

ISLAM AND STATE: A STUDY OF THE LIBERAL ISLAMIC NETWORK IN INDONESIA, 1999-2004

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Indonesia is rich with many brands of Islam, ranging from radical to liberal. In the global fight against terrorism, it has become a matter of some urgency to study how Islamic fringe groups are making their presence felt. These groups have yet to be the focus of Western media in the same way that radical Islam is. Liberal or moderate Islam's contribution to the political discourse has been inadequately explored.² This paper examines the significance of Jaringan Islam Liberal (JIL) or the Liberal Islamic Network movement during the period 1999-2004. This study will analyze the role and contribution of JIL in terms of its impact on the discourse of Islam and state relations in Indonesia during this period. It analyses the social involvement of JIL within the context of the post-Soeharto era.

My main concern will be to address how the JIL responded to the Islam-state relationship in light of the interpretability of Islam during the period in which Islamic political groups (both moderate and radical) appeared in Indonesia following the fall of Soeharto in 1998. The key questions

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² Most scholarly research on contemporary Islam is focused on the phenomenon of Islamic radicalism or fundamentalism. Several books have been published on Islamic fundamentalism, such as A. S. Sidahmed and A. Ehteshami (eds.), *Islamic Fundamentalism*, (Boulder, Colorado: Westview Press, 1996); Y. Choueiri, *Islamic Fundamentalism*, (Washington, D.C.: Pinter, 1997); L. Davidson, *Islamic Fundamentalism*, (Westport, Conn.: Greenwood Press, c1998); R. Gunaratna, *Inside Al Qaeda : Global Network of Terror*, (London: Hurst & Company, 2002); G. Barton, *Indonesia's Struggle: Jemaah Islamiyah and the Soul of Islam*, (Sydney: UNSW Press, 2004); G. Barton, *Jemaah Islamiyah: Radical Islamism in Indonesia*, (Singapore: Ridge Books, c2005); and P. J. Smith (ed.), *Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability*, (New York: M.E. Sharpe, c2005).

addressed are: 1) what is Jaringan Islam Liberal or the Liberal Islamic Network? 2) what is the Network's mission and its programs? 3) what is JIL's response to the issue of Islam-state relations in Indonesia? and 4) what is the significance of their existence to Islamic discourse in Indonesia, in particular, and Southeast Asian in general?

The time frame chosen here is a critical period in the process of socio-political change in Indonesia. This period of post-Soeharto Indonesia is considered to be critical for at least two reasons. Firstly, there was a political change in Indonesia from an authoritarian regime to a more democratic government, starting from the Habibie government onwards, and it has had great impact on the emergence of Islamic political parties and also on Muslim groups in general. Secondly, the rise of radical Muslim groups the world over, including Indonesia, has attracted world attention, especially after the events of September 11, 2001, and the Bali Bombings 2002 and 2005.

The Socio-Political Background of JIL

After Soeharto's downfall in 1998, the ensuing euphoria of freedom brought renewed vigour and hope, not only to political parties in Indonesia but also to various socio-religious organizations, including radical ones. They believed that Soeharto's resignation was a good chance for them to express their interests, particularly their aspirations to implement *syaria* (Islamic law) in Indonesia. While Islamic political parties challenged the secular parties through the ballot box, radical Muslim groups expressed their agenda through 'street politics'.³ In Effendy's words:

Thus, other than giving more weight to what has been addressed by several Islamic political parties, their existence has been viewed as a confirmation of the rising tide of Indonesian (political) Islam. Their blunt outlook and militant tendency in communicating Islam has led many to observe their resurgence in the light of the past.⁴

The push for an Islamic State was uncoordinated, disparate in its voice and disorganized. Thus, secular tones always had an upper hand in political discourse. According to Chris Wilson, there is no organized hierarchy of radical Islam in Indonesia, but rather a number of largely unrelated groups.⁵ Among them are MMI (Majlis Mujahidin Indonesia or Indonesian Mujahidin

³ Street politics refers to mass mobilization led by individual or mass organization leaders to protest or pressure for change in government policy.

⁴ B. Effendy, *Islam and the State in Indonesia*, (Singapore: Institute of Southeast Asian Studies, 2003), p. 217.

⁵ C. Wilson, "Indonesia and Transnational Terrorism", *Foreign Affairs, Defence and Trade Group*, 6, (October 2001), p. 1.

Council),⁶ FPI (Front Pembela Islam or Islamic Defender's Front),⁷ Laskar Jihad or Holy War Force,⁸ Hizbu al-Tahrir Indonesia⁹ (Independence Party Indonesia), and KISDI (Komite Indonesia Untuk Solidaritas Dunia Islam or Indonesian Committee for Islamic World Solidarity).¹⁰

Although these organizations are different in name, their major concern and objectives are almost the same. Their short-term objective is, on the one hand, to push and demand the government for formalization of *syaria* or Islamic law in Indonesia, or at least to recognize Islamic *syaria* as a core ingredient or an integral part of the Indonesian Constitution.¹¹ Their long-term objective, on the other hand, is to establish Indonesia as an Islamic state. This objective is understandable due to their radical characteristics and platforms.

Although radical groups have various manifestations and struggles, Lili Zakiah Munir describes four common platforms of the groups, or what she calls fundamentalists.

First, they tend to interpret religious text literally, and refuse contextual reading of the texts as, to them, it can reduce the sacredness of the religion. Second, they refuse pluralism and relativism. Third, fundamentalists monopolize the truth of religious interpretation. They are authoritarian as they claim that they are the sole holders of 'truth' and that their readings of religious texts are final and unchallengeable. Fourth, fundamentalist movements are correlated with fanaticism,

⁶ This organization found by Abu Bakar Ba'asir and it was formally established after the first congress in Yogyakarta, 5-7 August 2000. See, <http://majelis.mujahidin.or.id/>.

⁷ This organization is widely perceived to be more like a racket of mobs for hire than a genuine Islamic movement. Headed by Habib Rizieq Syhab, the organization carried out raids on bars and brothels, and also radically opposed the continuing practice of gambling, pornography, prostitution and alcoholic consumption.

⁸ Found by Ja'far Umar Thalib, this organization is well known as the most prominent and organized of Indonesia's radical Islamic organization. In 2000, Laskar Jihad sent around 5000 armed militia members to the Maluku and it was formed in response to the inter-religious conflict in the islands.

⁹ Hizbu al-Tahrir Indonesia is an Islamic organization whose aim is to resume the Islamic way of life and to convey Islamic *da'wah* to the world. Islamic Thought is the soul of its body, its core and the secret of its life. Hizbu al-Tahrir first emerged among Palestinians in Jordan in the early 1950s. It has achieved a small, but highly committed following in a number of Middle Eastern states and has also gained in popularity among Muslims in Western Europe and Indonesia. See, http://icas.org/libr_en/islst/libr_14_06_03_1is.htm.

¹⁰ Led by Achmad Sumargono, KISDI and its associated *Dewan Dakwah* missionary organization have been vociferous but marginal for several years. KISDI has organized demonstrations on issues such as Western pornography and gambling, but also on causes that to the outsider appear anti-Semitic, anti-Chinese and intolerant of other religions, including the Javanese mystical religious practices. See Gerry van Klinken, "Emerging Support for the New President", *Inside Indonesia*, 9, (June, 1998).

¹¹ For a more detail explanation on recent debate on the position of *syaria* in Indonesian constitution, see N. Hosen, "Religion and the Indonesian Constitution: A Recent Debate", *Journal of Southeast Asian Studies*, 36 (3) (October 2005), pp. 419-440.

exclusiveness, intolerance, radicalism, and militarism. The fundamentalist always takes action against every threat to the religion.¹²

Adding to the general perception that the radical groups have been on the rise in the post-Soeharto years because of the euphoria of freedom, Khamami Zada argues that at least other two factors have led to the emergence of these groups in Indonesia. Firstly, the inability of the Indonesian government to solve problems that concern the lives of many Muslims (for example, religious conflict, law enforcement of gambling and prostitution and regulation of alcoholic beverages) and, secondly, the perceived 'unfair' American foreign policy towards the Islamic world, especially towards Palestine in the Arab-Israel conflict.¹³ Additionally, the United States invasion on Afghanistan and Iraq has created more concern in the Muslim world and made the radical groups in Indonesia strengthen their solidarity.

From the above discussion it is clear that Muslim radical groups emerged following Soeharto's downfall. They promote their demands for the implementation of *syaria* in Indonesia and their intention to establish an Indonesian Islamic State. Azyumardi Azra argues that the rise of Islamic parties would prevent the rise or spread of Islamic fundamentalism in Indonesia.¹⁴ However, the emergence of such radical groups has led several young Indonesian Muslim scholars to counter their activities and ideas by creating an organization so called *Jaringan Islam Liberal* (JIL) or the Liberal Islamic Network.

The rise of JIL, however, could not be seen solely as a response to the emergence of Islamic radical groups in Indonesia. JIL should be considered as one aspect of the various Islamic reform movements in Indonesia, pioneered by Nahdhatul Ulama (NU)¹⁵ and Muhammadiyah.¹⁶ These Islamic

¹² L. Z. Munir, *Islamic Fundamentalism and its Impact on Women*. See <http://www.law.emory.edu/IHR/worddocs/lily3.doc>.

¹³ K. Zada, *Islam Radikal: Pergulatan Ormas-ormas Islam Garis Keras di Indonesia*, (Jakarta: Teraju, 2002), p. 20.

¹⁴ A. Azra, *Pergolakan Politik Islam: Dari Fundamentalism, Modernisme Hingga Post-Modernism*, (Jakarta: Paramadina, 1996), p. 15.

¹⁵ Nahdlatul Ulama (NU) was established in Surabaya in 1926, with the aim of strengthening traditional Islam and unifying Indonesian Muslims against secular nationalist ideologies and the rival religious appeals of Muhammadiyah. Although Nahdlatul Ulama (NU) is Indonesia's largest Islamic organisation, it was until 1980 much better known as a traditionalist organisation due to its support from people of rural areas who generally gathered around local charismatic *sufi* leaders with a certain degree of syncretic practices. Many of these *sufi* leaders assumed the local leadership of the NU as the centre for Islamic scripturalism. However, since Abdurrahman Wahid (the former President of Indonesian) became the chairman of this organisation, NU has gradually modernised itself. The number of NU followers is now estimated to be between 30-35 millions. More information can be found in G. Barton and G. Fealy (eds), *Nahdlatul Ulama: Traditionalist Islam and Modernity in Indonesia*, (Monash: Monash University Asia Institute, 1996).

organizations have played a big role in mediating modernity and liberalism in Indonesian Muslim society.

What Is ‘Liberal Islam’?

During the last four years in Indonesia, the publication of so-called ‘Liberal Islamic’ thought has coloured Islamic discourse in the country. The term ‘Liberal Islam’ was firstly popularized by Asaf Ali Asghar Fyzee, a Muslim intellectual from India in the 1950s. Although the liberal tradition in Islam is traced back to leaders and writers in the 19th century, like Jamal al-Din al-Afghani, Sayyid Ahmad Khan and Muhammad Abduh, who emphasized the idea of freedom from *taqlid* (tradition) and the ‘expansion of the right to practice *ijtihad*’, these ideas were popularized in Indonesia by Nurcholish Madjid in 1970s.¹⁷ The term ‘Liberal Islam’ became more prominent in Indonesia since the publication of two books: *Islamic Liberalism: a Critique of Development Ideologies*, written by Leonard Binder, and *Liberal Islam: a Source Book*, edited by Charles Kurzman.¹⁸ Then the term was picked up by young Indonesian Muslims who called their group *Jaringan Islam Liberal* (JIL) or the Liberal Islamic Network.

Liberal Islam was established in Jakarta in 1999, and it was initiated by a group of Jakarta-based intellectuals led by young Muslim scholars such as

¹⁶ Muhammadiyah was established in Yogyakarta in 1912, as a reformist response to correct the perceived backwardness and syncretistic nature of Indonesian Islam. Its founder, Ahmad Dahlan, was much affected by the writings of the Egyptian reformist Muhammad ‘Abduh who advocated purification and reform of Islamic thought and practice through a modernised system of Islamic education. Muhammadiyah’s main base is urban and middle class. The organisation has about 29 million members and runs a large number of self-supported institutions. Muhammadiyah established modern educational institutions, mosques, and orphanages; it publishes books and holds public meetings to discuss contemporary Islamic issues. Muhammadiyah thus became known by the Indonesian Muslim community as the pioneer of the Islamic resurgence in Indonesia. More information can be found in M. S. Syamsuddin, *Religion and Politics in Islam: The Case of Muhammadiyah in Indonesia’s New Order*, (PhD Thesis: University of California at Los Angeles, 1991) and N. Hosen, “Revelation in a Modern nation State: Muhammadiyah and Islamic Legal Reasoning in Indonesia”, *Australian Journal of Asian Law*, 4, 3 (2002), pp. 232-258.

¹⁷ To continue his ideas of modernization and secularisation, first proposed in 1970s, Nurcholish Madjid, a respected Muslim intellectual and scholar — founder of Paramadina Foundation, which also runs Paramadina University in Indonesia — raised the idea of a network of Muslim liberal thinkers in 1997. Several attempts were made to realize this ambition. One might assume that JIL is also continuing Madjid’s idea in a more progressive manner.

¹⁸ L. Binder, *Islamic Liberalism: A Critique of Development Ideologies*, (Chicago: University of Chicago Press, 1988) and C. Kurzman, ed. *Liberal Islam: A Source Book*, (New York: Oxford University Press, 1998).

Ulil Abshar Abdalla,¹⁹ Luthfi Assyaukanie,²⁰ Saeful Mujani,²¹ and Ahmad Sahal.²² In March 2002, they established the *Jaringan Islam Liberal* or Liberal Islamic Network to disseminate their views through the media. They established an active website and a moderated chat group on the Internet, where they debate issues, respond to questions and views, cite the Quran to support their arguments and even provoke debates with their critics. The website quickly expanded. Media syndication was established. Columns and articles discussing Islamic teachings began to appear outside Muslim-related publications. A wide-circulation newspaper group, Jawa Pos, which also has regional newspapers, sets aside regular space for activists of the Network. Popular radio stations have set up chat shows, where day-to-day needs and problems of Muslims are discussed on air. Clerics with extensive understanding of Islam are invited as guests and answer questions from listeners, on topics ranging from inter-religious marriages to the correct attire for a particular event for Muslims. In answering questions about religious interpretation, the clerics often make distinctions between universal Islamic teachings and the temporal and cultural aspects of Islam, which have been open to interpretation for centuries.

According to Luthfi Assyaukanie (one of the founding fathers of the network), the birth of this group was a response to the emergence of religious extremists and radical groups in Indonesia.²³ In its activities, however, not only does the network find itself in confrontation with radical Islamic movements such as *Laskar Jihad* (Holy War Force) and *Front Pembela Islam* (Defenders of Islamic Front), it also incurs the wrath of conservative clerics from more established organizations such as the *Majelis Ulama Indonesia* (MUI) or the Indonesian Ulama Council.²⁴ The Liberal Islamic Network also

¹⁹ U. A. Abdalla is a prolific writer and a director of the Liberal Islamic Network. He is also a chairman of Institute for the Studies of the Free Flow of Information or Institut Studi Arus Informasi (ISAI), Jakarta, and an editor of *Journal Afkar Lakpesdam Nahdhatul Ulama* (NU), Jakarta. He graduated from the Islamic Law Faculty, Institute of Islamic and Arabic Science (Lembaga Ilmu Pengetahuan Islam dan Arab), in Jakarta.

²⁰ L. Assyaukanie is a lecturer at Paramadina University Jakarta. He has a BA in Islamic Studies from Jordan University, Jordan, and an MA from The International Institute for Islamic Thought and Civilization (ISTAC), Kuala Lumpur, Malaysia. He is now a PhD candidate at the Melbourne Institute of Asian Languages and Societies (MIALS), University of Melbourne, Australia.

²¹ S. Mujani is a lecturer and researcher at the State Islamic University Syarif Hidayatullah Jakarta. He received his PhD in political science from Ohio State University, Columbus, and wrote his PhD thesis on *Islam, Democracy and Civic Culture in Indonesia*.

²² A. Sahal is a deputy director at the Freedom Institute, Jakarta, and on the editorial board of *Journal of Kalam Jakarta*. He graduated from the Graduate School of Philosophy or Sekolah Tinggi Filsafat Driyarkarya, Jakarta.

²³ See, "Perlawanan Islam Liberal", *Gatra*, 1 (December 2001), p. 29.

²⁴ On July 28, 2005, Majelis Ulama Indonesia (MUI, Indonesian Ulama Council) issued 11 fatwa (religious edicts) during its four-day national congress. About 300 *ulama* (religious scholars) from across the country attended the meeting. Among these, 11 edicts are declarations outlawing liberal Islamic thought and declarations that secularism and pluralism are forbidden in Islam. The fatwa produced by MUI's Fatwa Commission also

works across and transcends existing organizations. It challenges the literal and scriptural interpretations of Islam championed by radicals groups in the country.

To promote their platform and agenda, twenty eight contributors from Indonesia and abroad were included as Liberal Islamic campaigners, including people such as Nurcholish Madjid (a Rector of Paramadina University, Jakarta), Azyumardi Azra (a Rector of State Islamic University, Jakarta), Said Agiel Siradj (a Nahdhatul Ulama leader), Jalaluddin Rahmat (an Indonesian Muslim scholar and a Chairman of Muthahari Foundation, Bandung), Asghar Ali Engineer (Pakistan) Abdullahi Ahmad An-Naim (Sudan), Mohammad Arkoun (French) and Charles Kurzman (United States of America).²⁵

Why the Name ‘Liberal Islam’?

The name ‘Liberal Islam’ illustrates their fundamental principles; Islam which emphasizes “private liberties” and “liberation” of the socio-political structure from unhealthy and oppressing domination. The “liberal” adjective here has two meanings: “liberty” (being liberal) and “liberating”. This group does not believe, as others argue, that it is possible to conceive of Islam without such accompanying adjectives. In fact, Islam has been interpreted in so many different ways in accordance with the interpreter’s need, just as is the case with many other religions as well. The founders of this group chose a genre of interpretation, ‘liberal’ Islam, to define their movement.²⁶

According to Radwan Masmoudi, Liberal Islam is a branch, or school, of Islam that emphasizes human liberty and freedom within Islam.²⁷ Liberal Muslims believe that human beings are created free – a concept that is very important to highlight in the Muslim world today – and that if you take away or diminish freedom you are in fact contradicting human nature as well as divine will. While some people want to impose their views on others, liberal Muslims insist men and women must be free to choose how to practice their faith. In Kurzman’s opinion, Liberal Islam has enjoyed a renewed popularity since the 1970s, expressing itself in ‘a more self-confident liberalism that apologizes neither for its liberalism nor for its Islamic essence’. In spite of opposition from within the Muslim community, the movement has grounds for optimism in ‘the rising level of education in the Muslim world’ and the emergence of ‘an organizational infrastructure for liberal Islam’ which

ban interfaith prayers unless a Muslim leads them; ban interfaith marriage and prayers performed with people of other faiths and they also renew a decades old ban against Ahmadiyah, a Muslim religious movement that started in India in the late 19th century and was brought to Indonesia in 1925. See *The Jakarta Post*, (29 July 2005).

²⁵ See <http://www.islamlib.com>.

²⁶ See “Perlawanan Islam Liberal”, *Gatra*, 1 (December 2001), p. 30.

²⁷ R. Masmoudi, “The Silenced Majority”, *Journal of Democracy*, 14, 2 (April 2003), p. 1.

represent ‘the first real effort since the late nineteenth century to generate an international scholarly movement of liberal Islam’.²⁸

In line with Radwan’s and Kurzman’s arguments on Liberal Islam, JIL also defined itself as a group which promotes seven insights of liberalism in Indonesia: 1) the openness of *ijtihad*’s gate in the entire aspects, 2) the ethical-religious spirit as opposed to a literal meaning of texts, 3) the relative, open and plural truth, 4) standing behind the minorities and the oppressed, 5) promoting freedom of belief and faith, and 6) the separation of *ukhrawi* (heavenly) *vis-à-vis duniawi* (worldly) authority and religious *vis-à-vis* political authority.²⁹

JIL believes that *ijtihad* (the rational thinking of Islamic texts) is the main tenet that enables Islam to hold out through any season. Any locking of the gates of *ijtihad*, partially or even entirely, is a threat to Islam itself and would be considered to degrade Islam. JIL believes that *ijtihad* could be held almost in every aspect, within *ilahiyyat* (theology), *ubudiyyat* (ritual), or (especially) *muamalat* (social interaction).³⁰ *Ijtihad*, as developed by JIL, is an endeavour of Islam’s interpretation based on the ethical-religious spirit of the Qur’an and the Sunnah, not merely an interpretation of Islam based on the literal meaning of the text. The literal kind of interpretation would only “degenerate” Islam. It is argued that only by using such an ethical-religious spirit based interpretation, will Islam live and grow creatively in association with the universal “humanistic civilization”.

JIL is based on the notion of “truth” (in religious interpretation) as *relative*, *open* and *plural*. *Relative*, since an interpretation is “human activity” which is shackled in a certain context; *open*, since each form of interpretation contains an erroneous possibility, instead of a correct one; and *plural*, since each religious interpretation, in one way or other, is a reflection of any interpreter’s need in a climate of incessant change of time and place.

JIL Response to the Issue of Islam-State Relations

After Soeharto’s regime collapsed, the issue of Islam and state relations returned to become a ‘hot’ topic in Indonesian politics. However, according to Burhanuddin, in the post-Soeharto era there are different groups or players who are involved in the debate. There is now no binary opposition between Islamic groups, on the one hand, and nationalist groups on the other, as happened before.³¹ The intensive debate now is among Indonesian Muslims themselves, who Liddle calls liberalist and Islamists. These groups have an

²⁸ C. Kurzman, “Liberal Islam: Prospects and Challenges”, *Middle East Review of International Affairs*, 3, 3 (September 1999), p. 2.

²⁹ See <http://www.islamlib.com>.

³⁰ See <http://www.islamlib.com>.

³¹ Burhanuddin, *Syariat Islam Pandangan Muslim Liberal*, (Jakarta: Jaringan Liberal dan The Asia Foundation, 2003), p. xi.

important ongoing discourse about whether Indonesia should become an Islamic state or a secular one.

In the relationship between Islam and state in the contemporary Muslim world, as far as the role of *syaria* is concerned, there are at least three types of countries.³² First, there are countries which still regard *syaria* as the fundamental law and apply it more or less in its entirety. Saudi Arabia is a case in point. Second, there are countries where *syaria* law has been abandoned completely and substituted by a wholly secular one. Turkey fits into this category. Third, there are countries which try to reach a compromise between the two domains of law, by adopting secular law and preserving *syaria* at the same time. These include such countries as Egypt, Tunisia, Iraq, Indonesia, and Malaysia.³³ Where does JIL stand in terms of this threefold division?

JIL's response to the idea of Islam-state relations is quite distinctive for Indonesian Muslims. This is due to its desire to counter the concept of an Indonesian Islamic state, as reached by the two biggest Muslim organizations, Nahdhatul Ulama and Muhammadiyah. More than that, JIL also proposes the idea of separation between religion (Islam) and state, or the separation of *ukhrawi* (heavenly) and *duniawi* (worldly) authority.³⁴ This means that JIL prefers the Indonesian state to remain firmly secular. To promote its idea on the separation between Islam and the state and to respond to the idea of an Indonesian Islamic state proposed by several radical groups in Indonesia, JIL held a special workshop on 10-11 January 2003 in *Puncak*, West Java, on the theme '*Syaria: Comparative Perspectives*'. Attended by all JIL contributors from around Indonesia and with Abdullahi Ahmed An-Naim as a special guest speaker, the seminar was divided into three sections: namely '*Syaria: Comparative Country Case Studies*', '*the Indonesia Case*' and '*Toward Reformation of Islamic Law*'.³⁵ The following discussion on how JIL responds to the question of Islam-state relations in Indonesia is

³² M.A. Mudzhar, *Fatwa's of the Council of Indonesian Ulama: A Study of Islamic Legal Thought in Indonesia, 1975-1988*, (Los Angeles: University of California Press, 1990), p. 5.

³³ More explanation on the relationship between Islam and state in the Muslim countries, see N. Hosen, "Constitutionalism and *Syariah*", *Murdoch University Electronic Journal of Law*, 11, 1 (2004), available at <http://www.murdoch.edu.au/elaw/issues/v11n1/hosen111.html>.

³⁴ See <http://www.islamlib.com>.

³⁵ Abdullahi Ahmad An-Naim (from Sudan), the Director of the Fellowship Program in Islam and Human Rights, is Charles Howard Candler Professor of Law at Emory Law School. An internationally recognized scholar of Islam and human rights, and human rights in cross-cultural perspectives, Professor An-Na'im teaches courses in human rights, religion and human rights, Islamic law, and criminal law. His research interests also include constitutionalism in Islamic and African countries, and Islam and politics. He is the Director of the Religion and Human Rights Program of the Law and Religion Program at Emory University School of Law. He directs several research projects which focus on advocacy strategies for reform through internal cultural transformation.

mostly taken from the result of this workshop, which resulted in the publication of a book under title *Syariat Islam: Pandangan Muslim Liberal*.

JIL's promotion of the idea on the separation between Islam and state and its rejection to the idea of an Indonesian Islamic state is not without reason. JIL argues that, based on the experiences of several countries which have tried to enact Islamic *syaria*, one might assume that they not only failed to protect civil liberties, human rights and women's equality, but they also did not make a great effort to improve *kemaslahatan publik* (public benefits). The question is, then, why do Indonesian Muslims actively promote the concept of an Islamic state and not learn from the failure of other states? Saeful Mujani (an active JIL contributor) analyzed several countries which made Islam their state ideology, such as Saudi Arabia, Pakistan, Iran and Sudan, in order to understand their concerns regarding *kemaslahatan publik* (public benefits) between 1973 and 2000. To assess their concern on public rights, Mujani used several indicators commonly used by the United Nation Development Program (UNDP) and Freedom House, such as human development, economic development (GDP), literacy, life span, women's equality and civil liberties.³⁶ Based on his research, Mujani concluded that, overall, the enactment of Islamic law or *syaria* in those countries did not make public rights better. He states: "being compared to countries in Asia, Latin America and East Europe; it is enough to say that those Islamic states are weak in terms of their service for the public rights and civil liberties".³⁷

Taking Saudi Arabia as an example, Mujani showed that, although it has a comparatively high GDP, this has declined by 2.2% during the last thirty years. Similarly, the country's literacy rate (76%) and life span (71 years) are also only about average in comparison to advanced economies such as Australia, the United Kingdom and the United States. Also, as is widely known, in Saudi Arabia women's equality is very weak. For example, women's literacy is worse than that in Turkey and Indonesia. If women's equality is measured by the proportion of women who participate in the workforce, then it is also very low (26%); this is much lower than in other much poorer Muslim countries such as Bangladesh (76%). In Saudi Arabia, civil liberty is even worse; Freedom House claims it is the most oppressive country in the world. Mujani argues that these trends are also found in other Islamic countries, such as Pakistan, Iran, and Afghanistan.³⁸

Mujani's conclusions are supported by Abdullahi An-Naim, a Sudanese Muslim scholar based at Emory University. According to An-Naim, the failure of Islamic law or *syaria* also happened in his own country, Sudan. He pointed to how repressive the regime was in his country after the 1983 Islamic law enactment. Furthermore, An-Naim argues that Islamic fundamentalist groups who promote Islamic law also failed when they tried

³⁶ S. Mujani, "Syariat Islam Dalam Perdebatan", in Burhanuddin, *Syariat Islam: Pandangan Muslim Liberal*, (Jakarta: Jaringan Islam Liberal and the Asia Foundation, 2003), p. 21.

³⁷ S. Mujani, *Syariat Islam dalam Perdebatan*, p. 22.

³⁸ S. Mujani, *Syariat Islam dalam Perdebatan*, p. 23.

to establish an Islamic State in Nigeria, Algeria, Tunisia and Morocco.³⁹ Thus, according to An-Naim, the Liberal Islamic Network's efforts in holding such a workshop was very significant. This workshop helped inform people about these issues, and provided a forum whereby Indonesians could learn from other the experience of other countries in enacting Islamic law, which has been blatantly unsuccessful.

From the above discussion, it is clear that JIL has serious concerns regarding Islam and state relations in Indonesia. JIL believes that Indonesia should not replicate other Islamic-style governments where the record indicates a less dynamic and problematic society. Indonesian Muslims, particularly Islamist or radical groups, should learn from the experience of other Muslim countries on this issue. JIL hopes that Muslims in Indonesia are rethinking and reconsidering what Islamic law or *syaria* means? What are the implications if *syaria* is enacted in Indonesia?

According to an-Naim, the issue of *syaria* is very problematic and dangerous.⁴⁰ Indonesian Muslims should not take for granted that by enacting *syaria* all the country's problems will be solved. Muslims should be aware and understand the complexity of *syaria* enactment, both at the personal as well as the national level. Muslims also should question whether *syaria* was ever really applied successfully in Islamic history and what the implications might be if it was enacted in the context of a modern and democratic Indonesian state.

What Has JIL Done?

JIL tries to promote its mission in three areas: 1) to develop liberal Islamic interpretations that are appropriate to their principles, and disseminate these to as many people as possible; 2) to create dialogue rooms that are open and free from any pressures of conservatism; and 3) to endeavour to see the formation of a fair and humanely social and political structure. To promote this mission they have established a Liberal Islamic Writer Syndication, promoted talks shows on radios and television, supported publications and books, and set up a Liberal Islam website (<http://www.islamlib.com>).

The first talk show JIL promoted was through the Radio 68H News Office in Jakarta. This talk show invited public figures known to hold a plural view in religious interpretations to discuss socio-religious issues. The show was being held weekly and broadcast across Radio Namlapanha's network around Indonesia. The network consisted of 40 radio stations, including: Radio Namlapanha Jakarta, Radio Smart (Manado), Radio DMS (Maluku), Radio Unisi (Yogyakarta), Radio PTPN (Solo), Radio Mara (Bandung), and Radio Prima FM (Aceh).⁴¹

³⁹ See Burhanuddin, *Syariat Islam*, p. 179.

⁴⁰ See Burhanuddin, *Syariat Islam*, p. 185.

⁴¹ See <http://www.islamlib.com>.

So far, JIL has published several books concerning religious pluralism and inclusive religiosity in Indonesia. Recently, JIL has published books that compiled articles, interviews, and discussions that they had held, such as *Wajah Liberal Islam di Indonesia*⁴² (The Face of Liberal Islam in Indonesia) and *Syariat Islam: Pandangan Muslim Liberal*⁴³ (Syariat Islam According to Muslim Liberal's View) that criticize *Syariat Islam* practices. For general readers, JIL published a forty to fifty page booklet in a simple and easy to read language on religious issues of public interest.

JIL also has set up a website (IslamLib.com). It documents all JIL publications, including syndications and discussions. This website originated from the successful mailing list (islamliberal@yahoo.com) which received so many positive appraisals. Moreover, JIL has initiated a number of campaigns, including some for television and radio, that focus on spreading their voices in order to get wider public attention and eliminate the possibilities of inter-and-cross religion conflict in Indonesia. These campaigns are broadcast across private and state-owned stations, including some community owned stations. JIL recently produced two campaigns, whose themes are: *Violence and Plural Religion in Indonesia* and *The Tolerance and Plurality of Islam* (The Colourful Islam). JIL has also hosted many Islamic discussions (off-air and on-air), some of these in cooperation with other organizations, such as the Goethe Institute and *Teater Utan Kayu*. Furthermore, JIL held roadshow discussions on campuses and educational institutions around Indonesia. Their recent roadshow was a discussion of the book *Wajah Liberal Islam di Indonesia* (The Face of Liberal Islam in Indonesia), held at the University of Indonesia, Jakarta, Diponegoro University, Semarang, Institut Pertanian Bogor, and Islamic State University Syarif Hidayatullah, Jakarta.

From the above discussion, it is clear that JIL is a promising group which promotes democracy, pluralism, women's equality and civil liberties in Indonesia. JIL's agenda could produce a synthesis between the principles of democracy and Islam due to their belief that the entire corpus of Islamic teaching needs to be contextually reinterpreted. As Ulil Abshar Abdala (a director of JIL) suggests, reworking the necessary Islamic foundations for Indonesia's democracy would be difficult, if not entirely impossible, without the liberal interpretation of religious texts.⁴⁴ It is also important to note that the JIL network is likely to grow, especially with the support of young Indonesian Muslim scholars, who not only have a background in Islamic studies but also have Western educations and experience and who are well connected in the media. If the Liberal Islamic Network can maintain its development and its consistency in terms of its platform and agenda, then we might assume that the group could change an established stereotype that

⁴² L. Assyaukanie, ed. *Wajah Liberal Islam di Indonesia*, (Jakarta: Jaringan Islam Liberal, 2003).

⁴³ Burhanudiin, ed. *Syariat Islam: Pandangan Muslim Liberal*, (Jakarta: Jaringan Islam Liberal and the Asia Foundation, 2003).

⁴⁴ See 'Perlawanan Islam Liberal', *Gatra*, 1(December 2001), p. 30.

Islam is incompatible with democracy. JIL appears to be a group that will be well known for its moderate stance on Islam. Politically speaking, it seems that JIL will also be well known as a group which opposes any attempt to establish an Islamic state in Indonesia.

The Significance of JIL

The appearance of the JIL network, with its aim to promote the separation between Islam and the state, pluralism, and women's equality, is quite promising for the Indonesian democratization process. Since their main issue was to oppose any attempt to establish an Islamic state in Indonesia, JIL indeed stands out as the most outspoken group in Indonesia. According to Mohammad Ihasan Alief, this aggressive stance by JIL activists has to be understood in the context of their understandable perception that discourse on Islam in the post-Soeharto era was dominated by radical and conservative Muslims.⁴⁵

The conservative camp includes the particularly radical and hardline Muslim groups that have emerged during the Indonesian reformation era and support violent means to achieve their ends. These are voices that, to quote a posting on JIL's listserve (December 2, 2002), "dominate every inch of the public sphere, from sermons in mosques, on buses, and on the radio to religious programs on television, eagerly flaunting their ideas every morning".⁴⁶ JIL's existence, then, is very significant to counter hegemonic arguments of the Muslim groups in Indonesia that actively promote the establishment of an Islamic state. JIL argues that speeding up the enactment of *syaria* in Indonesia would only lead to paradox and conflict among Indonesian Muslims, in particular, and Indonesian people in general. To push *syaria* to be enacted in Indonesia without considering its visibility and viability would only make Islamic *syaria* counterproductive for Indonesians. Thus, *syaria* is less likely to achieve its objective to become a *rahmatan lil alamin* (blessing for all humanity); conversely it may even destroy humanity.⁴⁷

Moreover, JIL as an institutional discourse plays a significant role in countering arguments of at least four features of Indonesian political renovation in the post-Soeharto era.⁴⁸ *Firstly*, there is the establishment of numerous Islamic political parties that adopt Islam as their basis for replacing *Pancasila* and insist in the parliament that Indonesia should apply *syaria*

⁴⁵ M. I. Alief, "Political Islam and Democracy: A Closer Look at the Liberal Muslims", in *Asia Program Special Report*, 110, (Woodrow Wilson International Center for Scholars: April 2003), p. 15.

⁴⁶ See, <http://www.islamlib.com>.

⁴⁷ A. Azra, "Penerapan Syariat Bisa Kontraproduktif", in L. Assyaukanie, ed. *Wajah Liberal Islam di Indonesia*, (Jakarta: Jaringan Islam Liberal, 2002), p. 96.

⁴⁸ See A. Salim and A. Azra, eds., *Shari'a and Politics in Modern Indonesia*, (Singapore: Institute of Southeast Asian Studies, 2003), pp.1-3.

within national legal system. *Secondly*, there is the growing demand from certain regions of Indonesia for the formal implementation of *syaria*, such as Aceh and South Sulawesi. *Thirdly*, there is the emergence of radical and hardline Muslim groups, such as Front of Islamic Defenders, who launch radical and violent attacks on discotheques, nightclubs, and other places of entertainment in the name of *amar ma'ruf nahi munkar* (enjoin good and prohibit evil). And, *lastly*, there is the rising popularity of the Islamic magazine, *Sabili*, which, according to a survey conducted by ACNielsen, has the second largest circulation after the women's magazine *Gadis*.⁴⁹ *Sabili* asserts that the answer to Indonesia's legal crises is to return to the way of God, that is, the application of *syaria* in Indonesia.

If JIL's idea to promote secularism, in which the government avoids intervention on religious matters, is successful, other significant changes could happen in Indonesia. For example, Law No 17/1999 concerning the implementation of the *haj*-pilgrimage should be amended. The government should relinquish its role in managing Muslim pilgrimage activities and allow the private sector to organize and manage the *haj*-pilgrimage. As is commonly perceived in Indonesia, the *haj* project is one of the most corrupt state projects in Indonesia. By leaving the *haj* project to the private sector, corruption may be eliminated and pilgrims can expect better services and activities.

The idea of secularization proposed by JIL could also have an impact on other religious sectors which are commonly managed by the government. For example, the government could amend the Indonesian Marriage Law No 1 of 1974 (for Muslims), the Religious Judicature Act No. 7/1989 on compilation of Islamic laws in Indonesia, the Compilation of Islamic Law (Presidential Instruction No. 1/1991) and the Law on Islamic Banking (Law No. 7/1992). Thus, all religious laws could be abolished from the Indonesian legal system. Religious leaders could be persuaded to limit their activities to religious matters. The government likewise should not be involved nor intervene in such activities. JIL's promotion of the idea of pluralism, women's equality and civil liberties also could have a significant impact on building a moderate Islamic image. The negative image of Islam, which is routinely portrayed by the media as being a fundamentalist, conservative, extremist, uncivilized, despotic and male dominated religion, could be reduced by presenting a non-violent Muslim image.⁵⁰ This in turn will not only influence the image of Islam in Indonesia but also give a peaceful image of Islam in other Southeast Asian countries. If JIL is successful in promoting the image of a peaceful Islam and championing the idea that Islam can accommodate modernism, there is no doubt that other countries, at least in Southeast Asia, will look to Indonesia as a model.

⁴⁹ It currently publishes more than 100,000 copies of each edition. See, A. S. Damanik, *Fenomena Partai Keadilan: Transformasi 20 Tahun Gerakan Tarbiyah di Indonesia*, (Jakarta: Teraju, 2002), p. 160.

⁵⁰ See A. A. Nurdin, "Islam as Seen through the Eyes of Western Media", *The Straits Times*, (Singapore, 11 October, 2003).

The Jamaah Islamiyah terrorist group has been widely reported as wanting to establish, through violence, an Islamic state in Southeast Asia (a single caliphate Muslim state), incorporating Malaysia, Indonesia, Mindanao, and other areas. JIL could counter the Jamaah Islamiyah idea by promoting the idea Islam is a peaceful religion and will always fight for democracy and that eliminating radicalism is a more appropriate way to achieve the ideals and virtues of Islam as a religion that gives *rahmatan lil alamin* (blessing for all humanity). Rather than promoting a single Caliphate Southeast Asian Muslim, it is better for Muslims in the region to devote their energy to solving community problems such as poverty, low literacy, and other social ills.

Although JIL is quite promising, it is important to note that it is still a very small community when compared to other Islamic organizations in the country, such as Nahdhatul Ulama (NU) and Muhammadiyah. Thus, it seems sensible for JIL to collaborate with NU and Muhammadiyah in promoting their ideas, because, according to Nadirsyah Hosen, these two organizations, the biggest Islamic organisations in Indonesia, now no longer share the agenda of formally adopting the *syaria* into the Indonesian Constitution. Hosen further says:

Hasyim Muzadi (currently the chairman of NU) takes the view that the struggle for *syaria* to be enforced in Indonesia is not realistic. He has urged the promotion of universal values for the people's prosperity, instead of pushing the idea of *syaria* ... Leaders of both NU and Muhammadiyah assert that even without formal acceptance of *syaria* in the Constitution, Muslims' demand can be met by the state.⁵¹

Finally, to make the organisation prevail and enable its ideas to become more acceptable to Muslim communities within the country, it is important for JIL to consider Mohammad Ihsan Alief's criticism that members are sometimes too direct in their approach, insensitive in many cases to the feelings of their fellow Muslims, and selective in the themes and subjects they address. In other words, JIL's programs and activities "*harus membumi*" (should be down to earth) and touch the grassroots and pay attention to the people problem. Alief adds that JIL depends too much on Western sources in defending their ideas, and therefore is susceptible to identification with a Western agenda. These two factors could reduce the influence of JIL's appeals and undermine the promise of liberal Islam in Indonesia.⁵²

JIL stands behind Islamic interpretations that preserve the rights of minorities, the oppressed and marginalized.⁵³ Every social-political structure

⁵¹ N. Hosen, "Religion and the Indonesian Constitution: A Recent Debate", *Journal of Southeast Asian Studies*, 36 (3) (October 2005), p. 426.

⁵² M. I. Alief, *Political Islam*, p. 14.

⁵³ See <http://www.islamlib.com>.

that preserves unjust practices upon the minorities is against the spirit of Islam. In this context, minorities should be understood in the wider meaning, including not only religious minority, but also ethnic, racial, cultural, political, economic, and sexual minorities. Gender equality is a problem that JIL is concerned with, since the social structure is still based on the patriarchal idea, which runs against Islamic ideas of justice. JIL considers that any religious interpretations that do not concern gender equality are inappropriate with the principles of Islamic justice.

JIL considers that the matter of “being religious” or “being not religious” is a personal right that should be protected. JIL does not encourage prosecution on the basis of an opinion or belief. Moreover, *JIL* believes in the separation of religious power and political authority. The healthiest form of state for religious and political growth is a state where both entities are separated. Finally, religion works on private and individual spaces. Public affairs should be held through the “collective *ijtihad*” process, where everyone can debate; where every truth is determined inductively through the fit and proper test of vision.⁵⁴

Conclusion

From its birth to its later development Jaringan Islam Liberal (JIL) was deeply involved in the socio-political and historical evolution of Indonesian Muslim society, which in turn influenced the visions, programs and activities of the organisation. As may be seen from the above discussion, the very birth of the organisation was itself the product of a particular historical context; namely, the rise of Indonesian Muslim radical groups in the early transition period of democracy after Soeharto stepped down. It was this trend that gave birth to the Indonesian Muslim movements, of which JIL formed a part.

However, right from the start, JIL differed from most other Muslim groups, not only because of its liberal identity, but also because of its representation of young Indonesian Muslim scholars who have extensive understanding of Islam. Moreover, the distinctness of JIL, due especially to its liberal ideology, was reflected in many other respects, causing the organisation often to present different perspectives or stands on many issues.

Backed by its good media syndication, one could argue that JIL has been successful enough in disseminating its visions and programs. JIL is now well known by Indonesians as the group who promotes pluralism, civil liberties, women’s equality, openness of *ijtihad*’s gate and separation between religious and political authority. JIL considers that religion is private and that individual rights be protected. However, since the group is still a small community in Indonesia, especially when compared to NU and Muhammadiyah, it would be in the interest of JIL to cooperate with these

⁵⁴ More information on collective *ijtihad* can be found in N. Hosen, “Collective *ijtihad* and Nahdlatul Ulama”, *New Zealand Journal of Asian Studies*, 6, 1 (2004), pp. 5-26.

leading mass Muslim organizations in order to promote their ideas and programs. JIL also should not depend too much on Western sources in defending its ideas so as to avoid the criticism from Muslim radical groups that JIL is funded and backed up Western countries.

In term of the organization's response to the idea of Islam-state relations in Indonesia, as a liberal and modernist group, JIL tends to distinguish between sacred and secular matters. Thus, according to JIL, Indonesia should not become an Islamic state. Indonesian Muslims, particularly radical groups, should learn from the failure of other Muslim countries. Indonesian Muslims, moreover, should consider the implication of *syaria* if it is to be enacted in the multicultural Indonesian state.

The existence of JIL in Indonesia is very significant. JIL not only promotes civil society in democratic Indonesia but also counters arguments of radical groups such as *Laskar Jihad*, *Majlis Mujahidin Indonesia* and *Front Pembela Islam*, which are aggressively struggling to establish an Islamic state in Indonesia. JIL activities could build a good image of moderate and tolerant Indonesian Muslims. The image of Islam in Southeast Asia and also in the wider world that is portrayed by the media mostly relates to radicals and terrorists. I believe, therefore, that JIL's existence is also significant in helping to build a good image of Islam as a peaceful religion in the region. JIL could also counter arguments by Muslim radical groups in Southeast Asia that extensively promote the idea of a caliphate of Southeast Asian Islamic states. JIL could promote the idea that Islam is a religion that brings a blessing for all humanity (*rahmatan lilalamin*) not a horrible and violent religion, as is now commonly assumed throughout the world following September 11 and the Bali Bombings in 2002 and 2005.

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