

# SYARI'AH MOVEMENTS IN COMPARASION: SOUTH SULAWESI AND WEST JAVA PROVINCE

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## **Abstrak**

*Paper ini mencoba mengkaji tumbuh kembangnya Perda (Peraturan Daerah) Syariat Islam di Indonesia masa kini. Sebagaimana kita ketahui, sejak lengsernya Presiden Soeharto (1998), gerakan muslim politik menemukan momentumnya untuk tampil dalam panggung politik nasional. Dari tahun 1999-2002, tiga partai Islam (PPP, PBB, dan PK) berusaha keras memperjuangkan masuknya kembali tujuh kata Piagam Jakarta dalam amandemen UUD 1945. Mereka secara intensif berjuang dari dalam parlemen. Pada waktu yang sama, usaha mereka juga didukung penuh oleh kelompok Islam radikal dari luar parlemen seperti HTI dan MMI. Jika sebelumnya mereka menuntut penerapan syariah di level nasional, saat ini mereka berusaha melakukannya di level daerah. Ini terbukti dari adanya penerapan perda syariah di beberapa wilayah yang mayoritas penduduknya muslim seperti Bulukumba, Gowa, Maros, Lombok, Pamekasan, Cianjur, Indramayu, Tasikmalaya, Padang, Banjarmasin, dan Nanggro Aceh Darussalam. Kajian ini mencoba membandingkan dua provinsi yang mayoritas penduduknya muslim, yaitu Sulawesi Selatan dan Jawa Barat yang sudah menerapkan perda syariah sejak tahun 2001.*

**Kata Kunci:** politik muslim, DI/TII, KPPSI, NII, Perda Syariah.

## **Abstract**

*This paper will examine the rise of perda syari'ah (syari'ah regional regulations) in contemporary Indonesia. Since the fall of Soeharto, the muslim politics has reemerged in the national politics constellation. From 1999 to 2002 three Islamic political parties (PPP, PBB, and PK) insisted on proposing to reinsert the seven words of the Jakarta Charter into the amendment of 1945 Constitution. They intensively strived for them through the inside of parliament. In the same time, their efforts were also fully supported by the Islamic radicalism organization from the outside building such as HTI (Liberation Party) and MMI*

(Council of Indonesian Jihad Fighters). If they previously insisted to implement *syari'ah* in state level, now they attempted to have it from a local region. This can be witnessed from the application of *syari'ah* regional regulation (*perda syari'ah*) in some Muslim-majority districts such as Bulukumba, Gowa, Maros, Lombok, Pamekasan, Cianjur, Indramayu, Tasikmalaya, Padang, Banjarmasin, and Nanggro Aceh Darussalam. This study tries to compare two Muslim majority provinces (South Sulawesi and West Java) which have applied *perda syari'ah* since 2001.

**Key words:** *muslim politics, DI/TII, KPPSI, NII, syari'ah regional regulation*

## Introduction

After the Muslim politicians had repeatedly failed to revive the Jakarta Charter on the national level, they currently appear to be using another way to formalize *syari'ah* laws: by fighting for it on the local level. Presumably, this shift is what Oliver Roy called 'Islamisation from the bottom up.'<sup>1</sup> Concerning this issue, there are 52 districts which have been implementing SRRs (Sharia Regional Regulations) in Indonesia, all of them districts/municipalities with a Muslim majority such as Maros, Bulukumba, Gowa, Cianjur, Garut, Indramayu, Banjar, Pamekasan, and Padang.<sup>2</sup> Needless to say, the rise of this phenomenon has been triggered by the shift in Indonesia's political legal system which has changed drastically from a centralized to a decentralized system.

Since this era, there have been a number of local leaders who established *syari'ah* regulations and reclaimed their local identity.<sup>3</sup> They officially utilize the Local Autonomy Laws (UU no. 22/1999, later on revised by UU no. 32/2004) in supporting their political interests. This paper will elaborate on the application of *syari'ah* laws in two provinces with a Muslim majority; South Sulawesi and West Java. Both of these regions are known as 'the core supporters' of Islamic political parties and the strongholds of the *Darul Islam/Tentara Islam Indonesia* (DI/TII) movement in the 1950s.<sup>4</sup> This indicates that the Islamic sentiments in both regions are similar, although they are different to some extent. In recent years, they have been classified as provinces that rank just below Aceh in formalizing *syari'ah* inspired laws. It is interesting to investigate who the actors involved in supporting these enactments

were, their motivations, and whether they have historical links to the former Islamic movements (DI/TII) of the 1950s. I will first describe the application of *syari'ah*-influenced regulations in South Sulawesi, followed by the West Java province.

### **Analysis of the Rise of *Syari'ah* Regulations in South Sulawesi**

South Sulawesi is the province in Eastern Indonesia with the second highest number of districts which adopted *syari'ah* laws. It is comprised of 24 local districts/municipalities, and all of them are dominated by Muslim people except the Tana Toraja district.<sup>5</sup> The province calls itself *Serambi Madinah* (Medina Veranda), since the majority of its inhabitants are devout Muslims.

Like Aceh and West Java, this region has always been 'core area' of supporters for formalist Muslim groups. To discuss the issue of reviving the Jakarta Charter in the post-Soeharto era, the *Forum Ukhuwah Islam* (FUI, Islamic Brotherhood Forum) leaders of South Sulawesi met on 21 May 2000 in Bosowa Makassar Hotel. They discussed establishing the *syari'ah* in the *Serambi Madinah* and agreed to immediately hold *Kongres Umat Islam* (KUI, Islamic Community Congress). The first congress took place for three days, on 19-21 October 2000 in Asrama Haji Sudikalang, Makassar.<sup>6</sup> It resulted in the *Deklarasi Makassar* of 23 Rajab 1421 H (21 October 2000 M) which states:

We, the Muslims of South Sulawesi, through Kongress Umat Islam, in the name of the Holy God, state that Muslims are ready to implement the *Syari'ah* in South Sulawesi. Everything concerning the mechanism of the *syari'ah* application would be attempted immediately and constitutionally [my translation].<sup>7</sup>

The first KUI congress was held two months before the first congress of the *Majelis Mujahidin Indonesia* (MMI, Council of Indonesian Jihad Fighters), in August 2000. It is important to note that both congresses seemed to be closely interlinked. They had the same goals concerning the implementation of *syari'ah* laws and they also had similar members.<sup>8</sup> However, this topic will be investigated further in the next section.

Returning to the first KUI congress, this meeting saw the successful formation of a *syari'ah* committee, *Komite Persiapan Penegakan Syari'at Islam* (KPPSI, the Preparatory Committee for the

Implementation of Islamic Law), which functioned to strive for the application of *syari'ah* laws in all districts of this province. This committee was established as an alliance of religious scholars, youth activists, and intellectuals in South Sulawesi. Some of them were Tamsil Linrung (HMI), A.M. Fatwa (PAN), H.M. Yusuf Kalla (Golkar), K.H. Djamaluddin Amien (the Head of Muhammadiyah), Prof. Dr. Anwar Arifin (Golkar), Arsyad Pana (PPP), K.H.M. Sanusi Baso, L.c. (*Rais Syuriah* of PW.NU), K.H. Farid Wajdie, M.A. (the Head of PB. DDI), Prof. Dr. Ahmad Ali (the UNHAS lecturer), and Prof. Dr. Muin Salim (the former Rector of IAIN Alaudin).<sup>9</sup>

With the support of these prominent figures, KPPSI rapidly proliferated in South Sulawesi. In six months, it was present in all districts of South Sulawesi except for Tana Toraja and Sinjai, which were considered politically non-conducive districts.<sup>10</sup> The rapid establishment of this organization is seen as a normal phenomenon since the majority of the South Sulawesi people religiously honour and are obedient to public figures. Based on Andy Ramly's interview,<sup>11</sup> when KPPSI founded their branches in certain districts/municipalities, a number of local people did not understand KPPSI's agenda, which was to establish *syari'ah* in the province. Some even thought that KPPSI was a new political party, or part of it.

The KPPSI was pioneered by three Muslim activists from South Sulawesi who had joined in the FUI organisation,<sup>12</sup> Aziz Qahhar Muzakkar, Aswar Hasan and Agus Dwikarna. These three Muslim activists are quite popular among Islamic leaders in South Sulawesi. Therefore it is not surprising that when they proposed the idea of formalizing the *syari'ah*, the local '*ulamā'*' (religious scholars) and politicians responded positively. Moreover, it was also in accordance with the heated discussion about the regional autonomy law in the Jakarta parliament.

Regarding this issue, in order to realise their political goal, KPPSI called for a special autonomy for South Sulawesi via *Deklarasi Muharam*,<sup>13</sup> which was launched on 15 April 2001 at the al-Markaz al-Islami Mosque in Makassar. A week after the declaration, on 23 April 2001, KPPSI succeeded in convincing the DPRD of South Sulawesi province of issuing a political recommendation dealing with the *syari'ah* regulations. The recommendation was signed by the chairman and vice-chairman of DPRD, and all the chairmen of the political fractions in DPRD in province such as FPG (Golkar), F-PP (PPP), FPDIP, FKK (Kesatuan Kebangsaan), FAU (Amanat Umat), and

TNI/Polri. In addition, it was sent to the President and the chairman of the DPR RI in the form of letter no. 160/309/DPRD/2001.<sup>14</sup>

At the end of December 2001, the second KUI congress was held from the 29<sup>th</sup> to the 31<sup>st</sup> at Asrama Haji Sudiang, Makassar. It was only one year after the previous congress. The main target of this congress was the establishment of '*Rumah Politik*' in the form of special autonomy as a legal umbrella for the application of SRRs in all districts/municipalities of South Sulawesi. During this congress KPPSI demanded the local government, the DPRD (the Regional People's Representative Council), and DPR RI (the National People's Representative Council) to issue a special autonomy law for the South Sulawesi province.<sup>15</sup> If their aspirations would not be accommodated, the congress would decide to take a 'Referendum' step, between special autonomy and independence.<sup>16</sup>

This menacing demand was inspired by the precedent of Aceh, which has already obtained special autonomy for the application of *syari'ah* laws. As declared in the first KUI congress 'the existence of UU no.44/1999 about the special status for Aceh,<sup>17</sup> which gives authority to Aceh to implement *syari'ah* Islam, is proof that UUD 45 has not closed the opportunity to adopt *syari'ah* laws in this country.' However, the KPPSI's struggle has been cut short by the bomb blast which occurred on the second day of the congress (30 December 2001). Five months later, on 13 May 2002, three members of the KPPSI organization were arrested in the Philippines at the Ninoy Aquino International Airport in Manila, because they were allegedly carrying explosives (C4) and bomb devices in their luggage. They were Tamsil Linrung (a member of *Majelis Syuro* of KPPSI), Agus Dwikarna (the Head of *Laskar Jundullah*), and Abdul Jamal Balfas (a businessman).<sup>18</sup> Tamsil and Jamal were later released but Dwikarna was sentenced to jail for ten years and one month.<sup>19</sup>

## The Connection between KPPSI and DI Movements

The possible connection between the KPPSI and the former DI movement is a concern for many people. DI was an insurgence movement, which turned away from the central government's policy and proclaimed the NII (Indonesian Islamic State). Basically, it was a regional movement which was primary led by local strongmen. In the beginning, it was operated in West Java under the leadership of Soekarmadji Kartosoewirjo. However, after three years, it expanded

extensively into regions outside of Java with a Muslim majority such as Aceh and South Sulawesi.

Based on a testimony from someone who fought alongside Lieutenant Colonel Kahar Muzakar<sup>21</sup> in the 1950s, a number of districts such as Sinjai, Pinrang, Palopo, Takelar, Bulukumba, and Engrekang became *'de facto* territories of the Darul Islam' where no Republican Army soldier dared venture.<sup>21</sup> Besides armed conflict with the central government, Kahar Muzakkar also fought for the application of Islamic *syari'ah* in these territories. Historically, this means that the efforts to establish *syari'ah* have been taking place for a long time in South Sulawesi. With thousands of guerrilla troops headquartered in the South Sulawesi forests and mountains,<sup>22</sup> he rebelled to separate from NKRI (the Unitary of Republic Indonesia) and intended to establish an Indonesian Islamic State (NII) like Kartosoewijo dreamt of in West Java.<sup>23</sup>

His political movement managed to upset the Indonesian political stability. Consequently, the central government held a military operation and formed *Operasi Kilat*, led by Commander XVI/Hasanuddin, Brigadier General Andi Muhammad Yusuf. In this operation, Corporal Sadeli from the Siliwangi Division successfully shot Lieutenant Colonel Abdul Kahar Muzakkar dead at Lasalo River, Bonepute-Southeast Sulawesi on 2 April 1965, which was followed by the dissolution of the DI/NII movement in the same year.<sup>24</sup>

Recently, the *syari'ah* movement has been revived in South Sulawesi. They are associated with the KPPSI allegiance. This new movement is led by Aziz Qahhar Muzakkar, the son of Abdul Kahar Muzakar, who has declared explicitly that his movement will always work in a democratic way. I think that Aziz's blood lineage and the engagement of certain KPPSI members with the former DI is the reason why KPPSI has been seen as the reincarnation of the DI movement.<sup>25</sup> There was even a participant from the first KUI congress who openly stated in the forum that KPPSI is a reincarnation of the movement that was led by Kahar Muzakkar.<sup>26</sup>

However, Aziz Kahar Muzakar, who has been a key figure in the movement and is currently the Deputy Chair of the DPD representing South Sulawesi (2004-2009), explicitly denied a link between KPSSI and the DI movement. Buhari, Aziz Kahar Muzakar's older brother who is currently a member of DPRD from the PAN political party, stated something similar, that 'there is no connection between the missions of KPPSI for *syari'ah* under Aziz Kahar

Muzakkar and the struggle of his father in the DI/TII movement.<sup>27</sup> Nonetheless, their statements become more ambivalent when cross-checked with one of the points that is written in the official decree of the second KUI congress, namely:

DI/TII is under the leadership of Colonel Abdul Kahar Muzakkar, from South Sulawesi, who has *berjihad* (fought) to reapply Islamic *syari'ah* as a stance of resistance to the removal of the seven words of the Jakarta Charter and also against the communist influence in South Sulawesi in 1951 [my translation].<sup>28</sup>

The text above explicitly states that Kahar Muzakar was a *jihadist* (holly warrior) who struggled for the establishment of the *syari'ah*, not an insurgent like many people believed all this time. Indeed, the figure of Kahar Muzakar has a strong influence in South Sulawesi society. There are many people who consider him still alive, and more than few have claimed to be Abdul Kahar Muzakkar. This is due to the tendency in South Sulawesi culture to relate everything to magic. They believe that most famous local figures in Makassar have bulletproof and sword-proof talismans, including Kahar Muzakar.

Borrowing David A. Locher's theory,<sup>29</sup> the KPPSI can be categorized as a social movement. First, it is not merely a spontaneous movement; it is formally organized. This can be concluded from the Declaration document of the KUI congress and KPPSI's political acts. Second, its strategies to implement the *syari'ah* are deliberately planned and conducted in a democratic way. The movement engages many Islamic groups ranging from ulama, to intellectuals, communities, and political elites. Third is the issue of endurance. Though KPPSI's long term political targets are still uncertain, as the formalisation of *syari'ah* had once been applied during the DI/TII period in South Sulawesi, and even before Indonesia's independence, like the implementation of *syari'ah* law in the Gowa Kingdom, but KPPSI frequently uses this historical reason to legitimate their political goal. They fundamentally believe that the moral vices of society can be immediately remedied by applying *syari'ah* laws.<sup>30</sup>

It is not easy to investigate the connection between the KPPSI and the history of DI because the *syari'ah* movements in this province are part of a dynamic historical process. Politically, KPPSI has a different paradigm than DI in establishing *syari'ah* in South Sulawesi. DI used uncooperative ways to resist the secular system (democracy), whereas KPPSI formally uses democratic ways.<sup>31</sup> However, it cannot

be denied that some members of the KPPSI used to be involved in the DI movement. In fact, it has a close ties to the MMI which clearly has a connection with DI. To sum it up, institutionally this movement does not have a connection with DI/TII, but politico-historically, the influence of the DI on this organisation cannot be denied because many former members of the DI are involved in the KPPSI.

### **Factors Driving the Mushrooming of SRRs**

There are three factors that support the spread of these regulations. The first is the political context; since the end of the New Order the public space for Muslim politics, ranging from the radical to the liberal, is no longer banned by state. This openness of the political sphere increased the number of political contestants in the country, and along with it the *syari'ah* regulations in the provinces. It is also important to note that the *syari'ah* movement 'from the bottom up' is triggered in large part by the Regional Autonomy Law; that is why the KPPSI demanded the application of a special autonomy status for the implementation of *syari'ah* laws in the South Sulawesi province.<sup>32</sup>

Moreover, before every *Pilkada* (local election) there are many political leaders favouring the enactment of SRRs to prove their Islamic credentials, especially the candidates coming from Nationalist parties like Golkar and PDI-P. In many cases these Bupati candidates do not have an Islamist political agenda. They simply campaign based on what they think are popular regulations.<sup>33</sup> Indeed, in many areas that have a strong Islamic sentiment or former DI strongholds such as Sinjai, Maros and Bulukumba, these political circumstances are a promising chance for Muslim politics to infuse their political goal.

The second factor is the historical roots of Islam. In the seventeenth century, Islam played a political role in South Sulawesi when the king of Gowa officially converted to Islam in 1605.<sup>34</sup> As a result, Islam became the official religion of the kingdom and the people were obliged to embrace Islam to show their loyalty to the king.<sup>35</sup> According to Anthony Reid, the Islamisation process involved three '*ulama'*' from Minangkabau; Dato Ri Bandang, Dato Ri Patimang, and Dato Ri Tiro.<sup>36</sup> The diffusion started in several small kingdoms of South Sulawesi such as Tanete, Bantaeng, Bulukumba, Jennepono, Selayar and Mandar. In these small kingdoms, Islamisation happened peacefully because they fell under the authority of the king of Gowa. However, it came to warfare when the religion was transmitted to the Bugis kingdoms such as Luwu, Bone, Wajo, Soppeng and Rappang,

because they were the largest kingdoms in South Sulawesi. However, in the end they embraced Islam as well.<sup>37</sup>

Another issue was when Kahar Muzakkar officially declared himself to be part of Kartosuwirjo's DI movement on 7 August 1953. As has been discussed before, apart from rebelling against the central government, Kahar Muzakkar also adopted the *syari'ah* laws in the territories under his authority. This is known through various documents published by *Darul Islam* in South Sulawesi, such as the *Catatan Batin* (spiritual note), *Program Politik Islam Revolusioner* (Programme for Revolutionary Islamic Politics), and the *Piagam Makalua* (Makalua Charter).<sup>38</sup>

The third factor is the local culture, the cultural norm known in South Sulawesi society as *panngaderreng* (Bugis) or *panngadakang* (Makassar).<sup>39</sup> This norm of conduct is comprised of five elements: a) *ade' tana*, a tradition which is related to political power; b) *wicara*, a concept which more or less deals with the justice system like procedural law in national positive law; c) *rapang*, which serves to preserve the continuity of unwritten laws from the past by creating an analogy between the past and the present case, d) *wari'*, which functions to classify the rights, obligation, and social strata, e) *sara'* (*syari'ah*), the complementary element of the *panngadakang* norm which organises the institutions and Islamic law regulations.<sup>40</sup>

Aside from the five norms above, Bugis and Makassar people also believe in the concept of *siri'* which means honor, dignity or courtesy. It is always identical with the value of life, which means that the people are ready to sacrifice everything, including their life, for the sake of *siri'* if his or her dignity has been attacked.<sup>41</sup> Cultural norms such as *ade'*, *sara'*, and *siri'* bind the KPPSI alliance based on the philosophical slogan of *taro ada' taro gau'* (words and actions should be in accordance).<sup>42</sup> Thereby, Islam has become a crucial aspect of South Sulawesi culture.

## The Enactment of Syari'ah Regional Regulations

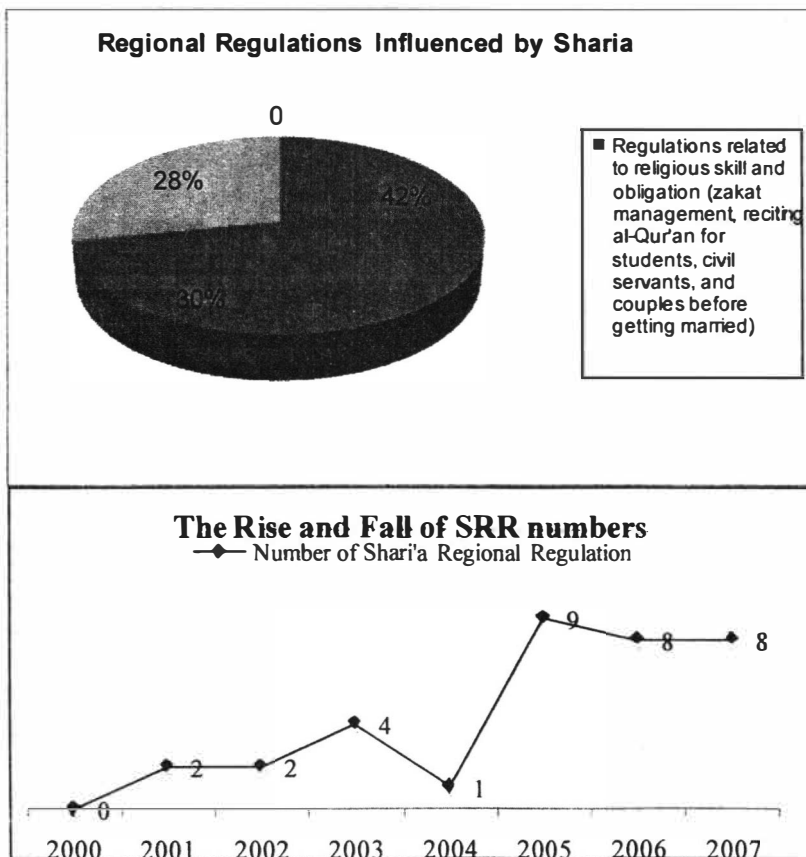
Responding to the demands of the KPPSI concerning the implementation of *syari'ah* laws with special autonomy status in South Sulawesi, the provincial government formed a polling team, *Balitbangda* (the Research Body of Regional Development) and TPKPSI (the Team of Islamic Syari'ah Implementation), to gather the people's opinions. The survey was launched on 27 January 2003 at DPRD. It involved 280 respondents comprising every regent and mayor, all

implementation in their district. During the campaign period, *syari'ah* Islam issues gained a high-ranking position in the political race,<sup>53</sup> while the contents of the local regulations were nothing but religious symbolism rather than basic needs such as solutions for poverty, corruption, and social justice. Seemingly, these regulations are frequently used by incumbent local elites to avert public attention from the corrupted bureaucracy and poverty issues. Together with the increase of *syari'ah* regulations, there were several corruption cases which implicated the office of the Bupati Bulukumba directly: a) the construction of Tenate market; b) the construction of an Islamic centre; c) corruption in the KPUD (the Local General Elections Commission); d) the construction of a Kajang traditional house; e) supplying uniform dress for civil servants in Bulukumba; f) the reconstruction of the Head office DPRD Bulukumba (2004-2009) costing 200 million; g) *beras miskin* program (*raskin*, the program of rice donations for poor families; h) fishing Department; and i) housing allowances for DPRD members.<sup>54</sup>

In the *politik aliran* context, the phenomenon of SRRs is also interesting to analyse since the idea is strongly supported by nationalist parties such as Golkar and PDI-P. As discussed above, the case of KPPSI in South Sulawesi province epitomises the vagueness of *aliran* politics in Indonesia. The engagement of nationalist political parties which support the implementation of the *syari'ah* strengthens the previous analysis that the current *aliran* politics in Indonesia has gone through a big character change compared to earlier periods.<sup>55</sup> They tend to be more pragmatic than ideologic in achieving their political goals. The case of the formalization of *syari'ah* in South Sulawesi points out that their political stance is somewhat ambivalent, since Golkar and PDI-P have been known to firmly oppose the implementation of Islamic *syari'ah* in NKRI.

Above all, I have compiled a list of *syari'ah* regional regulations in South Sulawesi and West Java from various sources.<sup>56</sup> In South Sulawesi there are 36 regional regulations/Bupati edicts influenced by *syari'ah*; this number does not include *raperda* (draft or proposed legislation) influenced by *syari'ah*. If these regulations are classified following Arskal Salim's categorization, it will distinctly show what types of local regulations are issued most. There are fifteen regulations (42 percent) relating to religious skills and alms giving, such as *zakāh* management and the ability of reciting al-Qur'ān for students, civil servants, and couples seeking to get married. Second are

the regional regulations which relate to morality issues, there are eleven regulations (30 percent) in this category, such as prohibition of prostitution, sale or consumption of alcoholic drinks, and gambling. This is followed by the category of religious symbolism, which is slightly different from the categories above it. There are ten regulations (28 percent) which require wearing Muslim garb such as *jilbab*, *peci*, and *baju koko*. See figure 1 below:



Meanwhile, in the political arena, the chart above shows that the peak of the phenomenon was in 2005, with nine regulations, followed by slightly lower numbers in the next two years. In 2006 and 2007 the number of regulations was the same, in each of them eight SRRs were issued. Presumably, the sharp increase during these three years was mainly the result of the controversy about the pornography draft bill in national politics. Indirectly, it helped to support the rise of

*syari'ah* implementation on the local level; the majority of the *syari'ah* regulations issued was related to religious symbols, such as wearing Muslim garb, *jilbab*, and the ability to recite al-Qur'ān. Conversely, the issuance of *syari'ah* regulation had seen a significant decrease in 2004 with only one regulation, on *zakāh* management; *Perda* no.3/2004 in the Barru district. The chart above shows that there were four regulations issued in 2003, two regulations each in 2002 and 2001, and none in 2000. The case of *syari'ah* regional regulations in the West Java province will be discussed in the next section.

### **Syari'ah Regional Regulations in West Java: a Comparative Analysis**

No different from South Sulawesi, the communities in the West Java province are known to be deeply devout Muslims. They are the majority of the population in this region; the data of Litbang Kompas show that approximately 97,3 percent of the forty billion people in West Java are Muslim.<sup>57</sup> Probably this is why *syari'ah* regulation has also emerged in this region, even though it is not as massive and organised as in South Sulawesi. It only reaches certain districts, and has not happened in the capital city of the province.

The West Java province is located in the Western part of Indonesia; it borders with Banten and Jakarta in the North and Middle Java in the East. The area of the land is 34.816,96 km<sup>2</sup>, surrounded by mountainous lands in the Southern and central areas.<sup>58</sup> This province consists of sixteen districts and nine municipalities or 25 districts and municipalities in total. Some of them were once the 'de facto' territories of the DI movement in Indonesia where the *syari'ah* laws had been applied, places such as Garut, Cianjur and Tasikmalaya. Therefore, it is interesting to study this case to see whether there is a historical link between the current *syari'ah* movement and the former DI rebellion.

Unlike South Sulawesi, implementation of the *syari'ah* in this province has not reached the provincial level. It only reached four districts: Garut, Tasikmalaya, Ciajur, and Indramayu. However, it is important to note that the first emergence of *syari'ah* regulation in Indonesia was in this province in 2000. This means it was one year earlier than in South Sulawesi. Garut was the first one of the districts that officially issued a regulation influenced by *syari'ah* in Indonesia. In 2000, the DPRD issued the regional regulation against vice (*Perda* no.6/2000), and not long after, the Bupati issued a circular which

stated the requirement for female civil servants to wear *jilbab* on weekdays. The release of this local regulation gave militant Muslim groups the idea that they had been given the legitimation for a 'sweeping operation' against prostitutes, which included burning kiosks that were suspected of being a transaction location for *lelaki hidung belang* (lady seekers).<sup>59</sup>

On 15 January 2002 they declared *Komite Penegak Syari'at Islam* (KPSI, Committee for the Implementation of *Syari'ah* Islam) which aims to apply *syari'ah* regulations in Garut. This committee was led by K.H. Endang Yusuf who was also the leader of the Garut branch of the FPI. In response to this, the DPRD and the local government founded *Lembaga Pengkajian Penegakan dan Penerapan Syari'at Islam* (LP3SI, the Implementation Body of *Syari'ah* Islam) on January 15, 2002.<sup>60</sup> The founding of LP3SI was more of a tool for political accommodation in order to avoid collective anarchism than a research institution for the formulation of *syari'ah* Islam. Evidently, there has not been any progress since the demands for the implementation of *syari'ah* Islam were voiced on March 15, 2002 and the founding of the research institution (LP3SI) on 1 April 2002, with the exception of Perda no.1/2003 on *zakāh* (alms) management.

Another case is Cianjur, where the nuance of *syari'ah* symbolism was also very visible. Some regent candidates utilize it as a means of political strategy to win the hearts of Muslim voters in every local election. In the past two local elections, 2001 and 2006, the application of *syari'ah* Islam has evidently been a political commodity in this district. Liya Yulia, the researcher of the Marhamah Society, claims that before the local election, the former Bupati Wasidi signed a political contract which stated that if he was chosen as bupati, he would be ready to formalise *syari'ah* Islam in Cianjur. Therefore, when he was finally chosen as bupati, he immediately issued a Bupati edict that introduced the Gerbang Marhamah concept.<sup>61</sup> His idea about Gerbang Marhamah was announced during the event for the Islamic New Year, Muharram 1, 1422 H (March 26, 2001). He gave a speech on this topic in front of thousands of *jamaah* (Muslim societies) in Cianjur Square. However, he also emphasized that the idea of implementing the *syari'ah* does not mean creating an Islamic country, but it is done to fix the current decadence and immorality among Muslims.<sup>62</sup>

Furthermore, the event brought forth an *ikrar bersama* (collective statement) of the Cianjur Muslims which was signed by 35

social organizations.<sup>63</sup> The contents were similar to that of the KUI from Makassar, which states that *syari'ah* Islam is a worldview and the solution towards the multi-dimensional problems that Indonesia is facing, which is why they argued that the application of *syari'ah* in *kāffah* (comprehensively) is needed in society's daily lives.<sup>64</sup> This aspiration was given shape by the Bupati and DPRD by creating *Lembaga Pengkajian dan Pengembangan Islam* (LPPI, Institute for Islamic Study and Development) which aims to prepare the introduction of Islamic *syari'ah* in Cianjur. Furthermore, the Bupati released a circular about the obligation for female civil servants to wear a jilbab on weekdays, the movement of *akhlakul karimah* state apparatus, and *marhamah* society in 2001.<sup>65</sup> Along with the Bupati, the DPRD issued a *syari'ah* regulation on *zakāh* management (perda no.7/2004).

On 30 January 2006, the incumbent Bupati Wasidi renominated himself for bupati in the upcoming election. He used *syari'ah* symbolism to gain support from Muslim voters but lost to Tjetjep Muhtar with a difference of 0,29 percent (309.181 votes: 311.802 votes).<sup>66</sup> Based on the Nawala research, both candidates used the *syari'ah* Islam issue to gain support, but the incumbent Bupati Wasidi was believed to be too 'soft' on Christians because he allowed the building of a new church in the Gereja Lembah Karmel area.<sup>67</sup> Although Wasidi Swastomo was the undeniable pioneer for formalising *syari'ah* regulation in Cianjur, the religious sentiment in society was too strong, especially regarding the issues of the new churchy and the deviating Islamic sects, such as the case of the Ahmadiyah which occurred one year before the election, on 19 September 2005.<sup>68</sup>

Not too different from the former Bupati, the newly chosen Bupati Tjetjep Muhtar Sholeh also supported the release of local regulations on Gerbang Marhamah. As a result, on July 20, 2006 the DPRD formalised it with by issuing Perda no.3/2006.<sup>69</sup> Following this decision, Tjetjep Muhtar Sholeh released two regulations to implement the first regulation. First was circular no.15/2006 about official civil servant uniforms, second Bupati's instruction no.2/2007 regarding the billboard which displays the vision and mission of Cianjur district and the application program of reciting al-Qur'ān.<sup>70</sup>

Formalisation of the *syari'ah* also took place in Tasikmalaya, a region known as *kota santri* (Muslim City). Like the regions mentioned earlier, Tasikmalaya was also busy creating a *Rencana Strategis* (*Renstra*, strategic plan) appropriate for PP no.108/2000.<sup>71</sup> Regarding this issue,

Muslim political groups proposed for the *Renstra* to contain some Islamic nuance. Though some politicians did not agree with this idea they did not speak out openly, afraid to lose their political position because the Islamic sentiment in this district is very high within this social structure. Referring to Amin Mudzakir's research, since the fall of Soeharto the PPP has become the dominant party in this district. This is why those who do not support their *syari'ah* Islam vision in the *Renstra* would be accused of being un-Islamic, not santri and even anti-Islam.<sup>72</sup> After an intense debate, in the end Perda no.13/2003 which states 'Tasikmalaya is a leading Islamic district which is prosperous and competitive in agribusiness 2010' was released. Prior to this, former Bupati Tatang Farhanil Hakim released circular no. 451/SE/sos/2001 urging society to follow the *syari'ah* in their daily lives.

The Bupati edict was also supported by the 'ajengan bendo' ('*ulamā'* group). They were *juru dakwah* (Islamic transmitters) who were critical of Soeharto's policies and gained public sympathy during the Tasikmalaya riot in 1996. Some of them were affiliated with Islamic parties and hardliner Islamic groups such as the FPI, Laskar Taliban, and GPI (Islamic Youth Movement). They often used circulars and Tasikmalaya's vision of becoming an Islamic santri city to legitimate their violent activities under the banner of Islam, such as prostitution raids and arresting alcohol sellers, and their anti-vice movement. One day they mistakenly arrested a woman who was walking alone at night and they immediately shaved her head because she was without her *mubrim* (close relative). In fact, the reason why she walked alone at night was because of the public transportation strike.<sup>73</sup>

Furthermore, in November 2002, Bupati Irianto MS Syaifuddin (Yance) announced that he would apply the *syari'ah* in Indramayu. He announced this during the celebration of Indramayu's 475<sup>th</sup> anniversary. The idea of implementing *syari'ah* was initially inspired by the increase in poverty, criminality, and prostitution.<sup>74</sup> As an early move, Bupati Yance obligated female civil servants to wear a *jilbab* and the males to wear a *baju koko* every Friday. Before beginning work, the workers must also read al-Qur'an and fast *Senin-Kamis* (Monday and Thursday).<sup>75</sup>

In the local elections in 2005, the incumbent Bupati Yance came back to use religious sentiment to win the political race. He distributed thousands of Qur'ans with his picture and a paragraph about his vision and mission in several mosques and *pesantren* (Islamic

boarding schools). Despite the fact that his political action was criticized by the Independent Election Monitoring Team and K.H. Addib Rafi'uddin Izza (Rais Syuriah PBNU originally from Indramayu) because he had defiled the Holy book of al-Qur'ān, he still won the local elections for 2005-2010.<sup>76</sup>

### **Between DI Links and Political Commodity**

The West Java province was known as the centre of the DI/TII movement. Under the leadership of Kartosoewirjo this movement had spread widely to the regions of Java, Aceh, South Sulawesi, and South Kalimantan. He opposed the central government for approximately thirteen years. Rebellion has occurred frequently in the history of this province, especially rebellions based on religious sentiments such as the Cianjur-Sukabumi incident on 22 September 1885 about the *Tarekat Naqsyabandiyah* movement, which opposed the Dutch colonial government; and Patih Sukabumi,<sup>77</sup> the rebellion of Banten farmers which involved a number of religious leaders, *kyai* and *haji*, on 9-30 July 1888;<sup>78</sup> and the resistance movement of Haji Hasan group in Leles (Garut) which was exterminated by the Dutch colonial government on July 7, 1919.

Historically, Islam came to West Java in 1470 M, which means 135 years before it arrived in South Sulawesi (1605 M). It was spread by Syarif Hidayat who was known as Syarif Hidayatullah or Sunan Gunung Jati. According to the story of *Purwaka Caruban Nagari*, Syarif Hidayat was the son of Maulana Sultan Muhammad from the Arab world and Nyi Lara Santang, Prabu Siliwangi's daughter from the Padjajaran Kingdom. Before arriving in Cirebon, Syarif Hidayat introduced himself and taught Sunan Ampel (*Sayyid* Rahmat) how to preach Islam in Pasundan land.<sup>79</sup> Since that time Islam is widely known among Sundanese people and they are considered to be religious Muslims. A report of the Residen Priangan Ooshout successor (on 4 November 1907) states that 'Sundanese people are more religious than Javanese, which is why the government has to be careful in permitting Arabs to journey to this region.'<sup>80</sup>

Therefore, it is understandable that the idea of implementing the *syari'ah* has always had a place in West Javanese society. Fifty years ago, Kartosoewirjo (1905-1962) applied *syari'ah* Islam in the 'de facto' DI territories of this province. Some scholars commented that the Islamic symbolisation that Kartosoewirjo used was only a political strategy to gain the support and sympathy of the Sundanese people.

The emergence of the DI movement was triggered by his dissatisfaction with the Renville agreement which did not involve him in bringing the territorial authority of West Java back under control.<sup>81</sup> Therefore, the Islamic sentiment was only used as a political tool. This rebellion occurred from 1948-1962, and he was finally arrested in Mount Geber Majalaya, West Java, and was sentenced to death on Soekarno's order on September 5, 1962.<sup>82</sup>

Furthermore, Kartosoewirjo's idea was revived by former DI/TII members. They formed a number of Regional Commandos that were scattered throughout several regions as discussed earlier. They still fight for the establishment of an Islamic state in Indonesia. Some fight constitutionally, whereas some choose to work underground. As it happens, the region that currently applies *syari'ah* regulations used to be part of the *de facto* DI/TII territories such as Garut, Cianjur, and Tasikmalaya. In Cianjur the survival of the *syari'ah*-movement was once linked with NII KW-9 (NII Commandment Region IX) whose historical link was to DI and *Pondok Pesantren al-Zaitun*.<sup>83</sup> However, this connection was immediately rejected by bupati Wasidi. Cited from an interview between him and *Kiblat Umat* site, the Bupati stated that the implementation of *syari'ah* Islam with the *Gerbang Marhamah* was not a movement that wanted to create an Islamic state, but was meant as a 'middle way' which accommodated the aspirations of the Muslim majority of Cianjur in the NKRI corridor.<sup>84</sup>

However, the idea of the Bupati was also used by Abu Toto (the leader of KW 9). Like the KPPSI South Sulawesi movement, the NII KW 9 requested that the Bupati and DPRD immediately issue the *syari'ah* regulation, particularly on the requirement to wear the jilbab.<sup>85</sup> The NII KW 9 and KPPSI are somewhat similar, the only difference being that the number of actors here was not as massive and organized as KPPSI in South Sulawesi and was more reactive than proactive.

In Tasikmalaya, the application of *syari'ah* regulation after the reformation era was strongly affected by the historical memory of the DI/TII. The proponents of the *syari'ah* movement reinterpreted the DI/TII history with the new version. They argued that DI/TII is one of the historical proofs of how deeply rooted Islamic politics are in this region.<sup>86</sup> However, they were systematically stigmatized by the government during the New Order era. They claimed that Soeharto intended to eliminate the spirit of Muslim politics in order to maintain

his position.<sup>87</sup> The historical reinterpretation appeared together with the demand for the reinsertion of the Jakarta Charter by the PBB and the PPP in the Annual Session of the MPR. In the 1999 and 2004 general elections, the PPP became a dominant party in this district. The victory of this party meant their cadres gained seats in the DPRD. It was from with people that the idea of implementing *syari'ah* appeared in the local government, especially since it was together with the issue of the reinclusion of the Jakarta Charter.

In this political climate, the *syari'ah* became a promising political commodity for Bupati candidates during the Tasikmalaya Bupati election of 2001. As discussed above, Bupati Wasidi created a political contract with PPP, GPI, Brigade Taliban, and FPI which stated his commitment to apply regional *syari'ah* laws in Cianjur if he would be chosen.<sup>88</sup> This is important to note because at that time the Bupati was still selected by DPRD, not chosen through direct democracy. Presumably this political context was what made Bupati Wasidi interested in signing the 'political contract,' considering the large number of DPRD members coming from a position of Muslim formalism.

Aside from Tasikmalaya and Cianjur, Garut was also a region which was heavy with religious sentiment and the history of the Islamic movement. In 1919 K.H. Hasan Arief (a leading figure of Syarikat Islam) led a rebellion; they refused to transport the harvest to the Dutch Colonial Government. This incident was known as the Cimareme movement.<sup>89</sup> Later on during the Japanese occupation a *sufah* institute in Garut which was originally intended to provide religious education was changed into a centre for paramilitary training for Muslim youth (*Hisbullah* and *Sabihillah*).<sup>90</sup> Some scholars argue that this was the growth of the DI/TII seed. In the following periods, Kartosoewirjo turned Malangbong-Garut into centre of Islamic *syari'ah* activities and application.<sup>91</sup> He founded a press to print important documents for the DI/TII movement.<sup>92</sup>

Indirectly Kartosoewirjo's Islamic movement handed down the spirit of a formalist and ideologist Islam within Garut communities, such as what is told about Islamic figures in the Wanaraja and Karangpawitan sub districts in Garut. They are still impressed with Kartosoewirjo and honor him as a true Muslim leader. They consider the recent Muslim leaders to be opportunists who do not fight for Islam.<sup>93</sup>

Their admiration notwithstanding, the current *syari'ah* formalism in Garut district is, theoretically speaking, far from the social movement category because their actions appear to be unorganized and subject to merely short periods of interest. Khoirunnisa's field research data demonstrate that the idea of implementing *syari'ah* is only discussed amongst the elites, since 85 percent of the common people do not understand what formalisation of the *syari'ah* means.<sup>94</sup> So far, they understand *syari'ah* to be an act of religious rituality that they have been accustomed to conducting in their daily lives, such as praying, fasting and *zakāh*, which is more flexible than the formalist understanding. In comparison, the number of local regulations which have been issued in West Java is not as high as that in South Sulawesi, even though they were the pioneers of formalising *syari'ah* regulation. Up to the present day (2008) there are only ten *syari'ah* regulations in West Java; four regulations related to morality, four regulations related to religious symbolism, and only two regulations related to *syari'ah* compulsories.

### Closing Remarks

The idea of *syari'ah* formalisation has emerged since the early days of Indonesian modern history. From the previous times Muslim politics always demanded that the state formalise the Islamic laws in the country, but they failed repeatedly. During the Old Order period, the concept of the Jakarta Charter became the topic of a lengthy controversial debate between Nationalist and Muslim groups. During the New Order period, demands of *syari'ah* implementation were never heard, but this did not mean that the aspirations had disappeared. Markedly, a number of Islamic parties have reemerged since the collapse of the New Order. The PPP and the PBB have even officially called for the re-inclusion of the seven words of the Jakarta Charter in 2001 and 2002, but failed in their attempts.

Lately *syari'ah* formalisation has proliferated widely in local governments, including those in South Sulawesi and the West Java province. As discussed earlier, these two provinces have a long history in dealing with the implementation of the *syari'ah*. The majority of both populations are devout Muslims, but they have different cultural characteristics. In the 1955 elections the Islamic parties dominated in these two regions, but since the fusion of Islamic political parties in 1973, the Muslim vote became fragmented and Muslims also affiliated with the nationalist parties. It may be that the idea of applying *syari'ah*

in local districts, put forth by nationalist parties such as Golkar and PDI-P in South Sulawesi, can be traced back to this period. This phenomenon shows how drastic the shift of political ideology in Indonesia is, where throughout the Old and New Order eras those political parties were not interested in using Islamic issues.

In conclusion, the actors of Islamic formalisation in these two provinces can be divided into two categories; formal and informal institutions. In South Sulawesi the formal actors are comprised of a Governor, *Bupati/Walikota*, and all of the DPRD province members. The informal actors come from the Islamic organizations that were involved in the KPPSI alliance. Both types of actors jointly demanded that the central government give a special autonomy status to South Sulawesi in implementing the *syari'ah*. Notwithstanding the fact that their demands were denied, most of the districts have officially issued *syari'ah* regulations (36 SRRs in total), including the provincial government. Looking at this kind of organisation and the involvement of a number of former DI members, it can be concluded that culturally the KPPSI has a link to the former DI, but not structurally.

In West Java, the application of *syari'ah* only succeeded in four out of twenty-five districts, namely Garut, Cianjur, Tasikmalaya, and Indramayu (in total there are ten *syari'ah* regulations in these districts). In general the formal actors of these districts only consist of the Bupati and the PPP fraction in the DPRD. This is considerably different from South Sulawesi where it was fully supported by all members of the legislative and executive branches of the government. In addition, the informal actors also did not appear as organized as the KPPSI in South Sulawesi. They are manifested in various organizations such as FPI, NII KW 9, KPSI, LPPI, GPI, and Laskar Taliban. In many cases, the local elites use the *syari'ah* issues to win the hearts of Muslim voters in local election events. In those moments, the rise of *syari'ah* implementation tends to be closer to a political commodity than the *syari'ah* movement which was linked to the former DI movement.

## Endnotes:

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<sup>1</sup> This strategic change is usually characterized as neo-fundamentalism; *syari'ah* minded, Islamic purification, anti-Western. Oliver Roy, *The Failure of Political Islam* (London: I.B. Tauris Publishers, 1999), p. 24.

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<sup>2</sup> According to Robin there has been a sharp decrease in the process of *syari'ah* enactment since 2005. See Robin Bush, "Regional Shari'a Regulation in Indonesia: Anomaly or Symptom?" in Greg Fealy and Sally White (eds.), *Expressing Islam: Religious Life and Politics in Indonesia* (Singapore: Institute of Southeast Asian Studies, 2008), pp. 174-91.

<sup>3</sup> Since the fall of the New Order, a large number of local governments reclaimed their local identity such as Aceh as 'Serambi Mekkah', South Sulawesi 'Serambi Madinah', Tasikmalaya 'Kota Santri', and Monokwari 'Kota Injil'.

<sup>4</sup> During the 1955 general elections, the political parties with an Islamic majority dominated the results in these two regions. In South Sulawesi Masyumi party received 39,73 percent, PNU (Partai Nahdlatul Ulama) 17,24 percent, PSII (Partai Syarikat Islam Indonesia) 12,28 percent; whereas in West Java, Masyumi became the absolute winner. See Herbert Feith, *The Indonesian Election of 1955* (Ithaca, N.Y.: Cornell University, 1971), pp. 66-72.

<sup>5</sup> Based on the population census in 2000, the population of South Sulawesi consisted of 7.802.732 people; it is 6.824.269 Muslims (87,46 per cent), 681.179 Protestants (8,73 per cent), 136.548 Catholics (1,75 per cent), and 128.745 Hindus (1,65 per cent), and 31.991 Buddha (0,41 per cent). See, Anonimus, *Ringkasan Survei Pendapat tentang Wacana Pemberlakuan Syariat Islam di Sulawesi Selatan* (Sulawesi Selatan: KPPSI, 2002)

<sup>6</sup> This congress began with a *Tabligh Akbar* (great public speech) at Masjid Markaz Islamy and was opened by Prof. Abdurrahman Basamalah. The participants of this congress are estimated to have been around 750 people. They were representatives from every local government and Islamic organisation in South Sulawesi such as HMI, ICMI, Muhammadiyah and NU. The congress process was strictly guarded by 300 youth of *Laskar Jundullah* (paramilitary wing of KPPSI). See Endang Turmudzi and Reza Sihbudi (eds.), *Islam dan Radikalisme di Indonesia*, (Jakarta: LIPI Press, 2005), p. 205.

<sup>7</sup> KPPSI Sulawesi Selatan, *Hasil-hasil Keputusan Kongress Umat Islam Sulawesi Selatan, Dokumen* (Makassar: KPPSI, 2000), p. 11.

<sup>8</sup> The MMI members originating from KPPSI figures are Prof. Dr. Abdurrahman Basamalah (chairman of *Majelis Iqtishadiyah* of MMI), Aswar Hasan (member of *Majelis Siyasah Syariah*), Agus Dwikarna (secretary of *Majelis Tanfidziyah*), Yunus Tekeng (the concepor of MMI congress). These four people also attended the first MMI congress in Yogyakarta, whereas MMI figures who attended the first KUI congress were Abu Bakar Ba'asyir, Habib Husein al-Habsyi, and Irfan Suryahadi Awas. See, Endang Turmudzi and Riza Sihbudi (eds.), *Islam dan Radikalisme di Indonesia*, p. 204.

<sup>9</sup> *Sriwijaya Pos*, 10 Dec. 2002

<sup>10</sup> Andi Muawiyah Ramly, *Demi Ayat Tuhan: Upaya KPPSI Menegakkan Syari'at Islam*, (Jakarta: OPSI, 2006), p.146.

<sup>11</sup> The information was obtained from an interview (23 Nov. 2005) between Andy R. and Hajjah Helmi Suarni Rahman, a prominent female religious preacher in Makassar. Andi Muawiyah Ramly, *ibid.*, p. 139.

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<sup>12</sup> This organisation was lead by Prof. Dr. Abdurrahman A. Basamalah, a Muslim intellectual in Makassar. He was the only Sulawesi youth recruited to be a campus religious missionary cadre of DDII (*Dewan Dakwah Islamiyah Indonesia*) in the 1970's. DDII is an Islamic organisation formed by M. Natsir, the former Masyumi leader. The late Abdurrahman A. Basamalah was one of the Islamic lecturers in DDII who received religious missionary training based on the *Ikhwanul Muslimin* movement. A. Ay Muhammad Furkon, *Partai Keadilan Sejahtera; Ideologi dan Praksis Politik Kaum Muda Muslim Indonesia Kontemporer* (Jakarta: Teraju, 2004), p. 127.

<sup>13</sup> *Deklarasi Muharram* consists of 5 points: a) insisting that the regional government and DPRD in the province concretely follow up with the demand of *syari'ah* implementation in South Sulawesi by supporting special autonomy status, b) insisting that all local governments and DPRD in districts/municipalities support the application of Islamic *syari'ah* as it has been stated in Qur'an and Sunna, c) In the name of the unity of the NKRI, demanding that the government and DPR RI not ignore the aspirations of applying Islamic *syari'ah* in the *Serambi Madinah*. If they dismiss it, this will create new problems in the country d) To all the Indonesian Muslim communities, especially in South Sulawesi, to immediately prepare their *shaf* (show of force) and strive for the application of Islamic *syari'ah* for public good, e) if someone does not agree with the pursuit of the application of *syari'ah*, then that is their right and there is an obligation to be democratically considered.

<sup>14</sup> Based on the DPRD of South Sulawesi agreement, they sent the vice-chairman of DPRD, all chairmen of the DPRD's fractions, and delegations of KPPSI from South Sulawesi to meet President Abdurrahman Wahid and the chairman of DPR RI Akbar Tanjung on 25 Apr. 2001 in Jakarta. See Andi M. R., *Demi Ayat Tuhan*, p. 158.

<sup>15</sup> The proposed draft of special autonomy constitution concerning the implementation of shari'a in South Sulawesi contained: a) the local government of South Sulawesi is a government based on al-Qur'an and as-Sunnah, b) The South Sulawesi governing system is based on Qur'an and *Sunnah*, c) The main goal of the South Sulawesi government is to establish Islamic laws in all government and social affairs, implementing governmental affairs based on Islamic laws, and protecting the public with a system determined by the Qur'an and *Sunnah*.

<sup>16</sup> "Kongres Umat Islam Sulawesi Selatan Rekomendasikan Otonomi Khusus atau Referendum," *TEMPO*, 31 Dec. 2001. Available at [http://www.tempointeractive.com/hg/nusa/sulawesi/2001/12/31/brk.20011231-03\\_id.html](http://www.tempointeractive.com/hg/nusa/sulawesi/2001/12/31/brk.20011231-03_id.html) (ccessed in 30 Nov. 2008).

<sup>17</sup> This law gave the right and authority for Aceh to determine policies relating to religious and cultural affairs, education, and the role of '*ulamā'*' (religious scholars). President Megawati further strengthened the opportunity of *syari'ah* application with the introduction of UU no. 18/2001, granting Aceh special autonomy as the province of Nanggroe Aceh Darussalam (NAD).

<sup>18</sup> "Penangkapan Warga Indonesia di Manila DPP PAN Siap Bantu, KPPSI Tunggu Kejelasan," *KOMPAS*, 17 Mar. 2002, p. 1.

<sup>19</sup> The verdict was strongly protested by several militant groups in Indonesia. On 18 Jul. 2002, approximately 600 *Hizbut Tahrir* members demonstrated outside of

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the Philippines Embassy in Jakarta to demand the release of Dwikarna. The following day hundreds of MMI members held a similar protest. They said that Dwikarna had been trapped by an Indonesian intelligence operation.

20 Abdul Kahar Mudzakkar was one of the Indonesian freedom fighters born in Palopo. Earlier, he joined the XVI Brigade in Central Java and was sent to Sulawesi. He studied at Muhammadiyah in Solo and was taught by Kiai Mohammad Edris before the independence. Subagijo, I.N., *Sudiro Pejuang tanpa Henti* (Jakarta: Gunung Agung, 1981), p. 234.

21 This information is cited from interview results of an informal interview by Haedar Nashir with a number of key informants, former DI members, in South Sulawesi on 28 May. 2004. Haedar Nashir, *ibid*, p. 305.

22 Hamdan mentions that initially around 15.000 men followed Kahar in the jungle. See Hamdan Juhannis, *The Struggle for Formalist Islam in South Sulawesi: From Darul Islam (DI) to Komite Persiapan Penegakan Syari'at Islam (KPPSI)*, Ph.D. dissertation, (Canberra: Australia National University, 2006), p. 4.

23 The similarities between Kahar Muzakkar and Kartosoewirjo's ideas about an Indonesian Islamic state began from their first meeting (Aug. 1951) when Kahhar Muzakkar entered the jungle. He was asked to form "Komandemen TII" Sulawesi by envoying Buchari, the head of Gerakan Pemuda Islam Indonesia (GPII, Indonesian Islamic Youth Movement) and Abdullah Soshby, one of the leaders of the Islamic soldiers in West Java. Kartosoewirjo personally asked to send a letter to Abdul Kahhar Muzakkar offering him to be the head of the Islamic soldiers in Sulawesi. This offer was formally accepted on 20 Jan. 1952. Later on he became the commander of the IV Division of the Indonesian Islamic soldiers, which was also known as the Hasanuddin Division. In his reply, he expressed his gratitude towards Kartosoewirjo's trust to start an Islamic revolution from 16 Aug. 1951. Kartosoewirjo replied to this letter on 27 Feb. by insisting that Kahar do all he can do to plant Islamic enthusiasm and the spirit to build an Islamic state, even through war. See Cees van Dijk, *Rebellion Under The Banner of Islam: The Darul Islam in Indonesia*, (Leiden: KITLV, distributed by Martinuss Nijhoff-The Hague, 1983), p. 189-90.

24 Anhar Gonggong, *Abdul Qahhar Mudzakkar dari Patriot hingga Pemberontak* (Jakarta: Ombak, 2004), p. 339-40.

25 "Dianggap Gerakan Reinkarnasi Kahar Muzakkar," *Fajar*, 22 Oct. 2000.

26 Nashir, p. 306.

27 "Aziz Qahhar Muzakkar dan Politik Pembina Pesantren," *Tribun Timur Makassar RSS*, 19 May. 2007.

28 The Points of the second KUI congress regarding the historical background of the KPPSI actually consist of eight points written in 'Dasar Historis dan Kultur'. See in KPPSI Sulawesi Selatan, *Kongres II Umat Islam Sulawesi Selatan: Hasil-Hasil Keputusan*, (Makassar: KPPSI, 2001)

29 David A. Locher, *Collective Behavior*, (New Jersey: Prencite Hall, 2002), p. 233.

30 Anhar Gonggong, *Abdul Qahhar Mudzakkar*, p. 30-1.

31 Each of these paradigms can be seen in the point of their official declaration, see appendix A and B.

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32 Aziz Kahar Muzakkar argued that a special autonomy demand was not a new thing anymore, it is legalized in UU *Otonomi Khusus* article 18 point 6 which states that the local government has the right to apply local regulations to implement autonomy and assistance duties. See, "Pemberlakuan Syari'at Islam, KPPSI Sulsel Minta Otonomi Khusus," *Tempo Interaktif*, 16 Apr. 2001, it is also available at <http://www.tempointeractive.com/hg/nasional/2001/04/16/brk.20010416-09.id.html> (accessed in 22 Nov. 2008).

33 Robin Bush, "Regional Shari'a Regulation, p. 12.

34 Barbara S. Harvey, *Tradition, Islam and Rebellion: South Sulawesi: 1950-1965*, Ph.D. Dissertation, (Cornell University), p. 35; Michael Buechlar, "Democratisation and Islamization: Indonesia's non Fundamentalist Sources of Shari'a Law", *Paper*, AAS Annual meeting Panel 150, the politics of Syari'ah in Muslim Southeast Asia, Atlanta, USA, 3-6 April 2008.

35 Further explanation about Islam as the religion of South Sulawesi can be found in Mattulada and Abu Hamid, in Taufik Abdullah (ed), *Agama dan Perubahan Sosial*, (Jakarta: CV. Rajawali-YIIS, 1983), p. 211-259; Ahmad M. Sewang, *Islamisasi Kerajaan Gowa (Abad XVI sampai Abad XVII)*, (Jakarta: Yayasan Obor Indonesia, 2005).

36 Anthony Reid, *Pluralism and Progress in 17<sup>th</sup> Century Makassar* (Leiden: Royal Institute of Linguistics and Anthropology, 1987), p. 5-6.

37 In only four years time, the Gowa Kingdom successfully Islamised all the kingdoms of South Sulawesi, including Tana Toraja. See Andi Muawiyah Ramly, *Demi Ayat Tuhan*, p. 70.

38 Michael Buechlar, *Democratisation and Islamization*, p. 6. For further detail explanations the contents of these documents can be seen in Hamdan's dissertation, *ibid*, p. 131-136.

39 Apart from the Bugis and Makassar ethnicities that make up the largest and the most influential ethnic groups respectively, South Sulawesi also has Mandar and Toraja. The Bugis reside in at least 12 regencies out of 24 regencies in the province; Bulukumba, Sinjai, Bone, Soppeng, Wajo, Sidendeng-Rappang, polowali-Mamasa, Enrekang, Luwu, Pare-pare, Barru, Pangkajene islands. This means that half of the province is inhabited by Bugis. Makassars resides in Gowa, Takalar, Jenepono, Bantaeng, Maros dan Pankajene. Suku Toraja reside in Tana Toraja and Mamasa. And the last, Mandar ethnic lives in Majene and Mamuju. Haedar Nashir, *ibid*, p. 298.

40 Mattulada, *Latoa: Suatu Lukisan Analisis terhadap Antropologi Politik Orang Bugis*, (Yogyakarta: Gadjah Mada Universtity Press, 1985), p. 374; Andi Muawiyah R. *ibid*, p. 42

41 Hamid Abdullah, *Manusia Bugis di Makassar: Manusia Bugis-Makassar: Suatu Tinjauan Historis terhadap Pola Tingkah Laku dan Pandangan Hidup Manusia Bugis Makassar* (Jakarta: 1985), p. 37.

42 See KPPSI's statement in *Dasar Historis dan Kultur* (the Historical roots and Culture).

43 This survey contained several aspects: a) an understanding of shari'ah Islam, b) views toward the application of Islamic shari'a, c) a government and

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economic system, d) a form of syari'ah laws implementation, e) establishing *ibādah* and *mu'āmalah*, f) preventing *munkarāt* and penal sanction. See, Pemerintah Propinsi Sulawesi Selatan Balitbangda (Badan Peneliti dan Pengembangan Daerah) dan TPKPSI (Team Pengkajian Konsep Pemberlakuan Syariat Islam) Sulawesi Selatan, *Laporan Akhir Survei Pendapat tentang Wacana Pemberlakuan Syari'at Islam di Sulawesi Selatan*, (Makassar: Balitbangda, 2001), p.18.

44 "Jajak Pendapat di Sulawesi Selatan: 91 Persen Warga Ingin Syari'at Islam," *TEMPO*, 28 Jan. 2003.

45 According to KPPSI it would be better if they defined the *syari'ah* after they received a special autonomy status from the central government because if they discussed it beforehand, it would be an obstacle to the KPPSI's goal and break up the *syari'ah* proponent groups. Endang Turmudzi and Riza Sihbudi, *ibid*, pp. 217-8.

46 *TEMPO*, 9-15 Dec. 2002.

47 "Mengawal Bulukumba ke Gerbang Syari'at Islam," *Fajar*, 13 Jul. 2004.

48 There were eight programmes that were officially announced by the Governor of South Sulawesi at the time. First, the founding and development of mosque youth, founding and development of TPA Islamic schools, founding and development of *hifdz al-Qur'an*, founding and development of *majelis taklim* (al-Qur'anic study groups), founding and development of mosque libraries, founding and development of Islamic art, revitalisation of *zakāh*, *infāq*, and *shadaqah*, preservation of a *sakinah* (harmonious) and prosperous family. Syamsurijal A'dhan and Zubair Umam, "Perdaisasi Syariat Islam di Bulukumba," in *Tashwirul Afkar* 20, 2006, p.61.

49 Syamsurijal A'dhan and Zubair Umam, "Perdaisasi Syariat Islam di Bulukumba," in *Tashwirul Afkar* 20, 2006, p.60.

50 *Ibid*, p. 77.

51 John L. Esposito, *The Oxford Encyclopedia of the Modern Islamic World*, vol. 2 (New York-Oxford: Oxford University Press, 1995), p. 137.

52 *Ibid*, p.60-6.

53 Syamsurijal A'dhan and Zubair Umam, *ibid*, p.60

54 *Pedoman Rakyat*, 16 Jul. 2005.

55 To prove the shift of *aliran* politics in Indonesia, there are some cases that show the involvement of Bupatis or Governors affiliated to nationalist parties but supporting the enactment of syari'ah regional regulations. See in "Kala Agama Ikut Pilkada," *Nawala the Wahid Institute*, no. 3/TH. I/Aug.-Nov. 2006, p.4

56 The data compiled here are taken from three sources: Arskal Salim, *ibid*, p. 128-9; Tahswirul Afkar, *ibid*, pp.142-6; The Wahid Institute database, [www.wahidinstitute.org](http://www.wahidinstitute.org) (accessed in 1 Dec. 2008)

57 Tim Litbang Kompas, *Peta Politik Pemilihan Umum 1999-2004* (Jakarta: Penerbit Buku Kompas), p. 224.

58 See in the official website of West Java, <http://www.jabar.go.id/jabar/public/77193/menu.htm#top> (accessed 3 Dec. 2008).

59 "Otonomi Daerah, Formalisasi Syari'at Islam, dan Posisi Perempuan," *Kompas Cyber Media*, 4 May 2004. It is available at

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<http://www2.kompas.com/kompas-cetak/0405/04/swara/1001500.htm> (Accessed 4 Dec. 2008).

<sup>60</sup> LP3SI is an independent institution that functions as a *musyawarah* media in implementing *syari'ah* Islam. This institution consists of 5 commissions; a) commission on socialization and information, b) commission on Islamic shari'a studies, c) commission on the implementation of Islamic *syari'ah*, d) commission on women participation, e) commission on advocacy. Practically LP3SI was involved in 'sweeping activities' with the police and *Badan Kesatuan Bangsa* (Kasbang, State Unitary Board). This information was cited from an interview between Jaih Mubarak and Undang Hidayat on Dec. 2002. See Syaik Abdillah, "Perempuan dalam Arus Formasi Syari'at Islam (Studi Kasus Formalisasi Syari'at Islam di Garut," *Paper* presented in seminar Perempuan dalam Arus Formalisasi Syari'at Islam (Belajar dari Tasikmalaya, Garut, Cianjur, dan Banten), on 26 Apr. 2004 at Hotel Ambhara, Kebayoran Jakarta Selatan. p. 8.

<sup>61</sup> *Gerbang Marhamah* is an acronym from *Gerakan Masyarakat Berakhlakul Karimah* (Social Movement for Good Morality). In addition to labeling streets in Arabic, the *Gerbang Marhamah* concept also encourages performing *sholat berjamaah* (pray together) especially during working hours (*dzuhur* time), paying *zakat*, *infaq* and *shodaqoh* every time they receive their salary, developing *pengajian* in working units, majelis taklim, and creating an Islamic environment. Wasidi also formed *Penyuluh Akhlakul Karimah* (PAK, morality counselors) who were sent to villages, hospitals, police offices, and government institutes. The PAK employees were funded by APBD (Regional Budget and Expenditure) as much as 400.000.000 rupiah each year. This information was obtained from interview with Amin Mudzakir, a LIPI researcher who is working on *syari'ah* regional regulation in West Java province, on 1 Dec. 2008.

<sup>62</sup> Endang Turmudzi, "Gerbang Marhamah: Langkah Penerapan Syari'at Islam di Cianjur," in Endang Turmudzi, Asfar Marzuki, and Marzani Anwar (eds), *Pengaruh Modernitas Terhadap Sikap Keberagamaan Masyarakat: Penerapan dan Diskursus Politik Syari'at Islam (Studi Kasus di Cianjur, Sulawesi Selatan, and Jombang)*, (Jakarta: PMB-LIPI).

<sup>63</sup> "LSM Cianjur Dukung Penegakkan Syari'at Islam," *REPUBLIKA*, 28 Mar. 2001.

<sup>64</sup> The Islamists claim that what they mean by *syari'ah* application in a *kaffah* way is *syari'ah* that involves religious practice, economics, social humanity, law, and politics. See LPPI & Kabupaten Cianjur, *Apa dan Bagaimana Pelaksanaan Syari'at Islam di Kabupaten Cianjur* (Cianjur: LPPI dan MUI Kab. Cianjur, 2002), p.5.

<sup>65</sup> For the complete content of *syari'ah* regional regulations and the Bupati edict, see appendix; Taufik Adnan Amal and Samsu Rizal Panggabean, p. 90.

<sup>66</sup> Four pairs of candidates contested in the local elections of Cianjur in 2006; Wasidi Swastomo-Ade Berkah who were supported by Golkar, PKB, and PBB; Tjetjep Muhtar Sholeh-Dadang Sufianto who were supported by PKS and PD; Dadang Rahmat-Kusnadi Sanjaya who were supported by PDIP; and Yayat Rustandi-Titin Suastini who were supported by PPP. It is worth noting that the formation of DPRD Cianjur (2004-2009) are Golkar 17 seats, PDIP 8 Seats, PPP, 8 Seats, Partai Demokrat 4 seats, PKS 3 seats, PBB 2 seats.

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67 "Kala . Agamākut Pilkada," *Nawala The Wahid Institute*, No.3/TH.I/Aug-Nov/2006, p. 1-2.

68 This act of violence toward jamaah Ahmadiyah occurred at the same time as *nishfu Sya'ban night*. Hundreds of people attacked four branches of JAI (Jemaat Ahmadiyah Indonesia) in Panyairan, Cicakra, Negalsari, dan Ciparay. They destroyed Ahmadiyah property such as Madrasah and Masjid which summed up a total loss of 100 million rupiah. *Pikiran Rakyat*, 22 Sept. 2006.

69 There are twelve divisions that were stipulated in this regional regulation, which were *akhlāq* (morality), observance of religious duties, governance, politic, education, *da'wah* (missionary), economy, social humanity, law, art and culture, living environment, and development.

70 Amin Mudzakkir, *Politik Muslim dan Ahmadiyah di Indonesia pasca Soeharto: Kasus Cianjur dan Tasikmalaya*, unpublished research, p. 7.

71 Amin Mudzakkir, "Menjadi Kota Santri: Wacana Islam dalam Ruang Urban di Tasikmalaya," in *Tashwirul Afkar*, edition No. 20/2006, p. 95-6.

72 Cited from Amin Mudzakkir's interview with Ade Nurjaeni, and Ade Sugianto. On 4 May and 8 May 2008 in Tasikmalaya. *Ibid*.

73 Taufik Adnan Amal and Samsu Rizal Panggabean, *ibid*, 92.

74 "Jangan Lagi Mojok Sembarangan, Bung," *Forum Keadilan*, no. 26, 23 Mar. 2003, p. 20.

75 Haedar Nashir, *ibid*, p. 378.

76 "Kala Agama Ikut Pilkada," *Nawala the Wahid Institute* no. 3/TH.I/Aug-Nov 2006, p. 2.

77 Martin Van Bruinessen, *Tarekat Naqsyabandiyah di Indonesia: Survei Historis, Geografis, dan Sosiologis* (Bandung: Mizan, 1992).

78 This is one of the prominent rebellions in the history of Java which involved many religious leaders (*kyai* and *haji*). For further explanation see Sartono Kartodirdjo, *the Peasants' Revolt of Banten in 1888: its Conditions, Course and Sequel: a Case Study of Social Movements in Indonesia* (Den Haag: Martinus Nijhoff's-Gravenhage, 1966).

79 Mohammad Iskandar, *Para Pengembang Amanah: Pergulatan Pemikiran Kiai dan Ulama di Jawa Barat 1900-1950* (Yogyakarta: Mata Bangsa, 2001), p. 45-46.

80 *Ibid*, p. 56-57.

81 Deliar Noer proposed that Kartosoewirjo's troops were the ones secure West Java during the time of the Renville contract. Where the defense and security was done by TNI, they did not persuasively accommodate Kartosoewirjo's troops (*hizbullah*).

82 Endang Turmudzi and Riza Sihbudi, *Islam dan Radikalisme di Indonesia*, p. 227-8.

83 Based on research results of the MUI, there was a strong indication that there was a historical, financial and leadership connection between Pesantren al-Zaitun which is lead by Abu Toto alias Abdus Salam alias Panji Gumilang and N11 KW 9.

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84 "Cianjur Pelopor Formalisasi Syari'at Islam," it is available at <http://www.mail-archive.com/urangsunda@yahoogroups.com/msg18982.html> (accessed in 8 Dec. 2008)

85 Taufik Adnan Amal and Samsu Rizal Panggabean, *ibid*, p. 89.

86 Anom Surya Putra, "Gempa Tektonik Syari'at Islam di Daerah: Mengungkap Rencana Strategis 2001-2005 di Tasikmalaya," in *Tashwirul Afkar* no. 12/2002, p. 85-96.

87 Amin Mudzakir, *Menjadi Kota Santri*, p. 87.

88 This information was obtained from an interview between Achmad Maulani and Bupati Wasidi in 2006, see: *Ruang Untuk Memperjuangkan Kepentingan Politik: Dinamika Politik Lokal di Indonesia* (Salatiga: Percik, 2007), p. 186.

89 Ummu Salamah, *Tradisi Tarekat dan Dampak Konsistensi Aktualisasinya terhadap Prilaku Sosial Penganut Tarekat: Studi Kasus Tijaniyah di Kabupaten Garut, Jawa Barat dalam Perspektif Perubahan Sosial*, (Bandung: Prog. Pascasarjana Unpad, 1998), p. 217.

90 Cees van Dijk, *Rebellion under the Banner of Islam*, p. 42-3.

91 B.J. Boland, *Pengumpulan Islam di Indonesia* (Jakarta: PT. Grafiti Press, 1985), p. 58-9.

92 Al-Chaidar, *Pemikiran Politik Proklamator Negara Islam Indonesia, S.M. Kartosoewirjo: Fakta dan Data Sejarah Darul Islam*, (Jakarta: Darul Falah, 1999), p. 339.

93 Cited from an interview by Syaikh Abdillah with Islamic figures in Wanaraja and Karangpawitan, two subdistricts that were known as the base of Kartosoewirjo in Garut in 1999. see Syaikh Abdillah, *ibid*, p.7.

94 Sutrisno (ed), "Penerapan Syari'at Islam: Persepsi Masyarakat Garut," in *Istiqra' Magazine*, vol 02/nomor 1/2003, p. 167.

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