ABSTRAK


Keywords: Hooker, Islam, Fatwa

Background

Indonesian Islam has always been an interesting research. Researchers in Southeast Asian Islamic studies should pay their attention to Indonesia. It is due to the fact that the population of Muslims in Indonesia is the biggest population in Southeast Asia.

In Indonesian Islam, there is a fatwa which is identified as one of religious references for Muslims in practicing their personal obligation to God. This fatwa is an important instrument since it is used by the ulama to express their religious authority. On the other hand, Indonesian Muslims refer to the ulama because they consider them for being able to issue authoritative decisions.1

The claim that Indonesian Islam is characterized by modern versus traditional followers or modernists versus fundamentalists is criticized by Hooker. In fact, in fatwas, there are no such divisions. Muslim typology proposed by Geertz perhaps would be much negated by him.2

2 Regarding some reactions from the western and Indonesian scholars for Geerzt”s view, See, Huub de Jonge, “Western and Indonesian views on the Abangan-Santri division in Javanese Society;The perception of Geerzt” “the Religion of Java”, in : Henk Driessen (ed) The Politics of
In fatwas, he finds that the NU and Muhammadiyah which the first is identified as traditional and the latter is modern Muslim have almost the same product of fatwas.

Furthermore, in fatwas, there is a creative development of Islam in Indonesia. As we know, for the past centuries, the whole Muslims have viewed the reformation of Syariah in Western words. The modern states always try to dominate or control the Syariah. The reason is diverse. Some aim at modernization since it is considered as a shadow of the classical jurisprudence. However, the fatwas-issuing bodies try to keep their distance from the state.

Moreover, by studying Indonesian fatwas, we can describe what Indonesian Islam is. 3 Indonesian fatwas, to some extent, reflect the ‘real’ or practice of Indonesian Islam. From the fatwas, we will see that there are two struggles. The first struggle is the struggle between Islamic teaching and the modern life in order to determine what Islam should be. The second struggle is between Revelation and Pancasila.

Basically, the history of Islam in Indonesia is complex. This is because the source of personal obligation is obscure. During the colonial period, personal obligation was determined by adat. 4 Nowadays, the Syariah is also formalized. However, Indonesia is not an Islamic state. It means that there is also a struggle between Revelation and Pancasila. And Indonesian fatwas, to some extent, reflect this struggle.

Furthermore, it is very important to describe the twentieth-century Islamic reform in order to understand the Indonesian fatwas. This is because the fact that Indonesian fatwas, to some extent, are influenced by Muslim intellectuals in the Middle East. Some of these Muslim intellectuals are Muhammad Abduh, Rashid Ridha, Sayyid Qutb, Shaltut, and Hasan Hanafi. However, Indonesian Islam is not same as Islam in the Arabic world. It has different experience which contributes the significant background for Indonesian fatwas.

There are, at least, three factors supporting this idea; indigenous Indonesian Islam, The Dutch presence, and the status of Islam in Indonesian legal system after Independence. 5 The new scholasticism in Indonesia was divided into two periods, namely before Independence and after Independence. In this case, Hooker proposed two fundamental questions. They were (1) what is Islam? (2) What is its relation to the (colonial) state? 6 Before independence, there is no agreed definition on what Islam is. Muslims in Indonesia did not have same idea concerning law and the legitimacy of authority. It can be seen from the idea of NU, Muhammadiyah, and Persis which is diverse.

Hooker argued that “it was the Dutch who first put forward the question, ‘what Islam is now?’ and perhaps even determined the agenda for the answer”.7 This idea leads him to propose that the new scholasticism up to now is the logical result of a process begun by the Dutch 150 years ago. Therefore, there are two scholasticisms in Indonesia, namely a responsive scholasticism and a creative scholasticism. A responsive scholasticism is found in the colonial period and is characterized by defensiveness in law and dogma. 8

The responsive scholasticism wanted to demonstrate the perfectness of Islam. A creative scholasticism, on the other hand, emphasized on the creativity inherent in Islam, the true flowering of which can be achieved through rational thought which is itself God-given. 9 Classical Islam is looked critically by using both Islamic teaching and Western methodology. The Indonesian fatwas, then, will become important

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Ethnographic reading and writing: confrontations of western and indigenous views, Saarbrucken-Fort Lauderdale 1993, pp. 101-123.


examples of how classical Islam is defined in the modern context of contemporary Indonesian Islam.

Islam is not single but plural. It is not only in the norm but also in the practice. In the norm, it can be seen from the fact that there are some madhhab in Islam. And through fatwas, one will see the variability of Islamic practice. This is because Islam is always in contact with local culture. Therefore, local position of Indonesian Islam is the key to understand the Indonesian fatwas.

By studying Indonesian fatwas, Hooker argued that one will see three ways that we can know Indonesian Islam. The first is various method of reasoning used in issuing fatwas. The second is the fatwas demonstrate the problem between Islamic and non-Islamic doctrines. The third is through the fatwas we will know the representation of Islam which is very significant to understand religion.

A Short Biography of M.B. Hooker

Professor M.B. Hooker is one of the most experienced Western analysts of legal systems in Southeast Asia with a research record spanning over 30 years.

Since he began publishing major works on the legal systems of Southeast Asia in the late 1960s, M.B. Hooker has developed the conceptual framework for the study of legal pluralism in the region. His book Legal Pluralism: an Introduction to Colonial and Neo-Colonial Laws (1975) became (and remains) a set text on the subject. His Concise Legal History of South-East Asia (1978) also remains a basic text and sits with his Islamic Law in South-East Asia (1884) as the two works which have defined the outline of legal history for South East Asia. He has contributed substantial entries to the authoritative Encyclopedia Islam on all aspects of Islamic law in Indonesia and Malaysia and has pioneered courses in these subjects at the University of Kent (Canterbury UK), the National University of Malaysia, the Australian National University and the University of Melbourne.

Although he has worked extensively on the legal systems of Malaysia, he is also acknowledged as making seminal contributions to the study of Islamic law (shariah) in Indonesia. Since the early 1990s he has written and contributed to national conferences on the form and position of shariah in the Indonesian state.

He has given opinions to the State Government of Negeri Sembilan (Malaysia) on Islam and Adat; to the Attorney General of Malaysia; and to the High Court in London on adoption, divorce and inheritance in Malaysian and Indonesian Syari'ah. His scholarly interest is Law of Southeast Asia, particularly Islamic Law. His recent publications are (2003) Indonesian Islam: Social Change through Contemporary Fatawa (2003) Law and the Chinese in South East Asia (2003) (ed. With Jamhari & Tim Lindsey) Islamic Law in Indonesia and Malaysia. Studia Islamika (special issue). Vol. 10(1). He is currently Adjunct Professor in the Faculty of Law, ANU and Honorary Senior Associate of the Asian Law Centre at the University of Melbourne and holds an ARC Discovery Grant (2005-2007)

Method, Islamic Doctrine, and Representation in Indonesian Fatwas

By looking at fatwas from four Islamic organizations in Indonesia, Hooker argued that there are different methods in handling down fatwas. Persatuan Islam (Persis), uses linguistic narrative method or he also called as ‘literalism’. In this case, Persis treats Al-qur’an as the greatest authority. Hadist should be examined carefully. In some of Persis fatwas, some hadith are rejected. A hadith is rejected since it contradicts the Qur’an. Persis also rejects ijma’in one of its fatwas. It is understandable, then, that, in Persis, there is no a commission of fatwa. Most of Persis fatwas were issued by Ahmad Hassan. Hooker said that the Persis fatwas are largerly, though not entirely, the work of one man.

12 Ibid, p.48
Ahmad Hassan (1887-1958). Therefore, the Persis fatwa is prescriptive to its members.

Muhammadiyah sees ijtihad as important method in handling down fatwas. Muhammadiyah employs ijtihad in accordance with the Qur’an and Hadist. Muhammadiyah also has two basic ideologies; maqasid al-sharia and maslaha. However, the Muhammadiyah fatwa is not binding. Therefore, Muhammadiyah’s fatwa are didactic rather than prescriptive.

Nahdlatul ‘Ulama (NU) considers classical text as its sources of authority in issuing fatwas. Fiqh texts, for instance, are crucial for Nahdlatul ‘Ulama. Hooker argued that, “to attempt to deduce law directly from Qur’an and Hadith without consulting the fiqh texts is not permitted.” Hooker also explains some steps in the system of legal in NU. These steps are NU method in handling down fatwas since 1992. In this case, one also will see that the authority of Ulama in NU is very significant.

MUI (Majlis Ulama Indonesia) method, according to Hooker, tends to be eclectic. In some cases, MUI also refers to the Middle Eastern fatwas, particularly in recent years. Although the motive of the establishment of MUI was to control Islam under the state, some of its fatwas contradicts the state policy.

On the other hand, however, some fatwas from a council for the evaluation of Islamic law under the ministry of health has no particular methodology in issuing fatwas but the purpose is clear, namely to support the government decision.

Islamic doctrine is rather problematic in practical level. Doctrinal boundaries can be divided into two kinds. The first is an internal boundary within Islam. It can be seen from two fatwas contrasting each others. They are fatwas from NU and Persis on Imam and Ulama. However, the most problematic is sectarian movement such as three fatwas from MUI to ‘unacceptable’ sectarianism, namely the aliran, the Ahmadiyah Qadiani, and the Darul Arqam.

The second is the external boundary with Christianity. He took some fatwas from Persis, Muhammadiyah, NU, and MUI. These fatwas reflecting the relationship between Islam and Christianity in Indonesia is always problematic. The method of reasoning is the same in those two doctrinal boundaries. It is not clear, -perhaps none-, regarding the classification between ‘modernist’ and ‘traditionalist’ group “in the real world of the fatawa”.

The impact of modernization is the rise of new media. This new media uses Islam into ‘image’ and representation in many purposes. Again, Revelation feels that this representation threatens its authority. Therefore, some fatwas proposed by Hooker can be good examples of how Revelation controls the image and image-making. From these fatwas, one can see that there is a dialogue between the truth of Revelation and ‘the real’ Indonesia. Because the 21st century Indonesia is secular state, Indonesian fatwas reflect the debate between Revelation and secular state. The result is that there is radical reorganization of classes in Syariah. Indonesian fatwas also describes that the neutral class-permissible (mubah)- has now become highly charged, especially with reference to maslaha as a source.

**The Five Pillars in Indonesian Fatwas**

There is a tension between the requirements of Islamic dogma and the realities. Indonesian fatwas give considerable space to the five pillars (five religious duties) reflecting this tension. The five pillars refer to Syahadat (faith confession), Shalat (prayers), Fasting, Zakat, and Hajj (pilgrimage). Bid’a is a particular term in Indonesian fatwas referring forbidden innovation in religious practices (ibadat).

Concerning Syahadat, for instance, although there is no ‘great’ dispute but Hooker gave two fatwas contrasting each others. One is from NU. In NU fatwa, it is permissible to recite the Confession of faith while visiting of graves (ziarah). Ahmad Hassan, however, proposed that such practice is bid’a.

Shalat (prayer) is a main religious duty in Islamic teaching. Hooker claimed that fatwas on
prayer are answers to four obvious questions: how one pray?, when one pray?, where one pray?, and what are special prayers? Persis and Muhammadiyah fatwas “contain detailed prescriptions” on prayer. It is understandable since both organizations have similar ideology, namely purifying Islamic teaching. Proper religious practices based on the Qur’an and Hadits are emphasized. However, according to Hooker, Persis fatwas are more decisive because of the constant preoccupation with bid’a in ‘ibadat”. In this case, Hooker included fatwas on ablution (wudu’), the call to prayer (azan), and place for public prayers, forms and formality of prayers, prayer while traveling, and the Friday sermon (khatbah). From these fatwas, Hooker argued that the correctness of prayer is debatable and always problematic in Indonesian Islam. Therefore, in Indonesian fatwas, mubah is not neutral class.

It is not only in the fatwas on prayer that mubah is problematic, but also in the fatwas on the fast. Although there is an agreement in a particular case, for instance, replacing missed days-, but there is always empty space to be debated. Hooker gave two fatwas from NU and Persis concerning voluntary fasting. On one hand, NU stated that voluntary fasting is considered meritorious. On the other hand, Persis considered that while the voluntary fast is permissible it should not become recommended. In this sense, Persis made mubah become a complicated term.

Calculation of Ramadhan, of course, has always become a controversial issue in Indonesian Islam. The most problematic case is related to calculation of times for the beginning and end of Ramadhan. It is represented by Muhammadiyah and NU, for instance, which do not have similar method in calculating the beginning and end of Ramadhan. However, the role of state authority is primary as an effort towards standardization of times for the convenience of society.

The Indonesian state also tries to control zakat by establishing the zakat Collection Board (Badan Amil Zakat) under the ministry of Religious Affairs. According to Hooker, the zakat payments can never be separated from state interest. In fact, Persis, in its fatwa, rejects any organization which is made to collect zakat payment. However, Muhammadiyah agrees but in restricted position.

According to Hooker, regarding the government policy, there are two main responses in Indonesian fatwas on zakat. The first response is on the issue of capitalization. Muhammadiyah, NU, and Persis take the same position. They are reluctant to support or to oppose it. The second response is on the method of collection. In this case, NU, in its fatwas, affirmed the authority of state. This is because the state legislation is not a break with tradition, indeed in some ways it repeats the ‘amil (agent) of mediaeval Islam in a revised form.

The pilgrimage (hajj) ritual has always been under the control of Indonesian government. It is under the ministry of Religious Affairs. According to Hooker, this is because the political and financial reason. Concerning the hajj ritual, there are two issues, namely Indonesian fatwas on funding and travel. Hooker took fatwas on funding from NU, Muhammadiyah and MUI. While NU, in its fatwa, permits the arian, Muhammadiyah forbids it. MUI also takes the same position with Muhammadiyah.

It can be concluded that there are two tensions in Indonesian fatwas on the five pillars. The first is the tension within internal Islam. It can be seen from the fatwas describing the disagreements between Persis, NU, Muhammadiyah, and MUI. They result from different method of reasoning in issuing fatwas. However, all of these four Islamic organizations regard the Revelation as primary. The second tension is between Islam and the state. In this case, the state has Constitution while Islam has its own source, namely Revelation from God. The state has been successfully handling the hajj and, to some extent, in zakat and fasting. The prayer remains in the hand of individual Muslim.

Women in Indonesian fatwas

There are three important sources related to the status of women in Indonesian. The first source is the laws of the state.

As we know, the Indonesian legislative system is complex. This is because the variety of
the forms of prescription. However, in Indonesian laws, prescription for women is problematic. Hooker gave two examples, namely the Compilation of Islamic Law (1991) and the Marriage Law (1974). Both state laws reflect how the state controls the Syariah. As a result, the authority is not only from Revelation but also from the state. Therefore, the status of women is not only determined by the fiqh, but also by the state. In this case, there is a pendulum balance between the state and Revelation which determines the women status and obligation.

The second source is instruction books or the panduan literature. The invention of the printed media caused Islamic instruction books play a significant role in the Muslim world. The panduan literature contains prescription which regulates women to be ideal. Hooker said that the woman must be ideal in real life, and the ideal is in the prescriptive of ‘pure’ Islam. This literature contributes in order to succeed as an ideal woman, as defined in ‘pure’ prescription’. The local custom (adat) is ignored in the panduan literature. In this case, the motive is not only for profit, but also for Islamic propagation (da’wa). There are some instruction books devoted to uneducated women and some others devoted to educated women.

The covers of these books are usually women using jilbab. One sees that the panduan literature emphasizes the purity of Muslim women based on Revelation. In the panduan literature, secularism and Western idea are attacked. Nowadays, Islamic novels appear as a new trend in Indonesian Islam. These novels also have promoted ‘islamic’ values to women in Indonesia such as the importance of using ‘jilbab’ for women. This new trend is promoted by Forum Lingkar Pena (FLP) which is affiliated with PKS (Partai Keadilan Sejahtera). However, it seems that the emergence of Islamic printed media has reduced the authority of ‘ulama since Muslims tend to read the panduan literature rather than asking to the ‘ulama for issuing fatwas. So, does it mean that the emergence of Islamic printed media, such as the panduan literature and Islamic novels, decreases the authority of fatwas? Moreover, as a result of the emergence of instruction book, the transnational link is more explicit. Many Middle Eastern link is more explicit. Many Middle Eastern books are translated into Indonesian language. One of them is La Tahzan which was translated into Indonesian language. This book became one of the best-seller books in Indonesia.

The third source is the sermon or khutbah. There are three forms of the sermon or khutbah in contemporary Indonesian Islam. They are the Friday sermon, printed collection of the sermon, and the TV and the radio khutbah. In this case, Hooker argued that the prescriptive agenda of the sermon is to reduce Islam to ideology. The sermon always invites the women to be ‘pure’ Muslim. The status of women is determined based on the Qur’an and Hadith.

These three sources lead Hooker to discuss the status and obligation of women in Indonesian fatwas. Hooker strongly believed that Indonesian fatwas on women are not only related to internal Islam but they should be read on the context of Islamic response to the respective secular state prescriptions. Muslim women should have their own identity which illustrates a possession of a moral rightness.

By looking at some fatwas issued by Muhammadiyah, Persis, NU and MUI, he criticizes that there is a high degree of ambivalence in the definition of the boundaries of mubah. The fatwa sources are inconsistent among themselves and even within each source. However, the writer believes that the fatwas sources are inconsistent because of their adaptability to the conditions of the time.

In some cases, Hooker assumed that the price of fatwas survival is influenced by the authority of the state. It can be seen from his explanation concerning the fatwas on wali. Hooker said that both Muhammadiyah’s fatwa and NU’s fatwa regard the consent of women as secondary. Only Ahmad Hasan argues for its primacy. However, Ahmad’s position has been achieved by legislative intervention, namely the Marriage Law of 1974 and Kompilasi Hukum Islam. In this case, we can see that Muhammadiyah’s fatwa and NU’s fatwa have been adopted in State

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Law. We also see that Muhammadiyah’s fatwa and NU’s fatwa is strengthened by the state’s authority. It means that the state power influence the price of fatwa’s survival.

From his explanation about Indonesian fatwas on women, we also see that Hooker criticized fatwas since their responses to adat matters are mixed. The female obligation based on Syariah is an illogical area. The proprietary interest is important for Individual women. According to Hooker, the duty of the ‘ulama in their studies is a value in itself, but it is not necessarily always a value transferable to other contexts. Because the value of Syariah is a value in itself, it is always going to be problematic when it is transferred in Indonesian contexts.

**Medical Issues in Indonesian Fatwas**

Regarding this topic, it is debatable, namely the relationship between science and religion. As we know, science does not need religious justification because the former is a product of reason while religion is a product of God; science is relative while religion, in this case Islam, is a absolute truth. It can be seen from Indonesian fatwas because some fatwas related to medical issues were justified by some authoritative sources, namely Qur’an and Hadist. In this case, one sees that there are two questions which need to be discussed. The first question is whether fatwas in medical issues become a symbol of religious power to science or whether they were issued because religious power becomes weak toward science in this modern time.

According to Hooker, the Muslim discussion on Islam and science is not wholly negative and defensive. However, he assumed that the majority of Muslim scientists living in two worlds, namely professional scientists on the one hand, and true believers on the other. Therefore, Hooker believed that science, including medical science, is not value-free in Indonesian fatwas. It is understandable since Indonesian fatwas are product of religious authority. It is true that in Indonesian fatwas, science is limited by Revelation. However, Hooker believed that the judgment from Revelation through Indonesian fatwas demonstrate that science should consider ethical values. In Indonesian Islam, the fatwaa demonstrate that medical science is not value-free. The contemporary scientific advances and capabilities are limited by the constraint of Revelation.

Therefore, there are some fatwas from the Council for the Evaluation of Health and Islamic Law of the Ministry of Health. Concerning the Corpse, this council issued a fatwa which is like manual for practice. It is, then, science which needs support from God. This government body used Revelation for ‘secular’ motive.

**Economic and Other Issues on Indonesian Fatwas**

In this last topic, Hooker explained some fatwas concerning money and money contracts, food and drugs, and public morality. In this case, Hooker said that fiqh plays an important role in those fatwas. However, adat or custom sometimes influences those fatwas. Hooker gave an example one fatwa from NU regarding general money contracts in 1929. In this fatwa, we saw how adat and fiqh were contested. In the beginning, fiqh was more authoritative. However in two years later, there was a concession between fiqh and adat. As a result, this fatwa was reconsidered. It also happened in 1939’s fatwa regarding banks and interest-based banking. In this fatwa, there is no clear decision since adat was involved.

To some extent, Indonesian fatwas have been intervened by the state power. Concerning fatwa from NU regarding insurance, there is a tension in Indonesian fatwas between the state and Islam. Therefore, Revelation is no longer the sole authority in Indonesian Islam.

It also can be seen in the case of lotteries. Hooker explained that there was a dispute between Prof. Ibrahim Hosen and ‘ulama from West Java concerning PORKAS. Prof. Hosen, in his paper, took a view that PORKAS was permitted. In this case, one will assume that what Hosen’s motive by permitting PORKAS is not religious consideration. However, Hosen also used religious sources in order to support his idea. This dispute reflects that Indonesian fatwas are not simple matters. Perhaps, the differences in cultural and educational background between
Hosen and 'ulama from West Java also influence this dispute. The different interpretation in Revelation as reflecting in this dispute means that Revelation is not free from cultural, educational, and personal background of muftis.

It is presumably that, in some cases, the muftis already had decision before issuing fatwas. It means that Islamic sources, such as the Qur’an, Hadith, and classical fiqh, are only referential in order to make the fatwas more authoritative. It is presumably that the muftis use some Islamic sources in order to justify their own decision which they already had. In fact, this is very suspicious thinking. It is the task of scholars to prove it.

However, Indonesian fatwas are important part of normative Islam in Indonesia. Although Indonesian state is ‘secular’ state, but there is Ministry of Religious Affairs. Also, there are revised religious court system and the Compilation of Islamic Law. It means that there are two normative Islam, the fatwa and the ‘official’ Islam. It is presumably that, in the future, Indonesian fatwas will need the support from the official Islam, i.e. the state law or the ministry of Religious Affairs.

Critical Remarks: From Inconsistency to the Historical Background Problems

Discussing on Indonesian fatwas, Hooker always criticizes Indonesian fatwas as inconsistent, both their sources and contents. It may be his main critic to Indonesian fatwas. For the writer, it is understandable since fatwas are representation of how Islamic values adapt with the modern times. Indonesian fatwas are inconsistent since Islam must be adaptable to the condition of times. In this case, Hooker did not realize this.

In selecting the fatwa sources, Hooker also chose the fatwa from the Council for the evaluation of Health and Islamic law. This council is under the government body, namely the Ministry of Health. However, it raises some questions in our mind; why does Hooker include this institution? To what extent this council is so important compared to Muhammadiyah, NU, Persis, and MUI?

Furthermore, it is unfortunate that Hooker did not provide historical background on why such fatwas appeared. Hooker preferred to analyze the content of the fatwas. In fact, historical background is important to enrich the understanding of the practice of Indonesian Islam. It also helps our understanding why Indonesian fatwas are inconsistent. Why, for instance, is there a fatwa on contraception? Is it related to the government policy on family planning? Or why is there a fatwa on abortion, etc.

Concluding Remarks: Is There Indonesian Islam in Indonesian Fatwas?

From Clifford Geertz in Islam Observed and Religion of Java, we learn that Indonesian Islam is Javanese religion. It will be obscure if we see that there is also Aceh Islam, Malay Islam, or Javanese-Sumatra Islam. In this case, we see that Indonesian Islam is limited by the place.

In his study, Hooker proposed that through studying Indonesian fatwas from four main Islamic organizations, he can tell us what Indonesian Islam is, particularly in the practical level. The writer believes that there is Indonesian Islam in Indonesian fatwas discussed by Hooker. However, it is limited by two problems. The first problem is the fact that in the practical level, most of Indonesian Muslim does not know these fatwas. It is true that these fatwas originally were issued because there are some questions from individual Muslim. However, the publications of these fatwas are very limited. The second problem is that all of these fatwas are not binding. Because they are not binding, it is very possible that Indonesian Muslims will not follow these fatwas.

As we know, Indonesian Muslims can be divided into two simple areas. The first is those who living in the city. And the second is those who living in the village. Indonesian Muslims living in the village strongly believe in the

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18 Besides Hooker, it is Martin Van Bruinessen who entitled his article, Global and Local Indonesian Islam in Tento Ajia Kenkyu, 1999:37-2, pp. 158-175. The courage to give a title ‘Indonesian Islam’ is somehow, provocative.
authority of individual ‘ulama. These ‘ulama usually are called as kiyayi kampung. Because of the limited access, they do not know any fatwa from NU, Muhammadiyah, MUI, and Persis as Hooker discussed in this book. If they have problem in religious understanding, they will ask directly to individual ‘ulama or kiyayi kampung. In this case, individual fatwas from Kiyayi are very significant in Indonesian Islam.

Indonesian Muslims living in the town, however, will use the printed and electronic media if they do not understand some religious matters. It is not strange that there are many Islamic magazines giving a special column to the religious issues. Usually, this special column is called ‘tanya jawab agama’ (asking and answering religious issues). Even, some of ‘ulama, such as Didin Haffiuddin, Abdullah Gymnastiar, and Ary Ginandjar, have used handphone as the instrument of transmitting their fatwas.

It can be concluded that there are two Indonesian fatwas. The first is ‘formal’ fatwas discussed by Hooker. This is because these fatwas are issued by ‘formal’ organizations. The second is ‘informal’ fatwas. These fatwas are issued by individual ulama. These fatwas are not written in a ‘proper’ fatwa. Many of them are spoken fatwas, particularly in the village. It is clear that Hooker did not discuss ‘informal’ fatwas in this book.

However, there are three characteristics of Indonesian Islam that we can learn from Indonesian fatwas discussed by Hooker. The first characteristic is that Indonesian Islam is plural. This is because the fact that there are some different fatwas on the same issue, for example fatwas between NU, Muhammadiyah, and Persis on Syahadat. The second characteristic is that, through Indonesian fatwas, one also knows that Revelation is not the sole authority in Indonesian Islam. The authority of the state represented by Pancasila and the Constitution, and adat influence the making of Indonesian Islam. The third characteristic is that official Islam and the fatwas can support each other. It can be see from the recent case, namely MUI Pekan Baru fatwa on Abu Zayd in November 2007. If the Ministry of Religious Affairs did not support this fatwa, this fatwa would not be effective and Abu Zayd would come to Pekanbaru and Malang. In this case, the fatwas and ‘official’ Islam do not impinge on each other. On the contrary, they support each other.  

These three characteristics will contribute the ‘face’ of Indonesian Islam in the future.

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DAFTAR BACAAN


