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## IS EDUCATION DETERMINANT? The Formation of Liberal and Anti-liberal Islamic Legal Thinking in Indonesia

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**Abstract:** Liberalism and anti-liberalism are two increasingly prominent but staunchly opposing streams of Islamic legal thinking in Indonesia. This article analyses the formation of each of the two through an examination of the role of formal education. It focuses on organic intellectuals during two periods, the New Order and the *reformasi*. Challenging the strongly-held thesis of the determinant role of education, this article argues that both liberal and anti-liberal Islamic legal thinking in Indonesia is a result of not only the intellectual formation in the sense of academic training and access to education and knowledge, but also the sociological background and exposure in building a new epistemic community in an urban context. As a theoretical understanding of sociological background and exposure, the concept of epistemic community deserves to be taken as an analytical framework in addition to education for the analysis of the formation of the two contesting bents of Islamic legal thinking in Indonesia.

**Keywords:** Liberalism, anti-liberalism, Islamic legal thinking, education, epistemic community.

### Introduction

In his controversial speech entitled “The Necessity of Islamic Renewal Thinking and the Problem of the Integration of the *Ummah*” on 2 January 1970, Madjid argued for a dynamic approach to Islam which requires reinterpretation of Islamic teachings in context with place and time. In more elaborate ways, he further argued that Islamic values move in line with the spirit of humanitarianism which promotes

the dignity of Mankind. As a result, he specifically argued, they are dynamic following the human development.<sup>1</sup> Madjid's argument implies that the literal or textual sense of the text does not represent the essence of Islamic *shari'ah* since the text is static, just as Man as its receiver is dynamic. Madjid was himself later known as one of the key promoters of liberalism, and neo-modernism, in Indonesian Islamic thinking under the banner of *Gerakan Pembaharuan Islam* (Islamic Renewal Movement/IRM).<sup>2</sup>

Madjid's argument as such was very different from the approach developed within *Media Dakwah* (MD), a publication medium of the *Devan Dakwah Islamiyah Indonesia* (DDII/Indonesian Council for Islamic Proselytising), which is used to interpret Islamic texts. In one of its articles, MD argued that the textual sense of Islamic texts represents the *shari'ah* itself. According to MD, neglecting the textual sense of Islamic texts has the same meaning as disbelieving the essence of *shari'ah*, which is based on its literal sense as well. In MD's view, furthermore, disbelieving the essence of *shari'ah* can be identified as disbelieving Islam.<sup>3</sup> MD has been known as a key promoter of anti-liberal thinking in Indonesian Islam.<sup>4</sup>

Over than two decades later of Madjid's delivery of such a controversial idea, Ulil Abshar-Abdalla, the co-ordinator of *Jaringan Islam Liberal* (JIL/Liberal Islam Network), asserts that the Islamic texts move in an interactive dialogue with, and on the same level as,

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<sup>1</sup> For more detail see Nurcholish Madjid, "Keharusan Pembaharuan Pemikiran Islam dan Masalah Integrasi Ummat," in Nurcholish Madjid et al., *Pembaharuan Pemikiran Islam* (Jakarta: Islamic Research Centre, 1970), pp. 10-11.

<sup>2</sup> Greg Barton, *Gagasan Islam Liberal di Indonesia: Pemikiran Neo-modernisme Nurcholish Madjid, Djohan Effendi, Ahmad Wahib dan Abdurrahman Wabid, 1968-1980* (Jakarta: Pustaka Antara-Paramadina, 1999); Ann Kull, *Piety and Politics: Nurcholish Madjid and His Interpretation of Islam in Modern Indonesia* (Lund: Department of History and Anthropology of Religion, Lund University, c2005).

<sup>3</sup> For more information, see Abu Ridho, "Ideologi Iblis," *Media Dakwah*, no. 222 (December 1992), p. 49.

<sup>4</sup> See Akh. Muzakki, "Contestation within Contemporary Indonesian Islamic Thought: Liberalism and Anti-liberalism" (Unpublished MPhil Thesis, The Faculty of Asian Studies, The Australian National University/ANU, Canberra, Australia, 2005); Saiful Mujani, "Di Balik Polemik 'Anti-Pembaruan' Islam: Memahami Gejala 'Fundamentalisme' Islam di Indonesia," *Islamika*, no. 1 (July-September 1993), pp. 126-42; Ade Armando, "Citra Kaum Pembaru Islam dalam Propaganda *Media Dakwah*," *Ulumul Qur'an*, no. 3, vol. IV (1993), pp. 66-76.

historical experiences of Muslims. This assertion means that the Islamic teachings (doctrines) are not yet finalised by the revelation of the divine texts in the 7<sup>th</sup> century. In Abshar-Abdalla's view, Islam holds a universal principle that Man has an important position as its receiver. Based on the concept of *takrim* (the recognition by Islam of Man's role in religion, based on the Qur'an 2:30 and 17:70), Abshar-Abdalla argues that Islam "recognises the complexity of human experiences which cannot be undermined or subjugated by the texts which are considered 'universal'."<sup>5</sup>

This is because, Abshar-Abdalla suggests, human beings with all of their experiences constitute an important foundation for their submission to God.<sup>6</sup> As a result, for Abshar-Abdalla, Muslims' experience in real-life (historicity of Islam) must be incorporated into the interpretation of Islamic normativity or texts, since the Islamic texts are "living and authentic".<sup>7</sup> This leads to a further consequence of the wide opening of the gate for the *ijtihad*, since the Islamic teachings (doctrines) are regarded as being not yet finalised or finished by the revelation of the divine texts in the 7<sup>th</sup> century.

One of the key and influential thinkers within MD in *reformasi* period, Hartono Ahmad Jaiz, supports the restricted use of *ijtihad*, however, if it is confined to those aspects of Islam not considered as primary (*ushul*) but secondary (*furu'*) or silenced/unelaborated (*maskud`an*). He defines primary aspects as those issues which have been explained by the *dalil* (legal indicator/evidence) in the Qur'an and *Hadith* in such a firm, lucid and unambiguous way that agreement, rather than disagreement, emerges among Muslims. He argues that these primary aspects are related to Islamic *`aqidah*, such as the six pillars of *iman* (faith). He claims those who disagree with these primary

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<sup>5</sup> Ulil Abshar-Abdalla, "Menghindari Bibliolatri: Tentang Pentingnya Menyegarkan Kembali Pemahaman Islam," *Jaringan Islam Liberal* website, 8 February 2004: <http://www.islamlib.com/id/page.php?page=article&id=251> (Accessed 10 on February 2003).

<sup>6</sup> Ibid.

<sup>7</sup> Ulil Abshar-Abdalla, "Teks, Ortodoksi, Estetika: Sebuah Ketegangan," in Aswab Mahasin et al. (eds), *Rub Islam dalam Budaya Bangsa: Konsep Estetika* (Jakarta: Yayasan Festival Istiqlal, 1996), p. 15.

aspects have strayed from the path of Islam. As a result, there is no room for *ijtihad* in these aspects.<sup>8</sup>

This paper is not much about the examination of ideas concerned with Islamic legal thinking developed either by liberal or anti-liberal Muslim thinkers. Rather, it is an attempt to analyse the formation of liberal and anti-liberal legal thinking in Indonesian Islam. The main concern of this paper is the problem whether education has a decisive and determinant role in the formation of liberal and anti-liberal Islamic legal thinking. For the purpose of analysis, this paper takes Madjid and Abshar-Abdalla as two cases of liberal Muslim thinkers representing respectively two discrete periods, the New Order and the *reformasi*. It also considers—following the same pattern of analysis of the liberal Islamic legal thinking—H.M. Rasjidi and Jaiz as two samples of anti-liberal Muslim thinkers respectively in the New Order and *reformasi* period.

The paper argues that education plays a certain role in shaping Islamic legal thinking but is not the only and the determinant factor. Another theoretical framework, the paper further argues, should be added to the examining of the formation of Islamic legal thinking, that is a sociological background which centres around the concept of “epistemic community”. This concept refers to a community where ideas are circulated among its members, and as a result it creates an intellectual discourse as well as a sense of unity among its members.<sup>9</sup> The paper begins with the investigation of the formation of liberal Islamic legal thinking, followed later with the analysis of the formation of anti-liberal Islamic legal thinking.

### Education as a Perspective: A Scholarly Debate

Any communities across the world share an interest in maintaining their own norms, values, and ideologies. Transfer of those norms,

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<sup>8</sup> See Hartono’s ideas in “Kesesatan Menggerogoti Ummat Islam,” *Media Dakwah*, no. 347 (May 2003), pp. 33-36. At the end of discussion, this article calls on the reader to refer to the book of Hartono Ahmad Jaiz entitled *Aliran dan Paham Sesat di Indonesia* (Jakarta: Pustaka Al-Kautsar, 2002).

<sup>9</sup> For more detail about this concept, see Peter M. Haas, “Introduction: Epistemic Communities and International Policy Coordination,” *International Organization*, no. 6, vol. 1 (1992), p. 27; Michel Foucault, “Truth and Power,” in Colin Gordon (ed.), *Power/Knowledge*, trans. by Colin Gordon et al. (Sussex: The Harvester Press, 1980), pp. 109-33; idem., *The Archaeology of Knowledge*, trans. by A.M. Sheridan Smith (London: Tavistock Publications, 1972), especially pages 187-92.

values, and ideologies is a crucial, and even inevitable, attempt at realising this interest. Education is an effective medium for the transferring of norms, values, and ideologies in particular. In a wider context, it is a significant instrument for producing, distributing, and consuming certain norms and values, both old and new-fashioned, applying to certain communities. Education plays an important role, therefore, in shaping certain cultural and ideological formations within particular communities.

It is in this context that many scholars believe that education has a decisive and determinant role in shaping the formation of liberal Islamic legal thinking in particular in Indonesia. Scholars such as Greg Barton, Airlangga Pribadi and Yudhi R. Haryono, Goenawan Mohamad, Komaruddin Hidayat, Munawir Sjadzali, and Azyumardi Azra, are representatives of those who subscribe to this belief. Barton argues that the rise of liberal legal thinking within Indonesian Islam stems from the synthetic nexus of “classical Islamic scholarship” and “modern Western learning”. These two factors, he further argues, represent the prerequisite for the emergence of liberalism in Indonesian Islamic legal thinking as clearly represented by Abdurrahman Wahid and Madjid in their respective ideas.<sup>10</sup>

Following Barton’s argument, Pribadi and Haryono are convinced that the discourse of liberalism in the *reformasi* Indonesian Islamic legal thinking is closely related to the promulgation of the discourse of the so-called neo-modernism of Islam which previously developed in Indonesian Islam. This neo-modernism, they maintain, combines the classical and modern learning of Islam.<sup>11</sup>

Recognising the educational background of the activists of liberalism, particularly represented by JIL, Mohamad illustrates that the activists of liberalism in Indonesian Islam under the banner of JIL are trained in religious studies. They have this educational background, he argues, by becoming *santri* (students) in the traditional pesantren. He specifically argues that their educational experience in pesantren has equipped them with initial enlightenment and exposure to the pluralism of interpretations of Islam which has become the spirit of

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<sup>10</sup> See Greg Barton, *Gus Dur: The Authorized Biography of Abdurrahman Wahid* (Jakarta-Singapore: Equinox Publishing, 2002), especially Sub-chapter “Abdurrahman and Liberal Islam”, pp. 119-31, and p. 391 (Reference Note No. 8).

<sup>11</sup> See Airlangga Pribadi and Yudhi R. Haryono, *Post Islam Liberal: Membangun Dentuman, Mentradisikan Eksperimentasi* (Bekasi: Gugus Press, 2002), p. 210.

JIL's thought.<sup>12</sup> A note must be added to Mohamad's argument that the educational system of pesantren is applied by particularly implementing the tradition of reading *kitab kuning* (classical Islamic books), an intellectual heritage produced by Muslim thinkers in classical Islam.

Hidayat delineates liberalism in Indonesian Islamic legal thinking by identifying those who have consumed the ideas produced by the proponents of liberalism. He argues that the ideas of liberalism in Islamic legal thinking, as partly presented by Madjid, have proven to have been warmly welcomed and positively appreciated by Muslim thinkers from traditionalist Islam, such as *kyais* (teachers and thinkers) in pesantren, who are undoubtedly more accustomed to the tradition of dipping into classical intellectual heritages of Islam, such as *kitab kuning*, compared to those who have no pesantren background. Insisting on the role of traditional learning of Islam in shaping the liberal Islamic legal thinking, he said:

“For those who are really familiar with the intellectual tradition of medieval Islam, the wide range of Cak Nur [Madjid]’s religious thought is, of course, unsurprising. Doesn’t Cak Nur always refer to the sources of classical *kitab kuning*? That is why *kyahis* [another spelling of the term *kyai*] are reassured when they read the writings of Cak Nur, while those who are surprised with and make a fuss about those writings come generally from the activists of the so-called *Islam kota* (urban Islam) who have no intellectual access to the classical reference books quoted by Cak Nur.”<sup>13</sup>

Sjadzali argues for the combination of traditional and modern learning for the rise of liberalism by referring to his experience in delivering his idea of reactualisation of Islamic law. According to

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<sup>12</sup> Mohamad delivered ideas like these in his speech at the conference of “Liberal Islam in Indonesia: A Beginning?” at the Center for Southeast Asian Studies of UCLA. For more detail, see the press release of the Center for Southeast Asian Studies, UCLA, “Liberal Islam in Indonesia: A Beginning?,” 19 November 2001: [http://www.isop-ucla.edu/cseas/goenawan\\_mohamad.htm](http://www.isop-ucla.edu/cseas/goenawan_mohamad.htm) (Accessed 13 July 2002).

<sup>13</sup> See Komaruddin Hidayat, “Kata Pengantar,” an introduction to Nurcholish Madjid, *Islam Agama Peradaban: Membangun Makna dan Relevansi Doktrin Islam dalam Sejarah* (Jakarta: Paramadina, 1995), p. ix. For further discussion of responses of traditional Muslim thinkers/leaders to Madjid’s IRM, see Masdar F. Mas’udi, “Ide Pembaruan Cak Nur di Mata Orang Pesantren,” *Ulumul Qur’an*, no. 1, vol. IV (1993), pp. 28-33.

Sjadzali, his experience in developing and disseminating his idea of reactualisation of Islamic teachings and laws shows that the reaction which was opposed to his liberal ideas came mostly from the side of the so-called modernist Muslims, and not from the traditionalists such as *kyais* of pesantren. Above all, he argues, his idea gained significant support from those who come from traditionalist Islam, and the particular person who had a special place in his heart in this context is *Kyai Haji* Achmad Siddiq, the *Rais 'Aam* (top/senior leader) of Nahdlatul 'Ulama' (NU) at that time and one of those who are regarded by Mujamil Qomar as the NU thinkers who promoted liberalism in their Islamic thought.<sup>14</sup>

Azra analyses the current phenomenon of the strengthening of liberal Islamic legal thinking among NU thinkers. He argues that their liberalism has a close connection academically to their backgrounds which have two educational bases: pesantren and higher education. While the educational tradition of pesantren, in Azra's view, paves the way for them to study classical works of Islam, the learning at higher education equips them with scientific methodology, including a broader perspective, which is needed for them to engage with these works. The academic advantages of these two educational bases, according to Azra, contribute positively to their exposure to liberalism in Islamic thought by means of combining the intellectual legacy of the two educational bases in dynamic ways.<sup>15</sup>

In short, based on their own arguments, such scholars are convinced that education is decisive and determinant in the sense that the intellectual bent, either liberal or anti-liberal, in Islamic legal thinking particularly in Indonesia is largely shaped by education Muslims experience and are engaged with. The question which may be raised here, is it factually justified that education is so decisive and determinant that the formation of certain intellectual bents in Islamic legal thinking is solely shaped and constructed through it? The coming subsections will examine the thesis of such scholars on the decisive and determinant role of education in shaping the formation of liberal and anti-liberal Islamic legal thinking in Indonesia. The examination

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<sup>14</sup> See Munawir Sjadzali, "Pokok Pikiran Hukum Islam Prof. K.H. Ibrahim Hosen, LML," in *Bunga Rampai Wawasan Islam Dewasa Ini* (Jakarta: UI-Press, 1994), p. 61. For Qomar's account of Siddiq, see Mujamil Qomar, *NU "Liberal": Dari Tradisionalisme Abhussunnah ke Universalisme Islam* (Bandung: Mizan, 2002).

<sup>15</sup> See Azyumardi Azra, "Liberalisasi Pemikiran NU," in Qomar, *NU "Liberal"*, p. 19.

will be initially made towards the formation of liberal Islamic legal thinking, followed with that of anti-liberal Islamic legal thinking.

### The Formation of Liberal Islamic Legal Thinking

Most discussions of Islamic movements in Indonesia begin by regarding them as a reaction to, or having links with, movements in the wider Muslim world, especially in the Middle East. This has been the case, for instance, with Nahdlatul Ulama' (NU). The emergence of this Islamic movement in 1926 has been perceived as a reaction to the Saudi Arabian government's move to purify Islam in its country of origin.<sup>16</sup>

It is appropriate to ask, therefore, whether liberalism in Indonesian Islamic legal thinking has links with, and the same characteristics as, similar movements elsewhere. The American scholar, Kurzman, suggests that liberalism in the Muslim world in general represents the result of three historical shifts within the dynamics of Muslim societies.<sup>17</sup> First is the rise of secular higher education in the Muslim World which has destroyed the monopoly of traditional religious institutions upon the discourse of religious scholarship, and which has enabled Muslim thinkers to access texts and their interpretations.<sup>18</sup>

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<sup>16</sup> This purification movement was greatly affiliated to the teachings of *Wahhabiyah* (Wahhabism), in which one of its agendas was to eradicate the *ziyarat* tradition to the sacred tombs or sites. Opposing this purification movement, NU was established to maintain the cultural legacy of Islam. With regard to the *ziyarat* tradition, for example, NU considered that it aimed to remind Muslims of the merit of the *'ulama* (Muslim scholars) and *anliya* (Muslim saints) who died, and to glorify and reminisce about them. Apart from this, it should be noted that NU emerged also as a local reaction to the purification movement in Indonesian Islam developed by Muhammadiyah, another large Muslim organisation established in 1912, fourteen years earlier than the inception of NU. For more detail about the emergence of NU and the perception about its existence as a reaction to the Middle East, see Karel A. Steenbrink, *Pesantren, Madrasah, Sekolah Pendidikan Islam dalam Kurun Moderen* (Jakarta: LP3ES, 1986), p. 67; Tim Pustaka-Azet, *Leksikon Islam*, vol. 1 (Jakarta: Pustazet Perkasa, 1988), p. 340.

<sup>17</sup> Charles Kurzman, "Liberal Islam: Prospects and Challenges," *Middle East Review of International Affairs* (MERIA), vol. 3, no. 3 (September 1999), p. 13.

<sup>18</sup> This historical shift, in the view of Kurzman, might be traced back to the profiles of some liberal Muslim figures, such as Muhammad Shahrour (born in Syria) and Mehdi Bazargan (born in Iran) who were trained as engineers, Mohamed Arkoun (born in Algeria) and Rachid Ghannoushi (born in Tunisia) who are philosophers, and Ali Shari'ati (born in Iran), Chandra Muzaffar (born in Malaysia) and Fatima Mernissi (born in Morocco) all of whom are sociologists. See Kurzman, "Liberal Islam: Prospects," pp. 13-4.



Second is the intense building of international communication which has made educated Muslims more aware of the significance of Western norms and institutions for social transformation in Islamic world. Third is the failure of Muslim leaders to come up with a convincing ideological alternative.<sup>19</sup>

Kurzman's analysis of the emergence of liberal Islam in a global context, while encompassing some of its elements, does not fully explain Indonesian Islam. This is evident in the academic background of promoters of liberalism in Indonesian Islamic legal thinking. As will be discussed below, some key figures behind this liberal movement, such as Madjid and Abshar-Abdallah have their own initial academic background from a traditional religious education, which is then intermingled with modern learning. Several scholars, such as Greg Barton,<sup>20</sup> Airlangga Pribadi and Yudhi R. Haryono,<sup>21</sup> Goenawan Mohamad,<sup>22</sup> Komaruddin Hidayat,<sup>23</sup> Munawir Sjadzali,<sup>24</sup> and Azyumardi Azra,<sup>25</sup> as I have noted, have also argued that this combined academic background contributes to the rise of liberalism in Indonesian Islamic legal thinking.

More importantly, although traditional and modern learning contribute academically to the rise of liberalism in Indonesian Islamic thinking, this academic background does not seem to be its only source. There exists another factor that should be included, that is the rising of a type of Muslim middle class in contemporary Indonesia whose ideological-sociological orientation is secular. The rise of this type of middle class within Indonesian Muslims is coupled with the wish to have an interpretation of religion which can satisfy its

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<sup>19</sup> The case of Sudan and Pakistan in the post-Islamisation of their respective governments reveals this failure. Kurzman argues, in post-Islamisation they appeared as corrupt as before. He specifically argues that Afghanistan under the Taliban administration has emerged as terrifying for most Muslims. See Kurzman, "Liberal Islam: Prospects," pp. 14-6.

<sup>20</sup> See Barton, *Gus Dur*, pp. 119-31, and p. 391 (Reference Note No. 8).

<sup>21</sup> See Pribadi and Haryono, *Post Islam Liberal*, p. 210.

<sup>22</sup> Quoted in the press release of the Center for Southeast Asian Studies, UCLA, "Liberal Islam in Indonesia."

<sup>23</sup> See Hidayat, "Kata Pengantar," p. ix.

<sup>24</sup> Sjadzali, "Pokok Pikiran Hukum Islam," p. 61.

<sup>25</sup> Azra, "Liberalisasi Pemikiran NU," p. 19.

intellectual thirst, conform to its taste, and represent its sociological interest. This type of Muslim middle class feels comfortable and secure with liberal Islamic thinking as a mode of Islamic understanding which can meet its wishes.

This academic exposure and sociological background seem to have stimulated the rise of liberalism in Indonesian Islamic legal thinking. Academic exposure refers to involvement in two broadly different types of education among many: traditional and modern or secular and religious, just as sociological background signifies the growth of the new Indonesian Muslim middle class with secular ideological orientation. In their respective contributions to the rise of liberalism, the two factors cannot be separated from each other. The reason is that even though MD represents the same middle class of Indonesian Muslims, as do JIL and IRM, it tends to follow anti-liberalism rather than liberalism. This indicates that having the academic exposure to traditional and modern or secular and religious learning and the sociological background as a secular middle class appear to be the significant factors for the rise of liberalism.

For more detail on academic and sociological factors which contribute to the rise of liberalism in Indonesian Islamic legal thinking, analysis of figures called organic intellectuals behind liberal movement in two different periods needs to be undertaken. This is because the organic intellectual has a vital role in raising the intellectual perspectives and critical consciousness of its group, and in transforming and representing the sociological background of its group into its intellectual perspectives. For the purpose of this analysis, what follows is an analytical discussion of the selected organic intellectuals from liberal movement in the New Order and *reformasi* periods.

### **Intellectual Formation of Nurcholish Madjid: The Case of Liberal Islamic Legal Thinking in the New Order Era**

Liberalism in New Order Islamic thinking was represented primarily by the Islamic Renewal Movement (IRM). Influential members of the IRM include thinkers such as Mukti Ali, Harun Nasution, Djohan Effendi, Ahmad Wahib, Madjid, Sjadzali, and Wahid.<sup>26</sup> However, the role Madjid played in the attempt to publicise

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<sup>26</sup> See also Azyumardi Azra, "Globalisation of Indonesian Muslim Discourse: Contemporary Religio-Intellectual Connections between Indonesia and the Middle

the thinking of the movement and to give it confidence seems quite remarkable. For this reason, it can be stated that the dynamics of this movement are inseparable from Madjid's energy in his production of liberal intellectualism.

Born on 17 March 1939, Madjid experienced a cultural encounter of two Islamic traditions: traditional and modern. His father, Abdul Madjid, had links with Nahdlatul Ulama' (NU), regarded as preserving classical Islamic scholarship. For his early education, his father took him to the traditional (*salaf*) pesantren<sup>27</sup> of Darul Ulum in Jombang, East Java, in 1955 to pursue Islamic knowledge with its great appreciation of the classical works of medieval Islam. Madjid did not complete his studies in this traditional pesantren, because his father transferred him to Pesantren Darussalam Gontor at Ponorogo, still in East Java.<sup>28</sup> Unlike Pesantren Darul Ulum, Gontor is renowned for its modern curriculum, including the adoption of English as well as

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East," in Johan Meuleman (ed.), *Islam in the Era of Globalization* (Jakarta: INIS, 2001), p. 35.

<sup>27</sup> Conventionally, pesantren in Indonesia has two variants: traditional (*salaf*) and modern (*kehalaf*). The traditional pesantren relies heavily on the classical works of Muslim thinkers in medieval Islam. This type of pesantren is mostly affiliated to NU. The "modern" pesantren, which promotes the modern works/thought of Islam, is either associated with Muhammadiyah, or with neither Muhammadiyah nor NU, examples being Pesantren Modern Gontor of Ponorogo and *Kyai Haji Abdullah Gymanstar*-led Pesantren Daarut Tauhid of Bandung. For discussions of conventional pesantren with its traditional and modern types, see among others Zamakhsyari Dhofier, *The Pesantren Tradition: The Role of the Kyai in the Maintenance of Traditional Islam in Java* (United States: Program for Southeast Asian Studies, 1999); Steenbrink, *Pesantren, Madrasah, Sekolah*; Dirjen Binbaga Departemen Agama RI, *Pondok Pesantren dan Madrasah Diniyah: Pertumbuhan dan Perkembangannya* (Jakarta: Dirjen Binbaga Departemen Agama RI, 2003); Ibnu Hajar, *Pesantren dan Unit Pengembangan Usaha Pondok Modern Gontor dalam Perbandingan* (Jakarta: Dirjen Binbaga Departemen Agama RI & INCIS, 2002); Dindin Solahudin, "Workshop for Morality: the Islamic Creativity of Pesantren Daarut Tauhid in Bandung, Java," (Unpublished MA Thesis, the Australian National University, 1996). For discussions of more current development of pesantren, see among others Muhammad Asfar (ed.), *Islam Lunak Islam Radikal: Pesantren, Terorisme dan Bom Bali* (Surabaya: JP Press, 2003); Ismail SM et al. (eds), *Dinamika Pesantren dan Madrasah* (Yogyakarta: Fakultas Tarbiyah IAIN Walisongo & Pustaka Pelajar, 2002).

<sup>28</sup> Didin Saefuddin, "Nurcholish Madjid," in *Pemikiran Modern dan Postmodern Islam: Biografi Intelektual 17 Tokoh* (Jakarta: Grasindo, 2003), pp. 222-3.

Arabic as the languages of instruction.<sup>29</sup> However, this pesantren does not emphasise academic training in classical Islamic jurisprudence as strongly as traditional pesantren.

Since it affects Madjid's attitude to the political appearance of NU activists, it is important to elaborate the reasons for his transfer from a traditional to a modern pesantren. The transfer was initially prompted by the political tug-of-war between his father and the majority of NU followers in his village in Jombang. Following the exodus of NU from the Masyumi political party, the majority of NU members withdrew from this party following the lead of their organisation. Madjid's father decided to remain with Masyumi, and as a result had to face political isolation from his colleagues. His son (Madjid) suffered taunts, such as being called "*anak Masyumi yang kesasar*" [the lost Masyumi child].<sup>30</sup> Madjid's father could not bear to see his son suffer, so transferred him to Gontor where he finished his studies up to the equivalent of high school.

During his childhood, Madjid thus experienced the unfortunate consequences of political Islam on innocent individuals. His later statement, "Islam Yes, Islamic Parties No," in the early 1970s can be seen, among others, as a personal response to his own bad experience of mixing Islam and politics.

This political trauma, to some extent, has led to "political cynicism" about NU activists. In particular reference to his father's experience of political tension with the majority of NU members in his village, Madjid maintained his own political image of NU members and their political orientation. Even though he has been greatly appreciative of the role of this organisation in delivering the moderate teachings of medieval Muslim thinkers and in dynamising Islamic intellectualism in Indonesia,<sup>31</sup> he could not conceal his unpleasant

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<sup>29</sup> See Lance Castles, "Notes on the Islamic School of Gontor," *Indonesia*, vol. 1 (April 1966), pp. 32-3.

<sup>30</sup> For more detail, see Barton, *Gagasan Islam Liberal di Indonesia*, p. 73; Siti Nadroh, *Wacana Keagamaan dan Politik Nurcholish Madjid* (Jakarta: Rajawali Press, 1999), p. 23; Nur Kholik Ridwan, *Pluralisme Borjuis: Kritik atas Nalar Pluralisme Cak Nur* (Yogyakarta: Galang Press, 2002), p. 48.

<sup>31</sup> Moreover, in his recent speech delivered in "Muktamar Pemikiran Islam NU" [National Conference of NU's Islamic Thought] in Pesantren Salafiyah Syafiyah, Situbondo, East Java, Madjid repeated his appreciation of intellectual dynamics in NU stating that within the next 25 years, Islamic thought within NU will experience a

experience of dealing with the political attitude of NU members which directly affected his father. In the early 1990s during a talk at McGill University, Canada, he cynically described NU as the group of “Nahdlatul Juhala” [the awakening of the ignorant people], a play on the original meaning of “Nahdlatul Ulama” [the awakening of Muslim scholars].<sup>32</sup>

Madjid’s exposure to the modern tradition of Islamic learning was greatly enhanced by his pursuit of higher education. His studies at the State Institute for Islamic Studies (IAIN) Syarif Hidayatullah Jakarta (1961-1968) initially contributed to the shaping of his intellectualism. Developing his close acquaintance with the classical legacy of Islam, his enrolment in the Department of Arabic Literature prompted him to deal with modern knowledge which might be used as a methodology for exploring the classical Islamic heritage. This was followed by his study at PhD level at the University of Chicago during the period 1978-1984. He majored in Islamic Theology with a research thesis entitled “Ibn Taimiya on Kalam and Falsafah: Problems of Reason and Revelation in Islam.” This focus of study still kept him in contact with Islamic classical works while deepening his experience of modern Islamic scholarship.

During his study of Islamic Theology at the University of Chicago, the figure of Fazlur Rahman became very influential on Madjid’s later intellectualism.<sup>33</sup> Rahman’s major agenda of neo-modernism in Islam<sup>34</sup>

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surprising resurgence in Indonesian Islam. See Madjid’s statement in “Satu Generasi Lagi akan Muncul Kesetaraan Keilmuan,” *Kompas*, 6 October 2003.

<sup>32</sup> This account is based on the eye-witness statement of Fulan (a pseudonym), one of the rising Muslim intellectuals who pursued his postgraduate studies at McGill University, Canada. (For ethical reason, instead of mentioning the real name of this figure, it needs just to address him as “Fulan”). Madjid delivered his talk when Fulan was still studying at this McGill University, happening to attend the forum. Personal interview with Fulan, Surabaya, 14 November 2003.

<sup>33</sup> Certainly, there is another figure whose ideas are quite frequently quoted by Madjid. This figure is Ibn Taymiyah. Madjid’s PhD dissertation, as indicated above, also discusses Taymiyah’s thought. However, his appreciation of Taymiyah’s thought does not necessarily mean he follows Taymiyah in his intellectualism. Junaidi Idrus argues that even though Madjid has appreciated Taymiyah’s thought, his own thought did not suggest any similarity to Taymiyah’s thought. Idrus further argues that both have fundamental differences in their thought. For more details, see Junaidi Idrus, *Rekonstruksi Pemikiran Nurcholish Madjid* (Jogjakarta: Logung Pustaka, 2004), p. 44.

affected Madjid's way of understanding Islam in relation to the present and local contexts of Muslim life (or in his words, "Islam," "*kemodernan*" [modernity], and "*keindonesiaan*" [Indonesianness]).<sup>35</sup> The neo-modernism of Madjid in Indonesian Islamic thought, which highlights liberal understanding of Islam, seems to re-assert and further develop Rahman's idea of neo-modernism.<sup>36</sup> In sum, as a result of his academic training, both traditional and modern learning influenced Madjid's intellectual formation, and affected his way of thinking in Islam both in normative and historical aspects.

Despite the great contribution of his education to his understanding of Islam, this has not become the only element in his intellectual formation. The new experience of urban life during his studies at a university level in the metropolitan city of Jakarta<sup>37</sup> also had major impact. In addition to his studies at the IAIN Jakarta, as indicated above, Madjid was reportedly active in the Al-Azhar mosque in Kebayoran Baru, Jakarta. In Al-Azhar's circle, he became acquainted with leading figures such as Mohammad Natsir, Anwar Harjono and others, who had a Masyumi background. He learned from their techniques of argumentation, and absorbed the influences of urban discussion groups.

In addition to his exposure to urban life, Madjid were active in a number of non-*da'wah* institutions, including his position as the national chairman of *Himpunan Mahasiswa Islam* (HMI/Muslim Students Association) in the succeeding periods of 1966 to 1969 and

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<sup>34</sup> For more detail of Rahman's idea of neo-modernism, see Fazlur Rahman, "Islam: Past Influence and Present Challenge," in *Islam: Challenges and Opportunities* (Edinburgh: Edinburgh University Press, 1979), pp. 315-30.

<sup>35</sup> See Nurcholish Madjid, *Islam, Kemodernan dan Keindonesiaan* (Bandung: Mizan, 1987).

<sup>36</sup> For comparison, see among others Rahman, "Islam: Past Influence and Present Challenge"; Madjid, *Islam, Kemodernan dan Keindonesiaan*; Barton, *Gagasan Islam Liberal di Indonesia*; Fauzan Saleh, *Modern Trends in Islamic Theological Discourse in 20<sup>th</sup> Century Indonesia* (Leiden, Boston, Köln: Brill, 2001); Siti Fathimah, "Modernism and the Contextualization of Islamic Doctrines: The Reform of Indonesian Islam proposed by Nurcholish Madjid," (Unpublished MA Thesis, Institute of Islamic studies, McGill University, Canada, 1999); Ridwan, *Gagasan Nurcholish Madjid: Neo-Modernisme*, Abd A'la, *Dari Neomodernisme ke Islam Liberal* (Jakarta: Paramadina, 2003); Azyumardi Azra, "Jejak Fazlur Rahman dalam Wacana Islam di Indonesia," an introduction to A'la, *Dari Neomodernisme ke Islam Liberal*, pp. x-xvi.

<sup>37</sup> In later developments, he must also have experienced this kind of life in Chicago where he pursued his PhD.

1969 to 1971. In short, both intellectual formation and sociological exposure came together to shape his Islamic thinking.

Madjid's intellectual dynamic combines two positions as both social activist and academic. His "protégé", Budhy Munawar-Rachman concedes that he is neither purely an academic nor a social activist, but a combination of both.<sup>38</sup> His social activism had its breeding ground in his twice holding the position of the chair of HMI as mentioned above. Madjid's academic realisation blossomed from the time he joined the *Lembaga Ilmu Pengetahuan Indonesia* (LIPI/the Indonesian Institute of Sciences) as a researcher in 1984. It then continued to flourish when he established the Paramadina Foundation on 28 October 1986,<sup>39</sup> as clearly indicated in its "Manifesto of Paramadina" which consists of its basic principles [*pandangan dasar*].<sup>40</sup> Madjid's intellectualism can be described as a product of the combination of his intellectual formation (academic exposure) under the traditional and modern types of learning and his sociological experience in urban-metropolitan life.

### **Intellectual Formation of Ulil Abshar-Abdalla: The Case of Liberal Islamic Legal Thinking in *Reformasi* Era**

After the *reformasi* movement spread across the nation, liberalism significantly influenced Indonesian Islamic thought. This liberalism is best represented by the activism of JIL. Responding to the rising phenomenon of fundamentalism-radicalism in Indonesian Islam, this liberal movement has attracted attention of a number of Muslims from middle class. Harjanto notes that apart from established Muslim thinkers within the movement, such as Madjid and Azra, those who are

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<sup>38</sup> Personal interview with Budhy Munawar-Rachman in the office of the Paramadina Foundation, Jakarta, 21 February 2004.

<sup>39</sup> Fachry Ali identified the Paramadina Foundation as "the most outstanding institutional effect" of Madjid's activism in Indonesian Islam. This is because in this foundation, Madjid, in the view of Ali, did not only socialise his ideas, but also created his social basis based on urban Muslims (*santri kota*). See Fachry Ali, "Intelektual, Pengaruh Pemikiran, dan Lingkungannya: Butir-butir Catatan untuk Nurcholish Madjid," an epilogue to Edy A. Effendy (ed.), *Dekonstruksi Islam Mazhab Ciputat* (Bandung: Zaman Wacana Mulia, 1999), pp. 284-316.

<sup>40</sup> This term comes from the words of Utomo Dananjaya, one of the initiators of Paramadina. See Utomo Dananjaya, "Pengantar," an introduction to Paramadina, *Pandangan Dasar Yayasan Wakaf Paramadina* (Jakarta: Yayasan Paramadina, 1986), p. 1.

participating in this network come mostly from members of the middle-class, young intellectuals, politicians, and prominent writers.<sup>41</sup>

Of the young key intellectuals who promote and advocate this liberal movement in Islamic thought, Abshar-Abdalla plays the most pivotal role within it, and hence deserves close attention. This is not to say that other intellectuals do not play a significant role in the movement,<sup>42</sup> but Abshar-Abdalla is its co-ordinator and has tended to become its icon. For the purposes of this study, he has been selected as representative of the movement in the *reformasi* era.

Born in Pati, Central Java, on 11 January 1967, he is a young Muslim thinker with a blue-blood background in terms of the Islamic tradition. He comes from an *'ulama'* family which has a strong and prominent background in Islamic classical-traditional learning. His father (Abdullah Rifa'i), one of the great NU *kyais* in Central Java, has a pesantren with many *santris* (students). Abshar-Abdalla followed his father by having a traditional-classical Islamic education.<sup>43</sup>

Among the significant features of his exposure to traditional Islamic education is his strong competence in the tradition and discipline of Islamic law. He studied at the well-known pesantren *Mansajul 'Ulum* of Cebolek, Kajen, in Pati of Central Java and at pesantren *Al-Anwar* of Sarang, Rembang, also in Central Java. He completed his senior level of education in *Madrasah Mathali'ul Falah* in Kajen, Pati, Central Java, a pesantren currently owned and supervised by *Kyai Haji* M. Ahmad Sahal Mahfudh<sup>44</sup> and which is renowned for its

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<sup>41</sup> Nicolaus Teguh Budi Harjanto, "Islam and Liberalism in Contemporary Indonesia: The Political Ideas of *Jaringan Islam Liberal* (The Liberal Islam Network)," (Unpublished MA Thesis, College of Arts and Sciences, Ohio University, Athens, 2003), p. 63.

<sup>42</sup> The role of Luthfi Assyaukanie, for instance, is really crucial for the establishment of the movement. He initiated the discussion forum where the movement was formally declared in mid-2001.

<sup>43</sup> Personal interview with Ulil Abshar-Abdalla in Utan Kayu, Jakarta, 19 February 2004; Nurul Mubin, "Progresifitas Pemikiran Ulil Abshar-Abdalla tentang Pendidikan Islam Liberal," (Unpublished BA Thesis, Tarbiyah/Islamic Education Faculty, Universitas Sains Al-Qur'an, Central Java, 2003), p. 13.

<sup>44</sup> He has become the chairman of *Majelis Ulama Indonesia* (MUI/Indonesian Council of Muslim Scholars) since 2000 and the *Rais Aam* (the top-senior leader) of NU since 1999.



strong training in Islamic law.<sup>45</sup> *Kyai* Sahal Mahfudh is himself one of the great *fiqh* (Islamic jurisprudence) thinkers in NU and Indonesian Islam. His most innovative idea on Islamic jurisprudence is his proposal of “Fiqh Sosial” [Social *Fiqh*] which highlights the teachings of *fiqh* on social issues.<sup>46</sup> The *fiqh* training and the concept of “social fiqh” by *Kyai* Sahal Mahfudh seem to have affected Abshar-Abdalla’s understanding of Islamic law which largely draws on the principle of public good.

Abshar-Abdalla’s knowledge of Islamic law was enlarged when he enrolled in the Faculty of Shari’ah at the *Lembaga Ilmu Pengetahuan Islam dan Arab* (LIPIA/the Institute for Arabic and Islamic Sciences) in Jakarta, a higher educational institution funded by the Saudi government and inspired by *Wahhabi* philosophy (Wahhabism). Dating back to the late 18<sup>th</sup> century in Saudi Arabia and named after its founder, Wahhabism was initially a purification movement within Islam. It is now synonymous with very literal interpretations of the Qur’ān. Based on this literal interpretation, it tends to produce scripturalist-fundamentalist understanding of Islam.<sup>47</sup> LIPIA has been developed under this kind of philosophy.<sup>48</sup>

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<sup>45</sup> This version of Abshar-Abdalla’s historical background is mainly taken from the JIL website. See “Ulil Abshar-Abdalla,” *Jaringan Islam Liberal* website, n.d., available at: <http://www.islamlib.com/en/page.php?page=archives&mode=author&id=1> (Accessed 20 September 2003).

<sup>46</sup> He initially proposed his idea of *fiqih sosial* in his book, entitled *Nuansa Fiqih Sosial* (Yogyakarta: LKiS, 1994). This idea was then developed further in his inauguration speech for his professorship at the State Islamic University (UIN) Syarif Hidayatullah Jakarta. The material of his speech was later published in English Journal by the International Center for Islam and Pluralism (ICIP), and followed with the comments of some young Indonesian Muslim thinkers. See M.A. Sahal Mahfudh, “Social *Fiqh*: An Attempt to Expand *Qawli* and *Manhaji* Paradigm,” *ICIP Journal*, vol. 1, no. 1 (January-April 2004), from URL: [http://www.icipglobal.org/doc/mt\\_social\\_fiqh.pdf](http://www.icipglobal.org/doc/mt_social_fiqh.pdf) (Accessed 20 August 2004); Luthfi Assyaukanie, “Bringing *Fiqh* Back to Urban Areas: Making Sense of Professor Sahal Mahfudh’s Idea of Social *Fiqh*,” *ICIP Journal*, vol. 1, no. 1 (January-April 2004), from URL: [http://www.icipglobal.org/doc/d\\_bringing.pdf](http://www.icipglobal.org/doc/d_bringing.pdf) (Accessed 20 August 2004); Abd. Moqsih Ghazali, “Considering Sahal Mahfudh’s Thought on *Fiqh*: An Appreciation and a Criticism,” *ICIP Journal*, vol. 1, no. 1 (January-April 2004), from URL: [http://www.icipglobal.org/doc/d\\_considering.pdf](http://www.icipglobal.org/doc/d_considering.pdf) (Accessed 20 August 2004).

<sup>47</sup> For More detail about *Wahhabi*’s view in Islam see Stephen Schwartz, *Two Faces of Islam: The House of Sa’ud from Tradition to Terror* (New York: Doubleday, 2003); Hamid Algar, *Wahhabism: A Critical Essay* (Oneonta, New York: Islamic Publications International, 2002); Eleanor A. Doumato, *Getting God’s Ear: Women, Islam, and Healing*

Analysing Abshar-Abdalla's background of academic training suggests that formal academic training alone does not represent sufficient grounds for the stream of intellectualism which an individual follows. Despite his academic training in a *Wahhabi*-inspired educational institution like LIPIA, Abshar-Abdalla does not appear as a loyal follower of this school of thought, but rather as a staunch critic. Instead of being a strict scripturalist-fundamentalist thinker like most intellectuals of *Wahhabi* background, such as Ja'far Umar Thalib,<sup>49</sup> he is more inclined to follow a substantialist-liberal interpretation of Islam.

In the narrow context, this fact indicates that earlier education in traditional pesantren, particularly under the supervision of *Kyai* Sahal Mahfudh has a greater impact on Abshar-Abdalla's intellectualism than the formal education at LIPIA. In a wider context, this fact suggests that formal academic training is not the only source for the stream of Islamic thought he follows, but rather there exists another factor apart from formal academic training which drives him to be personally attached to that school of thought. This factor is more likely to be traced through his later intellectual exposure and sociological experience in the new epistemic community.

At the end period of his study at LIPIA, Abshar-Abdalla joined the *Institut Studi Arus Informasi* (ISAI/the Institute for Information Flow

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*in Saudi Arabia and the Gulf* (New York: Columbia University, 2000). For further analysis of the influence of Wahhabism in Indonesian Islam through some Muslim groups, see Giora Eliraz, *Islam in Indonesia: Modernism, Radicalism, and the Middle East Dimension* (Brighton & Portland: Sussex Academic Press, 2004), especially pages 38-40, 45-6, 57-8, and 62-3.

<sup>48</sup> For more detail about LIPIA, see International Crisis Group (ICG), *Indonesia Background: Why Salafism and Terrorism Mostly Don't Mix* (Southeast Asia/Brussels: Asia Report No. 83, 13 September 2004), especially pages 7-9; Elizabeth Fuller Collins, "Dakwah and Democracy: The Significance of Partai Keadilan and Hizbut Tahrir," (Paper presented at the Annual Meeting of the American Political Science Association in Philadelphia, 27-31 August 2003), 6 [from URL: [http://archive.allacademic.com/publication/docs/apsa\\_proceeding/2003-07-26/535/apsa\\_proceeding\\_535.PDF](http://archive.allacademic.com/publication/docs/apsa_proceeding/2003-07-26/535/apsa_proceeding_535.PDF) (Accessed 18 August 2003)]; Eliraz, *Islam in Indonesia*, p. 38.

<sup>49</sup> See ICG, "Indonesia Background: Why Salafism," pp. 12-4; Giora Eliraz, "Islamic Radicalism in Indonesia: The Global and Historical Contexts," *Review of Indonesian and Malaysian Affairs* (RIMA), vol. 38, no. 1 (2004), p. 134; idem., *Islam in Indonesia*, p. 39; Robert W. Hefner, "Muslim Democrats and Islamist Violence in Post-Soeharto Indonesia," in Robert W. Hefner (ed.), *Remaking Muslim Politics: Pluralism, Contestation, Democratization* (Princeton & Oxford: Princeton University Press, 2005), p. 287.

Studies) in Jakarta, as a researcher.<sup>50</sup> ISAI was established and supervised by Goenawan Mohamad, founding editor of *Tempo* Magazine, and is one his *Komunitas Utan Kayu* (Utan Kayu Community) projects. Its purpose is to monitor and analyse the media. In this institution, Abshar-Abdalla came into contact with a range of secular philosophies, both classical and modern, which were circulated and intensively discussed by members of this institute.

Equally as important as his contact with the ISAI, Abshar-Abdalla also attended the Christian-based higher education institution devoted to the study of philosophy, *Sekolah Tinggi Filsafat (STF) Driyarkara* (Driyarkara Institute for Philosophical Studies) in Jakarta. In this institution, he became more closely acquainted with a large number of philosophical schools of thought, guided by Franz Magnis-Suseno SJ, a prominent philosopher originally from Germany. The purely secular knowledge he obtained from this institution inspired him to use it as a complementary means to understand his religious convictions. One of the results was his combination of Islamic law and secular philosophy.

To sum up, the traditional and modern scholarship with which Abshar-Abdalla has been acquainted has contributed greatly to his intellectual formation. Within traditional scholarship, he has deeply explored classical Islamic jurisprudence, just as in modern scholarship, he has acquired knowledge of social and philosophical studies. More importantly, for his intellectualism, he combines both purely religious and secular knowledge, and both traditional and modern learning, acquired during his formal and informal academic training.

His liberal understanding of Islam does not result only from his intellectual formation as such, however. His sociological experience later in life seems also to have contributed to his liberalism. Since attending LIPIA, he has been exposed to the experience of urban living. In order to survive urban life, he had also to participate in the urban-metropolitan way of life. An important part of his urban activities is his activism in non-*da'wah* institutions, including his positions as Program Director of the Indonesian Conference on Religion and Peace (ICRP),<sup>51</sup> where he shares his religious convictions

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<sup>50</sup> Personal interview with Abshar-Abdalla in the office of the Freedom Institute, Jakarta, 4 February 2004.

<sup>51</sup> ICRP is a Jakarta-based non-governmental organisation which aims to promote interreligious dialogue for creating peace and social harmony in Indonesia. It is organised by several prominent Indonesian religious leaders, such as Djohan Effendi

with thinkers of other religions, Director of Lakpesdam-NU, associate researcher at the Freedom Institute, Jakarta, and expert consultant for the Surabaya-based daily newspaper, *Duta Masyarakat*.<sup>52</sup> In short, exposure to urban-metropolitan life has given him a sociological experience which has significantly contributed to the shaping of his intellectualism.

Analysing the aforementioned background of Abshar-Abdalla, it seems that he has stronger Islamic-social background than Madjid. That is, at least, in three elements: he is a blue-blood Muslim thinker as he is a son of one of the great *kyais* in NU, he is a son-in-law of KH Mustofa Bisri, one of the great *kyais* within NU, and he is a “golden boy” or favourite student of *Kyai* Sahal Mahfudh. In short, Abshar-Abdalla has enjoyed stronger social privilege than Madjid.

### The Formation of Anti-liberal Islamic Legal Thinking

Drawing on his ideas concerning liberalism in Indonesian Islamic thought, Madjid made a particular argument about the meaning of universalism of Islam. He stated that Islam grew out of the essence of *al-islam*, meaning a total submission to God.<sup>53</sup> He argued that all Abrahamic religions, not only Islam, teach *al-islam*. As a consequence, he further argued, anyone who adheres to *al-islam* (total submission to God) could be regarded as a Muslim even though a follower of the Prophet Muhammad represents a Muslim par excellence.<sup>54</sup>

MD rejected this idea of Madjid, accusing him of putting aside the Qur’aan, the Sunnah, and *shari’ah* which are the centrepieces of Islamic faith and practice. This was because, MD argued, Madjid had only taken the aspect of submission, neglecting the distinctiveness of

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and Abshar-Abdalla. Its activities include a series of conflict resolution training sessions and interreligious dialogues, and building a network of interreligious groups in Indonesia.

<sup>52</sup> See “Ulil Abshar-Abdalla.”

<sup>53</sup> See, among others, “Mencari Kebenaran yang Lapang,” *Tempo* 22, no. 35 (31 October 1992), p. 97. Madjid has differentiated between *Islam* (with capital “I”) and *al-islam* (with small “i”). While *al-islam*, he argued, suggests the essence of having religion, *Islam* represents *al-islam* par excellence. See Nurcholish Madjid, “Universalisme Islam dan Kosmopolitanisme Kebudayaan Islam,” in *Islam, Doktrin dan Peradaban* (Jakarta: Yayasan Wakaf Paramadina, 1992), pp. 426-41.

<sup>54</sup> Madjid, “Universalisme Islam dan Kosmopolitanisme,” p. 442.

*shari'ah*.<sup>55</sup> As a result, MD went further and accused Madjid of promoting theories which strayed from the path of Islam.<sup>56</sup> The following quotation encapsulates MD's argument:

Nurcholish wants religion only as self-submission, without *shari'ah*. This is because the existing religions, for him, have become the source of conflict and war. This concept represents a new *rekayasa* (engineering) which he would like to actualise in response to the next PJPT II<sup>57</sup> in order to maintain the "status quo". Muslim *ummah* are still permanently on the periphery, both under the power of Western imperialism and the Jewish lobby. Indeed, the so-called "returnist groups" [those Muslims who have a close relationship with the regime] are unrealistic dreamers.<sup>58</sup>

Such a reaction can be seen as an example of MD's opposition to liberalism in Indonesian Islamic thought, as particularly expressed by Madjid. This reaction seems to be continuously maintained as it is evident in MD's opposition to Abshar-Abdalla and JIL, which appears as strong as its opposition to Madjid-led IRM.<sup>59</sup>

Such a strong maintenance of anti-liberal thinking is not easily separated from the general orientation of MD's thought. As indicated below, MD's orientation of thought has a positive correlation to its close identification with Middle Eastern ideas of Islam. In almost every single issue, MD has transmitted ideas from the Middle East, including harsh criticism of secularisation, allegations of Zionist conspiracy, and

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<sup>55</sup> See "Nabi Gagal Menjalankan Misinya?: Menguji Pemikiran Nurcholish," *Media Dakwah*, no. 222 (December 1992), p. 41.

<sup>56</sup> See "Penyerahan Diri 'Yes', Islam 'No'," *Media Dakwah*, no. 222 (December 1992), pp. 42-7.

<sup>57</sup> PJPT (*Pembangunan Jangka Panjang Tahap/Long-Term Development Plan*) was a development agenda of the New Order regime. They planned the national project of development for every 25 years time, and called it PJPT. Following the end of PJPT I (PJPT the first) at the end of the 1980s, they declared PJPT II (PJPT the second) to have started since the early 1990s.

<sup>58</sup> See "Nabi Gagal Menjalankan Misinya?," p. 41.

<sup>59</sup> See also Akh. Muzakki, "Perseteruan Dua Kutub Pemikiran Islam Indonesia Kontemporer: Jaringan Islam Liberal dan Media Dakwah," *Jurnal Universitas Paramadina*, vol. 3, no. 1 (September 2003), pp. 40-62.

conservatism on the role of women in Islam.<sup>60</sup> This identification has evolved and is facilitated by the orientation of its main organisation, DDII, which has links with overseas Muslim organisations which promote conservatism in Islam, particularly in Saudi Arabia, Kuwait, Pakistan, and Egypt.<sup>61</sup> Above all, Saudi Arabia has held a prime position within the intellectual channel of DDII's ideas.<sup>62</sup> Because of this strong relation, DDII has been referred to as the "Saudis' preferred channel".<sup>63</sup>

The close relation of MD to ideas from the Middle East has a long history as DDII, its core organisation, had an intimate connection to the Islamic World League (*Rabitah al-'Akm al-Islami*), which was established in 1962. This intimate connection was strengthened when Natsir was appointed deputy president of the League.<sup>64</sup>

The next question is how the intellectual formation of MD has processed. The combination of academic training, either traditional or modern Islamic learning, and sociological background as new urban Muslims is necessary to use for analysing the rise of anti-liberalism of MD. To make this clearer, the following is an analysis of the intellectual formation of MD's anti-liberalism through the organic intellectuals behind it in the two periods of Indonesian Islam: the New Order and the *reformasi*.

### **Intellectual Formation of H.M. Rasjidi: The Case of Anti-liberal Islamic Legal Thinking in the New Order Era**

MD's opposition to liberal movement in the New Order era was particularly promoted by H.M. Rasjidi. Consequently, it is he rather than Natsir who represented MD's organic intellectual in the New Order era. Even though Natsir was still the great iconic figure of MD under its larger umbrella of DDII, his role in producing the response

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<sup>60</sup> Above all, Hefner describes MD as a broker of Middle East ideas. See Robert W. Hefner, "Print Islam: Mass Media and Ideological Rivalries among Indonesian Muslims," *Indonesia*, vol. 64 (October 1997), p. 86.

<sup>61</sup> See also Hefner, "Print Islam," pp. 85-6.

<sup>62</sup> Hefner, "Muslim Democrats and Islamist Violence," p. 296.

<sup>63</sup> See, for example, Martin van Bruinessen, "Genealogies of Islamic Radicalism in Post-Suharto Indonesia," *South East Asia Research*, no. 2, vol. 10 (July 2002), p. 123.

<sup>64</sup> Bruinessen, "Genealogies of Islamic Radicalism," p. 123.

towards liberal Islamic legal thinking did not appear as prominent as that played by Rasjidi.

Born in Kotagede in Yogyakarta on 20 May 1915, Rasjidi had a bright political career.<sup>65</sup> He held two important positions within the national cabinet, representing Masyumi party. He was appointed the State Minister for the so-called “*ibadat/rituals*” matters<sup>66</sup> in the Sjahrir Cabinet I (14 November 1945-12 March 1946) and the Minister for Religious Affairs in the era of the Sjahrir Cabinet II (12 March-2 October 1946).<sup>67</sup> However, when the Sjahrir Cabinet II stepped down, Rasjidi was removed from his position as the Minister and replaced by Fathurrahman Kafrawi,<sup>68</sup> while he was himself shifted to a lower position, the secretary general within the same ministry.<sup>69</sup>

In his political career as well, Rasjidi was one of the first Indonesian diplomats, along with Haji Agus Salim, who contributed greatly to galvanising sympathy and support from the Muslim world when Indonesia became independent.<sup>70</sup> It is in the context of his international reputation that Rasjidi assumed the leadership position of

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<sup>65</sup> He was one of the youngest Muslim leaders appointed Minister for Religious Affairs. At the time of his appointment, he was only 31 years old, while most of those who have held the position of this ministry were above the age of 40. This fact was much more apparent during the period of the New Order regime. The only minister who was under the age of 40 at the time of his appointment was Wahid Hasyim, the father of Abdurrahman Wahid (the fourth president of the Republic of Indonesia), who was still 35 years of age. See Taufik Abdullah, “Menteri Agama Republik Indonesia: Sebuah Pengantar Profil Biografis,” in Azyumardi Azra and Saiful Umam (eds), *Menteri-Menteri Agama RI: Biografi Sosial-Politik* (Jakarta: PPIM-INIS-Balitbang Depag RI, 1998), p. xxiv.

<sup>66</sup> This ministry was the initial name for, and was later transformed into, the recent Ministry for Religious Affairs.

<sup>67</sup> Azyumardi Azra, “H.M. Rasjidi BA: Pembentukan Kementerian Agama dalam Revolusi,” in Azra and Umam (eds), *Menteri-Menteri Agama RI*, 4; Abdullah, “Menteri Agama Republik,” p. xxiv;

<sup>68</sup> For more detail about Kafrawi, see Akh. Minhaji and M. Atho Mudzhar, “Prof. K.H. Fathurrahman Kafrawi: Pengajaran Agama di Sekolah Umum,” in Azra and Umam (eds), *Menteri-Menteri Agama RI*, pp. 35-51.

<sup>69</sup> Abdullah, “Menteri Agama Republik,” p. xxv.

<sup>70</sup> Abdullah, “Menteri Agama Republik,” p. xxi; Nurcholish Madjid, “Sekitar Usaha Membangkitkan Etos Intelektualisme Islam di Indonesia,” in Endang Basri Ananda (ed.), *70 Tahun Prof. Dr. H.M. Rasjidi* (Jakarta: Harian Umum Pelita, 1985), p. 216.

DDII (1993-1997) following the death of Natsir.<sup>71</sup> One of the possible reasons for his appointment as the senior leader of DDII seems to have been his ability to maintain the good relationship of DDII with the Muslim world, based on his experiences as an accomplished diplomat.

From the perspective of his sociological background, Rasjidi comes from a family whose background is *abangan* (Javanese nominal Muslim), and which is described by Taufik Abdullah as having little regard for Islamic teachings and rituals.<sup>72</sup> One of the examples showing his family background to be *abangan* is his original name given by his family, Saridi, which is very much a *kejawan* (Javanised) name.<sup>73</sup> Another example is his family tradition of *sesajen* (spiritual offering) by putting a kind of flower at the corners of the house in the afternoon of every Thursday, and *klivon* Friday and Tuesday (the last two days being sorts of Javanese calendar).<sup>74</sup> However, Rasjidi himself did not follow these practices, but in his later behaviour criticised them sharply.

Having outlined his sociological background, it is important to locate his anti-liberalism in Indonesian Islamic legal thinking. This is because with his initial background as an *abangan* Muslim, he was supposed to be sympathetic with local tradition in which he grew up. However, the fact that he appeared to be defending anti-liberalism seems contradictory to his background. The problem which needs closer attention here is how with this sociological background, Rasjidi became anti-liberal in his approach to the interpretation of Islam.

It is in this context that analysing his intellectual formation is important. As indicated below, Rasjidi's education was based within modern learning. This is not to say that he was not well informed about the classical sources of Islam. He himself indicates that he, for

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<sup>71</sup> Lukman Hakim and Tamsil Linrung, *Menunaikan Panggilan Risalah: Dokumentasi Perjalanan 30 Tahun Dewan Dakwah Islamiyah Indonesia* (Jakarta: Dewan Dakwah Islamiyah Indonesia, 1997), p. 8-9.

<sup>72</sup> Abdullah, "Menteri Agama Republik," xxv. Rasjidi admitted and considered his family as having *abangan* background because they did not perform daily rituals of Islam. See H.M. Rasjidi, *Mengapa Aku Tetap Memeluk Agama Islam?* (Jakarta: Bulan Bintang, 1968), p. 9.

<sup>73</sup> This original name was later changed by Ahmad Syurkati, the leader of *Persatuan Islam* (Persis) to be Muhammad Rasjidi. See Azra, "H.M. Rasjidi BA," p. 11.

<sup>74</sup> This story was told by Rasjidi himself. See H.M. Rasjidi, *Islam & Kebatinan* (Djakarta: Islam Studi-Club Indonesia, 1967), p. 5.



instance, memorised Quranic verses and poems from the prominent Arabic grammar book, *Alfiyah Ibn Malik* (thousand poems of Ibn Malik), written by Muhammad Ibn Malik (d. 1274 CE).<sup>75</sup> Thus, he was acquainted with some important works from the classical period. But, he had no formal academic background in traditional Islamic learning. This contrasts with members of NU who are renowned for their study of classical texts in pesantren.<sup>76</sup> Rasjidi's early intellectual formation took place in some formal schools, such as the Javanese-instruction school "Ongko Loro", *Sekolah Rakyat* (SR/literally means "people's school") and Kweek-school (teachers' training college) of Muhammadiyah, and Al-Irsyad School under the supervision of its leader, Ahmad Syurkati.<sup>77</sup> But, it can be said that Rasjidi had no lengthy academic exposure to traditional Islamic learning.

The formal schooling mentioned above significantly influenced his later intellectualism. For his university education, Rasjidi studied at Cairo University. Cairo is famous as a centre of Islamic intellectual debate, especially about issues concerning modernism and reformism with revivalism in ideology of thought,<sup>78</sup> and Rasjidi was exposed to the tendency to this revivalism. Azra calls this tendency "neo-salafism" which is ideologically revivalist, that is, calling for purified Islam in the sense of going back to the Qur'an and Sunnah with *shahih* (literally means sound) categories and totally refusing practices of *bid'ah* (unwarranted innovation), *khurafah* (myth or unjustified religious invention) and *takhayul* (superstition).<sup>79</sup>

In addition to his formal academic training, Rasjidi's exposure to modern learning was enhanced by his attendance at a Western secular

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<sup>75</sup> See Rasjidi, *Mengapa Aku Tetap*, 11. Muhammad Ibn Malik was a prominent linguist of Arabic whose aforementioned book has become the main reference on Arabic grammar taught in pesantren, and in practice all *santris* (students of pesantren) must memorise it.

<sup>76</sup> See also Abdullah, "Menteri Agama Republik," p. xxvi.

<sup>77</sup> Azra, "H.M. Rasjidi BA," pp. 11-3.

<sup>78</sup> See Mona Abaza, *Islamic Education, Perceptions and Exchanges: Indonesian Students in Cairo* (Paris: Association Archipel 1994); idem., *Changing Images of Three Generations of Azharites in Indonesia* (Singapore: Institute of Southeast Asian studies, 1993), especially Subchapter IV entitled "The Generation of Indonesian Students Today: Between Petro-Islam and Rising Fundamentalism," pp. 19-30.

<sup>79</sup> Azra, "H.M. Rasjidi BA," p. 14.

university, the Sorbonne University of Paris, where he obtained his PhD on 23 March 1956. At the Sorbonne, he was spellbound by the intellectualism of Louis Massignon in Islamic knowledge. He devoted himself to the exploration of philosophy, mysticism and history. To complete his study, he wrote a research dissertation entitled “*L’évolution de l’Islam en Indonésie ou considération critique du livre Tjentini*” [Development of Islam in Indonesia: A Critical Study of [Serat] Centini].<sup>80</sup>

In short, the inclination of Rasjidi’s intellectualism had an intimate connection with his intellectual formation which was mostly acquired from modern learning despite his initial sociological background as an *abangan* Muslim, as he himself admitted. Also, during his intellectual formation, he grew up within a group of Muslim students whose ideology of thought was revivalist. This kind of intellectual formation contributed greatly to the inclination of his anti-liberal intellectualism in Indonesian Islamic thought.

Analysing the inclination to anti-liberalism of Rasjidi’s intellectualism only from his intellectual formation is not quite sufficient, however. This is because a different individual with the same intellectual formation might not follow the same pattern of intellectualism. Another thing should be added, therefore, to Rasjidi’s intellectualism, that is his sociological exposure. Included at this point is his initial exposure to the national political movement in Indonesia. In this context, he appeared not only as a remarkable Muslim thinker in the early history of Indonesia, but also as a political activist. Along with other figures, such as Salim, Natsir and Prawiranegara who were involved in politics during the revolutionary period of Indonesia, Rasjidi also joined the national political movement as a member of the National Board of the *Partai Islam Indonesia* (PII/Indonesian Islamic Party) in 1940. He then transformed himself to be one of the key figures in the Masyumi party during the period of Japanese occupation.<sup>81</sup>

The most significant element in his exposure to the national political movement was the revolutionary period with the crucial debates about Islam-state relations. In this period, while being pushed by the wave of the struggle of nation building, he was faced with the

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<sup>80</sup> This PhD thesis was later published in a book entitled *Documents Pour Servir a l’Histoire de l’Islam a Java* (Paris: Ecole Francaise d’Extreme-Orient, 1977).

<sup>81</sup> Azra, “H.M. Rasjidi BA,” pp. 15-6.

problem of the tension between Islam and the secular state. This came to a head with the PRRI/Permesta rebellion in Central Sumatra and South Sulawesi, as indicated above, under the leadership of his close Masyumi colleagues, Natsir and Prawiranegara. In this case, he had two options, either joining the rebellion or maintaining his loyalty to the republic. These options caused him trouble. Selecting one of the two options would hurt either his relationship with the central government or his best friends. In the end, he chose neither option, but rather left the country and took a teaching position at the Institute of Islamic Studies at McGill University, Canada.<sup>82</sup>

This bitter political experience in Indonesia was aggravated by his basic disagreements with several controversial Orientalists,<sup>83</sup> such as J. Schacht and Niyazi Berkes, whom he later criticised. Rasjidi disputed some of their ideas on Islam, particularly on the origin of Islamic law. For this reason, he was not only called “orthodox” or “fundamentalist”, but also lost his job as a member of the teaching staff at McGill.<sup>84</sup> It is recorded in his biography that because of this unhappy experience, his contract at this institution was shortened and later he was fired. He held his contract only five years from 1958 to 1963.<sup>85</sup>

Initially Rasjidi expressed particular appreciation of three prominent Orientalists, Louis Massignon (his former supervisor at the Sorbonne University), Wilfred Cantwell Smith (his former Director of the Institute of Islamic studies at McGill University) and Snouck Hurgronje (Dutch scholar), during the journey of his acquisition of knowledge on Islam.<sup>86</sup> However, his later unpleasant experiences

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<sup>82</sup> This story of Rasjidi is taken from Azra’s description of his academic and religious career. See Azra, “H.M. Rasjidi BA,” p. 18.

<sup>83</sup> Rasjidi identified Orientalists as those Western scholars who study Islam as a subject of their research. For him, the characteristics of Orientalists are not monolithic. Some, for him, are bad and some others are good. He appeared very critical of them if he found them have produced controversial ideas on Islam. On the contrary, he appreciated them if they appeared very fair about Islam by not producing controversial ideas. For more detail about the interaction of Rasjidi and Orientalists, see Azra, “H.M. Rasjidi BA,” pp. 19-22.

<sup>84</sup> See Azra, “H.M. Rasjidi BA,” pp. 20-1.

<sup>85</sup> This story is retold by Azra. See Azra, “H.M. Rasjidi BA,” pp. 19-20.

<sup>86</sup> Azra, “H.M. Rasjidi BA,” 21. In a particular response to Hurgronje, Rasjidi himself declared it in his inauguration speech as a professor at the University of Indonesia

contributed to his criticism of the study of Islam by Orientalists, and other derivations from this intellectualism, brought to Indonesia by Indonesian Muslim thinkers.

An example of Rasjidi's criticism is his commentary on Harun Nasution's ideas on the need to study Islam from a historical perspective and the urgent need to carry out the redeepening of Islamic thought. Rasjidi specifically said that these ideas were greatly influenced by the Orientalist perception of Islam.<sup>87</sup> The same argument was used by Rasjidi against the concept of liberalism and secularisation within Indonesian Islamic thought promoted by several figures, such as Wahib and Madjid, and these can be taken as other examples of his growing resistance to the works of Orientalists, especially those who had unsympathetic attitudes to Islam.<sup>88</sup>

All these sociological experiences have made Rasjidi aware of his attitude to Islam both in theory and practice. Combined with his intellectual formation, these sociological exposures have led him to articulate his intellectualism, particularly in dealing with basic convictions of Islam, in such a way that he became a staunch polemicist in Islamic thought. One thing that should be noted in

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(UI). His speech was later published in his book entitled *Islam dan Indonesia di Zaman Modern* (Jakarta: Bulan Bintang, 1968).

<sup>87</sup> The idea of Harun Nasution on the need to study Islam from historical perspectives can be seen through his book, *Islam Ditinjau dari Berbagai Aspeknya* (Jakarta: UI-Press, 1974), just as his idea of the urgency of redeepening Islamic thought was presented in the national seminar entitled "Pendalaman Agama [Redeepening of Religious Knowledge]" at IAIN (now transforming to UIN) Syarif Hidayatullah, Jakarta, on 12 October 1985. The critique of H.M. Rasjidi can be found in his book, *Koreksi terhadap Dr. Harun Nasution tentang "Islam Ditinjau dari Berbagai Aspeknya"* (Jakarta: Bulan Bintang, 1977); idem., *Koreksi Prof. Dr. H.M. Rasjidi terhadap Prof. Dr. Harun Nasution dalam Uraianannya "Ajaran Islam tentang Akal dan Akhlak"* (Jakarta: Media Dakwah, 1985).

<sup>88</sup> See Rasjidi's opposition to the ideas of Wahib in his article, "Pergolakan Pemikiran Islam: Suatu Tragedi," *Panji Masyarakat*, no. 346 (1 January 1982), pp. 42-3. The ideas of Wahib can be found throughout his book, *Pergolakan Pemikiran Islam: Catatan Harian*, ed. by Djohan Effendi and Ismed Natsir (Jakarta: LP3ES, 1981). See also analyses of his ideas in Anthony H. Johns, "An Islamic System or Islamic Values? Nucleus of a Debate in Contemporary Indonesia," in William R. Roff (ed.), *Islam and the Political Economy of Meaning* (London & Sydney: Croom Helm, 1987), pp. 254-80; Mu'arif, *Muslim Liberal: Membidik Pemikiran Ahmad Wahib* (Yogyakarta: Tajidu Press, 2003). Rasjidi's critique of Madjid's ideas on liberalism and secularisation (see Madjid, "Keharusan Pembaharuan Pemikiran,") can be found in his book, *Koreksi terhadap Drs. Nurcholish Madjid tentang Sekularisasi* (Jakarta: Bulan Bintang, 1972).

Rasjidi's articulation is his polemical aim to safeguard the purity of Islamic teachings and at the same time to protect the faith of Muslims.<sup>89</sup>

Rasjidi's writings make it clear that he subscribed to the teaching of purified Islam. This conviction served to be a psychological drive for his intellectual position against liberalism with all of its derivations, such as secularism. It is because of his strong convictions about purified Islam that Azra dubbed Rasjidi "the guardian of the faith".<sup>90</sup> Azra's description illustrates Rasjidi's inclination to puritanical intellectualism within Islamic thought.

### **Intellectual Formation of Hartono Ahmad Jaiz: The Case of Anti-liberal Islamic Legal Thinking in *Reformasi* Era**

Attempts to examine the production of anti-liberal Islamic thinking by MD in the *reformasi* era necessitate a closer look at the pivotal role played by Hartono Ahmad Jaiz. As indicated above, he represents the organic intellectual behind MD in this era, because of his ideas which colour the articulation of the journal in general. Above all, he has held the position of *pengasub* ('the guardian', or editor) responsible for the column "Islamika" of the journal since 1998.<sup>91</sup> The editor of this column is very important for the tone of the journal because it directly interacts with readers. While other columns generally use one-way communication in the sense that all articulation of ideas comes solely from the journal, the column "Islamika" which is mainly a "question and answer" uses two-way communication in which the flow of ideas comes from both sides, the journal and its readers.

Jaiz was born to a devout Muslim family in Boyolali, Central Java, on 1 April 1953. His father, Ahmad Jaiz, was the *imam* (spiritual and ritual leader) of the local mosque in his village, Tari Wetan, Sumber, of Simo-Boyolali of Central Java. His father devoted himself to his role as an *imam*, following the same tradition as his grandfather. In this mosque, his father taught Qur'anic lessons to the children of the

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<sup>89</sup> See also Azra, "H.M. Rasjidi BA," pp. 21-2.

<sup>90</sup> Azra, "H.M. Rasjidi BA," p. 14.

<sup>91</sup> See Hartono Ahmad Jaiz, *Bahaya Islam Liberal* (Jakarta: Pustaka Al-Kautsar, 2002), p. 97.

village, including Jaiz.<sup>92</sup> Thus, his father contributed greatly to his intellectual formation within the knowledge of Islam at an initial stage of his life, especially in dealing with the basic lessons of the Qur'an.

His intellectual formation was mainly within Islamic schools. For his elementary education, he attended both the so-called "secular" and "religious" schools. But, after completing his first elementary school, the *Sekolah Dasar* (SD/"Secular" Elementary School) Sumber-Simo Boyolali from 1959 to 1965, he attended the *Madrasah Ibtidaiyah Negeri* (MIN/State Islamic Elementary School) II in Tinawas-Nogosari of Boyolali from 1966 to 1968 as his second elementary school. Graduating from these elementary schools, he continued his secondary and senior-high education still within religious schools under the name of the six-year *Pendidikan Guru Agama Negeri* (PGAN/State Vocational Education for Religious Teacher Candidates) in Solo, Central Java, from 1968 to 1973.<sup>93</sup>

The place where he attended his secondary and senior-high schools deserves closer analysis. This is because Solo, as the place where his intellectual formation blossomed in the middle part of his life, represents the home of some fundamentalist and radicalist movements concerned both with religious and secular matters. In religious matters, the so-called fundamentalist-radicalist organisations and institutions, such as MMI and *Front Pembela Islam Surakarta*/FPIS (the Surakarta branch of Jakarta-based FPI), are based in this city. In secular matters, the most devastating uprising outside Jakarta in the midst of the *reformasi* movement following the fall of Soeharto was in this city. M.C. Ricklefs, a specialist in the history of Java, notes that Solo and its surrounding area have had a tradition of radicalism. This fact has emerged, he argues, since, among other things, the traditional authority within the city has collapsed while the modern authority has not yet emerged. As a result, Ricklefs suggests that anything can happen.<sup>94</sup>

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<sup>92</sup> Personal interview with Hartono Ahmad Jaiz in the office of LPPI in Jakarta, 16 January 2004.

<sup>93</sup> Jaiz, *Bahaya Islam Liberal*, p. 95.

<sup>94</sup> M.C. Ricklefs' statement appears in his interview with the Central Java-based Daily Newspaper, *Suara Merdeka*. See "Solo Dipandang Punya Tradisi Radikal," *Suara Merdeka*, 26 August 2003.

This explanation demonstrates that in the early part of his intellectual formation, Jaiz grew up in the city where fundamentalism and radicalism became parts of the typological dynamics of the city. He spent almost 15 years living and studying in this city and its surrounding area. This means that throughout this period he was socially exposed to the character and dynamic of this area, including the tradition of radicalism particular to that city.

In short, his academic history shows that his intellectualism was formed within the Islamic schooling system of Indonesia. This pattern continued in his tertiary education. He pursued his undergraduate study in the Department of Arabic Literature, as did Madjid, at the Faculty of Literature of the State Institute for Islamic Studies (IAIN) Sunan Kalijaga, Yogyakarta, during the period 1974-1981.<sup>95</sup> Since 2001, he has been furthering his study to Masters degree in Islamic studies at the Muhammadiyah University in Jakarta.<sup>96</sup>

Even though his family does not have a pesantren background, Jaiz is familiar with the tradition of *pengajian* (study) of Islamic knowledge. He attended *majelis ta'lim* (study group) at local mosques and experienced some education in pesantren. In particular, there are at least two kinds of training he received in the pesantren. First, he attended occasional sessions during Ramadan in the period 1966-1968. In this context, he attended some activities of *khataman* (literally means complete recitation) of some small books on Islamic knowledge, as particularly organised by the pesantren of Kacangan, Boyolali. Second, he attended regular pesantren classes, such as in the pesantren of Jenengan in Boyolali (a place where young Munawir Sjadzali, a former Minister of Religious Affairs used to study) when he was studying at PGAN (1968-1973).<sup>97</sup>

Looking at the background of his intellectual formation, at first glance it might seem that there is no significant difference with Abshar-Abdalla in terms of the traditional Islamic learning. Both have a traditional pesantren background. Both are good at Arabic, written and spoken. Based on this, it would appear that both have gained the skills needed to understand traditional sources of Islamic teachings.

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<sup>95</sup> Jaiz, *Bahaya Islam Liberal*, p. 95.

<sup>96</sup> Personal interview with Hartono Ahmad Jaiz in the office of LPPI, Jakarta, 16 January 2004.

<sup>97</sup> Jaiz, *Bahaya Islam Liberal*, p. 95.

There are at least two distinctive features, however, differentiating both figures: the continuation of the discipline of knowledge and the sociological exposure as new urban people. In the context of the first feature, Jaiz has been confined to Islamic studies as a body of knowledge as distinct from other disciplines of knowledge. This is clear from his academic training from the elementary to the tertiary level of education; all being within Islamic studies. Abshar-Abdalla, while mastering the body of knowledge of Islamic studies, has also occupied himself with some “secular disciplines” including philosophy, arts, culture and other social sciences. This can be clearly traced, mainly, through his higher education at the STF Driyakara.

From the perspective of sociological exposure, even though both came to the metropolitan city of Jakarta as “media workers”, their social attachments differed. Soon after coming to Jakarta in 1981, Jaiz was attached to the so-called “Islamist media”, which devoted themselves for *da`wah* activities. Unlike Abshar-Abdalla who was attached to the so-called “secular media”, ISAI, Jaiz had his first experience in media as an editor of a young Muslim generation-based magazine “Salam” which was published by Jakarta-based publisher, Asy-Syafi’iyah (1981-1982). He then became a journalist for the national daily newspaper “Pelita” for an extended period between 1982 and 1996.<sup>98</sup>

More importantly for the blossoming of his intellectualism, Jaiz held two important positions. First, in 1987 he joined, as a researcher, the *Lembaga Penelitian dan Pengkajian Islam* (LPPI/The Institute for Islamic Studies and Research), a research institute initiated by the *Persatuan Islam* (Persis/Islamic Association) wing of DDII under the leadership of M. Amin Djamaluddin.<sup>99</sup> This institute is very special in terms of its activities since it acts as a “watchdog” for any heresy of religious practices among Indonesian Muslims. It conducts its activities

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<sup>98</sup> Personal interview with Hartono Ahmad Jaiz in the office of LPPI, Jakarta, 16 January 2004; Jaiz, *Bahaya Islam Liberal*, p. 96.

<sup>99</sup> LPPI is basically part of the larger Islamic institute called the *Yayasan Pembela Kemurnian al-Qur’an dan as-Sunnah* (YPKQS/The Foundation for Defenders of the Purity of the Qur’an and the Sunnah). M. Amin Djamaluddin is himself one of the key figures of DDII whose initial background is as an activist of Persis. Personal interview with M. Amin Djamaluddin in the office of LPPI, Jakarta, 28 January 2004.



so that Indonesian Muslims are in line with purified Islam.<sup>100</sup> The second position is as the editor of MD responsible for the column “Islamika”, as described above, which he has held since 1998.<sup>101</sup>

As a result, despite similar backgrounds as individuals from small cities with some pesantren experiences, both Jaiz and Abshar-Abdalla discovered new epistemic communities with different orientations. Their socio-intellectual backgrounds and their methods of being attached to their own new epistemic community have greatly contributed to the difference in their respective intellectualism. This is to say that the inclination of intellectualism, which in the context of this study deals with liberalism and anti-liberalism in Islamic legal thinking, does not result solely from intellectual acquisition. The new epistemic community which an individual makes and is acquainted with also influences that tendency. This is because the epistemic communities serve as “channels through which new ideas circulate”<sup>102</sup> among the internal members, and functions to unite the community of its followers<sup>103</sup> as well as to transform and modify the ideas which have been previously acquired.

Jaiz’s intellectualism is an integral part of his sociological exposure to his new epistemic community. In this context, his inclination to anti-liberal Islamic legal thinking has been formed in response to the increasing rise of liberalism in Indonesian Islamic thought. This inclination can be seen in his ideas produced in his books including among others: *Ragam Berkeluarga-Serasi tapi Sesat*,<sup>104</sup> *Rukun Iman Digoyang*,<sup>105</sup> *Kematian Lady Diana Menggoncang Akidah Umat*,<sup>106</sup> *Bahaya*

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<sup>100</sup> The mission of this institution is in accordance with that of its core institution, YPKQS. M. Amin Djamaluddin, the director of LPPI, explains that this institution is overseeing and monitoring Indonesian Muslim practices which are perceived as deviant, such as *Inkarus Sunnah*, Shi`ah, Ahmadiyah, and *Islam Jama`ah*. See interview with M. Amin Djamaluddin in the office of LPPI, Jakarta, 28 January 2004.

<sup>101</sup> Jaiz, *Bahaya Islam Liberal*, pp. 96-7.

<sup>102</sup> See Haas, “Introduction: Epistemic Communities,” p. 27.

<sup>103</sup> For more detail see Michel Foucault, “Truth and Power,” in Colin Gordon (ed.), *Power/Knowledge*, trans. by Colin Gordon et al. (Sussex: The Harvester Press, 1980), pp. 109-33; idem., *The Archaeology of Knowledge*, trans. by A.M. Sheridan Smith (London: Tavistock Publications, 1972), especially pages pp. 187-92.

<sup>104</sup> See Hartono Ahmad Jaiz and Mulyawati Yasin, *Ragam Berkeluarga-Serasi tapi Sesat* (Jakarta: Pustaka Al-Kautsar, 1996).

<sup>105</sup> See Hartono Ahmad Jaiz, *Rukun Iman Digoyang* (Jakarta: Azmy Press, 1997).

*Islam Liberal*,<sup>107</sup> *Tasawuf Belitan Iblis*,<sup>108</sup> and *Aliran dan Paham Sesat di Indonesia*.<sup>109</sup> From this list of his works, it is clear that the terms “sesat” [astray], “iblis” [devil], and “the *ummah*’s faith” represent key elements in his message. Based on the identification of these works, it is not an exaggeration to say that “the guardian of the faith”, an epithet similarly attributed to Rasjidi as indicated and defined earlier, can also be attached to Jaiz.

His inclination of intellectualism is closely connected to and is empowered by his personal sociological experience as a Muslim social activist during his career as a journalist and a member of DDII in dealing with non-Muslim forces. As a journalist for the daily *Pelita*, he had the bitter experience of being interrogated by the national prosecutor for his report on the case of 62 controversial foods, which were accused by a number of Muslims of being non-*halaal* (non-legally justified) foods. Added to this was his reaction to the distressing conditions of other Muslims in several parts of the world, such as the genocide of Muslims in Bosnia Herzegovina, and their situation as refugees in Zagreb of Croatia, which he witnessed at first hand. He has thus seen Muslims degraded and ill-treated in circumstances where non-Muslims could be held responsible for their suffering. This has coloured his attitude to liberalism and things connected with the West.

## Conclusion

Is education determinant in the shaping of liberal and anti-liberal Islamic legal thinking? It has been argued throughout this paper that the formation of liberal and anti-liberal Islamic legal thinking is best explained by the combination of educational and sociological factors. The formation of Islamic legal thinking within liberal and anti-liberal bent is not only a result of the intellectual formation in the sense of academic training and access to education and knowledge, but also an outcome of the sociological background in building a new epistemic community in an urban context. For the liberal bent in Islamic legal

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<sup>106</sup> Hartono Ahmad Jaiz, *Kematian Lady Diana Menggoncang Akidah Umat* (Jakarta: Darul Falah, 1997).

<sup>107</sup> Jaiz, *Bahaya Islam Liberal*.

<sup>108</sup> Hartono Ahmad Jaiz, *Tasawuf Belitan Iblis* (Jakarta: Darul Falah, 2001).

<sup>109</sup> Hartono Ahmad Jaiz, *Aliran dan Paham Sesat di Indonesia* (Jakarta: Pustaka Al-Kautsar, 2002).

thinking, its stream of intellectualism is a result of the combination between academic exposure to both traditional and modern learning in Islamic studies as well as other disciplines of knowledge, and social interaction with groups of urban people. Characteristically, these groups of urban people liberal Muslim thinkers are exposed to have a secular ideological orientation (for example, they do not perform strongly a conventionally defined *da`wah*) and provide a new epistemic community within which liberal bent in Islamic legal thinking can grow.

By contrast, the anti-liberal bent in Islamic legal thinking results from an academic exposure to either traditional or modern learning. This exposure is both in Islamic studies and other disciplines. This kind of academic exposure is strengthened by social acquaintance with groups of urban people who have an Islamist ideological orientation (expressed through their strong devotion to *da`wah* activities) to become the new epistemic community for those thinkers who support anti-liberal Islamic thinking. This is to say that sociologically-intellectually each bent represents different approaches to Islamic legal thinking within different new groups of urban Muslims in Indonesia.

It can be said therefore that education is not the prime determinant element for the formation of liberal and anti-liberal bent in Islamic legal thinking in Indonesia. Another key element should be added to the analytical framework of the formation of Islamic legal thinking, that is a sociological exposure and background. Central to this sociological exposure and background is the personal attachment to a community where ideas are circulated among its members, resulting in the creation of an intellectual discourse as well as a sense of unity among the members, commonly known as “epistemic community”. []

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