in many *pesantrens* such as, pesantren Probolinggo, Pesantren Langitan in Babad, and Pesantren Trenggilis, as well as some *pesantrens* on Madura Island. However, those pesantrens could not satisfy his thirst for seeking knowledge, until he found a famous pesantren in Sidoarjo, namely Pondok Pesantren Siwalan Panji. From 1307/1308 or 1891/1892 he devoted himself as a student under the supervision of Kyai Ya'qub, the Kyai of that pesantren. Finally he was asked to marry the daughter of his master, Khadijah whom he married in 1308/1892.

In Javanese cosmology, the sacred place which was considered as a match point in which the microcosmic and macrocosmic worlds met has played a significant role. The place like a saint's tomb, jungle, and cave were devotedly visited not only for ritual worship but also for obtaining political legitimacy revealed from a supernatural power. In Javanese this political legitimacy was frequently called *wahyu* (revelation). When Islam came to Indonesia, Mecca as well as Medina became the central sacred place for Javanese principalities and the



source of their political legitimacy, Mecca was the city where the prophet was born and the holy Ka'bah located. And Medina was the city where he and his companions built the Islamic community and where he was buried. Those two places came to occupy the central point in Islamic tradition and they have been called the two holy places (*al-haramayn*). As a source of spiritual knowledge (*ngelmu*), since the seventeenth century, Mecca and Medina became the two main destinations for those who wanted to seek religious knowledge, especially for Indonesian Muslims. A claim of competence and superiority of achievement of religious knowledge was often associated with those two cities. There were scattered legends in Indonesian literature related to those two places as to both political legitimation and the high degree of knowledge.<sup>2</sup> Due to a combination of those two cities' decency and the obligation of achieving knowledge, the knowledge which was attributed to those cities was appreciated higher than those of other cities.<sup>3</sup> In the last part of the nineteenth century, moreover, it was public opinion that he who had not experienced living and studying in Mecca or Medina was not a legitimate transmitter of religious knowledge. Due to that, he had no authority (*ijâzah*) to teach any religious knowledge. Inevitably, Indonesian Muslims regarded a *kyai* who had learned directly from Meccan scholars as having a higher degree of scholarship and they would honor and respect him more than others.

Mecca, at that moment was regarded by Indonesian Muslims as a center of Islamic knowledge and teaching, offering a reliable chain of transmission of religious knowledge. Hasyim Asy'ari believed that Mecca was the only place where he could satisfy his eagerness for Islamic knowledge. He went on a pilgrimage to Mecca in 1892, and did not directly return to Indonesia but studied in Mecca (1892-1893). When his wife passed away in Mecca, however, he returned to Indonesia, then went to Mecca again for the same reason and stayed for a second time (1893-1899).

During his second stay for studying in Mecca, he was a student of three religious scholars, Ahmad Khatîb al-Minangkabawî, Imâm Nawâwî al-Bantânî and Mahtûz al-Tirmâsî. From Mahtûz al-Tirmâsî, who was the twenty third chain of *Sahih* Bukhari's masters, he got a licence (*ijâzah*) to teach *Sahih* Bukhârî.<sup>4</sup> When he founded Pondok Pesantren Tebuireng on Rabî al-Awwal 26, 1317/1899, his *pesantren* became well-known in teaching the Prophet's traditions.<sup>5</sup>

His role in Indonesian history can be easily found in many docu-

ments, Pondok Pesantren Tebuireng which he founded in 1317/1899, was considered by the Japanese authorities as one of the centers in which many religious dignitaries in Java were educated. The Japanese authority counted more than twenty thousand religious dignitaries who had been trained in Pondok Pesantren Tebuireng. On 16 Rajab 1344/31 January 1926, together with KH. Wahab Hasbullah, he founded a socio-religious organization, namely Nahdlatul Ulama (NU)<sup>6</sup> and was elected as Ra'is Akbar (the President). When Indonesian Muslim founded the Masjumi (Majlis Syura Muslimin Indonesia, The Indonesian Muslim Consultative League) as the result of Indonesian Islamic Congress in Jogjakarta on 7-8 November 1945, he was appointed as head of Board of Consultation (Rais Syuriah) for the 1945-1949 period.<sup>7</sup>

In addition to that, his biography is inseparable from the development of the Nahdlatul Ulama of which he was president until his death on 7 Ramadan 1366/25 July 1947. This can be seen in many works of scholars such as, Heru Sukardi, Zamahsyari Dhofir, Choirul Anam, Makhrus Irsyam, and A. Khumaidi Syamsuddin. He was well-known by the adherents of Nahdlatul Ulama as *Hadrat al-Shaykh* (the honourable master). He was, moreover, honored as a national hero (*pahlawan nasional*) by Presidential Decree no. 294 dated November 17, 1964.<sup>8</sup>

His religious attitude can be explained from two sides. Firstly, *al-Qânûn al-Asâsi* (the Principle Law) of Nahdlatul Ulama which was written by him, elucidated that the aim of this religious organization that insisted on upholding the opinions of the founders of Islamic Law (Imâm Muhammad b. Idrîs Al-Shâfi'î, Imâm Mâlik b. Anas, Imâm Abû Hanîfah, and Imâm Ahmad b. Hanbal). Due to that, this organization would select religious books in order to investigate whether they belonged to the People of Tradition and Community (*Ahl al-Sunnah wa al-Jamâ'ah*) or not, before studying them.<sup>9</sup> This religious attitude, finally, was affirmed as a religious orientation of Nahdlatul Ulama in its twentieth congress in Semarang 1979.<sup>10</sup> However, it should not necessarily be assumed that the term of "the People of the Tradition and Community", *Ahl al-Sunnah wa al-Jamâ'ah*, which was elucidated in the Basic Constitution of NU of 1979 had a similar meaning for KH. Hasyim Asy'ari.

A second explanation of his religious thought can be historically traced from the early days of formation of Nahdlatul Ulama. By Ibn Saud's reign in Saudi Arabia in 1925, the Wahhâbî movement had a

firm influence over religious life of the Muslims in Saudi Arabia.<sup>11</sup> According to Wahab Hasbullah, at that time, the situation was not favorable for those who adhered to the four schools of Islamic law. As a reaction to that situation, together with KH. Hasyim Asy'ari he founded the Hijaz Committee. The Committee, which was an embryo of Nahdlatul Ulama, planned to submit an objection to the policy of the King of Hijaz and Nejd, Abd al-'Azîz b. Abd al-Rahmân al-Sa'ûd, who wanted to minimize the activities of those who belonged to the people of the four schools of Islamic law. At the same time, the nature of the Indonesian Islamic movement was colored by modernist Islam. Traditionalist Islam became more marginalized and had only limited influence. The modernist movements which came into appearance before the traditionalist one were: Sarekat Islam (10 September 1912), Muhammadiyah (18 November 1912/8 Dhû al-Hijjah 1330), Jamiyyat al-Islâm wa al-Irshâd (1913, receiving legal recognition on 11 August 1915), and Persatuan Islam (early 1920). The competition between traditionalist and modernist Islam is elucidated in the works of Deliar Noer,<sup>12</sup> Alfian,<sup>13</sup> and Ricklefs.<sup>14</sup>

His political attitude towards both Dutch and Japanese colonialism in Indonesia was non-cooperative. The popularity of Pesantren Tebuireng prompted the colonial government to try to put KH. Hasyim Asy'ari under its influence. However, it never succeeded. When the government tried to give a donation to the pesantren, he refused it firmly. In 1913, he was arrested by the government in connection with his student who was accused of murder. Later, he was freed for lack of evidence. While the Dutch government regulated the "Goeroe Ordonantie" in 1925, al-Majlis al-Islâm al-A'lâ al-Indûnîsî (The Supreme Indonesian Islamic League, MIAI) in 1939, proposed that the government abrogate it. At that time Nahdlatul Ulama was a member of MIAI. In 1916, the Netherlands East Indies' government established the pseudo Indonesian Parliament, *Volksraad*, and opened the assembly in 1918.<sup>15</sup> Nahdlatul Ulama, however, refused to be a member.<sup>16</sup> When the colonial government declared the country in a state of emergency in 1940, and the "Bumiputra Militie Ordonantie" was to be proposed in the *Volksraad*, he called Abdul Wahab Hasbullah, Mahfudz Siddiq, Bisri Syamsuri and Abdul Wahib Hasyim for a meeting. They agreed to prohibit Indonesian Muslims from participating in the military service. They prohibited blood transfusion from Indonesians to the Dutch troops and demanded the right to have Indonesian Parliament.

The plain pronouncement of his political attitude towards the colonial reign was shown by his famous *fatwâ* on the religious necessity on defending Indonesian Independence and *jihâd* against the Dutch Army, and this becomes our main discussion in the following pages.

### The Translation of the Summary of the Fatwâ<sup>17</sup>

*The Religious Dignitaries have decided upon the Statute of Fighting*

Thirty religious dignitaries of Djogjakarta came together under the management of KH. Fadil and KH. Amir at a small mosque of Notopradjan and declared:

1. To agree to the *fatwâ* of KH. Hasyim Asy'ari which is summarized as follows:
  - a. The statute which calls for fighting against infidels who obstruct our independence is an individual obligation (*fard 'ayn*) for every Muslim who has the ability even if he is poor.
  - b. The statute which says anyone who dies in the way of fighting against the NICA and its allies is a martyr.
  - c. The statute which says whoever divides our unity is liable to be killed. Regarding that *fatwâ*, the religious dignitaries are always ready to fight to the utmost of their strength in order to defend religion and independence.
2. Related to religious practices.
  - a. All the Muslim community is called upon to engage in a prayer for a specific wish (*salât al-hâjah*) asking for the salvation of God, Allah the All Mighty, and the continuity of independence.
  - c. To augment fasting, during fasting (before breaking it), also to augment *istighfâr* (asking forgiveness) and prayers (*al-du'â*) (to ask religious dignitaries concerning with *istighfâr* and prayers).
  - d. To augment reading the Holy Qur'ân (especially *sûrah al-Baqarah*<sup>18</sup> or *Alam Nasrah*,<sup>19</sup> or *Alam Tara*.<sup>20</sup>

### Its Controversy either as an Oral or Written Document and Date of Issuance

An important *fatwâ* has been issued by KH. Hasyim Asy'ari concerning religious necessity of fighting against the Dutch military aggression during Indonesian independence. This *fatwâ* has been frequently cited by, at least, three groups of writers of Indonesian history: the historians of Nahdlatul Ulama, the historians of Indonesia's religious dignitaries and the historians of the Indonesian Revolution.

They never mention its date, however. Moreover, they do not mention its content. The only information they give is that KH. Hasyim Asy'ari had issued a *fatwā* which obligated every Muslim to defend Indonesian independence and fight against the Dutch Army which was trying to reestablish its power in Indonesia.

There are two possibilities in this case. The historians who mentioned the case either referred to the oral tradition or they used the same source which had mentioned the *fatwā*. The historians who mentioned that KH. Hasyim Asy'ari had issued that *fatwā* never revealed their sources. When they mentioned the source they used, they referred to the same source, namely the work of Saifuddin Zuhri entitled *Guruku Orang Pesantren* (My Teachers are the People of Pesantren).<sup>21</sup> Saifuddin Zuhri himself did not mention his source.

There have been two young scholars of Nahdlatul Ulama who seriously studied the Nahdlatul Ulama Organization. The first was Choirul Anam and the other was Ali Haidar.<sup>22</sup> However, both of them failed to mention that the founder of the organization had issued the *fatwā* concerning the necessity of fighting against the Dutch Army and defending Indonesian Independence. They only mentioned the Jihad Resolution, issued by Nahdlatul Ulama on October 22, 1945 in Surabaya.<sup>23</sup>

Among the people of Nahdlatul Ulama, there are two different opinions about the existence of the *fatwā*. Some of them argue that *Hadratus Shaykh* orally issued the *fatwa*,<sup>24</sup> whereas the others insist that he issued it in a simple written document.<sup>25</sup> However, they did not have enough information to trace it.

There is much historical evidence which ascertains the existence of the *fatwā* as a written document. First, during an interview with him in Pondok Pesantren Tebu Ireng Jombang Indonesia, KH. Yusuf Hasyim (YH) revealed that, at that moment, there had gathered some religious dignitaries in Pondok Pesantren Tebu Ireng and one of them was KH. Wahab Hasbullah. The meeting was held after hearing that NICA (the Netherlands-Indies Civil Administration) wanted to reestablish its sovereignty in Indonesia. At that time, KH. Hasyim Asy'ari discussed the legal statute which called for fighting against the Dutch Army and defending the Indonesian Independence. Afterward, he wrote his *fatwā* on a piece of paper and disseminated it to the mass media. The story was halted there and left many question about to whom the *fatwā* was given, who disseminated it, and how it was featured.

The second historical evidence which enlightens YH's story is the information which Nurcholish Madjid presented. In his book,<sup>26</sup> he gave additional information about the nature of the *fatwâ*. He tells us that it was written in *pegon*. That meant that it was written with Arabic script but in a non-Arabic language, either Indonesian or Javanese.

"... Contohnya ketika NU mengadakan rapat di Madiun dengan TNI—pada waktu itu diwakili oleh Jendral Soedirman—hasil rapat yang berupa *fatwâ* wajibnya jihad melawan Belanda ditulis dalam huruf *pegon*..."

"For instance, when Nahdlatul Ulama held the meeting with the Indonesian Army—which was represented by General Soedirman—the result of the meeting was a *fatwâ* on the religious duty of fighting against the Dutch written in ..."<sup>27</sup>

It is unfortunate that Madjid did not mention his source. Further investigation about it is, again, halted at this point.

The third piece of historical evidence that supports the existence of the *fatwâ* as a written document was found in the daily newspaper *Kedaulatan Rakjat*. On November 20, 1945, *Kedaulatan Rakjat* reported the gathering of 30 religious dignitaries around Jogjakarta headed by KH. Fadlil and KH. Amir. The meeting was held in a small *musalla* of Notopradjan. The meeting decided two things: (1) to agree on the *fatwâ* issued by KH. Hasyim Asy'ari, which they then summarized and (2) to appeal to Indonesian Muslims to strengthen their spiritual fortress by increasing religious practices.

Combining the three previous pieces of information, we can answer some questions. Many clues should be still sought, however. From the previous information, we know that the *fatwâ* was a written document, written in the Arabic Script in a non-Arabic language, and its summary was known from the decision of the Jogjakarta religious dignitaries. Moreover, its summary left us at least three unsolved problems: its historical background, the exact date of its issuance, and the religious grounds on which it was based.

To overcome the remaining problems, to reconstruct the body of the *fatwâ*, and to assume the religious grounds used, we have to consult the documents of two organizations: (1) the Nahdlatul Ulama where the *mufti* became its president (*al-ra'is al-akbar*) (2) the Majelis Syura Muslimin Indonesia, the Indonesian Muslim Consultative League,<sup>28</sup> where he became head of the Board of Consultation (*rais syuriyah*). In those two organizations, he had played a decisive role in producing legal decisions, for instance, *fatwâ*. In the Nahdlatul Ulama, as *rais akbar*, he acted as head of the religious dignitaries whose authority was highly respected in producing *fatwâ*.<sup>29</sup>

In the Masyumi Party, KH. Hasyim Asy'ari occupied the position of Head of the Board of Consultation (*Majlis Syûra*). From the beginning of the establishment of Masyumi until his death, he occupied this position.<sup>30</sup> Like the board of the Nahdlatul Ulama, the members of this board consisted of distinguished religious leaders, such as, Ki Bagoes Hadikoesoemo, Wahid Hasjim, Sjech Djamîl Djambek, H. Agoes Salim, and KH. Abd Halim. In the Masyumi, the main task of the Board of Consultation was to give legal consideration and *fatwâ* to the party leader in line with the party's policy.<sup>31</sup> For example, to declare Holy War (*perang sabil*), to form the *Sabilillah* Front, the Masyumi Party should receive a recommendation from the Board of Consultation and the Revolutionary Council (*Dewan Perjuangan*). The members of this Board were regarded as the leaders of Indonesian Muslims.<sup>32</sup>

There were two resolutions issued by the Nahdlatul Ulama concerning holy war in the Way of God (*Jihâd fi Sabilillâh*). The first one was issued as the result of the Congress of Nahdlatul Ulama of Java and Madura, on October 21-22, 1945 in Surabaya. The other one was declared in Purwokerto, Central Java at the end of the 16th Congress of Nahdlatul Ulama on *Rabi' al-Thâni* 23-26, 1365/March 26-29, 1946. This document, hereafter, will be named the Purwokerto Resolution. Both of the resolutions appealed for the same thing. However, the former was acknowledged as the Jihad Resolution (*Resolusi Jihad*) more than the later.<sup>33</sup> The other resolution which requires our attention was the result of the Indonesian Muslim Congress held in Jogjakarta on November 7-8 November 1945.<sup>34</sup> The third document, hereafter will be called the Jogjakarta Resolution. The resolution supported the need for Indonesian's National Defense. There was still another significant document for our purpose. It was issued by the Masyumi Party during its congress in Jogjakarta. The declaration concerned the establishment of the Hizbullah Corps as the Islamic Army to substitute for the Indonesian Republic's Army (Tentara Republik Indonesia).<sup>35</sup> Henceforth, this last document will be named the Hizbullah Declaration.

### The Historical Background of the *Fatwâ*

The previously mentioned resolutions reveal the historical background of the *fatwâ*. From the first Resolution, we found that, at the time, the NICA had come and committed many crimes and hampered public order. What NICA had done, was to try to encroach upon the sovereignty of the recently proclaimed Indonesian Republic, and violate its religion.

"Meningat: (a) Fihak Belanda (NICA) dan Jepang yang telah datang dan berada di sini telah banyak sekali dijalankan kejahatan dan kekejaman yang mengganggu ketentraman umum. (b) Dan semua yang dilakukan oleh mereka itu dengan maksud melanggar kedaulatan Negara Republik Indonesia dan Agama, dan ingin kembali menjajah di sini, maka di beberapa tempat telah terdjadi pertempuran yang mengorbankan beberapa banyak jiwa manusia."<sup>36</sup>

"Recalling: (a) The Dutch (NICA, the Netherlands Indies Civil Administration) and the Japanese who had come and settled here had committed many crimes and violated public order. (b) Their misconduct was aimed at interfering with the sovereignty of the Indonesian Republic and its religion and reestablishing their power here. So, in many places, there were wars which cost many lives."

The second resolution added information that the Dutch had attempted to violate the sovereignty of the Indonesian Republic.

"Menimbang: ... (b) Bahwa mereka telah menjalankan mobilisasi (pengerahan tenaga peperangan) umum, guna memperkosa kedaulatan Republik Indonesia".<sup>37</sup>

"Considering: ... (b) That they had carried on public mobilization (mobilizing the fighting force) in order to violate the sovereignty of the Indonesian Republic.

The resolutions had a legal basis nine years beforehand in the *fatwâ* of Shaykh Muhammad Salîh al-Râ'is. The Nahdlatul Ulama considered the Indonesian Archipelago an Islamic Country.<sup>38</sup> The Masyumi Party also regarded Indonesia as an Islamic country.<sup>39</sup> Accordingly, the people of *Dâr al-Islâm* had to resist infidels, who occupied their land, at least once in a year in the hope of a victory for the believers."<sup>40</sup>

### The Legal Grounds of the *Fatwâ*

The summary of the *fatwâ* told us that it dealt with three points: the religious necessity of the war, the statute which made martyrs of those who died in the war, and the liability for killing those who hampered national unity. From its summary, we do not have adequate information about its legal basis. In order to explore its basis from a religious point of view, our four documents become helpful aids.

The *fatwâ* stated that the fighting against the Dutch was an individual obligation for every Muslim. The Hizbullah Declaration enlightens us to the legal basis of the first point.<sup>41</sup> It stated that fighting against the Dutch was an individual obligation for every Muslim. It then quoted the opinion of Abû Yahya Zakariyya al-Ansârî (825-925).



"...*Fardoe 'ain* ialah wadjib yang mesti dikerjakan oleh tiap-tiap orang-orang Islam, jaitoe apabila moesoeh telah menjerbu kenegeri Islam, sebagai keterangan dalam *Kitab Fatchoelwahab* djoez 2 pag. 17 bab Djihad..."<sup>42</sup>

"...The individual obligation is compulsory and should be fulfilled by every Muslim if the enemy invades a Muslim country, as the explanation in the Book *Fath al-Wahhâb*, vol. 2 page 17 on the chapter of *Jihad*..."

The Purwokerto Resolution, moreover, gave a further description. It stated that the statute of individual obligation fell upon those who lived within a radius of 94 Km of where the infidels invaded. Those who lived outside that radius, had a collective obligation (*fard kifâyah*) to expel the infidels. However, if the people within the first radius were unable to defeat the enemy, inevitably, the people within the second radius would have the same obligation as the people of the first radius and there would be an obligation to support them as well until the enemy could be subjugated.

"(1) Berperang menolak dan melawan pendjajah itoe *Fardloe 'ain* (jang haroes dikerdjakan oleh tiap-tiap orang Islam, laki-laki, perempuan, anak-anak, bersendjata atau tidak) bagi orang-orang jang berada dalam djarak lingkaran 94 Km., dari tempat masoek dan kedoedoekan moesoeh."<sup>43</sup> (2) Bagi orang jang berada diloe ar djarak lingkaran tadi, kewadajiban itoe mendjadi *Fardloe Kifayah* (jang tjokoep kalau dikerdjakan oleh sebagian sadja). (3) Apabila kekoeatan dalam nomer 1 beloem dapat mengalahkan moesoeh, maka orang-orang jang berada diloe ar djarak lingkaran 94 Km., mendjadi wadjib berperang djoega membantoe no. 1, sehingga moesoeh kalah."<sup>44</sup>

"(1) Fighting to attack and oppose the colonizer is an individual obligation (which should be undertaken by every Muslim, man, woman, and child, armed or unarmed) who live within the radius of 94 Km., from the enemy's entry point and position. (2) For those who are outside that circle, the obligation becomes a firm societal obligation, *fard kifâyah*, (which is a firm obligation for some of them). (3) If the power of number 1 is unable to defeat the enemy, the people outside the radius of 94 Km are individually obliged to fight to support number 1, so that the enemy can be subjugated."<sup>45</sup>

The radius of 94 Km in the book of fiqh was known as *musâfa al-qasr*. Al-Ghizzi,<sup>46</sup> for instance, considered that the possible distance to shorten the prayer is 16 *farsakh*, which is equal to 48 miles. And 48 miles is similar to 96 Km.

The second point the *fatwâ* dealt with, was the statute of martyrdom for those who died during the war. A martyr is one who is killed in the way of God. In the Jihad Resolution, Nahdlatul Ulama considered that fighting against the Dutch to affirm the Indonesian Republic and defending the Religion of Islam is in the way of God (*fi sabîlillâh*). Thus, the Nahdlatul Ulama appealed to the government to carry on the fight-

ing. If the action was in the way of God, some one who died during the action was accordingly considered a martyr. It was reported by Bukhârî and Muslim from the authority of Abû Hurayrah that the prophet had said that there were five groups of martyrs. One of them were those who died in the way of God.<sup>47</sup> In another tradition, the Prophet of God had said that whoever equipped himself with a weapon in order to glorify the religion of God, was in the way of God (*sabîlillâh*).<sup>48</sup>

In *Mukhtâr al-Ahâdîth*, there was a prophetic tradition which explained the same idea with the second point of the *fatwa*. Imâm Tabrânî reported from the authority of Abû Suhâla that the Prophet had said: "There will come to you a group of people who seize your prosperity; talk to you but tell you a lie; never kindly acquiesce to you, unless you approve their badness and justify their lies; and if you offer rightness they reject it. Further, if they rephrase vandal (*bagha*), whoever die because of them he is a martyr (*shâhid*)."<sup>49</sup>

The title of martyr for those who are killed in the way of God is obviously mentioned in the Prophet's tradition. *Shaykhâni* (Bukhârî and Muslim) reported from the authority of Anas that the Prophet had said: "No one who will enter paradise prefers to return to the world, and he has nothing in the world, only the martyr wishes to return to the world and be killed ten times because he knew some of the holiness (of being a martyr)."<sup>50</sup>

The third point of the *fatwâ* was the liability for killing those who hampered national unity.

"...Hukumnya orang yang memecah persatuan kita sekarang ini wajib dibunuh..."<sup>51</sup>

"...The statute says, those who divide our unity in the recent days must be killed..."

The Jihad Resolution did not clearly mention this obligation for killing those who hampered national unity. The resolution only appealed to the Indonesian government to undertake serious and similar efforts against endeavors which endangered the independence, religion and the Indonesian Republic, especially against the Dutch and its agents.<sup>52</sup> However, the resolution did not mention any specific action which should be taken by the government for that purpose.

A clear statement of liability for killing those who hampered national unity can be found in two documents. The Muslim Congress (*Muktamar Islam*) held in Bukittinggi from 6 till 9 December 1945, issued the first document. The Nahdlatul Ulama issued the second document and called it The Purwokerto Resolution. In the first document, the

congress decided that a betrayer should be advised and watched, and if the betrayer did not alter his attitude then his goods were liable to be confiscated.<sup>53</sup> In the second document, moreover, we find a clearer statement maintaining that those who disrupt national unity should be killed according to Islamic law. The document then referred to the Prophet's tradition from Imam Muslim's report, but it did not specify the exact tradition.

"...(4) Kaki tangan moesoeh adalah pemetjah belah kegoelatan teqat dan kehendak ra'jat, dan haroes dibinasakan, meneroet hoekoem Islam sabda Chadist, riwayat Moeslim."<sup>54</sup>

"... (4) The agents of the enemy are those who break the unity of the people's will, and should be killed, according to the Islamic law, in the Prophet's tradition which was reported by Imam Muslim."

The resolution left two questions which should be clarified: What was the Islamic Law according to Nahdlatul Ulama, and who were those who tried to break the people's will for independence? This clarification is intended to provide a better understanding of the *mufti*'s point of view in this matter. The founder of Nahdlatul Ulama, who was the *mufti* himself, directed the organization to be the vanguard of the opinion of *Ahl al-Sunnah wa 'al-Jamâ'ah*, and decided that the opinions of the founders of the Islamic School of Law was the basis of Islamic Law, according to the organization.<sup>55</sup>

"Tujuan NU adalah menegakkan syari'at Islam menurut haluan *Ahl Sunna wal Jamaa, ialah Ahl Madzhabib al-Arba'a*: Hanafi, Maliki, Syafi'i, dan Hanbali."

"The aim of Nahdlatul Ulama is to maintain Islamic Law in the line of the People of Tradition and Community (*Ahl al-Sunnah wa al-Jamâ'ah*), namely the people of the four schools of Islamic Law: Hanâfi, Mâlikî, Shâfi'î, and Hanbâlî."<sup>56</sup>

Abû Hamid al-Qandalî defines the term *Ahl Sunna wa al-Jamâ'ah* in more detail. The *Ahl al-Sunnah wa al-Jamâ'ah* is a group of people who, in Islamic law (*al-fiqh*), hold the opinions of Imâm Mâlik, Imâm Abû Hanifah, Imâm Shâfi'î, and Imâm Ahmad b. Hanbal. For the Prophet's tradition, this group of people mainly relied on the codification of Imâm Bukhârî and Muslim. In Sufism, they followed the teaching of Abû Qâsim al-Junayd. In theology, they are behind the teaching of Abû Hasan al-Ash'ari and Abû Mansûr al-Mâtûrîdî, and of those who share the same opinions with those previous scholars.<sup>57</sup>

From a religious point of view, those who disrupt national unity and betray the people's will can be considered deserters who fled the front during the war (*munsarif'an saff*).<sup>58</sup> Such action, according to Islamic law

is prohibited in one situation but permitted in another. It is unlawful (*hurima*) to retreat, unless the total number of the enemy is twice that of the Muslims.<sup>59</sup> In the Holy Book, Allah seriously condemns deserters. Nawawi permitted Muslims to retreat for two reasons, as a stratagem of war and to return to their units.<sup>60</sup> Nawâwî al-Bantânî considered that this prohibition on desertion is only valid for those who were obliged to fight. It is lawful for them to retreat if the number of the enemy is twice that of Muslims.

The other clue that should be clarified for our purposes is the word “*riwayat Muslim*” or Muslim’s report. The Purwokerto Resolution was based on the Prophet’s tradition reported by Imâm Abû Husayn Muslim b. Hajjâj al-Qushayrî al-Nisâbûrî (206-261 H). From the resolutions of either the Nahdlatul Ulama or the Masyumi Party, we can not find any information which indicates the precise tradition which had been quoted by the resolutions. The only way to clarify the meaning of the word “*riwayat Muslim*” or “Muslim’s report”, therefore, is to look directly at Muslim’s Collection of Traditions (*Sahîh Muslim*). From Muslim’s *Sahîh*, we find that there are three groups of Muslims whose blood is legally permitted. They are, the widows who engage in sexual intercourse outside of marriage (*al-tayib al-zânî*), those who commit murder (*al-nafs bi al-nafs*), and apostates who separate from the community (*al-târik li dînih, al-mufârriq li al-jamâ’ah*).<sup>61</sup> If we suppose that this tradition was used as a reference, we can say those who hampered the people’s will, broke the national unity and became Dutch agents were considered apostates who had separated from the community. Then, they should be killed unless they repent and return to the community.<sup>62</sup>

### Reactions towards the *Fatwâ*

Many religious dignitaries in Indonesia, especially in Java, responded to the *fatwa* KH. Hasyim Asy’ari issued. The responses can be noted from the resolutions or declarations of organizations like the Masyumi Party and Nahdlatul Ulama, during the Indonesian independence struggle. This study had benefited from those documents in determining the possible-nature of the *fatwa*. Therefore we will not discuss them again.

As other religious dignitaries responded to the *fatwâ*, they will be described in the following paragraph. However, it is hard to say that their reactions had a direct connection with the *fatwa*, or were the result of reading the *fatwâ*. To conclude that view, consequently, would lead to complicated questions, such as had the other *muftis* who responded to the *fatwâ* ever seen or read it. If they had seen and

read it, from which channel of communication did they see and read it? This study does not intend to answer those questions.

KH. Hasyim Asy'ari was highly admired, as a religious scholar, for his religious knowledge. It has also been mentioned that he was the head of the Board of Consultation of the Masyumi Party, and the President of the Nahdlatul Ulama at the same time. His followers called him *hadrat al-shaykh* or the honorable master. He was the only leader of the organization who had such a title. Thus, the only possibility we can propose is that the other religious dignitaries knew the *fatwa* from an oral transmission.

The Indonesian daily newspaper *Merdeka* reported the Muslim Appeal for Fighting in the Way of God (*Seruan Ummat Islam fi Sabilillah*). According to the appeal, the Netherlands Indies Civil Administration (NICA) had caused much damage to Indonesia. On the one hand, the Indonesian government had tried to take a diplomatic approach to maintain its independence, but this was ineffective. On the other hand, the NICA wanted to establish its power in Indonesia. Thus, war in the way of God was the only way to defend the independence of Indonesia, because God allowed war by the oppressed against their oppressor.<sup>63</sup>

The Muslims in Kebumen, Central Java, had declared a motion to defend Indonesian Independence. The motion was a response to the *Seruan Umat Islam fi Sabilillah*. According to the motion, the Islamic Religion had played a decisive role in the development of the Indonesian Republic. The Islamic religion, moreover, could only be practiced completely if its followers inhabited an independent country, so all Muslims were obliged to resist all powers intent on colonizing Indonesia.<sup>64</sup> The Muhammadiyah Organization in Jakarta had considered, at that time, those who hampered Indonesian independence as the enemy.<sup>65</sup> In all mosques in Jakarta, on November 30, 1945, a sermon entitled "Achieving Independence is Obligated by God" (*Mencapai Kemerdekaan diwajibkan Allah*) was delivered during the Friday service.<sup>66</sup> H. Mahfoeld Abd Rahman Simolangoe delivered his *fatwa* in front of the Kebumen Muslims who gathered in the large square of Kotawilangun on December 5, 1945 at 12.00 a. m. He preached that those who supported the enemy and hampered independence should be killed.<sup>67</sup> Sjech Soeleiman Ar-Rasuli, the head of the Board of Consultation of the Supreme Islamic Council (Majlis Tinggi Islam) considered that all Muslims had the same obligation to resist the enemy and that those who died resisting the enemy would

be martyrs.<sup>68</sup> KH. M. Djoenaedi issued a similar *fatwâ*.<sup>69</sup> Bung Tomo, the head of the revolt in Surabaya, announced that killing the agents of colonization, such as the enemy's spies, was one of the endeavors to acquire real and perfect independence.<sup>70</sup>

The other kind of response to the *fatwa* was a spiritual stirring to maintain independence. We can mention here two kinds of spiritual movements: performing prayer for a specific wish (*salat hajat*) and fasting in the Muharram month. In order to support Indonesian independence, on October 13, 1945, at 1:00 am, the Jogjakarta Muslims came in a crowd to the great mosque (*masjid jami*) of Jogjakarta to engage in prayer for a specific wish (*salat hajat*). Before praying, KH. Badawi read Masyumi's motion which appealed for repelling the re-establishment of Dutch colonialism.<sup>71</sup> The day after the Surabaya Affair, the Central Office of Muhammadiyah called for the Indonesian Muslims to pray for a specific wish and ask God to bless Surabaya's people and bestow them with victory.<sup>72</sup> The daily newspaper *Menara* reported that the Cirebon Muslims, together with the local religious dignitaries, visited Sunan Gunung Jati's tomb and prayed together for the success of the independence struggle.<sup>73</sup> The head of the office for Religious Affairs from the local Jakarta government called upon all Muslims to fast on the first of Muharram in order to give spiritual support for Indonesian independence.<sup>74</sup> All Muslims were also asked to fast during the Ashûra day or the tenth day of Muharram.<sup>75</sup>

To support the people's resistance against the Dutch during the independence war, the religious dignitaries advised different prayers for their followers. Kyai Mansur Pongpungan, the spiritual leader of HAKOE<sup>76</sup> had appealed to Muslims to perform a congregational prayer in mosques. Before performing it, he advised the people to read *al-Fâtihah* forty one times, and then *al-hamdu lillâh allâhumma salli 'alayhi wa 'âli baytihi al-hamdu lillâhi rabb al-'âlamîn* (the praise belongs to God, O God bless the Prophet and his family and the praise belongs to God the Lord of all beings). The head of the Department of Religious Affairs in Jakarta called on the Muslims to read *qunût* in their daily prayer and Friday prayer. The *qunût* would be added to by reading *'rabbanâ âtinâ fi al-dunyâ hasanah wa fi al-âkhirati hasanah wa qinâ 'adhâb al-nâr* (Our Lord, Give us good in this world and good in the hereafter and save us from the torment of the fire). While reading the word "*fi al-dunyâ*", one should sincerely ask God for Indonesian independence.<sup>77</sup> The Masyumi of Jogjakarta, advised Indonesian Muslims, before going to fight, to recite "*Radîtu billâhi rabba*

*wa bi al-islāmi dīna wa bi Muḥammadin nabīyyan wa rasūla, Allāhu Akbar*" three times and then "*Bismillāhi tawakkaltu 'ala Allāh lā ḥawla wa lā quwwata illā billāh.*"<sup>78</sup>

**B. Sayyid 'Uthmān (hereafter SU) (1238-1331 H/ 1822-1913 AD):  
The Holy War in the East Indies is a kind of foolishness (ghurūr)<sup>79</sup>**

There was an uprising in Banten in 1888. Sartono Kartodirdjo called the movement the peasant's revolt, because it involved the people of Banten who were mostly peasants. Among the causes of the uprising was the impact of the Dutch penetration which gradually disrupted part of religious life. However, it was not the only causal factor of the insurrection. In a religious community, it was understandable that the social movement could easily be defined in religious terms. Moreover, the religious organization, *tarekat*, was used as a politico-religious organization. The *tarekat* masters bolstered the possibility of the restoration of the sultanate as an Islamic state and stressed the theme of Holy War.<sup>80</sup> The sufi order and its masters, made possible Islam as a rallying point for social forces opposing colonial domination.

Two years later, on Dhū al-Qa'da 5, 1307/June 22, 1890, SU published his treatise entitled *Manhaj al-Istiqāma fī al-Dīn bi al-Salāmah*. He condemned the peasants' revolt lead by the *tarekat* masters.<sup>81</sup> According to his point of view, there was no reason to pronounce a holy war against the infidels' dominion. He argued that because there were not adequate prerequisite conditions for a holy war at that time, those who made holy war a Muslim's obligation had committed foolishness (*ghurūr*).<sup>82</sup>

Sayyid 'Uthmān defined foolishness as a suspicious wrong, believing a mistake to be true. He also considered that such foolishness was the biggest malice in the Islamic religion.<sup>83</sup> Those who were trapped by the foolishness were, according to his view, trapped by their own stupidity (*al-jahālah*). He gave these examples; the stupid people can not easily distinguish between glass and diamond because of their almost-similar bright sparkle. The stupid people of *tarekat* believed in the correctness of their religious practices, which were not true, however. Also the stupid people regarded that the miraculous actions conducted by people of innovations (*ahl al-bid'ah*) were a kind of *al-karāmah*. Actually they were a kind of *istidrāj*. Based on this point of view, he said that the uprising in Cilegon, 9-13 July 1888, opposing the infidels' do-

minion contradicted religious teachings. Consequently, the people who participated and supported that insurrection could not be respected as defenders of the faith (*mujâhid*) but were rebels who committed chaos that created much disturbance and damage among the people.<sup>84</sup>

Sayyid 'Uthmân laid his points of view on the following arguments. First, he saw no adequate prerequisites to declare holy war (*perang sabil*). The adequacy of all prerequisite conditions in any religious practice becomes the basis of the legal execution (*khitâb al-wad'î*). So if a canonical law is executed without adequate prerequisite conditions, it is regarded as invalid. Afterwards, he referred to Ahmad Raslan al-Shâfi'i (773-884 H) who said:

"*Wa al-bâtilu al-fâsidu li al-sâhib diddu # wa huwa al-ladhî ba'du shurûtihi fuqid.*"<sup>85</sup>

The wrong and depraved thing with the valid one is opposite # that is one in which some of its prerequisites are incomplete.

He compared the Cilegon insurrection with the Jeddah Revolt. The latter riot took place in 1858, and the rioters were punished on behalf of the Turkish Sultan. The latter rioters also, according to SU's point of view had incorrectly understood the meaning of holy war.<sup>86</sup>

Second, SU argued that the teaching related to holy war was never taught by the early religious scholars, either the Arab scholars who came to Indonesia or Indonesian scholars.

"... Maka dari karena itu tiada sekali-kali yang buka mulut di dalam perkara perang sabil oleh beberapa ulama yang besar lagi wara'-wara' dari bangsa Arab yang datang ke tanah Jawa dan Melayu dari jaman dahulu beratus-ratus hingga sekarang. Maka belum pernah satu daripada ulama yang tersebut itu membuka mulut mengajarkan orang-orang perang sabil, padahal mereka itu terlebih mengerti di perkara agama dan terlebih kuat membuat ibadah dan memegang agama daripada orang-orang sekarang ..."<sup>87</sup>

"...Because a discussion on the matter of Holy War never occurred among the great and observant religious scholars of the Arabs who came to Java and Malay from the early days till the recent days. No one of them even discussed or taught the people about holy war, whereas they understood religious matters, conducted religious practices, and adhered to the religious teachings better than the people of today..."

The objection of Sayyid 'Uthmân to considering the peasants' revolt as a holy war opposing the infidels' dominion in Java at that time, can be further analyzed through two sides. The first side, is his point of view towards the *tarekat* movement of his time, and the



other is his opinion towards Western people, especially the Dutch dominion in Java.

His opinions on Sufism and his reaction toward the *tarekat* movement in his time can be traced to the treatises he wrote. He wrote many treatises on Sufism. There were three books in which he explicitly mentioned the word *tarekat* as a title of his treatise.

1. The First was *al-Nasîbah al-Anîfah li al-Mutabbisîna bi al-Tarîqa* (hereafter *Nasîbah*). Unfortunately, we do not have exact information on when it was published. The only information we have is that it was published before *Sinar Istirlam*, because he used *al-Nasîbah* as a reference during his later writings. *Sinar Istirlam* was published at Batavia in Rajab 11, 1331/June 16, 1913.
2. The second treatise was *al-Wathîqah al-Wafîyyah fi 'Uluwwi Sha'n Tariqah al-Sûfiyyah* (hereafter *wathîqah*). It was published in the end of Dhû al-Hijjah 1303H/the end of September 1886.
3. The third treatise, entitled *Ini Buku Kecil Buat Mengetahukan Arti Tarekat dengan Pendek*, was a short treatise which concisely explained the meaning of *tarekat* (hereafter *Buku Kecil*). It was published in Batavia on the first of September, 1891/Muharram 26, 1309.

Besides those three treatises, moreover, he also elaborated his point of view on Sufism in another two treatises:

4. *I'ânah al-Mustarshidîn 'alâ Fahm 'Umûr al-Dîn* (hereafter *I'ânah*). This treatise was published in Batavia on Shawwal 18, 1305H/June 28, 1888.
5. *Mutiyyah al-Dirâyah wa al-Riwâyah fi al-Tafriqa Bayn al-Wilâyah wa al-Ghiwâyah wa Tariqâh al-Istidrâj Limâ yufarriq Bayn al-Karâmah wa al-Istidrâj* (hereafter *Mutiyyah*). This treatise was published in Batavia in the last days (*awâkhir*) of Dhû al-Hijjah 1305/August 1888.

Finally, his dispute with his contemporary is clearly visible in the following treatises:

6. *Sinar Istirlam pada Menyatakan Kebenaran Sarekat Islam* (hereafter *Sinar Istirlam*). This treatise was written to support the idea of establishing the Sarekat Islam. It was published in Batavia Rajab 11, 1331/June 16, 1913.
7. *Manhaj al-Istiqâmah fi al-Dîn bi al-Salâmah* (hereafter *Manhaj*). This treatise was published in Batavia on 22 June 1890. Part five of the *Manhaj* and beyond dealt especially with the *tarekat* movement.

Related to his career as an honorary adviser,<sup>88</sup> it is interesting to

note that SU published treatises on Sufism, either before he was an adviser or after. From the year of publication, we know that: (1) treatises number 2, 4 and 5 were published before his assignment as an honorary adviser, (2) treatises number 3, 6 and 7 were published after his assignment, (3) treatise number 1 was published before the year 1913, but we do not know exactly when.

Related to the peasants' movement in Banten 1888, we find two treatises which were published in the contemporary days of the insurrection. Treatise number 4 was published two weeks before the revolt occurred. Treatise number 5 came into existence a month after the unrest.

Sayyid 'Uthmân clearly expressed his objection to the situation in which the common people adhered to the sufi orders in crowds. He objected because the common people who adhered to the sufi order had not enough knowledge and practice in legal knowledge (*ilm al-sharî'ah*). He criticized, moreover, his contemporary *sufi* teachers who had mobilized the people to enter the sufi world. According to him, the qualification for entering *tarekat* was having adequate knowledge, following the Islamic law and the Prophet's traditions, and perfect adherence to the Prophet's teachings.<sup>89</sup> Before following sufi teachings, one should fulfil the following requirements: (1) studying Islamic law (*akhdh al-'ulûm al-sharî'ah*), (2) practicing Islamic teachings (*luzûm al-sharî'ah al-muhammadiyah*), (3) spiritual fighting and control in perpetuity (*dawâm mujâhadah al-nafs wa muraqabah al-qalb*), (4) engaging in internal and external piety (*mulâzamat al-taqwâ zâhiran wa bâtinan*), (5) the piousness blockade (*al-wara' al-hâjiz*), (6) being ascetic in the world (*al-zuhûd fi al-dunyâ*), (7) renouncing reprehensible character (*al-takhalli min akhlâq al-madhmûmah*), (8) self-introspection and feeling limited in knowledge and deeds (*ru'ya al-nafs bi 'ayn al-tasghîr ma'a ru'ya al-taqîr fi al-'ilm wa al-'amal*), (9) obeying and submitting to the truth and accepting an advice (*al-idh'ân wa al-inqiyâd li al-haqq wa qabûl al-nasthâ*), and (10) complete adherence to the Prophet (*kamâl al-mutâba'a li al-nabî*).<sup>90</sup> As a consequence of those requirements, he called those who followed the *tarekat* before having enough knowledge of Islamic law (*ilmu fiqh*) and of theology (*ilmu taubid*) ignorant persons (*juhâlâ*).<sup>91</sup> He continued his argument by asserting that in his contemporary days there were no sufi masters who had adequate qualifications to he called *tarekat* masters. Accordingly, mobilizing common people to be member of a *tarekat* order had no foundation from a religious point of view.<sup>92</sup>

"...maka dari ketiadaan sarat-sarat ini pada ahli zaman sekarang melainkan yang ada yaitulah lawannya maka jadi dinamakan tarekat zaman sekarang ini batal ... dan pula menjadi *ghurūr*..."

"...because these requirements are absent among the people of recent days, but only the opposite of them, so what is known as *tarekat* today is incorrect ... and they become foolish ..."<sup>93</sup>

Sayyid 'Uthmân had clearly showed his feelings of hostility towards that kind of movement. When Sarekat Islam was established in 1912, *tarekat* leaders accused it of being a Christian movement. However, SU defended it and considered it a movement that called upon people to engage in noble actions and to prevent bad ones. Moreover, he considered the *tarekat* leaders manipulators of religious teachings who produced *fatwa* in spite of their stupidity.<sup>94</sup> Then, SU accused the opponents of members of Sarekat Islam, who had accused them of being unbelievers, as unbelievers themselves. Therefore, SU assumed that their accusations were based on their jealousy of the colonial government's permission of its establishment.<sup>95</sup>

The colonial government considered Sayyid 'Uthmân to be an obedient and loyal servant. Snouck Hurgronje promoted him to Director of Education, Worship and Industry as *adviseur honorair voor Arabische Zaken* on June 20 1889.<sup>96</sup> As a mufti of Batavia, Azra considered him to be an Arab ally of the Netherlands East Indies government, *een Arabisch bondgenoot der Nederlandsche regeeting*.<sup>97</sup> As an adviser for affairs of Arabs in the Netherlands East Indies, he received Fl. 100 per month from the government through Snouck Hurgronje's pocket. He was, according to Snouck Hurgronje, one of those who realized the effects of colonization on the Islamic country and intended to harmonize his teaching with the situation. Van den Berg categorized him as one of the Hadrâmi leaders who helped the colonial government to reduce the people's unrest.<sup>98</sup>

Sayyid 'Uthmân had a unique opinion about those who changed their traditional dress into the European dress. He tried not to prohibit it nor to allow such behavior, but instead took the middle position. According to him, to dress according to traditional custom was an obligation according to the religious point of view and indigenous values.<sup>99</sup> However, changing traditional dress into European dress was a kind of faithless action, because it was odious to parents and angered them. The only consequence of this changing behavior, he mentioned, was rejecting testimony from those who had changed their clothes, and separating them from the noble people.

"...Bahwasanya menukar pakaian bangsa itu menghilangkan malu di dalam hukum agama Islam yang mengeluarkan daripada bilangan orang-orang baik dari bangsa sendiri. Maka orang begini tiada keterima saksinya jika ia naik saksi, demikianlah hukum agama..."<sup>100</sup>

"... Indeed, changing the national dress is embarrassing from a religious point of view, and it excludes those who do so from the community of noble people among their society. Thus, that kind of people will not be accepted nor will their testimony if they testify..."

In the other book he wrote, SU had a totally different point of view on the same thing. When he dealt with the imitating-behavior (*tashabbuh*), he said that to imitate the infidels' behavior was absolutely prohibited according to religious teaching. To imitate their way of dress, the jewelry they used, and the way they behaved was a kind of imitating-behavior. He clearly stated that to imitate the infidels in their ways of behavior was absolutely prohibited. He, then, quoted the Prophet's tradition saying: "whoever imitates other people is really part of them, *man tashabbaha bi qawmin fahuwa minhum*."<sup>101</sup> On the one hand, if the point is to harmonize the customary law (the *adat* law) and the religious law, then, we can say that he succeeded in doing so. On the other hand, however, noticing the year of publication, we discover interesting additional information. The *Tuffâhah*, where Sayyid 'Uthmân clearly prohibited the imitating-behavior, was published before his promotion to an adviser. The *Buku Kecil*, in which he endeavored to harmonize the customary law and the religious law, was published five years after his assignment as an adviser.

In relation to the people of the book (*ahl al-kitâb*), he had also an opinion on their food. First, he cited the Qur'ânic verse "the food of the people of the book is lawful unto you and yours is lawful unto them."<sup>102</sup> The message in that Qur'ânic verse, according to him, is unconditional (*mutlaq*) and without any considerations, such as considering the similarity in the way of slaughtering.<sup>103</sup> Finally he cited the opinion of *ahl a-usûl* who said *hukm al-mutlaq 'an yajrî 'alâ itlâqihî* or the unlimited rule should be practiced according to its unlimitedness.<sup>104</sup>

In the other matters concerning the relationship between Muslims and non-Muslims, SU had opinions on mixed-marriage and the appointment of local judges in the Netherlands East Indies. On the first matter, he allowed Muslims to marry non-Muslims in respect of their religion.<sup>105</sup> On the second matter, moreover, he considered the possibility for local judges (*penghulu*) to be appointed by the infidels.

He based his second opinion on the opinion mentioned in the *Fath al-Mu'în*, which allowed the infidel government to appoint local judges, if the Muslim country was ruled by the infidels' government.<sup>106</sup>

The last investigation I want to make is to examine the second reason Sayyid 'Uthmân proposed to object to the necessity of a holy war against the Dutch in the East Indies. He said that none of the great religious scholars had discussed the matter of holy war. The investigation through the *fiqh* books SU used and those which were published in his contemporary days, however, gave an opposite view. He used *al-Zubad* to argue that the prerequisites for declaring holy war at that time were not adequate, and consequently to engage in it was incorrect according to a religious point of view. On the one hand he was right to say that the presence of the prerequisites becomes the validity for conducting any religious practice. On the other hand, however, it was not fair to say that Ahmad b. Hasan b. Raslân (773-844 H), who was the author of the book, did not talk about the necessity of the holy war in his book. Ahmad b. Raslân, moreover, stated holy war a firm obligation among Muslims (*wâjib mu'akkad*).<sup>107</sup> Of course, to say that SU had not yet finished reading *al-Zubad* while writing his *Manhaj* is hardly acceptable. Here, then, I propose two possibilities for this point, which will still be a mystery at the end of this writing and will need further research. First, perhaps, SU used another edition of *al-Zubad*, which did not include the part about holy war (*bâb al-jihâd*). From the year of publication of *Manhaj*, we come to the other possibility. The *Manhaj* was published in 1890, a year after SU had been promoted to adviser. Perhaps, he tried to extinguish unrest movements through his religious opinions. Thus, there could be a political background to the publication of the *Manhaj*.

We had mentioned that SU had referred to a book of Zayn al-Dîn al-Malibârî, *Fath al-Mu'în*.<sup>108</sup> Based on this book he allowed the infidels government to appoint local judges. He was right on this point. However, to think that al-Malibârî had never discussed the matter of holy war in his book is unbelievable and is SU's mistake. The chapter about holy war was located before the chapter on the court (*al-qadâ*) upon which the opinion of SU was built.<sup>109</sup>

There are two other *fiqh* books which must be mentioned here, as they relate to the investigation. The first book was written by a Javanese scholar and the other by a non-Javanese scholar: *Nihâyah al-Zîn* of Nawâwî al-Bantani (1230-1314/1813-1897) and *Fath al-Wahhâb*

of Abû Zakariyya al-Ansârî (825-925 H). Both scholars considered that the necessity of holy war depended on two situations. First, if the Muslim's country had been occupied by infidels, the necessity for holy war would have become a firm societal obligation (*fard kifâyah*). The holy war, moreover, should have been declared once a year by some Muslims. Second, if the enemy, infidels for instance, invaded the Muslim's country, the necessity for holy war would become an individual obligation. At the time of invasion, every Muslim had an obligation to defend his or her country.<sup>110</sup>

The last book I want to mention here was written by Imâm Nawâwî, whose complete name was Muhy al-Dîn Abu Zakariyyâ Yahyâ b. Sharaf b. Marri b. Hasan b. Husayn b. Jum'â b. Hazzâm al-Nawâwî al-Hawrânî al-Damshiqî (631-676 H). The book was *Minhâj al-Tâlibîn*, edited and translated into the French language by L.W.C. van den Berg. Nawâwî had discussed the necessity for holy war and had the same opinion as the two previous religious scholars, al-Bantanî and al-Ansârî.<sup>111</sup> On the one hand, as a true *Shâfi'iyah*, like Sayyid 'Uthmân, it is almost impossible to say that he was not at home with the ideas of a great Shâfi'ite scholar like Nawâwî. Sayyid 'Uthmân himself considered in his book that opinions of the two great masters (al-Nawâwî and al-Râfi'î) were the most likely to be quoted in issuing legal opinions (*fatâwâ*).<sup>112</sup> He also clearly mentioned that he had used Nawâwî's works as references in his works.<sup>114</sup> On the other hand, as Mufti of Batavia, it would be amazing if Sayyid 'Uthmân had never seen the Van den Berg edition of *Minhâj* six years after its appearance in Batavia.

### Concluding Remarks

From the previous discussion, this study concludes the following points. First, through a prosopographical approach we ascertain at the end of the study that KH. Hasyim Asy'ari, the founder of Nahdlatul Ulama, had issued the *fatwâ* to appeal for fighting against the Dutch colonization. He issued it in a written document. It was written in *pegon* which indicated that it was written in Arabic script with non-Arabic language (either Javanese or Indonesian). The document's date of issuance, however, is still a mystery. From the historical background of issuance, we can assume that its date of issuance was between September 8, 1945 to October 22, 1945. The first date is the day when the first contingent of allied troops arrived in Indonesia. The second date was the date in which the Nahdlatul Ulama issued the *jihâd* Resolution that affirmed the *fatwâ* had been issued by

the president of the organization.

There is a way to discover the real feature of the fatwâ especially its date of issuance. From the books, which mentioned the story on the fatwâ, and tracing the story's transmission, we find that its story is halted in the words of Saifuddin Zuhri. The research on Saifuddin Zuhri's private collection, the present writer supposes, will be a possible way to solve its mystery on its date of issuance.

Second, through the same approach we critically make a comparison between the fatwâ of KH. Hasyim Asy'ari and that of Sayyid 'Uthmân. As a result, we find that the biography of the *muftis* had played a decisive role in issuance of the fatwâ, as well as their different careers in social life. Hasyim Asy'ari was a non-cooperative leader towards the infidels' government. During the Japanese occupation in Indonesia, he was jailed by the Japanese authority. He refused an honorary medal from the Netherlands East Indies' governor Van der Plass. He sent a telegraphic message to Muhammad al-Husaynî, the retired *mufti* of Palestine people, who was in Germany, pertaining to his praying for the Palestinian people's victory. Finally, when he was aware of the Dutch wish to reestablish its power in Indonesia after the declaration of Indonesian independence, he issued the fatwâ affirming the religious obligation for every Indonesian Muslim to fight against the Dutch recolonization and defend independence. Sayyid 'Uthmân, however, was promoted as an adviser for Arabs affairs in the Netherlands East Indies. He was paid Fl. 100,- monthly for the post, and then became an Arab ally of the Dutch government. After being promoted he, using Snouck Hurgronje's words, spent most of his life issuing advice in line with the government's policy.

On the one hand, Hasyim Asy'ari tried to use one of the principles of Islamic law (*al-qawâ'id al-fiqhiyyah*), "as long as the obligation is not complete but with it, it is an obligation (*mâ lâ yatimm al-wâjib ilâ bihi faburwa wâjib*). "Indonesia was regarded as an Islamic country, and inevitably, to implement the Islamic canon is an obligation for every Muslim. If Indonesian independence is the only prerequisite condition to make implementation of Islamic teaching perfectly executed, then, to achieve and defend Indonesian independence is, accordingly, an obligation for every Indonesian Muslim. On the other hand, Sayyid 'Uthmân, tried to implement the other principle of Islamic law, "avoiding the harm is of a priority over acquiring the benefit (*dar' al-mafâsid muqaddamun 'alâ jalb al-masâlih*)."

Third, the two opposite fatwâs were issued in response to histori-

cal events. They were not issued due to a question proposed to the *mufti*. Asy'ari's *fatwâ* was based on the fact that the Dutch wanted to reestablish their sovereignty in Indonesia after the declaration of Indonesian independence. Sayyid 'Uthmân's was issued in part of his book, *Manhaj*, which aimed at explaining the right path of religious adherence, in response to innovations (*al-bid'ah*) which were commonly practiced among his people. In this case, he considered the teaching on the holy war an example of innovations in religious teaching.

Four, both *muftis* had tried to refer to the famous book of fiqh among the Indonesian people. Sayyid 'Uthman for instance, referred his idea to the *Zubad* without mentioning the complete title of the book. Among Indonesian Muslim students, *Zubad* was an abbreviation of *Zubad fi al-Fiqh* of Ahmad b. Raslân al-Shâfi'î. This abbreviation is a common feature in Sayyid 'Uthmân's works. For further research, van Bruinessen's work entitled *Kitab Kuning: Islamic Books in Arabic Script*,<sup>115</sup> probably, became useful source for the problem of abbreviation. Hasyim Asy'ari based his opinions on his predecessor's, which were written in the well-known book of fiqh, namely *Fath al-Wahhâb* of Abu Zakariyyâ al-Ansârî.

Five, taking a *Fatwa* into consideration as a nucleus of Islamic law in an Islamic society, it is obvious that the *fatwâ* is not merely a matter of religious interpretation. Indeed, there are many aspects which should be taken into consideration. As part of the larger culture, Islamic law can not be separated from many domains of social life. In this case, the biography of the *mufti* is a decisive point that should be taken into account, and becomes a starting point to critically understand the *fatwâ*. To neglect this important aspect of *fatwâ* while analyzing it, in my point of view, leads the study outside the context.

A productive scholar like Sayyid 'Uthmân, who wrote many treaties, making a note on the year of publication of his works, in fact, gives interesting additional information. Putting many works in the chronological order, for example, will help to analyze his thought in an appropriate way.

Finally, the reference used by the *mufti* as a basis for his legal consideration can also be taken into account in studying *fatwâ*. Using the referred works which were consulted by the *mufti* can help us understand his way of thinking on legal matters on the one hand. Using them as a starting point for investigation, moreover, enables us to judge his figure in the wider context of Islamic legal thought on the other hand.



## Endnotes

1. Heru Soekadri, *Kiyat Haji Hasyim Asyari Riwayat Hidup dan Pengabdiannya* (Jakarta: Departemen Pendidikan dan Kebudayaan, Pusat Penelitian Sejarah dan Budaya, Proyek Inventarisasi dan Dokumentasi Sejarah Nasional, 1985), p. 26-31.
2. Martin van Bruinessen, *Kitab Kuning, Pesantren dan Tarekat, Tradisi-tradisi Islam di Indonesia* (Bandung: Penerbit Mizan, 1995), pp. 42-44.
3. Azyumardi Azra, *Jaringan Ulama Timur Tengah dan Kepulauan Nusantara Abad XVII dan XVIII* (Bandung: Penerbit Mizan, 1995), second edition, p. 59.
4. Choirul Anam, *Pertumbuhan dan Perkembangan Nahdlatul Ulama* (Sala: Penerbit Jatayu, 1985), p. 60.
5. Heru Soekadri., *op. cit.*, pp. 48-55.
6. Mahrus Iryam, *Nahdlatul Ulama 1945-1952*, Microfilm, KITLV's Collections number 44141986, 1986, p. 1.
7. *Encyclopedia Islam*, 1993, vol. 3., p. 196
8. Heru Soekadri, *op. cit.*, p. 122.
9. Hasyim Asy'ari, *Al-Qānun al-Asāsī* (Surabaya: Matba'a Nahdat al-Ulama, nd.) p. 10.
10. Choirul Anam, *op. cit.*, p. 135.
11. Heru Soekadri, *op. cit.*, p. 73.
12. Deliar Noer, *The Modernist Muslim Movement in Indonesia 1900-1942* (Singapore: Oxford University Press, 1973), pp. 216-46.
13. Alfian, "Sekitar Lahirnya Nahdlatul Ulama (NU)", Makalah pada Seminar Sedjarah Nasional 11 26-29 Agustus 1970 di Jogjakarta, pp. 2-3.
14. M.C. Ricklefs, *A History of Modern Indonesia Since C. 1300* (London: The MacMillan Press, Ltd., 1981), pp. 76-7.
15. Ricklefs, *op. cit.*, pp. 180-1; Robert Crib, *Historical Dictionary of Indonesia* (London: The Scarecrow, Inc., 1992), pp. 486-87; J.D. Legge, *Indonesia* (Sydney: Prentice Hall of Australia Tty, Ltd, 1980), p. 136.
16. Choirul Anam., *op. cit.*, p. 117.
17. The summary of the *fatwā* was published in the Indonesian Daily Newspaper *Kedaulatan Rakyat* November 20, 1945.
18. The second *sūra* of the Holy Quran.
19. The ninety fourth *sūra* of the Holy Qur'ān.
20. The one hundred and fifth *sūrah* of the Holy Qur'ān.
21. The *pesantren* is a traditional school, where the religious dignitaries were basically and formally trained.
22. M. Ali Haidar. *Nahdlatul Ulama dan Islam di Indonesia: Pendekatan Fiqih dalam Politik* (Jakarta: Penerbit Gramedia, 1994).
23. Choirul Anam, *ibid.*, p. 63 lampiran.
24. KH. Ishom Hadzik (IH) who kept private documents of KH. Hasyim Asy'ari said that he orally issued the *fatwā*. But when the present writer showed him its summary, IH told the writer that he knew nothing about it. Choirul Anam (CA) argued that the *jihād* resolution is the *fatwā* itself. However, when he knew the different point of the two documents, CA gave the same answer as IH did.
25. KH. Yusuf Hasyim (YH), a son of Hasyim Asy'ari, said that his father, at that time, had issued the *fatwā* concerning the *jihād* on a small piece of paper and then the other 'ulama' who gathered with him disseminated it to the press. An interview with YH at Jombang in August 1997.

26. Nurcholis Madjid, *Bilik-Bilik Pesantren, Sebuah Potret Perjalanan* (Jakarta: Paramadina, 1997).
27. Nurcholis Madjid, *ibid.*, p. 27. Here, Madjid made mistake. The name of Indonesian Army during the *fatwâ* Hasyim Asy'ari issued was Badan Keamanan Rakyat (The People Security Organization) which was established on August 29, 1945. This Security Organization was reorganized and had a new name, Tentara Keamanan Rakyat (The People Security Army), on October 12, 1945. Perhaps, the army organization Madjid meant was the latter.
28. The Masyumi was established in Jogjakarta as a result of the Indonesian Muslim Congress on 7-8 November 1945. "Masjumi" *Encyclopedi Islam*. Jakarta: PT. Ichtiar Baru Van Hoeve, 1993., The first edition, vol. 3., p. 196.
29. *Statuten van de Vereniging "Nahdlatul Oclama" te Artikel 6*. When the rule of association (*Huishoudelijke Reglement*) of NU was established, there were two kinds of word which were used to call the head of organization. In one hand the word 'rais' and "wakil rais" were used for a religious dignitary who was responsible for religious teachings (*al-majlis al-shûriyyah*). In the other one, the word 'president' and 'vice president' were used for the head of the organization its next incommand in the board of executive (*al-lajna al-tanfidihiyyah*). *Bestuur van Huishoudelijke Reglement artikel 1 en 2*.
30. During the era of KH. Hasyim Asy'ari, the Nahdlatul Ulama never separated from Masyumi. The NU officially separated from Masyumi on 5 or 6 of April 1952. Choirul Anam, *op. cit.*, p. 51.
31. DPD. Masjoemi Soematera Barat Bukit Tinggi, *Anggaran Dasar Masjoemi Partai Politik Islam Indonesia*, article V. b, p. 5 1.
32. The Hizbullah Front (the Muslim troops) was established by the declaration of Masyumi Party on *Rabi al-Awwal* 8-11, 1365 February 10-13, 1946 at Solo. The Revolution Council of Masyumi consisted of the leaders of the Sabilillah Front and Hizbullah Front. *Ibid.*, p. 36.
33. Martin van Bruinessen, *NU, Tradisi Relasi-Relasi Kuasa Pencarian Wacana Baru*. Yogyakarta: LKIS, 1994., p. 303-305. Choirul Anam, *op. cit.*, 63. lampiran.
34. The Indonesian daily newspaper *Merdeka*, November 16, 1945, reported 'Resoloesi Memperkuat Barisan Pertahanan Negara Indonesia, The resolution for affirming the Indonesian National Defense'. The Indonesian daily newspaper *Kedaulatan Rakyat* was early to report the same resolution on November 9, 1945.
35. DPD Masjoemi Soematera Barat Boekit Tinggi, *op. cit.*, pp. 36-9.
36. "Resolusi NU Tentang Dihad fi Sabilillah" in Choirul Anam, *op. cit.*, appendix xiv. Soon after the arrival of Van Mook in Java, *Merdeka* abbreviated NICA as No Indonesian Cares About. On October 25, 1945, the 29th Indian Infantry Brigade landed at Surabaya under commander Brigadier General Mallaby. Soon after that, NICA was abbreviated as Netherlands Indies Colonization Agency. *Merdeka*. November 2, 1945; Henri J.H. Alers, *Om Een Rode of Groene Merdeka, 10 Jaren Binnenlandse Politiek Indonesie 1943-1953*. Eindhoven: Uitgeverij Vulkan Eindhoven, 1956, p. 19.
37. Martin van Bruinessen., *op. cit.*, p. 305. The Indonesian daily newspaper *Merdeka*, for instance, reported that on 17 October 1945, approximately 3000, Dutch people in Singapore were trained and armed in order to prepare them for military service in Java and other parts of Indonesia in the following days. *Merdeka*, 19 October 1945.
38. Shaykh Muhammad SMI al-Râ'is was the *mufit* of Hadrâmi. He sent his *fatwâ* to

the religious dignitaries of Nahdlatul Ulama. M. Ishom Hadzik and A. Halim Asnafi, "Fiqh Siyasah dan Budaya Politik NU (the Fiqh of Politics and Political Culture of Nahdlatul Ulama)", The daily newspaper *Jawa Pos*, October 25, 1996. The *fatwā* was also approved as the organization's decision in Banjarmasin 1936, *Berita Nahdlatul Ulama*, nd. However, the decision was based on the opinion of 'Abd al-Rahmān b. Muhammad Husayn b. Umar al-Ba'lawī.

"...Tanah Jawa (Indonesia) ini adalah tanah Islam sebagaimana tersebut dalam *Bughya al-Mustarshidin* kaca 254 pada bab *al-Amān wa al-Hadana*..."

al-Ba'lawī, *Bughya al-Mustarshidin*. Surabaya: Bungkul Indah, nd., p. 254

39. "...Mengingat: bahwa Indonesia adalah negeri Islam (*Daraul Islami*), Considering: That Indonesia is an Islamic Country..." DPD. Masjoemi Soematera Barat Boekit Tinggi, *op. cit.*, p. 36.
40. Al-Ba'lawī, *ibid.*, p. 254.
41. The Hizbullah Declaration declared the establishment of the Hizbullah Corps. The Corps was one of the results of the Masyumi Party's Congress at Solo on *Rabi' al-Awwal* 8-1 1, 1365/February 10-13, 1946. At that time, K.H. Hasyim Asy'ari was the chairman of Board of Consultation (Majlis Syura) which acted as chairman of the Board of Advisory for the organization related to Islamic teachings. DPD. Masjoemi Soematera Barat Boekit Tinggi, *op. cit.*, pp. 1, 51.
42. DPD. Masjoemi Soematera Barat Boekit Tinggi, *ibid.*, p. 36. Cf. Abū Yahyā Zakariyyā al-Ansārī (825-925), *Fath al-Wahhāb bi Sharh Minhaj al-Tullāb* (Bandung: Shirka al-Ma'arif, nd), vol. 11, p. 171.
43. Nawāwī al-Bantanī explained that the meaning of 'if the enemy invaded (*dakhalū baldatan lana*)' was if the distance between the enemy and the Muslim was less than *masafa al-qasr*. Abū 'Abd al-Mu'ti Muhammad b. Umar. Alī Nawāwī al-Bantanī, *Nihāyah al-Zin fi Irshād al-Mubtadi'īn*. Bandung: Shirka al-Ma'arif li 'l-Tab' wa 'l-Nasr, nd., p. 364.
44. Martin van Bruinessen., *op. cit.*, p. 305. *Poetoesan-Poetoesan Moe'tamar ke-16*. NU Cabang Banyoemas di Soekaradja.
45. Al-Ansārī clearly expressed that if the enemy had arrived in the second circle (*ahl al-kifāyah*), the people of *kifāyah* would be in the position of *ahl al-'ayn*. *wa in kāna fi ahlihā kifāya li annaha ka 'l-hādīr ma'ahum, fayajibu dhālika 'alā kulli mimman dhukir*. Al-Ansārī, *Fath al-Wahhāb*, vol. ii, p. 171. Nawāwī al-Bantanī had the same view he explained the book of Zayn al-Dīn b. 'Abd al-'Azīz al-Malibārī, Nawāwī, *op. cit.*, p. 364.
46. Shams al-Dīn Abū 'Abd Allah Muhammad al-Ghizzī, *Fath al-Qarīb al-Mujīb*. Surabaya: Maktabah Mahkota, nd., p. 98. The comparison of 48 miles with 96 km is found in the explanation (*hāmis*) of the same book on the same page. Cf. Al-Ansārī, *Fath al-Wahhāb*, vol. i, p. 70.
47. Sayyid Ahmad al-Hashimī Bik, *Mukhtār al-'Abādīth al-Nabawīyyah wa 'l-Hikam al-Muhammadiyyah*, Surabaya: Bungkul Indah, 6th edition, p. 102. On the one hand, as it has been mentioned that the *mufti* had been certified by his teacher, Shaykh Mahfūd al-Tirmāsī, as the 24th generation of the transmitter of Bukhārī's Collection of the Prophet Traditions. Choirul Anam, *op. cit.*, p. 60. On the other hand, the *Mukhtār al-'Abādīth* is one of the outstanding books of the Prophet's tradition taught in *Pondok Pesantren* in Indonesia. Martin van Bruinessen, *Kitab Kuning, Islamic Books in Arabic Script published in Southeast Asia*, p. 6.3. Based on those two facts, the present writer assumes that the *mufti* was very much at home with this tradition.

48. *Ibid.*, p. 172
49. *Ibid.*, p. 172.
50. *Mā ahada yadhulu al-jannata yuhibbu 'an yarji'a illā al-dunyā, wa lahu mā fībi al-'ard min shay' illā al-shahid yatamannā 'an yarji'a ila al-dunyā fayuqtalu 'ashara marratin lamma yarā min al-karāmah.* *Ibid.*, p. 229.
51. *Kedaulatan Rakyat*, November 20, 1945.
52. "...Memutuskan: (1) Memohon dengan sangat kepada pemerintah Republik Indonesia supaya menentukan suatu sipak dan tindakan yang nyata serta sepadan terhadap usaha-usaha yang akan membahayakan Kemerdekaan, Agama dan Negara Indonesia terutama terhadap pihak Belanda dan kaki tangannya..." *The Jihad Resolution of Nahdlatul Ulama*, 21-22 October 1945.
53. The daily newspaper *Kedaulatan Rakyat*, December 13, 1945. The Congress was under management of Sjech Djamil Djambek who was also a member of the Board of Consultation of the Central Masjumi Party, in which KH. Hasyim Asy'ari occupied its chair.
54. The decision number four of the Purwokerto Resolution.
55. Choirul Anam., *op.cit.*, p. 153. KH. Hashim Asy'ari, *Al-Qanun al-'Asasī Li Jam'iyyah Nahdat al-'Ulama*, Surabaya: Matha'a Nahdat al-Ulama', nd, p. 10
56. Choirul Anam, *ibid.*, p. 153.
57. Abū Hamid al-Qandālī, *Aqā'id Ahl al-Sunnah wa 'l-Jamā'ah*, Semarang: Thoha Putera, 139111971., p. 26-27.
58. Nawāwī explained the meaning of *munsarif 'an saff* as those who deserted, and considered that they could be killed if they were at the front. Nawāwī al-Bantani, *Nihāya al-Zin*, p. 364.
59. *Wa hurima insirāfu 'an saffin idhā lam yazidū 'alā mithlayna'* It is unlawful to retreat, unless the enemy is twice the number of Muslims. Shaykh Nawāwī al-Bantani, *Nihāya al-Zin*, p. 364.
60. "O ye who believe, when ye meet the unbelievers in a hostile array, never turn your backs to them. If any do turn his back to them on such a day -unless it be in a stratagem of war, or to retreat to a troop (of his own)- He draws on himself the wrath of Allāh, and his abode is Hell, and evil refuge (indeed)!. *Al-Qur'ān*, al-Anfāl: 15-6. Note: The English translation of those verses is cited from *The Holy Qur'ān, English Translation of the Meanings and Commentary*. Al-Madina al-Munawwarah: King Fahd Holy Qur'ān Printing Complex.
61. Imam Abū Husayn Muslim b. Hajjaj al-Qushayri al-Nisabūri, *Sahih al-Muslim*, Dār al-hiya' al-Kutub al-'Arabiyyah, 137511955. vol. III, p. 1302- 1303. There are two traditions located in the chapter of "The thing by which Muslim's blood is allowed (*ma yubahu bibi dam al-muslim*)". Both of them (the tradition number 25 and 26) mention the same thing. The traditions were reported by Muslim from the authority of 'Abd Allah.
62. There is a note on the bottom of the page that says that those who separate from the community must be killed (*yajib qatlub*). *Ibid.*, p. 1303.
63. The Indonesian daily newspaper *Merdeka*, October 12, 1945. This appeal was also published in the *Berita Republik Indonesia* (the Indonesian Republic's News) September 27, 1945.
64. *Merdeka*. October 23, 1945
65. *Merdeka*. October 30, 1945.
66. *Merdeka*. November 30, 1945.
67. *Merdeka*. December 7, 1945. *Menara*. December 7, 1945

68. Aziz Thaib, *Merdeka (3) Menentang NICA*, Boekit Tinggi: Pertjetakan Noesantara, 1946., pp. 52-3.
69. *Ibid.*, p. 4.
70. *Merdeka*. November 29, 1945.
71. The Indonesian daily newspaper *Kedaulatan Rakjat*. October 15, 1945.
72. *Kedaulatan Rakjat*. November 11, 1945.
73. The daily newspaper *Menara*. December 5, 1945.
74. *Kedaulatan Rakyat*. December 6, 1945.
75. *Merdeka*. December 13, 1945.
76. HAKOE is the abbreviation for *Hayatu Kibar Oelama* (the Great Religious Leaders' Movement). It was established on November 14, 1945 and K.H. Aboengamar was appointed as its chief. The daily newspaper *Menara* November 30, 1945; December 4, 1945.
77. *Merdeka*, October 3, 1945.
78. 'I have chosen Allāh as my God, Islam as my religion, and Muhammad as a prophet and messenger. Allāh is the Great. In the name of Allāh, I put my trust in Allāh, there is no power but from Allāh' *Kedaulatan Rakjat*. October 16, 1945.
79. His opinion about the revolt was found in his treatise entitled *Manhaj al-Istiqāmah*. Batavia: Dhū al-Qa'dah 5, 1307/June 22, 1890. pp. 22-26
80. Sartono Kartodirdjo, *The Peasants's Revolt of Banten in 1888, Its Conditions, Course and Sequel: A Case Study of Social Movements in Indonesia*. 'S. Gravenhage: Martinus Nijhoff, 1966, p. 315-17, 322-23. The peasants which involved in the movement were members of Naqshbandiyyah and Qadiriyyah Naqshbandiyyah Sufi orders. W.R. Baron van Hoevell, *Tijdschrift voor Nederlanders Indie*. Nieuwe serie, Achttiende Jaargang., Tweede Deel. Zalt-Bommel: Joh. Noman en Zoon, 1989., pp. 264-66.
81. *Nasihah-Nasihah C. Snouck Hurgronje Semasa Kepegawaiannya kepada Pemerintah Hindia Belanda 18"1936, Seri Khusus INIS IX*. Jakarta: INIS, 1994. p. 1627. Cf. Sayyid 'Uthmān, *Manhaj al-Istiqāmah fi al-Din bi al-Salāmah*, Batavia, 5 Dhū 'l-Qa'dah/22 June 1890, p. 23.
82. Sayyid 'Uthmān, *Ibid.*, p. 24.
83. In chapter eight of the same book, SU considered that foolishness (*ghurūr*) and innovation (*bid'ah*) were alike, *ibid.*, pp. 30-68.
84. Sayyid 'Uthmān, *ibid.*, p. 24.
85. Ahmad Raslan al-Shāfi'i (773-844H), *Matan al Zubad Fi al-Fiqh*. Surabaya: Bungkul Indah, nd., p. 1 1.
86. *Seri Khusus INIS IX*, p. 1627.
87. Sayyid 'Uthmān, *Manhaj al-Istiqāmah*, p. 25.
88. He was promoted by Snouck Hurgronje as an honorary adviser for the Arab affairs (*adviseur honorair voorarabische Zaken*) on June 20, 1889. He was paid Fl. 100 monthly through Snouck's pocket. Azyumardi Azra, "Hadhrami Scholars in the Malay-Indonesian Diaspora: A Preliminary Study of Sayyid Uthmān," *Studia Islamika*, vol. 2, number 2, 1995, p. 14. *Seri Khusus INIS IX*, pp. 1623-24.
89. SU used many books of his predecessors as references, such as Suhrawardī's *Awārif*, Qushayrī's *Tabaqat al-Sufiyyah*, Ibn Hajar's *al-'Alam*, Al-Ghazālī's *Ihyā'*, Ibn 'Ibad's *al-Hikam* and his *T'ānib*. Sayyid 'Uthmān, *Mutiyyah*, p. 5-16.
90. These harsh requirements had made the common people hardly possible to follow the *tarekat*. Indeed, that is the main point of his book.
91. *Nasihah*, p. 1.

92. *Ibid.*, p. 14.
93. Sayyid 'Uthmân, *Nasihah*, p. 14.
94. Sayyid 'Uthmân, *Sinar Istirlam.*, p. 11.
95. *Statuten der Vereniging Sarekat Islam*. Weltevreden: N. V. Boekhandel Visser & Co, 1919. p. 3.
96. *Seri Khusus INIS IX*, pp. 1624-26.
97. Azra, *op.cit.*, p. 10
98. Azra, *op. cit.*, p. 5.
99. Sayyid 'Uthmân, *Ini Buku Kecil Mengatakan Pertengahan Hukum Adat Negeri Yang Bersama Pertengahan Hukum Agama Atas Orang Yang Menukar Pakaian Bangsa dengan Memakai Pakaian Lain Bangsa Adanya* (This is a small treatise concerning harmonizing the adat law and the religious law on changing the national dress with the foreign clothes). Batavia: June, 1904., P. 2.
100. Sayyid 'Uthmân, *Buku Kecil*, p. 3.
101. Sayyid 'Uthmân, *Tuffah al-wardiyyah min al-riyâd al-sharî'ah al-muhammadiyah*. Batavia: The end of Dhû 'l-Hijja 1297/Nov-Dec 1880., p. 55.
102. *Al-Qur'ân* v: 6.
103. Sayyid 'Uthmân, *'Ain al-haqq wa fasl al-khitâb fi ikhrâj al-munkhaniqa wa 'l-mawqûda 'an hill ta'âm ahl al-kittâb*. Batavia: Jumadi al-akhira 1323/August 1905. pp. 2, 11-2, 17.
104. Sayyid 'Uthmân, *ibid.*, p. 2.
105. *Ibid.*, p. 8
106. Sayyid 'Uthmân, *al-Qawânin al-Shar'iyya li Ahl al-Majâlis al-Hukmiyyah wa 'Ifiâ*. Batavia: Rabî' al-Thânî 1312H/October 1894, p. 25. Zayn al-Dîn Al-Malihârî, *Fath al-Mu'in bi al-Sharh Qurrat al-'Ayn*. Cirebon: Al-Maktaba al-Misriyya, nd., p. 137.
107. Ahmad b. Raslân al-Shâfi'î (773-844 H), *Matan al-Zuhd fi al-Fiqh*. Surabaya: Bungkul Indah, nd. p. 99.
108. See endnote number 34.
109. The chapter on the holy war (*bab al-jihâd*) is located in pages 133- 136, and the chapter on the Islamic Court (*bab al-qadâ*) is discussed in pages 136-142.
110. Nawâwî al-Bantanî, *Nihâyah al-Zin*, p. 359. Abd Zakariyya al-Ansarî, *Fath al-Wahhâb*, vol. ii, p. 170.
111. L.W.C. van den Berg, *Minhaj al-Tâlibin*. Batavia: Imprimerie du Gouvernement, 1884. Vol. iii, pp. 255, 258.
112. *...i'lam anna al-mu'tamad fi 'l-madhhab li 'l-hukm wa 'l-fatwâ mâ ittafaqa 'alayhi al-shaykhânî (al-Râfi'î wa 'l-Nawâwî)...* Indeed that the most likely opinions in the Islamic school of law and legal opinion are those which are accepted by both of the two great masters (*al-Nawâwî and al-Râfi'î*). Sayyid 'Uthmân, *'Ayn al-Haqq*, pp. 4-5.
113. *Ibid.*, p. 7.
114. The book was numbered 'Mbb 1088 N+' in KITLV Library Leiden the Netherlands.

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## Appendix 1

Seroean Oemmat Islam:**Fie Sabelillah**

"Dirintosa bertempoer bagu meraka yang diserang oleh karosa meraka dianlaja dan' seroengghabaja Allah berkeoesa oenloek menolong meraka".  
(Qur'an, Al Hadj 39)."

\* T e n t e r a - Belanda soedah mendarat!

\* Dengan diplomasi dan penoen-  
djoelkan goodwill tak dapat doe-  
roengkan.

Tak dapat dialangi dengan pro-  
tes pemerintah Repoeblik.

\* Tentera Belanda dan NICA  
menembaki, menganiaja, bangsa  
Indonesia, morampas hak si ketjil  
dan alimiah.

Diplomasi soedah ditjaba. Protes  
soedah dilakoekan. Hasilnja, tidak  
apa-apa. Setiap hari, setiap djum-  
poelehan, 'ja ratoesan pemoeda'  
bangsa Indonesia s djadi, koerban  
mitraljoer, dan bajonet alat-alat  
perdjajah.

Teriakan bangsa Indonesia ke-  
doenia internasional tidak menda-  
pat perhatian. Belanda teroes  
mendapat tambah kekoatannja  
dari sehari-kesohari. Kekoeatan  
sendjata dan kekoatan orang  
jang merka koempoeikan dari  
sana-sini.

Dimana kehormatan Negara ter-  
hina, disana ada pertempoeran.  
Dimana rajat dianlaja, disana  
meletoes pertaroengan.

Difihak sana bangsa pendjajah  
jang angkara moerka, jang beloem  
pocas, hendak memeras kembali  
tanah air kita. Disini, poetera In-  
donesia jang mempertahankan  
Negerinja. Mempertahankan si  
lemah, memperlindoengi roemah

tabga dan keselamatan Negara-  
nja.

Bangsa Indonesia soedah  
diserang.

Riboean rajat soedah di-  
zhiliri.

Poetera-poetera kita soedah  
bertempoer.

Bertempoer menolak serangan.  
Bertempoer lantaran dianlaja.

Segenap bangsa kita jo bih  
soeka aman dan damai.

Akan tetapi pertempoeran jang  
sematjam ini adalah pertempoeran  
w a d j i b. Pertempoeran jang  
diridhai Allah.

\* Pertempoeran fie sabelillah!

Wahai poetera-poetera Indonesia  
jang sedang bertempoer. Ketahoel-  
lah bahwa perdjoeangan saudara,  
perdjoeangan kita seroes ini, ada-  
lah meloenakan kewadjoaba kita  
kepada Allah jang Maha Esa. \*  
\* Sesoealkan niat perdjoeangan  
saudara dengan niat perdjoeangan-  
keloehanah. \* Perdjoeangan fie  
s a b e l i l l a h !

Tahamkanlah niat saudara  
dalam perdjoeangan niat mengha-  
rapkan keridhaan Allah.

\* Diwaktoe itoe, saudara berdjoe-  
ang sebagai Pahlawan Bangsa dan  
Tentera Allah.

Saudara bertempoer dibawah  
pengawasan dan dengan pertolong-  
an Allah, Allahoe Akbar!

Pertjajalah!

Allah jang Mahakoeasa, be-  
koeasa memberi pertolongan kepa-  
da bangsa kita jang sedang di-  
anlaja dan dizhalimi sekarang ini.

Jakinlah!

Dengan pertolongan Allah ho-  
serta kita, tak ada satoepoen di-  
atas doenia ini jang dapat menga-  
lahkan kita!

Teroeskan perdjoeangan dengan  
niat fie Sabelillah.

La baula wa laa qoeuwata illaa  
billaah!

Ketahoecilah, NICA dengan Van  
Mook dan Van der Plas-nja!

SEMANGAT D J I H A D mi-  
loenan Moeuslim Indonesia setiap  
hari, semangkin sampai kepada  
poentjaknja.

Setiap saat moengkin meletoes  
seroan DJIBAD!

Setelma NICA dan alat-alatnja  
tidak menghentikan kedhaliman  
meraka!

Source: The Indonesian daily newspaper *Merdeka* (October 12, 1945).

**Nica menganiaja Oemmat  
Islam Indonesia**

**NICA** — Pemerintah Sipil Penderitaan Hindia Belanda  
sudah sudah merobek-robek kekuasaan, menduduki tempat-  
tempat yang penting, melingkarkan perpendataannya dan meng-  
aniaja orang-orang Indonesia. Segala lapisan bangsa Indonesia  
sudah siap akan melawan Nica dengan segala kekeuasaan.

Tochan telah berfirman: **„DIBENARKAN; BERTEMPOER  
BAGI MEREKA LANG DISERANG; KARENA MEREKA TOE  
DIANIJAJA. DAN SESOENGGOEHNJA ALLAH BERKOFASA  
MENOLONG MEREKA”**. (ALQoer'an soerat AL-Haddji ayat 39).

Allah — Oelaha!

Gerakanlah rakyat oentoek menahani penganiajaan Nica dan  
agen-agenja.

\* Secara Rakyat Moeslimin Indonesia.

Source: The Indonesian daily newspaper *Merdeka* (October 12, 1945).



## Appendix 3

## Alim Oelama menentoeakan Hoekoem Perdjoangan.

Pertemoenan 36 orang Kiai dan Alim Oelama se-Jogjakarta di-  
bawah pimpinan Kiai H. Fadli dan Kiai H. Amir, atas nama Penerima-  
tah Repoebliek Indonesia bg. Agama oeroesan Alim Oelama, ber-  
tapat di Banggar Notopradjan, baroe? ini telah mementoeakan ho-  
ekoem-hoekoem sbb:

I. Menjetoedjoei istwanja Kiai  
Hasjim Asjari Teboereng Djom-  
bang jang ringkasnja sebagai be-  
rikoet:

- a) Hoekoemnja memerangi orang  
kafir jang merintangji kepada  
kemerdekaan kita sekarang ini  
sakaah fardoe' sik bagi tiap2  
orang Islam jang maungkin  
meskipun bagi orang fakir.
- b) Hoekoemnja orang jang men-  
inggal dalam peperangan me-  
lawan Nica serta komplotnja,  
adalah mati Sjahid.
- c) Hoekoemnja orang jang me-  
metjahkan persatoean kita se-  
karang ini wadjib diboenoh.  
Meningat fatwa terseboet, ma-  
ka para Alim Oelama setaloe  
siap sedia berdjoeang dengan  
sekoet tenaga oentoe' mem-  
bela Agama dan Kemerdekaan.

II. Jang berhoeboeng amalannya:

- a. Segenap Oemmat Islam soepaja  
mengamalkan Selat hadjat, je  
bermaksud memohon kepada  
Toehan Allah s.w.t. kekelama-  
tan dan langsoengnja kemerde-  
kaan Indonesia.
- b. Memperbanjak sedekah terna-  
tama oentoe' memberi bekal  
kepada pradijerit2 kita jang  
sama bertempoer.
- c. Memperbanjak Poessa, dita-  
ngah mendjalankan Poessa (se-  
beloem boeka) memperbanjak  
Istighfar (minta ampoe' ke-  
pada Toehan) dan do'a2. (Ta-  
njaklah kepada Alim Oelama  
tentang Istighfar dan do'anja).
- d. Memperbanjak membata Al  
Qoer'an (terutama soerat Al-  
Baqoroh atau soerat Al-  
nasjroh dan Alam-tara).

Source: The Indonesian Daily Newspaper *Kedaulatan Rakjat*  
November 20, 1945.

Source: The Indonesian daily newspaper *Kedaulatan Rakjat* (November 20, 1945).

## Appendix 4

## "RESOLUSI"

MOETAMAR NAHDLATOEL OERLAMA' ke-XVI jang diadakan di POERWOKERTO moelaj malam hari Rebo 25 hingga malam Sabtu 26 Rb. oestani 1365 bertepatan dengan 26 hingga 29 Maret 1946.

## Mendengar :

Keterangan<sup>2</sup> tentang soesana genting jang melipoeti Indonesia sekarang, disebabkan datangnya kembali kaeom pendjadjah, dengan dibantoe oleh kaki-tangannya jang menjeloendoej kedalam masyarakat Indonesia :

## Meningat :

- a. Bahwa Indonesia adalah negeri Islam.
- b. Bahwa pendjadjahan adalah melanggat adjaran<sup>2</sup> Islam.
- c. Bahwa Oemmat Islam dimasa laloe telah tjoekeop mendjerita kedjahatan dan kezholiman kaeom pendjadjah :

## Menimbang :

- a. Bahwa mereka (Kaeom pendjadjah) telah mendjalankan kedjamaan, kedjahatan dan kezholiman di beberapa daerah dari pada Indonesia.
- b. Bahwa mereka telah mendjalankan Mobilisasi (Pengerahan tenaga peperangan) oemoem, goena memperkosa kedaulatan Repoebliek Indonesia :

## Berpendapatan :

Bahwa oentoek menjiak bahwa pendjadjahan itoe tidak moesogho dengan djanan perkeritisan sadja :

## Memoetoeskan :

1. Berperang, menolak dan melawan pendjadjah itoe Fardloe 'ala (jang haroes dikerdjakan oleh tiap-tiap orang Islam, laki-laki, perempuan, anak-anak, bersendjata atau tidak (bagi orang-orang jang berada dalam djarak lingkaran 94 Km. dari tempat masoek dan kedoedoeakan moesoeh.
2. Bagi orang-orang jang berada diloear djarak lingkaran tadi, kewadajiban itoe djadi Fardloe Kifajah (jang tjoekeop, kalau dikerdjakan oleh sebagian sadja).
3. Apa bila kekoetaan dalam No. 1 beloem dapat mengalahkan moesoeh, maka orang-orang jang berada diloear djarak lingkaran 94 Km., wadajib berperang djoega membantoe No. 1, sehingga moesoeh kalah.
4. Kaki tangan moesoeh adalah pemetjah kegoelatan teqat dan kehendok ra'jat, dan haroes dibinasakan, menocroet hoekoem Islam sabda Chadist, riwayat Moeslim.

Resoloesi ini disampaikan kepada :

1. P. J. M. Presiden Repoebliek Indonesia dengan perantaraan Delegasi Moetamar.
2. Penglima tertinggi T.R.I.
3. M. T. Hizboellah.
4. M. T. Sabilillah.
5. Ra'jat oemoem.

Source: "Poetoesan-poetoesan Mu'tamar ke 16 NU Cabang Banyoemas", Soekarajda.

## Appendix 5

# Poatoesan<sup>2</sup> Moe'tamar Islam Indonesia

## RESOLOSI.

### Moe'tamar Oemmat Islam Indonesia di Jogjakarta.

#### BISMILLAHIRRAHMANIRRAHIM.

Moe'tamar Oemmat Islam Indonesia jang diadakan di Jogjakarta tanggal 1-2 Zoehidjdjah 1364- (7-8 November 1945) jg mewakili seloeroeh Oemmat Islam di Indonesia jang berdjoeemlah koerang lebih 65 miljoen djiwa, setelah menindjau perdjoeangan bangsa Indonesia dalam waktoe jang achir<sup>2</sup> ini dalam menegakkan Kedaulatan Negara Repoeblik Indonesia sebagai satoe sjarat moetiak oentoek kesempoenaan berdjalanja Agama Islam, maka ternjatalah bahwa tindakan<sup>2</sup> dari pihak Imperialisme Belanda dan komplotannya membahayakan kemerdekaan dan kedaulatan Negara Repoeblik Indonesia.

#### Memimbang:

1. Bahwa tiap<sup>2</sup> bentuk pendjadian adalah soeatoe kezaliman jang melanggar peri kemanoesiaan dan njata<sup>2</sup> diharankan oleh Agama Islam.
2. Bahwa oentoek membasmi tindakan<sup>2</sup> jang dilakoekan oleh tiap<sup>2</sup> Imperialisme atas Indonesia, tiap<sup>2</sup> Moeslim wadjiblah berdjoeang dengan djiwa ragnja bagi kemerdekaan Negara dan Agamanja.
3. Bahwa dalam keadaan jang demikian haroeslah dikerahkan tenaga rakjat dari segenap lapisan oemoemnja, dalam kalangan Oemmat Islam Indonesia choesoensja.
3. Menjesoealkan soesoenan dan sifat Masjoemi sebagai Poesat Persatoean Oemmat Islam Indonesia, sehingga dapat mengerahkan dan memimpin perdjoeangan Oemmat Islam Indonesia seloeroehnja.
4. Menghormati dan menghargai djasa pahlawan<sup>2</sup> teroetama Angkatan Moeda, baik jang tiwas macepden jang tidak, dalam perdjoeangan menegakkan Kedaulatan Negara.
5. Mohonkan kepada Pemerintah Repoeblik Indonesia soepaja mendesak kaocem Sekoetoes menjegerakan perloetjoetan sendjata tentera djepang dan pengembalfannja, agar balatentera Sekoetoe dapat segera poelang kenegerinja.

#### Memoeskeska:

#### A. OENTOEK DALAM NEGERI:

1. Memperkoat perstapan Oemmat Islam oentoek berdjihad il sablillah.
2. Memperkoat barisan pertahanan Negara Indonesia dengan berbagai<sup>2</sup> oesaha jang diwadjikan oleh Agama Islam.

#### B. OENTOEK LOEAR NEGERI:

1. Menjampalkan poatoesan ini kepada Doenda Internasional oemoemnja, dan Doenda Islam choesoensja.
- Resoloesi ini disampaikan kepada:
1. Pemerintah Repoeblik Indonesia.

Source: The Indonesian daily newspaper *Kedaulatan Rakjat* (November 13, 1945).

**RESOLUOSI :****Merperkoat Barisan Pertahanan  
Negara Indonesia****Poatoesan<sup>2</sup> Moe'tamar Islam Indonesia di Djokja**

Bismillahirrahmanirrahim.

JOGJAKARTA, 13 Nop. (Antara):

Moe'tamar Oemmat Islam Indonesia jang diadukan di Djokjarta tanggal 1-3 Zoesdidjeh 1364 (13, November 1945) jang mewakil oentoech Oemmat Islam di Indonesia jang berpelembah koemang lebih 60. matoeh djiwa, setelah m'andara perlocoengan bangsa Indonesia dalam wakoe jang sehir<sup>2</sup> ini dalam meoekakan Ketaulatan Negara Republik Indonesia setoet saeet saeet meolak oentoech kesempoean berdjukoeja Agama Islam, maka tertetad bahwa tindakan<sup>2</sup> dari pihak Imperialisme Belanda dan kompanjennja mematahjakan kemerdekaan dan kedaulatan Negara Republik Indonesia.

**MENIMBANG:**

1. Bahwa tiap-tiap bentuk pendjadjahan adalah oentoech kealiman jang melanggar peri karamoeunan dan njata-njata diharamkan oleh Agama Islam.
2. Bahwa oentoech membaahi tindakan<sup>2</sup> jang dilakoekan oleh tiap Imperialisme atas Indonesia tiap-tiap Moeslim waljiblah berdjoeang dengan djiwa ragannja baer kemerdekaan Negara dan Agamannja.
3. Bahwa dalam keadaan jang demikian haruslah dikorbankan tenaga rakjat dan segeerap lapisan oemoeannja, dalam kalangan Oemmat Islam Indonesia choesoeannja.

**MEMOETOESKAN:**

- a. Oentoech D a l a m N e g e r i :
  1. Merperkoat persiapan Oemmat Islam oentoech berdjihad fisabilah.
  2. Merperkoat barisaz pertahanan Negara Indonesia dengan berbagai-bagai oesaha jang diwaljikan oleh Agama Islam.

8. Menjoesokkan seoesman dan effat Majoemah sebagai Poesat Perlocoan Oemmat Islam Indonesia, sehingga dapat mengersahkan dan mamipin perlocoengan Oemmat Islam Indonesia seloeroehaja.

4. Menghormati dan menghargai djiwa pahlawan<sup>2</sup> teroetama Angkatan Moes, baik jang tewas meoepoe jang tidak dalam perdjoeangan meoegakkan Ketaulatan Negara.

5. Moeokan kepada Pemerintah Republik Indonesia, seopala mendesak koemah Sekoetoe menjerakan perlocoeran pendjata sentra Jepang dan pengembalannja, agar habstanteja Sekoetoe dapat meura pelang koegerinnja.

**b. Oerjoek J o e a r N e g e r i**

1. Meoampatkan poatoesan jai kepada Dewan Internasional oemoeannja, dan Dewan Islam seoesoeannja.

Resolusi ini disampaikan kepada:  
1. Pemerintah Republik Indonesia.  
2. Rakyat Indonesia Oemoeannja, dan Oemmat Islam Indonesia seoesoeannja.

Source: The Indonesian daily newspaper *Merdeka* (October 15, 1945).

## Appendix 7

## Mosi Rakjat Moeslimin Keboemen

*Berdjocang soenggoeh<sup>2</sup> didjalan Allah oentoek  
mempertahankan Repoeblik Indonesia*

### KEBOEMEN:

Rapat Oemmat Islam di Keboemen jang diadakan belem lama ini berpendapat bahwa:

dalam pembangoenan Negara Repoeblik Indonesia Agama Islam mempunyai kedoecekan jang penting sekali.

**Mengingat:** Adanja Proklamasi tentang Kemerdekaan Indonesia pada tanggal 17 Agestoes 1945 dan Oendang<sup>2</sup> Dasar Negara Repoeblik Indonesia jang kemoedian disiarkan kepada seleroeh Rakjat dan seleroeh Doenia.

**Menimbang:** Bahwa Agama Islam tidak akan soeboer di Negeri jang tidak Merdeka, maka Rakjat

Islam wadjib menolak dengan sekeras-kerasnya tiap<sup>2</sup> kekecewaan asing jang hendak mendjadjah Negara dan Rakjat Indonesia.

**Membaja:** Soeara Rakjat Moeslimin Indonesia tertanggal 27 September 1945 termocat pada Berita Repoeblik Indonesia.

### Memoeskan:

1. Kita Oemmat Islam Indonesia di Keboemen berdjocang dengan soenggoeh<sup>2</sup> didjalan Allah oentoek mempertahankan Repoeblik Indonesia Merdeka jang berdasar ke-Toechanan Jang Maha Esa.
2. Kita Oemmat Islam Indonesia di Keboemen telah kenjang dengan penghinaan jang dihadapkan kepada Agama Islam dan Nabi Moehammad s.a.w. Dari sebab itoe kami Kaoem Moeslimin tidak ridla dihina dan didjadjah oleh Bangsa apapoen.
3. Kita Oemmat Islam Indonesia beserta ratoes-ribean-Laskar Islam telah siap sedia oentoek membela Kemerdekaan dan kehormatan Agama — Noesa dan Bangsa.

Meskipun disampaikan kepada:  
Presiden Repoeblik Indonesia,  
Komite Nasional Pusat dan Daerah,  
Majoesil Pusat dan Daerah,  
Pengoes<sup>2</sup> Besar perserikatan Islam,  
Pus. dan Oemmat.

Source: The Indonesian daily newspaper *Merdeka* (October 23, 1945).

## Appendix 8

## PEMBENTOEKAN BARISAN SABILILLAH DAN PARTAI POLITIK ISLAM

Poetoesan2 Moe'tamar Islam  
di Boekit Tinggi.

Boekit-Tinggi, 10-12 (Antara).  
Moe'tamar Islam jang dilangsungkan pada tanggal 6-12 hingga 9-12 di Boekit-Tinggi, Soematera, antara lain2 merestabil poetoesan2 sbb :

1. Berdjoeang mengoesir moesoeb dari Tanah Air Indonesia atau menghantjoerkannya. Adalah Fardhoel A.n (wadjib atas tiap2 orang) hoekoemnja. Itoe berarti bahwa siapa jang mati dalam perdjoeangan tsb, adalah mati Sjahid. Penghianat bangsa haroes dimaschali dan diawas-awasi. Djika sikap mereka itoe tidak berubah, maka halallah barangnja. Barisan Palang Merah Poeter, ditoezngoe oleh Agama Islam,

2. Menimbang, bahwa kedoedoek-an oemnat Islam Indonesia sebagai warga-negara Repoebliek Indonesia dan mengingat soeasana jang genting dewasa ini, maka dibentoeek Barisan Moe'slimin jang teratoer jang akan mempertahankan Negara Repoebliek Indonesia. Barisan tso, diberi nama Barisan Sabilillah sebagai Barisan Almoetathawwin (Barisan Soekarela) jang berkedoedoekan sendiri oentoek toeroet menegakkan Negara Repoebliek Indonesia. Anggota2nja terdiri dari segenap oemnat Islam Indonesia jang moekallaf (dewasa) meneroet toentoetan perang dengan mekakoek an bai-ah (djandji). Barisan Sabilillah berdjoeang dibawah pengawasan Madjelis Islam Tinggi Soematera bagian Dewan Perdjoeangan, dan mendapat latihan militer dari Tentera Keamanan Rakjat serta mempoenjai perhoeboengan dengan tentera tsb.
3. Madjelis Islam Tinggi Soematera menjadi Partai Politik Islam.

Source: The Indonesian daily newspaper *Kedaulatan Rakjat* (December 13, 1945).

## Appendix 9

## SHOLAT HADJAT BENTOEK MENDO'A KEMENANGAN TERDEJAMA DI SOERABAJA.

Dengan hormat dan penuh dipencembutan seleroeh ber-  
mat Islam di Padjadjaran, mengabdikan SHOLAT HADJAT di Ma-  
djid, Indragiri, dan Mosokolah bentok Mendoa kepada Allah  
Jang Maha Koesa, bagi kemenangan kita terdejama di Soera-  
baja jang kini sedang bertempoer.

Seleroeh Gerombolan Mochammadijah, ranting2 Masjoemi  
dan pegawai2 Maodjid, selenggarakan hal ini dengan setje-  
patnja, dan kerdjakannjah seroedah berdjama'ah 'Isja, hendakiah  
jang tertoes mendjadi Imam.

Perhatikanlah wahaj kaem Moeslimin seleroehnja, Dja-  
nyan ada jang ketinggalan.

ALLAHOE AKBAR — ALLAHOE AKBAR — ALLAHOE AKBAR.  
MERDEKA — MERDEKA — MERDEKA.

Wassalam  
PENGOEROES BESAR MOEHAMMADIJAH.

Source: The Indonesian daily newspaper *Kedaulatan Rakyat* (November 11, 1945).

## Moe'tamar Islam Soematera menja- fakan pertjaja pada Kabinet Sjahrir

*Memperotes tindakan<sup>2</sup> tentera pendoedoekam  
Inggeris di Indonesia*

DJAKARTA, 18 Des. (Antara):

**P**OETOESAN<sup>2</sup> lengkap dari Moe'tamar (Kongres) Islam Soematera jang diselenggarakan oleh Madjelis Tinggi Islam dibawah pimpinan Sjech Djamil Djambek jang berlangsung dari tg. 6 sampai tg. 9/12 di Boekit Tinggi dan dihadiri oleh Alim-Oelama, oetoesan-oetoesan Madjelis Islam Tinggi daerah pemimpin-pemimpin rakjat dan wakil<sup>2</sup> perserikatan<sup>2</sup> seloeroeh daerah Soematera, ketjoeali Palembang dan Lam-poeng jang terhalang datang berhoehoeng dengan keadaan, adalah sbb.:

Oentoek mempertinggiakan berbagai oesoel penting jang dimadjoe-kan dalam Moe'tamar, laloe dibentoe<sup>2</sup> 3 buah panitia, jaitoe 1) panitia Fatwa, 2) panitia Barisan Sabilllah dan 3) panitia Partai Politik Islam. Setelah ketiga panitia tsb. menjela-sakan pekerjaan masing-masing dan dikemoeokakan, moe'tamar laloe mengambil poetoesan-poetoesan demikian:

*Menetapkan bahwa:*

1) mengoesir moesoeh dari Tanah Air kita ini atau menghantjoerkannya, ialah fardhoe'ain hoekoemnja (wadjib atas tiap orang) boekan fardhoe-kifayah (wadjib atas sebagian orang sadja).

2) Barang siapa tewas didalam perdoeangan ini, mati sjahid doenia dan akhirat, tidak dimandikan dan dikafani dengan pakaian jang dipakainya serta tidak disembahjangan.

3) Penghianat bangsa dinasihati dan diawasi. Manakala sikapnja tidak beroebah djoega, halallah darahnja dap boleh diboeoeh. 4) Barisan Palang Merah Poeteri Islam ditoe-koer oleh Islam. 5) Madjelis Islam Tinggi Soematera menjadi Partai Politik Islam. 6) Membentoe<sup>2</sup> Gerakan Pemoeda Islam dan Barisan Sabilllah jang mendapat latihan dari T. K. R.

### *Resoloesi Moe'tamar Islam.*

Selanjoeitnja, Moe'tamar Islam itoe mengambil resoloesi jang menja-fakan pertjaja kepada Kabinet Sjahrir, dan memadjoeikan protes-protes atas pemboman dan penganijaan tentera Inggeris-Belanda dan kakitangannya terhadap daerah-daerah Indonesia, stur perloetjoelan sendjata rakjat Indonesia oleh Inggeris, atau pengerahan tentera Djepang oentoek tjampoer tangan dalam oeroesan membasmi gerakan kemerdekaan Indonesia, atas segala tindakan Inggeris jang mempergoekakan kakitangannya oentoek menghalang-halangi rakjat Indonesia mempertahankan kemerdekaannya dan protes atas pengerahan tentera Moeslimin India beas beritampoer dengan rakjat Indonesia jang ke-Agama dengan mereka.

Mengoentoek, oepaja perloetjoelan sendjata Djepang dilehaakan dan mereka perloetjoeran moengkin dikoelearkan dari Indonesia dan oepaja Inggeris meninggalkan Indonesia dengan segera.

### *Pengoes Besar Ma- djelis Islam Tinggi.*

Pengoes besar Madjelis Islam Tinggi diketahoei oleh Sjech Djamil Djambek jang dibantoe oleh beberapa orang anggota, sedang anggota-anggota Dewan Pertimbangan poen telah ditetapkan.

Source: The Indonesian daily newspaper *Merdeka* (December 19, 1945).



## Appendix 11

THE CHRONOLOGY OF RELATIONSHIP  
BETWEEN INDONESIA AND THE NETHERLANDS  
RELATED WITH *FATWĀ* ON *JIHĀD* AGAINST  
THE DUTCH SOVEREIGNTY IN INDONESIA.

1596	The Dutch traders arrived in Indonesia.
1628-1628	The siege of Batavia led by Sultan Agung against Dutch hegemony over Batavia.
1667-1669	A War between Makassar people and the Dutch. Enci' Amin wrote <i>Sjair Perang Makasar</i> in which the Dutch was regarded as the infidels.
1888	The followers of the Naqshbandiyyah and the Qadiriyyah Naqshbandiyyah resisted the Dutch dominions in Banten. This resistance was well-known as the Peasants' Revolt.
1889-1890	Sayyid 'Uthmān published his Lithograph entitled <i>Manhaj al-Istiqāmah fi al-Dīn bi al-Salāmah</i> .
1926	The Nahdiatul Ulama was established.
August 14, 1945	Nagasaki and Hiroshima are bombed by the Allied Troops.
August 15, 1945	The Japanese Capitulation.
August 17, 1945	Indonesian Independence Day.
August 29, 1945	The People's Security Organization ( <i>Badan Keamanan Rakyat</i> ) was established.
September 8, 1945	An Allied reconnaissance team was parachuted and landed at Kemayoran.
September 12, 1945	Admiral Lord Louis Mounthatten received the Japanese surrender.
September 14	H.M.S Cumberiand arrived in Tanjung Periok under the command of Rear-Admiral Patterson.
September 28, 1945	The arrival of the first contingent of Allied Troops.
Oct-November 1945	The 'Bersiap, Get Ready' period in the Indonesian History and the Struggle Organization ( <i>Badan Perjuangan</i> ) was summoned to meet an enemy threat.
October 2, 1945	Van Mook arrived in Java.
October 2, 1945	The vegetable traders started to refuse to sell their goods to the Dutch and its agents.
October 5, 1945	The People's Security Organization (BKR) was reorganized as the People's Security Army ( <i>Tentara Keamanan Rakyat</i> ).
October 12, 1945	The Indonesian daily newspaper <i>Merdeka</i> published the Indonesian Islam Appeal to <i>Jihād Fi Sabilillāh</i> ( <i>Seruan Ummat Islam Fi Sabilillah</i> ).
1945	KH. Hasyim Asy'ari issued the <i>fatwā</i> appealing all Muslims upon fighting against the Dutch Army.
October 13, 1945	The Indonesian Muslim Consultancy League ( <i>Masjumi</i> ) of Jogjakarta issued the motion for expelling colonization.
October 22, 1945	The Nahdlatul Ulama issued the Jihād Resolution against NICA.

- October 23, 1945 The Indonesian daily newspaper *Merdeka* published the Kebumen Muslim's motion on defending the Indonesian Independence.
- October 25, 1945 The troop-ship H.M.S. "Waveney" with the 49th Indian Infantry Brigade arrived at Surabaya.
- November 7-8, 1945 *The Muktamar Ummat Islam* at Jogjakarta issued a resolution to strengthen the Indonesian Defence. The Masyumi Party was established at the end of the congress.
- November 9, 1945 The fifth Indian Division arrived at Surabaya.
- November 10, 1945 The Heroic Surabaya Affair. And the day was commemorated as the Hero Day (*Hari Pahlawan*) by the Indonesian People.
- November 11, 1945 The Central Office of the Muhammadiyah appealed the Indonesian Muslims for performing a prayer for wish (*shalāt li hājah*) to support the Muslims in Surabaya.
- November 16, 1945 The *Id al-Adhā*.
- November 20, 1945 The Jogjakarta Religious dignitaries were reported of being issuing their *fatwā* agreed with the *fatwā* of KH. Hasyim Asy'ari.
- December 6-9, 1945 The Sumatran Muslim organized the Muslim Congress at Bukittinggi. The Congress issued the Declaration for fighting against colonization.
- December 15, 1935 *The Asyura* Day. The Indonesian Muslims are invited to fast to give a spiritual support of Indonesian Independence.
- March 26-29, 1946 The Congress of Nahdlatul Ulama at Purwokerto and issued the Resolution which affirmed the previous Jihād Resolution issued in Surabaya.

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