

ISLAM WASATIYYA IN THE VIEW OF MAJELIS ULAMA INDONESIA

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Abstract: This article examines wasatiyya through the eyes of the Indonesian Ulema Council (MUI). In terms of current religiosity in Indonesian society, most people are polarized into two extreme patterns, namely the extreme right and the extreme left. The role of the Indonesian Ulema Council (MUI) is demonstrated by demonstrating the concept of Islamic wasatiyya taught by the Prophet Muhammad SAW. The emergence of radicalism and liberalism was undoubtedly influenced by several factors, including religious exaggeration or, conversely, taking religious matters lightly. This article specifically seeks to answer two questions. First and foremost, how did the MUI come to be? Second, how does the MUI view the concept of wasatiyya da'wah? Third, what is the role of the Indonesian Ulema Council's (MUI) fatwa for the Indonesian people? As a result, we can see that the MUI, a semi-official institution in Indonesia, plays an important role in religious matters for Indonesian society, including preventing the emergence of extreme right and extreme left views. Until we believe MUI has carried out a religious moderation movement, also known as Wasatiyya al-Islam.

Keywords: MUI, Preaching, Radical, Wasatiyya.

Pendahuluan (*Introduction*)

Seeing the reality of the religiosity of Indonesian society today, most of them seem polarized with two extreme patterns, namely the extreme right and extreme left. The extreme right refers to the radicalism and terrorism movement, while the extreme left refers to the liberalism movement. The emergence of this extreme religious understanding will undoubtedly endanger the peace, unity, and integrity of the people. Majelis Ulama Indonesia (MUI), as the official institution for Indonesian ulama and the pillar of Muslims of all groups, has a vital role in anticipating the spread of extreme understanding in society. Since its establishment until now, MUI has carried out movements that lead to religious moderation or what is known as *wasatiyya al-Islam*. There are four functions that MUI has carried out as a forum for ulama associations; the first, guiding Indonesian Muslims in realizing a religious and social life that is pleasing to Allah; the second, providing advice and fatwas and increasing activities for the realization of *ukhuvah Islamiyah* and religious harmony; the third, being a liaison between the ulama and umara; and the fourth, improving relations and cooperation between Islamic organizations and institutions.¹

In addition, apart from its political elements, MUI has also dynamic showing

¹ MUI officially website, <https://mui.or.id/>

its version of Islamic moderation. For this reason, in this paper, the author will describe the MUI version of Islamic moderation (*wasatiyya*), starting from the history and dynamics of the formation of the MUI, determining the characteristics of *wasatiyya* by the MUI as well as the method of preaching it to the public, to examples of MUI fatwas based on *wasatiyya al-Islam*.

Majelis Ulama Indonesia (MUI): History and Dynamics

Majelis Ulama Indonesia (MUI; the Council of Indonesian Ulama) is a forum for the deliberation of ulama, zuama, and Muslim scholars throughout Indonesia to guide, foster, and protect Indonesian Muslims. MUI was a. The early history of the formation of the MUI was the result of a meeting of ulama, scholars, and zuama from all over Indonesia, represented by 26 scholars from each province at that time, 10 ulama representatives from each central-level Islamic organization; NU, Muhammadiyah, Syarikat Islam, Al-Washliyah, GUPPI, PTDI, DMI, and Al-Ittihadiyah, 4 scholars from the Islamic Spiritual Service, Army, Air Force, Navy, and POLRI, as well as 13 individual intellectual figures. The meeting was held from July 21 to July 27, 1975, which became known as the first Ulama National Conference. The formation of the MUI was right at the beginning of the reform era, namely the revival phase after 30 years of independence. The Indonesian people were less concerned about spiritual welfare because they focused on the struggle group politics.²

Throughout its history, the MUI movement has experienced quite significant dynamics. In the early days of its presence, MUI had no support from several Islamic scholars and mass organizations, especially from the NU circle. They believe it is better to maximize the role of an existing organization than to establish a new one. Moreover, as stated by Syafiq Hasyim, establishing the MUI tended to expand the interests of the Suharto regime to get encouragement and support from the ulama at that time.³ Not much different in the Habibi era, the MUI focused more on producing *tausiyas* (Islamic speeches) to legitimize some of Habibi's policies rather than issuing fatwas that helped the people.⁴ Therefore, the role of MUI in the early days of its presence was marked as a supporter of the ruling regime, known as *khadim al-hukuma*.

The role of MUI began to shift since the era of president Abdurrahman Wahid (Gusdur), from being initially "khadim al-hukuma" (government servant) to "khadim al-umma" (servant of the ummah). Various fatwas, *tausiyah*, and statements issued by the MUI have begun to appear to defend the interests and aspirations of Muslims, but they are more directed toward conservative groups.⁵ Nur Ichwan emphasized in his research that the MUI movement in the post-Soeharto era did not fully define moderate Islam, but what he called "puritanical moderate Islam". In a sense, MUI still maintains its original attention on Islamic law, creed, morality, and

² MUI officially website, <https://mui.or.id/>

³ Syafiq Hasyim, "Majelis Ulama Indonesia and Pluralism in Indonesia", on *Philosophy and Social Criticism*, 2015, p. 2.

⁴ Moch. Nur Ichwan, "Towards a Puritanical Moderate Islam: The Majelis Ulama Indonesia and the Politics of Religious Orthodoxy", on Martin V. Bruinessen (editor), *Contemporary Developments in Indonesian Islam: Explaining the Conservative Turn*, (Singapore: ISEAS Publishing, 2013), p. 60.

⁵ Moch. Nur Ichwan, "Towards a Puritanical Moderate Islam...", p. 61.

other interests, but it tends to a more puritanical and conservative position. 4 characteristics show this; *first*, its normative orientation towards halal and haram issues has become more legalistic which goes beyond the boundaries of traditional schools of Islamic law; *second*, its theological orientation has been essentially conservative since its founding and has become more puritanical with the recruitment of some new more radical members; *third*, its moralistic orientation becomes more puritanical and intervenes in public affairs; and *fourth*, its ideological orientation becomes more exclusive, protecting the interests of the Islamic ummah rather than inclusive national interests.⁶

One example of the puritanical and conservative-oriented MUI movement, as stated by Hasyim, was the issuance of a fatwa prohibiting pluralism, secularism, and liberalism in 2005. MUI believes that adhering to this understanding of pluralism will lead Muslims astray because it will damage the faith, which is the essence of Islam. Apart from the controversy arising from the issuance of this fatwa, it is clear that it should be realized that the fatwa is a consequence of the post-Soeharto MUI ideological shift, namely from Pancasila to Islam. This movement intends, among other things, to reclaim social and Islamic recognition from the community and remove the stigma of his opportunist tendency to support Suharto from the collective memory of Indonesian Muslims' past against the MUI.⁷ However, in addition to the puritan and conservative orientation, MUI tries to be moderate. Moderation shown includes rejection of radicalism and terrorism, acceptance of modernity, and acceptance of the Indonesian nation-state based on Pancasila and modern democracy.⁸

Recently, especially since the management of 2015 until now, MUI has moved more intensely to echo and socialize the notion of moderate Islam (*Wasatiyya fi al-Islam*) to as many people as possible so that it can become a counter-narrative from groups that spread extremism, radicalism, and terrorism. After the ninth National Musyawarah (Munas) in Surabaya in 2015, the MUI determined and guided 10 characteristics of *wasatiyya Islam*. Through Komisi Dakwah dan Pengembangan Masyarakat (the da'wah and community development commission), these 10 characteristics are outlined in a manual book and then distributed to mosques, *majelis ta'lim* (taklim assemblies), and other da'wah institutions.⁹ The ten characteristics of the MUI version of *wasatiyya Islam* will be explained in the next chapter.

The Concept of Wasatiyya Preaching in MUI Version

Da'wah is an activity that calls for and invites people to believe in and obey Allah SWT following the guidance of the Islamic faith, Shari'a, and morals, as well as efforts to improve the quality of life, both for oneself and society in the sense of being completely physical and spiritual as well as the world hereafter. Of course, the concept and purpose of Islamic da'wah cannot be separated from the role of the Indonesian Ulema Council (MUI), looking at the historical records of the MUI in the

⁶ Moch. Nur Ichwan, "Towards a Puritanical Moderate Islam...", p.63.

⁷ Syafiq Hasyim, "Majelis Ulama Indonesia and Pluralism in Indonesia", p. 4.

⁸ Moch. Nur Ichwan, "Towards a Puritanical Moderate Islam...", p.63.

⁹ M. Chalil Nafis, et.all, *Panduan Dakwah Islam Wasathiyah Bagi Dewan Kemakmuran Masjid dan Majelis Taklim*, (Jakarta: Komisi Dakwah MUI Pusat, 2022).

Soeharto era, where the MUI was founded by Suharto in 1975 which became a semi-official institution of Indonesian scholars. Then in the post-Soeharto era, the transformation of the MUI Institution, which was a government-oriented institution, became a people-oriented institution. MUI has exercised its powers as a semi-official institution. Religious authorities in the state of Indonesia define "Moderate Islam" which is actually "Moderate Puritan Islam" based on Sunni orthodoxy, in the context of Indonesian Islam which is ideologically and organizationally pluralistic. Then the role and position of the newly developed MUI in post-New Order national politics. These issues range from halal food certification and Islamic banking services to the "purification" of public morality (actions against pornography and porn action), Islamic image (jihad and terrorism), Islamic thought (religious pluralism, liberalism, and secularism), and Islamic aqeedah (misguided beliefs). and the Ahmadiyya Movement).¹⁰

By understanding ideologically within MUI, between Islamic traditionalism Nahdlatul Ulama (NU) and Islamic modernism Muhammadiyah¹¹ until now traditionalists, modernists, puritans and radicals compete for influence in MUI. Because after all, the MUI is one of the Islamic religious institutions that is always looked at and can be said to be a reference for Muslims, let's try to look at it in the context of fatwas. Some ordinary people will prefer fatwas issued by MUI compared to the results of *bathn masa'il* from NU. and the Tarjih Council of Muhammadiyah. So the current role of the MUI must be able to unite the Muslim community, especially so that it is not divided and the MUI has been able to be exemplary in preaching among various Muslims.

One of the general provisions of preaching emphasized by the Indonesian Ulema Council (MUI) is Wasatiyya Islam which has 10 characteristics, namely:

1. *Tawassuth* (taking the middle way), namely understanding and practice that is not *ifrath* (exaggeration in religion) and *tafrith* (reducing religious teachings). Second, *tawazun* (balanced), namely the understanding and practice of religion in a balanced way that covers all aspects of life, both worldly and spiritual, is assertive in stating the principles that can distinguish between *inhiraf* (deviation) and *ikhtilaf* (differences).¹²The opposite of *tawassuth* is *tatharruf* (extreme). If *tawassuth* can bring harmony to human life, on the contrary, *tatharruf's* attitude can make people trapped in chaos (disharmony).¹³
2. *Tawazun* (balanced), namely the understanding and practice of religion in a balanced way that covers all aspects of life, both worldly and hereafter, is firm in stating the principles that can distinguish between *inhiraf* (deviation) and *ikhtilaf* (differences).¹⁴Only people who have a balanced mind and heart can control themselves so that

¹⁰Nur Ichwan, Moch. "Towards a Puritanical Moderate Islam: The Indonesian Ulema Council and the Politics of Religious Orthodox". Contemporary Developments in Indonesian Islam, 2013, p. 61

¹¹Nur Ichwan, Moch. "Towards a Puritanical Moderate Islam: The Indonesian Ulema Council and the Politics of Religious Orthodox". Contemporary Developments in Indonesian Islam, 2013, page 62

¹²Zubaidi Ahmad, "10 characters of wasatiyya according to Ijtihad MUI," *Republika*, November 24, 2022, <https://www.republika.co.id/berita/r5fi3a313/10-karakter-wasathiyah-menurut-ijtihad-mui/>.

¹³Muhammad Cholil Nafis, et al. Guidelines for Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulema Council Da'wah Commission, 2022), page 25

¹⁴Zubaidi Ahmad, "10 characters of wasatiyya according to Ijtihad MUI," *Republika*, November 24, 2022, <https://www.republika.co.id/berita/r5fi3a313/10-kartu-wasatiya-menurut-ijtihad-mui/>.

the power they have can be directed towards good in upholding good Islamic law.

3. *I'tidal* (straight and firm) *I'tidal* is rooted in the word 'Adil in Arabic which means to be in the middle, honest, straight, and sincere. Fair is reasonable, appropriate, appropriate, equitable, and wise. In terms of fairness means an attitude that is free from discrimination, and dishonesty. The word *i'tidal* in the value of moderation is often equated with *tawasuth* which is considered to have the same meaning as fair. According to Muhamad Yunus, the word fair has another meaning, it can mean honest or true, while people who cannot do justice are called persecutors.¹⁵
4. *Tasamub* (tolerance) The word *tasamuh* according to Ibn Faris comes from the word *Samaha* which means *suhūlah* which is easy.¹⁶ According to Fairuz Abadi, the word comes from the word *samuha* which means *jaada* which means generous and *karuma* which means noble.¹⁷ Meanwhile, according to Ibn Mandzur, the words *simaah* and *samaahatun* mean *al-juud*, namely generous. Tolerance in terminology is defined by Abu A'la Maududi, which is an attitude of respecting the beliefs and actions of other people even though this is something wrong in our view. We do not use violence and coercion to change their beliefs, or by blocking them from doing something.³⁹ Meanwhile, according to Thohir Ibn 'Asyur, tolerance is a flexibility in dealing with *i'tidal* (balanced), namely the attitude of *wasathi* (middle) between *tadhyiq* (complicated) with *tasahul* (too easy).¹⁸
5. *Musawab* (non-discriminatory egalitarian) which means not discriminating against others due to differences in one's beliefs, traditions and origins. This characteristic is the main principle of Muslims in upholding equality or equality of rights and obligations that must be realized together, despite differences in race, ethnicity, culture, language, skin color, position, breed, social position, wealth and so on¹⁹, as Allah says in QS. Al-Hujurat [49]: 13

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۗ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَىٰكُمْ ۗ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ ۝ ١٣

Meaning: "O man! Indeed, We have created you from a male and a female, then We made you into nations and tribes so that you may know each other. Indeed, the noblest among you in the sight of Allah is the most pious. Indeed, God is All-Knowing, All-Scrutinizing". (QS. al-Hujurat [49]: 13)

For example, the egalitarian attitude of the Prophet Muhammad SAW was also seen when the corpse of a Jew passed in front of him. At that moment, Prophet Muhammad SAW stood to respect the body of the Medina Jew to show his attitude and sense of humanity.

6. *Shura* (Deliberation), that is, every problem is resolved by way of deliberation to reach

¹⁵Muhammad Cholil Nafis, et al. Guidelines for Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulema Council Da'wah Commission, 2022), page 30

¹⁶Ibn Faris. 1402H. Mu'jam Maqāyis al-Lughoh. Egypt: Maktabah al-Khanji, vol 3, p. 99

¹⁷Eternal Fairuz. 2008. al-Qāmus al-Mukhīth. Cairo: Dar el-Hadith, p. 799

¹⁸Muhammad Cholil Nafis, et al. Guidelines for Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulema Council Da'wah Commission, 2022), page 34

¹⁹Muhammad Cholil Nafis, et al. Guidelines for Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulema Council Da'wah Commission, 2022), page 45

a consensus with the principle of placing benefit above all else. This is very important to apply in establishing a decision or policy because with *shura* this can provide mutual benefit and produce perfect decisions. As the Prophet Muhammad SAW exemplified the attitude of deliberation, he once consulted with his companions during the Badr war regarding departure to meet the Quraysh infidel troops. Deliberate on where to camp and the Prophet Muhammad SAW accepted the opinion of al-Mundzir bin 'Amr who suggested camping in front of the enemy.

7. *Islah* (reformation) Prioritizing reformative principles to achieve a better condition and accommodate changes and progress of the times based on the general good (*mashlahah 'ammah*) by sticking to the principle of keeping the old things better, and taking new things that are better (*al -muhafazhab 'ala al-qadimi al-sholib wa al-akhdzu bi al-jadidi al-aslah*).²⁰ Al-Muhafadzah is an effort to maintain the traditions of the past which are still considered relevant, while al-Akhdzu is an endeavor to open up spaces for renewal in society when it intersects with various things that come along in the midst of its journey. Therefore, Muslims will be known as people who are *tawasuth* (moderate), *tasamuh* (tolerant), *tawazun* (balanced), and *taadul* (fair): the embodiment of the attitudes of *al-muhafadzah* and *al-akhdzu* which deny two things at once: old-fashioned and liberal.
8. *Al-Awlawiyah* (put priority) *Al-Awlawiyyah* is a plural word from the word *al-aula* which means more important or more important, in the *ma'ani* dictionary, the word *Awlawiyyah* means priority, priority. *Awlawiyah* in the context of moderation in the life of the nation must be able to prioritize public interests that bring benefit to the life of the nation. In another sense, *awlawiyah* means having a broad view of analyzing and identifying issues so as to be able to find a basic problem that is currently happening in society and be able to contribute theoretical thinking as a solution to solving problems that occur in society/problem-solving.
The goal is to close the doors which can lead to great damage and a lot of ugliness. The reason, fighting and rebelling against the rulers led to the emergence of the goal, namely to close the doors that can lead to great damage and a lot of ugliness. The reason is, fighting and rebelling against the rulers causes it to arise.
9. *Tathawwur wa Ibtikar* (dynamic and innovative) is always open to making changes by the times and creating new things for the benefit and progress of mankind. Allah SWT calls on His servants through the words of His messengers to always continue preaching, calling for good and preventing evil, but Allah SWT does not forbid any of His servants to innovate in preaching. For example, the Prophet Muhammad SAW once used the land as a medium for preaching, in ancient times there were no blackboards, and Rasulullah SAW used the land to write and or draw when he taught Islam to his companions. It should be easy for us to understand, that even in this era we can also preach through any media as long as it does not violate sharia law or basic religious values.
Therefore, from the course of history, we must learn that moderation opens up opportunities for us as a great nation to continue to move dynamically according to our respective capacities and to be innovative in making innovations and

²⁰Muhammad Cholil Nafis, et al. Guidelines for Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulama Council Da'wah Commission, 2022), page 53

breakthroughs, don't just stay silent and close ourselves off from changing times, being complacent with what we already have. ²¹

10. *Tabaddhur* (civilized) namely upholding *akhlakul Karima*, character, identity, and integrity as *kebairu ummah* in the life of humanity and civilization. Wasathiyah Islam is very strongly practiced in the history of Islamic civilization, namely the concept of the Medina Charter initiated by the Prophet Muhammad SAW. This concept is for the creation of a social life order based on common interests, both for Medina Muslims and various groups outside of Islam. under the leadership of the Prophet Muhammad SAW, it could have easily been for Muslims to hold full control in determining political policies that benefited Muslims unilaterally, but apparently, this was not done. Therefore, the da'wah of *wasathiyah* Islam has the value of the principle of da'wah as stated above. In this way, *wasathiyah* Islam can actualize Islam *rahmatan lil 'alamin* .

From the explanation of the 10 characteristics of Wasatiya Islam according to the Indonesian Ulema Council (MUI), MUI expects the realization of Islamic da'wah that reflects Wasathiyah Islamic values and a da'wah mission according to MUI is to create an Islamic society that understands and practices Wasatiyya Islamic values.²²

The Fatwa of the MUI

The MUI's operation is intended to be a 'bridge' between the government, ordinary Muslims and Islamic organizations.²³ As a legitimized organization that stipulates Islamic rulings on current issues, MUI is crucial aspect to Indonesia, a country that contains the largest Muslim population. However, there are shifts in MUI and it is affected by the time where this organisation is in. Therefore, in this subsection, this paper will divide the discussion related to the fatwa of the MUI in two parts: MUI's fatwa in the 1975-1998 period and after the 1998.

1. The 1975-1998 Period

There are different characteristics of MUI's fatwa before and after the 1998 reform. In Suharto's term, the MUI's function is advisory in nature and it is not permitted to launch practical programmes.²⁴ The constraint was stipulated by Suharto himself. Suharto, in his opening address at the First National Conference of the ulama on 21 July 1975, suggested the MUI not to engage in practical programmes or in practical politics (reserved for the existing political parties and Golkar).²⁵ According to the third MUI chairman, KH. Hasan Basri (led between 1984-1990) says MUI serves "as a watchdog to ensure that there will be no laws in the country that are contradictory to the teachings of Islam".²⁶

The MUI is seen to be under the pressure to defend the government's policies and programs. This is beneficial since the notion of Islam as a political power

²¹Muhammad Cholil Nafis, et al. Guide to Wasatiyya Islamic Da'wah for Mosque Prosperity Councils and Taklim Councils, (Jakarta: Central Indonesian Ulema Council Da'wah Commission, 2022), page 60

²²Muhammad Cholil Nafis, "Guidelines for Islamic Da'wah Wasatiyya Indonesian Ulema Council" Central MUI, 5 September 2017, page 20.

²³ Hosen, N. (2004). Behind the scenes: fatwas of Majelis Ulama Indonesia (1975–1998). *Journal of Islamic Studies*, 15(2), 152

²⁴ Ibid.,

²⁵ Ibid., p. 152

²⁶ Mudzhar, M. A. (1993). Fatwas of the Council of Indonesian Ulama: A study of Islamic Legal thought in Indonesia. Jakarta: INIS

and supporter is unavoidable. From the period 1975 to the early 1990s, the main function of the MUI was to support, and in some cases to justify, government policy and programmes.²⁷ The MUI was also being silence on several essential cases showed the powerlessness of the MUI at that time against the Suharto regime²⁸, in the Tanjung Priok and Porkas cases.

Other forms of the government's intervention in the fatwa of a group of *ulamas* was the revocation of the use of contraceptives in family planning. In 1971, MUI ruled that using of IUD contraceptives is prohibited in Islam. However, the Indonesian Government managed to bring *ulamas* around to revoke the fatwa prohibiting the use of IUDs, just two years after its ruling in 1983.²⁹ Other dynamics of the MUI's fatwas which were not aligned with the government's wishes was shown during the leadership of Hamka as the Chairman of MUI. Hamka rejected the government's request to revoke the MUI's fatwa that ruled the banning for Muslims from attending Christmas ceremonies. Hamka's persistence against the New Order government's will resulted in him resigning from his position as the first chairman of the MUI.³⁰

Fatwa Methodology

In 1975-1985, an early establishment of MUI did not have a set and agreed formal way of issuing the fatwas. The fatwas of the MUI were ruled directly after the Fatwa Committee's meeting and signed by both the Chairman and the Secretary of the Committee.³¹ However, following this, the process has become more refined. In 1986, the MUI first announced its method for issuing fatwa eleven years after its establishment.³² The council used the term *ijtihad jama'i* however it did not give any explanation of the term and how it intended ruling it. In July 1997, at a coordination meeting of all MUI branches, Ibrahim Hosen (the Chairman of the MUI Fatwa Committee, 1981-2000) presented a paper on 'System and Procedure of the MUI's Fatwa', which affirmed the use of *ijtihad jama'i* as the basis principle and the aim of that meeting was to discuss revision of the 1986 method.³³ In 1997, the MUI issued a legal decree.

The MUI fatwa guidelines are established in the Decree of the MUI No. U-596/MUI/X/1997. Generally, this decree contains three main parts with regard to fatwa stipulation: (1) general basis of fatwa requirement, (2) fatwa procedures, and (3) technique and authority of the organisation to stipulate fatwas.³⁴ The general principles of the MUI's fatwa stipulation are ruled in paragraphs 1 to 4 of Article 2 of the decree. Paragraph 1 states: "any fatwa must be based on Quran and the Prophet's Sunnah, and *mu'tabarab* guides, and is not contrary to the common good". Paragraph

²⁷ Hooker, M. B. (1997). Islam and Medical Science: Evidence from Malaysian and Indonesian Fatāwā, 1960-1995. *Studia Islamika*, 4(4), 16.

²⁸ Ichwan, M. N. (2005). 'Ulamā', State and Politics: Majelis Ulama Indonesia After Suharto. *Islamic Law and Society*, 12(1), 45-72.

²⁹ Mudzhar, M. A. (1993). *Op. cit.*, p. 61

³⁰ *Ibid.*, p. 61-62.

³¹ Hosen, N. (2004). *Op. Cit.*, p. 168

³² *Ibid.*, p. 158

³³ *Ibid.*, p. 158

³⁴ Majelis Ulama Indonesia. (1997). Pedoman Penetapan Fatwa Majelis Ulama Indonesia Nomor : U-596/MUI/X/1997

2 states: “when those bases are not contained in the Quran and Sunnah as defined in paragraph 1, the fatwa must not conflict with *ijma*, *mu’tabar qiyas*, and other legal guides, such as *Istihsan*, *Maslahah*, *Mursalah*, and *Sadd al-Dhari’ah*. Paragraph 3 rules: “prior to issuing a fatwa, the opinions of the previous imams of madhhab should be reviewed. These are both related to the legal guides and the guides used by those with disagreeing opinions”. Paragraph 4 states: “the views of the relevant experts shall be taken into account when stipulating a fatwa”. This MUI decree issued in 1997 acknowledged the collective nature of the committee’s deliberations and decisions. In stating that the Committee consists of many ulama and any other Muslim scholars who might need to be invited to contribute, it effectively affirms the character of *ijtihad jama’i*.

The Topics of the Fatwa

The MUI produced numerous fatwas during 1975-1998. According to Mudzhar, between 1976 and 1988 alone, the MUI produced 39 fatwas.³⁵ In that period, the MUI appeared to restrict giving fatwas for the government and only provided non-binded “letters of advice”.³⁶ Additionally, Mulia indicated that during 1975-1997, the MUI produced 76 fatwas.³⁷ The majority of these fatwas underlined the societal Islamic legal problems. According to Hosen, during 1975-1998, the topics of the MUI’s fatwas can be divided into four areas: rites and worship, doctrinal matters, social problems, and science and technology.³⁸

On rites and Worship	On doctrinal matters	On social problems	On the challenges of modern science and technology
Prayer, fasting, charity, pilgrimage, Quran and others	Judgement on several groups or sects in Indonesia (Including <i>Shi’a & imama</i> doctrine) the fatwas on the definition of the terms <i>jama’a</i> , <i>bay’a</i> , and <i>khalifa</i> (1978), <i>inkar al-Sunnah</i> (1983), the <i>Ahmadiyya</i> (1984), <i>Islam Jama’a</i> (n.d.), <i>Dar al-Arqam</i> (1994), and the <i>Lia Aminuddin Salamullah</i> (<i>Lia Eden</i>) group (1997)	Living with simplicity (1976), Muslims’ attendance at Christmas celebrations (1981), divorce (1981), mutual funds (1997), & qualities of food, medicine, and cosmetic products	The mechanical slaughter of animals for human consumption (1976), the use of pills to prevent menstruation during the Hajj and during fasting in Ramadan (1979), vasectomy and tubectomy (1979), cornea donation (1979), leprosy (1982), the use of contraceptives in family-planning (1983), heart-valve transplantation (1987), and on AIDS (1995 & 1997)

Source: Hosen, N (2004)

In 1983, the MUI revoked its fatwa on the use of IUD as previously it was

³⁵ Jamaa, L. (2018). Fatwas of the Indonesian council of ulama and its contributions to the development of contemporary Islamic law in Indonesia. *Indonesian Journal of Islam and Muslim Societies*, 8(1), 29-56.

³⁶ Mudzhar, M. A. (1993). *Op. cit.*, p. 72

³⁷ Jamaa, L. (2018). *Op. cit.*, p. 32

³⁸ Hosen, N. (2004). *Op. Cit.*, p. 172

deemed as forbidden in Islam to use it. Some argue that the revoking of this particular fatwa was because it conflicted with the government's massive implementation of the Keluarga Berencana (Family Planning) programme. Ibrahim Hosen, the chairman of the Fatwa Committee, explained that the 1983 fatwa revised the ground on that the fatwa issued in 1971 had been based. It deemed that the use of IUD is prohibited because it involved seeing the woman's genitalia and classified as 'forbidden for the essence' (*Hurrima lil dhatih*). The principles that changed into what is forbidden for preventive purposes can become permitted if sufficient need arises (*ma hurrima li sadd al-dhara'i ubiha li haja*). This was the basis of the revokement of the 1971 fatwa on family planning.

Despite its legal basis and established by the Suharto himself, since its establishment until 1998, the MUI fatwas are not legally binded to the muslim population. In other words, muslim population in Indonesia have been free to choose whether or not to follow the fatwa issued by the MUI as almost all Islamic organizations, too, have their own fatwa division.

2. After the Suharto's Step Down: 1998 Onwards

Scholars and activists have identified the shift of MUI's role after the step down of Suharto in 1998. The MUI began to maintain a distance from the country. As a conservative ulama organization, from the beginning, conservatism in the MUI environment is not new. The decisive new direction showed when the MUI issued a fatwa regarding the prohibition of pluralism, liberalism, and religious secularism as it has not only made MUI more conservative but also more puritanical.³⁹

There is an increasing tendency or leaning in discourse and practice towards anti pluralism related to the role carried out by the MUI.⁴⁰ Some have expressed scepticism that fatwas can positively impact and stimulate the development of democracy as it tends to promote discrimination, acts of violence, and religious extremism.

MUI is regarded as going through an ideological conversion. Hasyim, in his writing, argues that the ideological conversion of MUI from Pancasila to Islam illustrates the spirit behind the disassociation of MUI from the official ideology of Indonesia.⁴¹ The reasons being are to reclaim social and Islamic recognition and remove the stigma of its opportunistic tendency from the past image as to support Suharto, and; second, "to increase its bargaining position vis-a`-vis the state on the one hand and radical Islamic organizations on the other hand."⁴²

MUI created a strong basis for further steps to redefine its role in a new Indonesia. Its fatwas also weighed legal consequences as it has been influencing the legislative and the executive branch. Thus, throughout the years, the MUI has enhanced and refined its fatwa methodology.

³⁹ Ichwan, M. N. (2013). Towards a puritanical moderate Islam: The Majelis Ulama Indonesia and the politics of religious orthodoxy. *Contemporary developments in Indonesian Islam: Explaining the 'conservative turn*, 60-104.

⁴⁰ Hasyim, S. (2015). Majelis Ulama Indonesia and Pluralism in Indonesia. *Philosophy & Social Criticism*, 41(4-5), p. 487

⁴¹ Ibid., p 491

⁴² Ibid., p 491

Fatwa Methodology

The MUI has put off efforts in refining its organisation since 1998. One of the first efforts was to establish the National Shariah Council/ *Dewan Syariah Nasional* (DSN) in the post-reformation period of 1998. This was formalised by the MUI recorded in the Board of Directors Decree number KEP-754/MUI/II/1999 dated February 10, 1999. The main idea of the DSN's establishment is devoted to dealing with issues related to the activities of sharia financial institutions.

Other than that, the MUI also issued guidelines named the MUI's Guidelines and Procedures for Stipulating Fatwas dated December 16, 2003. This guideline regulates the procedures and instruments needed for addressing religious issues. In the 2003 guideline, the Fatwa Commission also explicitly stated that the 1997 MUI guideline is not enough to give a thorough, close to perfect, and transparent answer to questions regarding islamic decree.

The difference between the 1997 and 2003, aside from the refinement aspects, are the general provisions contain several terms relating to the legal guide. It is defined

*“ijma’ is ulamas’ consensus on a religious issue; Qiyas is the application of the original law to branches due to the similarity of legal ‘illat; Istisban is the utilisation of maslahat juz’iyah when facing the general rules; and Istislahi Maslahah mursalah is the benefits are not supported by specific syar’i nash (definition no. 9 to 12).”*⁴³

Chapter II states that fatwas are defined on the basis of the Quran, the Sunnah, *ijma’*, *Qiyas* and other *mu’tabar* guides. This also regulated and formalised the institution called the Fatwa Commission, which is responsible to stipulate collectively a fatwa. While, the methods of stipulating fatwas are regulated in Chapter III, stating that the views of the imams of *madhhab* and the *mu’tabar ulamas* with regard to the issue for which a fatwa is to be stipulated should be first reviewed carefully with their guides prior to stipulating a fatwa. The MUI's fatwas are also stipulated on the basis of other *mu’tabar* guides and also pay attention to the *maqasid al-syari’ah*.

The MUI also issued in 2015 another guideline on stipulating the fatwa. The basics are almost the same with adjustment in the organisational scope; related to meetings, MUI's authority, LPPOM MUI and authority over listing of halal-registered food.

The Topics of Fatwa

Fatwas rules by the MUI encompass four aspects: rites and worship, doctrinal matters, social problems and the challenges of modern science and technology.

On the aspect of rites and worship, preserving the *aqidah* seems to be the main focus of the judgement. Protecting the *aqidah* from any form of heresy was also among the main drivers of the stipulation of MUI fatwa on anti pluralism. Despite the fact that the fatwa did not only deal with ruling out pluralism, but also liberalism, it appears that the ban on pluralism is the central argument of this fatwa.⁴⁴ The rejection of the idea of pluralism is because it is understood as a theological category. MUI perceives that believing in pluralism – seen as similar to syncretism and religious

⁴³ Majelis Ulama Indonesia. (2003). Pedoman Fatwa Majelis Ulama Indonesia.

⁴⁴ Hasyim, S. (2015). *Op. Cit*

relativism – will lead Indonesian Muslims into *kesesatan* [heresy].⁴⁵ In other words, it suggests the idea could threaten the *aqidah* of a muslim believer. Ichwan believes MUI's fatwa on anti pluralism to be the conservative turn of MUI.⁴⁶

What also seemed to be conservative is MUI's fatwa on the presence of heretical groups. These fatwas have been consistent since the establishment of MUI. From the MUI perspective, these groups must be eliminated as they may threaten the correct practice of Islam.⁴⁷ On this basis, the MUI and its allies allege that dissident groups are violating Muslim rights. They also believe that tolerating the existence of these groups could lead to social trouble.

For MUI, the term heresy means that the target group has deviated from the "pure Islam" path. Among the first banned of the MUI was the Jamaah Hizbullah and the teaching of Lia Eden. This is often understood as Conservative Sunni Islam. Conservative advocates often view heretical groups as 'parasites' of mainstream religion. In late 2005, the MUI issued a compilation of fatwas outlawing various heretical Muslim groups, infamously seen as *kelompok sesat*.⁴⁸ These fatwas set the stage for a series of persecutions against minority Muslim sects over the years to come.

Kesimpulan (Conclusion)

Wasathiyah Islam is an Islamic teaching that is rahmatan Lil Alamin or mercy for all nature, has clear characteristics and views in understanding and practicing religious in order to fortify the ummah from various exclusive, intolerant and rigid attitudes. Also to fortify teachings that are permissive and liberalism in the name of religious contextivism. This is intended so that Muslims do not easily disbelieve other people or groups who do not agree and do not easily express hostility and carry out conflicts in the context of religious life, society, nation and state. Likewise, it does not provide contextualization of Islamic teachings by removing the meaning of the original text.

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⁴⁵ Hasyim, S. (2015). *Op. Cit*

⁴⁶ Ichwan, M. N. (2013). Towards a puritanical moderate Islam: The Majelis Ulama Indonesia and the politics of religious orthodoxy. *Contemporary developments in Indonesian Islam: Explaining the 'conservative turn'*, 60-104.

⁴⁷ Hasyim, S. (2020). Fatwas and Democracy: Majelis Ulama Indonesia (MUI, Indonesian Ulema Council) and Rising Conservatism in Indonesian Islam. *TRaNS: Trans-Regional and-National Studies of Southeast Asia*, 8(1), 21-35.

⁴⁸ Ibid., p. 8

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