

Fatwas and their controversy: The case of the Council of Indonesian Ulama (MUI)

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This article discusses a different side of two controversial fatwas — one against Muslims participating in Christmas celebrations and the other against pluralism, liberalism and secularism — issued by the Majelis Ulama Indonesia (MUI, Council of Indonesian Ulama). Most studies on MUI have emphasised the role that the Council's fatwas have played in inciting sectarian violence in Indonesia. Without denying the connections between violence and the MUI fatwas, this article argues that these controversial fatwas have also opened up room for more fruitful and constructive discussions among different religious groups in Indonesia. This article asks: What were the roots of the controversy over these intolerant fatwas? How did the state respond to them? And what does the controversy over these fatwas tell us about the nature of public debate on Islam in Indonesia? By answering these questions this article will shed light on aspects of contemporary Indonesian public debates about Islam that have been overlooked in current scholarship.

A fatwa is generally understood as an Islamic legal opinion given by an individual *muftī* (fatwa-giver) or group of *muftīs* or ulama at the request of someone, called *mustaftī* (fatwa seeker). As such, its main purpose is to provide definitive answers to legal questions. This purpose, however, may not always be achieved. Rather than settling an unresolved question, the fatwa may elicit further debate and controversy, as has been the case with some fatwas of the Majelis Ulama Indonesia (MUI, Council of Indonesian Ulama). Two such fatwas, one against Muslims attending Christmas celebrations and the other on religious pluralism, liberalism and secularism issued during the New Order and post-Suharto eras, respectively, will be discussed here. This article analyses what enabled the debates and controversies over the fatwas. To date, there has not been a systematic study of this question as scholars tend to focus on the political dimension of the MUI fatwas. Muhamad Atho Mudzhar, who has written extensively on the fatwas, argues that they reflect a complex relationship between MUI and the state on the one hand, and between MUI

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and society on the other.¹ Moch. Nur Ichwan, Piers Gillespie and others look at the fatwas as a means by which MUI maintained its role in a rapidly changing political and religious environment.² Other scholars such as John Olle emphasise MUI's realignment with emerging radical Muslim groups in promoting an anti-heresy agenda. Olle connects the MUI fatwa with several attacks on 'heretics' because the attackers 'justified their attack by referring to a fatwa by MUI'.³

While most scholars regard the MUI fatwas as a sign of conservatism and an attempt to bring Indonesian Islam closer to orthodoxy as well as often used to justify violence, I would argue that these fatwas have also opened up room for more fruitful and constructive discussion within the Muslim community.

My argument is that the public debates on Islam are products of historical trajectories and illuminate contemporary Islam in Indonesia. Without denying the violence unleashed as a result of the MUI fatwas, I suggest here that the controversial fatwas also served as a catalyst for fruitful and creative public discourse. The fact that the two MUI fatwas were issued in different political settings illustrates the dynamic nature of Islamic discourse.⁴ I will describe the emergence of MUI, and then discuss the fatwas in turn by analysing their texts, the circumstances in which they were issued and the controversies and debates they engendered. I then analyse Indonesian reactions to the fatwas within the larger context of MUI's emergence as a major actor in shaping the future of Indonesian Islam. I conclude with a brief reflection on the significance of this study within more recent critical scholarship on the MUI fatwas.

MUI and its fatwas

As in many countries with large Muslim populations, Indonesia has a national body of Muslim scholars, MUI, which was established in 1975 at the initiative of the Suharto government. Its establishment was intended 'to control the public expression of Islam under state (here, Department of Religion) auspices'.⁵ In 1973,

1 See, for example, M. Atho Mudzhar, 'Fatwas of the Council of Indonesian Ulama: A study of Islamic legal thought in Indonesia, 1975-1988' (Ph.D. dissertation, University of California, Los Angeles, 1990); 'The Council of Indonesian Ulama on Muslims' attendance at Christmas celebrations', in *Islamic legal interpretation: Muftis and their fatwas*, ed. Muhammad Khalid Masud, Brinkley Morris Messick and David Stephan Powers (Oxford: Oxford University Press, 1996), pp. 230-41; and 'The 'ulama, the government and society in modern Indonesia', in *Islam in the era of globalization: Muslim attitudes towards modernity and identity*, ed. Johan H. Meuleman (London: RoutledgeCurzon, 2002), pp. 315-26.

2 See, for instance, Moch. Nur Ichwan, 'Ulama, state and politics: Majelis Ulama Indonesia after Suharto', *Islamic Law and Society*, 12, 1 (2005): 45-72; Piers Gillespie, 'Current issues in Indonesian Islam: Analysing the 2005 Council of Indonesian Ulama Fatwa no. 7 opposing pluralism, liberalism and secularism', *Journal of Islamic Studies*, 18 (2007): 202-40; Nadirsyah Hosen, 'Fatwa and politics in Indonesia', in *Shari'a and politics in modern Indonesia*, ed. Arskal Salim and Azyumardi Azra (Singapore: Institute of Southeast Asian Studies, 2003), pp. 168-80.

3 John Olle, 'The Majelis Ulama Indonesia versus "heresy": The resurgence of authoritarian Islam', in *State of authority: The state in society in Indonesia*, ed. Gerry van Klinken and Joshua Barker, pp. 95-116 (Ithaca: Cornell Southeast Asia Program, 2009), p. 101.

4 An excellent treatment of Islamic criticism is Talal Asad, 'The limits of religious criticism in the Middle East: Notes on Islamic public arguments', in his *Genealogy of religion: Discipline and reasons of power in Christianity and Islam* (Baltimore: Johns Hopkins University Press, 1993), pp. 200-38. Asad's insights helped me to frame my own approach to the MUI fatwas.

5 M.B. Hooker, *Indonesian Islam: Social change through contemporary fatāwā* (Honolulu: University of Hawai'i Press, 2003), p. 60. Speaking at the first national congress of MUI, held on 21-27 July 1975,

there had been heated debates and protests following the government's tabling of a draft marriage bill (passed in 1974), which some Muslims considered antithetical to Islamic law. There had also been widespread resentment among many Muslim political leaders because of Suharto's earlier decision to restrict the political role of Islam by allowing only three political parties to participate in the next elections. Several Islamic parties and factions were compelled to fuse into one — the state-controlled Partai Persatuan Pembangunan (PPP, United Development Party). As other Islamic political parties and organisations were no longer permitted, the public role of the ulama decreased significantly.

During the 1970s and 1980s, Suharto sought to further neutralise any potential Islamic opposition by developing, as Donald J. Porter puts it, 'a range of corporatist initiatives for the capture of target segments of the Muslim constituency, such as mosque preachers, intellectuals, ulama and women's associations into non-party organisations'.⁶ MUI was designed as a peak body to 'co-opt, fragment, and neutralise Islam as an autonomous political force, regulate associational life, and ensure mass turnouts for Golkar [the ruling party] at election time'.⁷ M.B. Hooker describes MUI as representing the 'bureaucratization of Islam ... in its most extreme form'.⁸ MUI has its central office in Jakarta and branches at provincial, regency and district levels. As a state-appointed and financed body, MUI's legitimacy had been limited in the eyes of ordinary Muslims and the impartiality of its fatwas was and is still questioned.

The fact that the government played a central role in its establishment does not mean that MUI has always been supportive of the government, however. Not all fatwas issued by MUI conform with government policy. Mudzhar has clearly demonstrated that out of twenty-two fatwas issued between 1975–88, only eight can be classified as supporting government policy; three were in opposition, and the rest are neutral.⁹ The three fatwas less influenced by the government, according to Mudzhar, were fatwas on the unlawfulness of abortion, the prohibition of vasectomy and tubectomy (for family planning) and the prohibition of Muslims at Christmas celebrations. I would argue that even some of the fatwas categorised by Mudzhar as neutral are in fact not in line with the government policy. For example, the MUI fatwa on interreligious marriage prohibits Muslims from marrying

President Suharto outlined four roles for MUI. It should: serve as the 'translator of the concepts and activities of national and local development for the people'; be a form of advisory council that 'gives advice and opinions to the government concerning religious life'; be the 'mediator between the government and ulama', and function as a place where the ulama discuss 'the problems related to the duties of ulama'. See Moch. Nur Ichwan, 'Ulama, state and politics', p. 48.

6 Donald J. Porter, *Managing politics and Islam in Indonesia* (London: RoutledgeCurzon, 2002), p. 76.

7 Ibid.

8 Hooker, *Indonesian Islam*, p. 60.

9 Mudzhar, *Fatwas of the Council of Indonesian Ulama*, pp. 255–7. During the period 1975–88, Mudzhar found four major objectives which determined MUI's fatwas, namely: to gain acceptance within society and obtain good relations with Muslim organisations; to maintain good relations with the government; to encourage a higher participation of Muslims in national development; and to maintain harmonious relations with non-Muslim religious groups. In a further study covering the period 1989–2000, Mudzhar notes that 'The four basic objectives of the MUI found in the previous study have continued to prevail in the period under discussion. The difference lies only in the intensity and manifestation.' See Mudzhar, 'The 'ulama, the government, and society', pp. 315–26.

non-Muslims, contradicting the republic's 1974 Marriage Law, which clearly allows interfaith unions.

In the post-Suharto era, as Ichwan notes, MUI's tendency to distance itself from the state became stronger. The way MUI aligned itself more with 'Muslim aspirations' through its fatwas and *tawsiyya* (non-legal recommendations) is interpreted by Ichwan as 'the mechanisms by which MUI attempts to bring Indonesia closer to its understanding of "orthodoxy"'.¹⁰ But MUI has never been a 'liberal' institution from its inception. Most of its members come from *pesantren* (traditional Islamic schools). None of the five general chairmen of MUI (Hamka, Syukri Ghozali, Hasan Basri, Ali Yafie and Sahal Mahfudz) attended university.¹¹ As a 'mediator' between the government and ulama, members of MUI represent major Muslim organisations in the country, including Nahdlatul Ulama (NU), Muhammadiyah, and Persatuan Islam (Persis). If MUI has been more active in promoting 'Muslim aspirations' in the post-authoritarian state, this must have something to do with the nature of public participation in an era of openness. As will be discussed later, state intervention has itself shaped public debates and reactions to MUI's controversial fatwas.

Certainly, relations between MUI and the state are complex and not static. While MUI is sponsored and financed by the state, some of its ulamas consider themselves independent of the state. They represent first and foremost 'Islamic groups' before the government, and not the other way around. Mawardi Chatib, an acting general chairman of MUI, described his institution as a private association of ulama not subject to government decree.¹² At the local level, the general chairman of the East Java MUI branch claimed that MUI was created by the ulama, rather than the government: 'kyai (religious scholars) at the subdistrict level "got together" and established the local branches of MUI'.¹³

To illustrate this complexity even further, let us discuss briefly the fatwa on frog breeding and consumption, which was highly publicised and controversial. In 1984 the government encouraged farmers to breed green frogs in the province of West Sumatra. To obtain support for the program, the Ministry of Agriculture requested a fatwa from the MUI regional office on whether the breeding and consumption of frogs was halal. MUI deliberated on 21 July 1984 and, on the same day, issued a positive verdict, arguing that every edible creature created by God in the world was basically halal, except for specific creatures explicitly prohibited for consumption in the Qur'an. This fatwa apparently provoked the regional MUI of West Nusa Tenggara to issue an opposing fatwa, based on the Shafi'i *madhhab* (school of thought), prohibiting the consumption of amphibious animals. These two opposing fatwas attracted substantial media attention. To resolve the controversy, the MUI fatwa commission issued a compromise fatwa stating that while the breeding of frogs was permitted in Islam, their consumption was not. The fatwa explains that, as Mudzhar puts it,

10 Ichwan, 'Ulama, state and politics', p. 46.

11 Nadirsyah Hosen, 'Behind the scenes: Fatwas of Majelis Ulama Indonesia (1975–1998)', *Journal of Islamic Studies*, 15, 2 (2004): 154.

12 John R. Bowen, *Islam, law and equality in Indonesia: An anthropology of public reasoning* (Cambridge: Cambridge University Press, 2003), p. 230.

13 See Olle, 'The Majelis Ulama Indonesia versus "heresy"', p. 104.

'the permissibility of their breeding was based on a view held by the Maliki *madhhab*, and the prohibition of their consumption was based on a view held by the Shafi'i *madhhab*'.¹⁴

However, as Nadirsyah Hosen has rightly noted, the wording of the fatwa seems to be less straightforward than is claimed by Mudzhar. The fatwa states that 'while it recognised the Shafi'i opinion forbidding the eating of frogs, it also recognised the Maliki opinion allowing the same'.¹⁵ This clearly illustrates the difficulty that MUI faces in its attempts to satisfy not only the government, but also its own conflicting branches. Here we can see that although MUI was intended to and often did serve the political interests of the Suharto government, it cannot be seen as simply an extension of it. MUI–state relations are complex. After the collapse of the Suharto regime, MUI has frequently supported the interests of exclusivist elements within Indonesian Islam. In what follows we shall discuss the two most controversial fatwas to further illustrate the complexity of MUI–state relations.

On Christmas celebrations

The first controversial fatwa was issued on 7 March 1981 as a response to an interesting development in Indonesia where Muslims were invited to attend formal Christmas celebrations. MUI expressed its concern about this phenomenon, saying that Muslims participated in Christmas celebrations because of their misconception that Christmas and the celebration of the birth of the Prophet Muhammad were the same, that is, without ritual value. Some Muslims even took part in organising Christmas festivities, especially at workplaces and schools, or in neighbourhoods rather than in churches. The fatwa was, therefore, aimed at guiding Muslims to the right religious path because 'Muslims should not mix their faith and rituals with the faith and ritual of other religions'.

The fatwa's arguments are very elaborate. It begins by stating that Muslims are allowed to interact and cooperate with non-Muslims for worldly affairs only. To support this view the fatwa quotes three Qur'anic verses (Q.49: 13; 31: 15; and 60: 8) to the effect that the permissible interaction for Muslims is the realm of social activities that do not jeopardise their faith. The fatwa further argues that Muslims should not mix their ritual and theological convictions with those of other religions. In this regard, it quotes the entire *sūra al-Kāfirūn* (109): 1–6 and Q.2: 42. There are several other verses quoted in the fatwa to refute certain Christian beliefs, for instance, about Jesus being the son of God (Q.19:30–32; 5:75; and 2:225); it was blasphemy to say that God is more than one, or that God has sons (Q.5:72–73; and 9:30). The fatwa also quotes Q.5:116–18 in which the Qur'anic Jesus himself speaks out to disown the errors of Christians. When questioned by God as to whether he told people to take him and Mary 'as gods, apart from God,' Jesus insists, 'It is not mine to say what I have no right to' (Q.5:116). The point being made here is that Christmas cannot be separated from the Christian belief in the divine nature of Jesus and therefore to participate in the celebration for a Muslim implies, or at least can lead to, syncretism and impurity of the faith itself.

14 Mudzhar, *Fatwas of the Council of Indonesian Ulama*, pp. 155–6.

15 Hosen, 'Behind the scenes', p. 167.

In addition to Qur'anic verses, the fatwa also cites a prophetic tradition (hadith) urging Muslims to stay away from *shubuhāt*, something that cannot be clearly identified as religiously lawful or unlawful, but a grey area between the two. It is most likely that this hadith is cited to argue against those who might assume that participating in a Christmas celebration does not necessarily affect their own belief. The prophet is reported to have further said: 'Whoever falls into the *shubuhāt*, he is actually falling into the forbidden area.' By referring to this hadith, the fatwa urges Muslims to avoid Christmas festivities because they are *shubuhāt*, to say the least. Interestingly, the fatwa also cites an Islamic legal maxim: 'Avoiding harm should be given priority over taking benefit' (*dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*). Perhaps, as Mujiburrahman notes, 'this legal maxim was quoted to argue against the arguments that there is good thing if a Muslim participates in a Christmas celebration.'¹⁶ There is no reference in the fatwa to the opinions of other scholars, or to classical books of *fiqh* (Islamic jurisprudence), as if the phenomenon was unique to the Indonesian context.¹⁷ The fatwa concludes by pronouncing that it is *ḥarām* (forbidden) for Muslims to participate in Christmas celebrations.

The fatwa was not born in a vacuum, but shaped by a long history of Muslim-Christian evangelical rivalry in Indonesia since the beginning of the twentieth century. Indeed, one motive for the establishment of the modernist Muhammadiyah movement in 1912 for instance was to compete with Christian missionaries backed by the Dutch colonial government.¹⁸ More than half-a-century later, when President Suharto took over from Sukarno in 1966, the rivalry had not eased. On the contrary, tensions had intensified as those who were earlier associated with the Partai Komunis Indonesia (PKI, Indonesian Communist Party) had to choose one of five religions recognised by the Constitution (Islam, Protestantism, Catholicism, Hinduism and Buddhism). As a result, both Islam and Christianity shared a high number of new converts. However, Muslims viewed the conversions to Christianity as a threat. Christian churches and organisations were accused of receiving a large amount of foreign aid for their missionary agenda. In addition to their objection to such foreign funding, Muslims also accused Christians of targeting Muslims in their missionary activities. There were widespread rumours about 'Kristenisasi' (Christianisation) of Muslims via financial incentives. It was in this atmosphere that religious violence and persecution took place. The government attempted to solve the Muslim-Christian conflict by proposing to establish an interreligious consultative body, but neither side could reach an agreement regarding one critical issue, namely that 'religious propagation should not be directed towards people who already had a

16 Mujiburrahman, *Feeling threatened: Muslim-Christian relations in Indonesia's New Order* (Amsterdam: Amsterdam University Press, 2006), p. 93.

17 For instance, Ibn Taymiyya (d. 1328) briefly discussed this issue. In his *Kitāb Iqtidā*, he argues that conscious imitation of Christian festivities, with knowledge that the object of imitation is among the particularities of their faith, is prohibited. If the imitator does not know that the object originated from unbelievers, he should be told of the prohibition. See Muhammad Umar Memon, *Ibn Taymiyya's struggle against popular religion, with an annotated translation of his Kitāb Iqtidā al-ṣirāt al-mustaqīm mukhālafā ashāb al-jahīm* (Paris and The Hague: Mouton, 1976), pp. 2–3, 218–19.

18 Deliar Noer, *The modernist Muslim movement in Indonesia, 1900–1942* (Singapore: Oxford University Press, 1973); see also Alwi Shihab, *The Muhammadiyah movement and its controversy with Christian mission in Indonesia* (Ph.D. diss., Temple University, Philadelphia, 1995).

religion'.¹⁹ An agreement to establish the interreligious consultative body was not reached until 1980.²⁰

In such an uneasy relationship, it is hardly surprising then that even the practice of getting together for Christmas (*natalan bersama*) was suspected as a means by which Christians tried to proselytise to Muslims. But, there is another aspect of the fatwa largely ignored by scholars, namely that the *natalan bersama* was commonly attended by government officials, including the president. Given that President Suharto was accused of showing favouritism to Christians by appointing them to strategic ministerial offices, this fatwa must have had some sort of political weight. And the government's reactions to the fatwa, discussed below, seem to suggest a feeling of being outmanoeuvred by MUI.

Issued at a time of intense mutual distrust between Muslims and Christians, the fatwa soon attracted substantial media attention. Abdurrahman Wahid, then a prominent columnist and a strong defender of the rights of minorities, lamented MUI's decision to issue a fatwa on Christmas and ignore other more crucial problems facing Indonesian Muslims. Wahid felt that it would be better for MUI to concentrate on more fundamental social problems such as how Islam could help fight against poverty and ignorance. As for the fatwa itself, the crux of the matter was that there was no clear line on what basis and about what problems MUI could issue fatwas. According to Wahid, this lack of a clear basis and methodology led MUI to issue a fatwa based on an absolute postulate. The problem would become more acute, he further argued, if each religious community ascribed to a similar absolutist claim, which 'would constrict our lives'.²¹

Wahid highlighted two problems with the MUI fatwa on Christmas. First, MUI failed to address crucial issues facing the Muslim community, which indicates that it did not have a priority agenda for the *umma*. Without a clear guideline of the area of fatwa, the MUI could lead the plural — but fragile — society into conflict. If they begin with prohibiting Muslims' attendance at Christmas celebration, Wahid asserted, next time they would issue a fatwa on such issues as interreligious dating and then a prohibition on dating itself. 'I am afraid,' said Wahid, 'that the MUI will issue a fatwa on whether or not a Christian would be allowed to ride a taxi with the Arabic calligraphy *'Bismillāh al-rahmān al-rahīm'* written on its glass.' Second, Wahid also questioned MUI's authority to deal with the reinterpretation of religious principles which have for a long time become an inherent part of Muslims' religious framework, because 'MUI was established by the government merely as a medium between the government and the Muslims'.²² In this regard, Wahid implied that Muslims' attendance at Christmas celebrations was widely accepted as permissible by Indonesian Muslims, and that MUI lacked the religious authority to revoke such a long-standing practice. It is not clear to whom Wahid referred to as 'Indonesian Muslims'. Perhaps, he had in mind the legal maxim 'custom has the weight of law' (*al-āda muḥakkama*).

19 Alwi, 'The Muhammadiyah movement', p. 41.

20 Mudzhar, *Fatwas of the Council of Indonesian Ulama*, p. 137.

21 Abdurrahman Wahid, 'Fatwa Natal, ujung dan pangkal' [The Christmas fatwa, its beginning and end], *Tempo*, 30 May 1981.

22 Ibid.

In other words, the custom and practice of Muslims attending Christmas celebrations have authority similar to fundamental textual precepts of Islamic law.

Panji Masyarakat magazine, which was established by Hamka, then general chairman of MUI, published several articles in defence of the fatwa, some of which directly responded to Wahid's criticisms. Iqbal Abdurrauf Saimima, for instance, argues that Wahid missed the fatwa's main contention because it was just issued in response to some Muslims being invited and even forced to participate in Christmas celebrations. For Saimima, the fatwa was not about religious absolutism, but rather to guide the purity of Muslim belief, because among Christians themselves there is no clear-cut statement about whether or not Christmas is a part of their rituals. He also contends that Wahid's suggestion that MUI should focus on more crucial issues such as the fight against poverty and injustice was beyond the scope of what MUI could do because it was just an association of Muslim scholars, not technocrats.²³ Another Muslim author, Samudi Abdullah, provides a middle ground interpretation of the fatwa, saying that the fatwa only prohibits participation at Christmas, not attendance. He argues that participation involves taking part in ritual activities such as singing, dancing and praying, while attendance means 'just sit, keep silent and eat if a meal is provided'.²⁴

The fatwa was most fiercely criticised by the government. It was issued at a time when the government was intensively promoting interreligious cooperation after a decade of sporadic conflicts between Muslims and Christians.²⁵ According to Mujiburrahman, there were at least two reasons why the government was unhappy with the fatwa. First, it was worried that the rigid and inflexible stipulation of the fatwa could disturb relations between Muslims and Christians. Second, the government was shocked by the unexpected public circulation of the fatwa.²⁶ Some believe that the Minister of Religious Affairs Alamsyah Ratuperwiranegara had in fact requested that the fatwa be discussed internally with other religious groups before a public policy was announced. He was very disappointed when the fatwa was broadcast by the mass media and became a controversial issue before he had studied and discussed it with the various religious stakeholders.

The Minister of Religious Affairs expressed his disagreement with the fatwa on several occasions. He emphasised that fatwas should take into consideration the socio-political reality of Indonesia. During a hearing with the Dewan Persidangan Rakyat (DPR; House of Representatives), Alamsyah said that Indonesia was a plural country in terms of ethnicity and religion, and thus 'attending a religious celebration of other religions with the purpose of respecting their invitation is an appropriate and positive act to enhance the unity and integrity of the nation'.²⁷ He also called into question MUI's method of deriving a legal ruling, because 'the fatwa contains several

23 Iqbal Abdurrauf Saimima, 'Ujung pangkal suara Cak Dur' [The beginning and end of Cak Dur's voice], *Panji Masyarakat*, 326 (June 1981): 14–15.

24 Samudi Abdullah, 'Tentang perayaan Natal bersama' [On celebrating Christmas gatherings], *Panji Masyarakat*, 326 (June 1981): 54–5.

25 Bowen, *Islam, law and equality in Indonesia*, p. 235.

26 Mujiburrahman, *Feeling threatened*, p. 93.

27 See, 'Buya, fatwa dan kerukunan beragama' [Buya, fatwa and religious harmony], *Tempo*, 30 May 1981.

Qur'anic verses and hadith which are seen only from a theological aspect, without taking into account other considerations'.²⁸ In his meeting with the leaders of MUI, Alamsyah threatened to resign, but the chairman of MUI, Hamka, responded by saying: 'I am responsible for the circulation of the fatwa and, therefore, I am the one who should resign.'²⁹

Undoubtedly, Hamka's subsequent resignation was due to strong pressure from the government — the conflict between him and the Minister seemed to be irreconcilable. As Mudzhar puts it, 'Hamka was asked by the government to revoke the fatwa, but he refused to do so.'³⁰ However, several reports suggest that the events that led to Hamka's resignation were more complex. The national newspaper *Pelita* published the fatwa on 5 May 1981 and the very next day the same newspaper published a statement signed by Hamka and the general secretary of MUI, Burhani Tjokrohandoko, explaining that, based on consultation with the Minister of Religious Affairs, MUI had decided to withdraw the fatwa from circulation. The statement explained that a Muslim is only prohibited from participating in Christmas rituals.³¹ The statement seems to have been some sort of compromise between the Minister and MUI, but it certainly raised questions and caused some confusion. Since the statement restricts the prohibition only to participation in ritual practices, did it mean that MUI had withdrawn its own fatwa?

Hamka was aware of this confusion. In an interview with *Tempo* magazine, he expressed his disappointment for having to withdraw the fatwa from circulation. 'My hands were shaking at the time when I signed the statement,' said Hamka. He made it clear that the fatwa was only withdrawn from circulation, but that its decree was still valid.³² With his resignation, the controversy did not come to an end. The Minister of Religious Affairs proceeded with the initial plan to discuss the rules regarding 'celebrations of religious feast days' with the leaders of all religious groups. However, the agreement reached during 'the negotiation' was clearly in favour of Muslim aspirations and eventually rejected by Christians.

The entire episode of this MUI fatwa during the Suharto regime shows us the overwhelming presence of the state in the public response and debate, with the controversy resolved through an institutional and structural approach. In the next controversial fatwa issued in the post-authoritarian regime, the ensuing controversy and debate took a different form — the state was almost absent, allowing ample room for more intellectually creative arguments.

Fatwa on religious pluralism, liberalism and secularism

In July 2005, during its Seventh National Congress, MUI issued a 'Fatwa on Religious Pluralism, Liberalism, and Secularism'.³³ This fatwa begins with an assertion

28 Ibid.

29 Ibid.

30 Mudzhar, *Fatwas of the Council of Indonesian Ulama*, p. 128.

31 Cited by Mujiburrahman, *Feeling threatened*, p. 94.

32 See, 'Buya, fatwa dan kerukunan beragama'.

33 During this congress in July 2005 MUI issued eleven fatwas, some of which were controversial and widely debated in the country, especially the fatwa on pluralism. The other highly debated fatwa declared the Ahmadiyah as a heretical group. For a discussion on MUI's fatwa on Ahmadiyah, see Olle, 'The Majelis Ulama Indonesia versus "heresy"'.

that 'a recent phenomenon of the spread of the idea of religious pluralism, liberalism and secularism within society has created uneasiness and concern to the extent that some have requested MUI to give some clarification by a means of a fatwa on that issue.' Here we can see that, like the earlier fatwa on Christmas, MUI positioned itself as being responsive to society's needs and concerns. The fatwa further asserts that MUI felt that it was necessary to formulate a fatwa as guidance to the Muslim community. The arguments presented in it are primarily based on the Qur'an and hadith. The fatwa quotes nine Qur'anic passages (Q.3:85; 3:19; 109:6; 33:36; 60:8–9; 28:77; 6:116; and 23:71) without any explanation as to what argument the passages are intended to support. This differs from the fatwa on participating in Christmas celebrations, where Qur'anic passages are cited to reinforce certain views. An examination of the nine passages reveals that they point to diverse issues and could be understood differently.

The most significant part of the fatwa is the pronouncement which contains two sections: general and legal. The first section deals with the definitions of the three key terms — pluralism, liberalism, secularism — a point of contention between MUI and its critics. The fatwa distinguishes between 'religious pluralism' and 'plurality of religions'. The former is defined as 'an understanding that all religions are the same and thus the truth of every religion is relative; therefore, every follower of religion cannot claim that only his/her religion is true while other religions are wrong. Religious pluralism also stipulates that all followers of religions will enter and live side by side in heaven.' The latter is defined as 'a reality that in a certain country or district there exist different followers of religions who live side by side'. With this distinction the fatwa expresses its concern about the former, while accepting the reality of a multi-religious Indonesia.

The other two terms are understood as follows. 'Religious liberalism,' states the fatwa, 'is an understanding of religious texts (the Qur'an and Sunna) with free thinking, and accepting only those religious doctrines that are compatible with reason.' As for the term 'religious secularism,' the fatwa defines it as 'to separate worldly affairs from religion; religion is understood as dealing with personal relations with God only, whereas human relations are regulated by a social contract.' It is not clear how the MUI came to these definitions of the three terms and what sources they referred to. The second section is in fact the core of the fatwa, which declares that the ideas of religious pluralism, liberalism and secularism are inimical to the teachings of Islam and, therefore, 'It is forbidden (*haram*) for the Muslim community to follow the view of religious pluralism, secularism and liberalism.' The fatwa repeats some of the insights mentioned in the fatwa on celebrating Christmas, namely the need to distinguish between matters related to theology and rituals on the one hand, and social interactions on the other. As in the previous fatwa, on matters related to theology and rituals, Muslims must be exclusivists since it is forbidden for Muslims to mix their belief and rituals with the belief and rituals of other religions. In the realm of social interaction, however, they are supposed to be inclusivists in such a way that they are allowed to interact and cooperate with non-Muslims as long as they do not harm each other.³⁴

34 For a discussion on this fatwa, see Gillespie, 'Current issues in Indonesian Islam'. All translations from Bahasa Indonesia of the fatwa cited here are mine.

This fatwa must be put within the context of a 'war of ideas' among different groups and streams of thought especially in post-authoritarian Indonesia. Since the collapse of the Suharto regime in 1998 various expressions of Islam had emerged. At one end of this spectrum, there were Muslims who advocated an exclusivist understanding of Islam and promoted Islam as the only solution to the multiple crises facing the country: religious, cultural, and political. In the era of openness, there was a mushrooming of various 'radical' Muslim groups which demanded a more visible assertion of Islam in national politics, including the full implementation of *shari'a* (Islamic law). At the other end of the spectrum, some sort of an inclusivist — and even liberal — understanding of Islam had also gained considerable significance in the vivid Islamic discourse of Indonesia, especially among the younger generation.³⁵ Of course, this stream of thought was as diverse as exclusivist Islam. In 2001 several young progressive Muslim thinkers established a group known as the Jaringan Islam Liberal (JIL, Liberal Islam Network) to promote Islamic liberalism. According to its founders, JIL was formed as a response to the growing radicalisation of Islam in contemporary Indonesia, as evidenced by the mushrooming of militant groups waging violent jihad.³⁶

JIL is only one among several other progressive Muslim groups that promote, or are accused of promoting, religious pluralism, liberalism and secularism. While JIL is known for advocating liberal Islam, Yayasan Paramadina, founded by the late Nurcholish Madjid, is generally associated with the dissemination of the idea of religious pluralism. As is well known, Madjid himself was widely acknowledged as one of the profound advocates of religious pluralism in Indonesia. In 2003, Paramadina published a collaborative book entitled *Fiqih lintas agama* (Interreligious fiqh), which sparked a wide-ranging debate in the country.³⁷ Some critics call it the 'Paramadina *madhhab*', implying that Paramadina had developed its own *madhhab*, and ignored the recognised *madhhabs* in Islamic jurisprudence. *Fiqih lintas agama* has been perhaps the most controversial book in the last few decades to the extent that MUI issued a *tawsiyya* against the book.³⁸ Certainly, the MUI fatwa against pluralism can be seen as a response to the emergence and growth of progressive Islam.

It is important to keep in mind that the idea of religious pluralism, liberalism and secularism is not typical of progressive Muslims in post-authoritarian Indonesia. The question of Islam's appropriate role in public life has been much discussed and debated since the country's independence in 1945. During the Suharto regime

35 For an overview of the growth of liberal Islam in Indonesia, see Komaruddin Hidayat, 'Contemporary liberal Islam in Indonesia, pluralism and the secular state', in *A portrait of contemporary Indonesian Islam*, ed. Chaider S. Bamualim (Jakarta: Pusat Bahasa dan Budaya Universitas Islam Negeri; Konard-Adenauer-Stiftung, 2005), pp. 53–65.

36 On JIL, see Clare Isobel Harvey, 'Muslim intellectualism in Indonesia: The Liberal Islam Network (JIL) controversy', *RIMA: Review of Indonesian and Malaysian Affairs*, 43, 2 (2009): 13–52; Muhamad Ali, 'The rise of the Liberal Islam Network (JIL) in contemporary Indonesia', *American Journal of Islamic Social Sciences*, 22, 1 (2005): 1–17.

37 See *Fiqih lintas agama: Membangun masyarakat inklusif-pluralis*, ed. Mun'im Sirry (Jakarta: Yayasan Wakaf Paramadina with the Asia Foundation, 2004). Some aspects of this book are discussed by R. Michael Feener, *Muslim legal thought in modern Indonesia* (Cambridge: Cambridge University Press, 2007), pp. 189–91.

38 Because of the controversy it engendered, the book was later translated into English under the title *Interfaith theology* (Jakarta: International Centre for Islam and Pluralism [ICIP], 2006).

(1966–98), at the height of the political repression of Islam during the 1970s and 1980s, a new pattern of thinking emerged in the *umma*, particularly among younger intellectuals, which would have a major impact on the nature of the articulation of Islam. Instead of advocating political Islam, some reform-minded Muslims developed and disseminated what was known later on as ‘liberal Islam’. Nurcholish Madjid, along with other Muslim reformers, introduced and discussed Islam within the context of liberalism, secularisation and rationalism, which shocked the general audience.³⁹ However, while the articulation of Islam under authoritarianism was mostly conducted by individual thinkers, in the post-Suharto era, this has been more or less a collective endeavour. Robert Hefner correctly observed that ‘Over the life of Soeharto’s New Order (1966–1998), this peculiar tactic of suppressing Muslim politics while encouraging Muslim piety offered more room for [individual] Muslims rather than other society-based organisations.’⁴⁰

In the post-Suharto era, progressive ideas have been institutionalised in the form of society-based organisations such as JIL or Paramadina, and carried out by their activists through a practical agenda. Unfortunately, the recent institutionalisation of progressive ideas in the hands of activists rather than academics or intellectuals results in a lack of critical reflection and scholarly engagement. At any rate, from the above analysis we can infer that the nature of regimes (authoritarian or otherwise) shapes the way Islam has been articulated and debated. The most clearly articulated criticism of the fatwa was by Dawam Rahardjo, a well-known Muslim scholar and one of the leaders of the Muhammadiyah, the largest modernist Muslim organisation in Indonesia. Two days after the fatwa was issued, Rahardjo wrote an op-ed in the daily *Koran Tempo*, accusing the fatwa of violating the freedom of thought, speech and belief, which is the fundamental right of every human being. ‘We might disagree with one view,’ Rahardjo says, ‘but we cannot prohibit a certain element of our society to ascribe to such a view, because that is a denial of freedom of thought.’⁴¹ He further argues that freedom of thought and expression is not only protected in the Indonesian Constitution, but also encouraged by the Prophet Muhammad, who had anticipated situations which were not covered by the Qur’an or the Sunna. In such a situation, Rahardjo argues, the Prophet encouraged the use of reason, commonly known as ‘*ijtihad*’.

Rahardjo also problematises MUI’s understanding of the term ‘pluralism’ and the distinction it made between ‘pluralism’ and ‘plurality’. For Rahardjo, the two terms are intimately related to each other, and the idea of pluralism is accepted and promoted because of the reality of Indonesia as a plural society. In such a society, no authorities (neither the state nor MUI) have the right to declare one religion as right and others wrong. In other words, all religions should be considered as right in the eyes of their adherents. According to Rahardjo, that is the basic principle of

39 For a discussion of Nurcholish Madjid’s ideas on secularisation, see Mun’im Sirry, ‘The idea of secularization in the minds of reformist Muslims: A case study of Nurcholish Madjid and Fouad Zakaria’, *Journal of Indonesian Islam*, 1, 2 (2007): 323–55.

40 Robert Hefner, *Civil Islam: Muslims and democratization in Indonesia* (Princeton: Princeton University Press, 2000), p. 59.

41 Dawam Rahardjo, ‘Kala MUI mengharamkan pluralisme’ [When MUI forbade pluralism], *Koran Tempo*, 1 Aug. 2005.

justice, equality and harmony among different religious communities, without which there would be no peaceful coexistence. In a similar vein, he argues that without pluralism 'religious freedom would vanish from the Indonesian soil'.⁴²

Perhaps because the meaning of the three key terms in the fatwa were severely contested, MUI later provided what it called a 'clarification about the fatwa on religious pluralism, liberalism, and secularism' (*Penjelasan tentang fatwa pluralisme, liberalisme, dan sekularisme agama*), which acknowledges its shortcomings. MUI asserts that the definition given to the three terms was not 'academic', but rather empirical in nature. However, the 'clarification' further argues that these three ideas came from the West and they were now spreading among certain segments of Indonesian society. It seems clear that, in MUI's view, these ideas were not only alien to, and a deviation from, the Islamic teachings, but also harming the Muslim faith.

The MUI fatwa did not only elicit intellectual debates in the mass media, but also in forums, including a public discussion held on 4 August 2005 and broadcast by Radio Berita 68h. This open debate was attended by both critics and defenders of the fatwa, such as Rahardjo and Ma'ruf Amin. The latter was the head of MUI's fatwa commission. Amin refused to call the fatwa 'controversial' because what was controversial was not the fatwa itself, but rather the responses to it. He asserted that because of widespread unrest in society, MUI had decided to issue the fatwa not through a normal process of deliberation by the fatwa commission, but through its national congress, which was attended by more than three hundred ulama representing various organisations, including NU and Muhammadiyah. With such a wide representation, Amin argues, MUI wanted to make sure that the fatwa was not controversial. He concludes, 'It is possible that those who rejected the fatwa misunderstood or did not understand it or followed a wrong understanding.'⁴³

Rahardjo challenged Amin's characterisation of MUI's opponents. For Rahardjo, it was MUI that misunderstood or did not understand what was meant by pluralism. The fatwa said that pluralism is a view that all religions are the same and consequently the truth of every religion is relative in nature. 'That is not what is meant by pluralism,' he argued. On the contrary, pluralism recognises religious differences and respects them. As for the question of relativism, Rahardjo defended the liberal Muslim stance by saying that there are two kinds of truth: absolute and relative. The former only belongs to God and nobody could claim to know the absolute truth, while human thinking is by its very nature relative in the sense that it would never reach an absolute truth.⁴⁴ Rahardjo also argued that the MUI's understanding of liberalism was fallacious:

The fatwa interprets liberalism as meaning that human reasoning takes precedence over the Qur'an and hadith. For me, that is not liberalism, but rationalism. There is rationalism in Islam such as Ibn Rushd who is known as a rationalist Muslim philosopher. Nevertheless, the MUI fatwa formulated a rationalism that is different from that of Ibn Rushd. In my view, liberalism is simply a doctrine that places a high value on the

42 Ibid.

43 Discussion transcript, Kantor Berita Radio 68H, 'Menyikapi perbedaan Pasca fatwa MUI' [Divergent attitudes post-MUI fatwa] 4 Aug. 2005.

44 Ibid.

individual, and as a consequence, it seeks to minimise the role of government. It's a pretty clear definition, so what is there to criticise? For me, MUI did not understand this — not just misunderstood it, but did not understand it.⁴⁵

One of Indonesia's leading Muslim scholars, Azyumardi Azra, rector of the State Islamic University in Jakarta, was also outspoken in his criticism of the fatwa. The problem with MUI's understanding of the three key terms, according to Azra, lay in the fact that the institution 'had been dominated by groups who take the Qur'an and hadith literally and without any rationale or logic'.⁴⁶ He strongly rejected the fatwa because 'MUI cannot ban Muslims from thinking. Pluralism, liberalism and secularism are not ideologies, but ways of thinking'.⁴⁷ Like Rahardjo, he asserted that the MUI fatwa was against freedom of expression and human rights in general. He also called into question the claim made by some MUI leaders that their institution represented various groups of Muslim communities. The increasing number of Muslims who were questioning and denouncing the fatwa, Azra further argued, was clear evidence that MUI did not represent all Muslims: 'With the growing controversy, many people are starting to question the necessity of an organisation such as MUI'.⁴⁸

Like the MUI fatwa on Christmas celebration, the fatwa on religious pluralism also drew Christian criticism. Catholic priest and professor of theology at Driyarkara School in Jakarta, Franz Magnis-Suseno SJ, calls 2005 'a bad year for pluralism in Indonesia'.⁴⁹ According to Magnis-Suseno, the MUI fatwa de facto turned the word 'pluralism' into an ugly word for traditional and hardline Muslims, thus indirectly legitimising the persecution of pluralist Muslims. He rightly admits that pluralism is not an unambiguous and uncontested term. Thus, the term must be freed from dogmatic postulations and viewed as a positive attitude towards social plurality:

We should apply the term 'pluralism' in the proper sense to the willingness and cultural capacity to view the existence of other religions, and the co-existence with people belonging to other denominations, as something positive, as a matter of course, as something that is no longer unsettling. Pluralism thus is positive tolerance, the ability to respect the diversity of religious and ideological opinions, and to grant them the same social, cultural, and political rights as one's own religion.⁵⁰

Magnis-Suseno also observes that Indonesia recently witnessed the emergence of a self-confident pluralist Islam which tries to demonstrate on a high intellectual level that pluralism, not exclusivism, is in accordance with the original teachings of Islam. He concludes that these pluralist Muslims 'do not simply adopt Western

45 Ibid.

46 See 'MUI's fatwa encourage use of violence', *Jakarta Post*, 1 Aug. 2005.

47 Ibid.

48 Ibid.

49 Franz Magnis-Suseno SJ, 'Pluralism under debate: Indonesian perspectives', in *Christianity in Indonesia*, ed. Susanne Schröter (Berlin: Lit Verlag, 2010), p. 347.

50 Ibid., p. 352.

ideas regarding democracy, human rights, and social justice, but reconsider these issues themselves theologically on the basis of Islam.⁵¹

Various reactions and criticisms of the fatwa did not only come from academic circles, but also from the leaders of other Muslim organisations and NGOs. Hasyim Muzadi, NU's general chairman, saw the fatwa as a backward step for Indonesia's inter-religious life.⁵² Another NU leader, Masdar F. Mas'udi, asked MUI to withdraw its fatwa on pluralism, liberalism and secularism, 'because it could escalate violence in the name of religion'.⁵³ Among NGO activists, M. Syafi'i Anwar is perhaps the most outspoken against the fatwa. His own organisation uses the term 'pluralism' in its name: International Center for Islam and Pluralism (ICIP). Along with other activists, Anwar established the Aliansi Masyarakat Madani untuk Kebebasan Beragama (Civil Society Alliance for Religious Freedom) which was intended primarily to counter the MUI fatwa: 'The MUI's edict was a form of religious authoritarianism and it was definitely against the Indonesian Constitution, an abuse of human rights as well as encouraging violence. Therefore, the alliance demanded the MUI to reconsider or revoke its edicts.'⁵⁴

Of course, those who defended the fatwa were not only from the so-called 'radical Muslim organisations' such as Majelis Mujahidin Indonesia (MMI, Council of Indonesian Mujahidin), Front Pembela Islam (FPI, Islamic Defenders Front) and the like, but also from academic circles, such as Sjeichul Hadi Permono, director of postgraduate studies at the State Islamic University in Surabaya. Permono asserts that MUI had done the right job, because it is the duty of the ulama to guide the people. 'There must be an institution that has the courage to say right is right and evil is evil. ... Otherwise, this country will be in chaos. Even the institution of police will diminish when they have no courage to arrest the criminals because no one could monopolise the truth [as liberal Muslims like to say].'⁵⁵ Permono emphasises that MUI represents the larger portion of the Muslim community, and therefore, 'if a small group of people are demanding that MUI revoke its fatwa, who are they representing?'⁵⁶

From this brief exploration we can see that the debate over the fatwa revolved around the question of competency, representation and claims over the salient majority. One may argue that the MUI fatwas have created a polemical atmosphere which could further increase hatred between dissenting parties. Certainly the above debates and controversies have usually been mined for evidence of the kind of worsening attitudes and hardening of stereotypes that made it impossible for the opponents and proponents of the fatwas to come to some sort of compromise. But

51 Ibid., p. 357.

52 See, 'Fatwa MUI memicu kontroversi' [MUI fatwa triggers controversy], *Kompas*, 30 July 2005.

53 See, 'Fatwa MUI Diminta Dicabut' [Demanding the retraction of the MUI fatwa], *NU Online*, 2 Aug. 2005, http://nu.or.id/page/id/dinamic_detil/1/3348/Warta/Fatwa_MUI_Diminta_Dicabut.html (last accessed on 13 May 2011).

54 M. Syafi'i Anwar, 'The clash of religio-political thought: The contest between radical-conservative Islam and progressive-liberal Islam in Post-Soeharto Indonesia', in *The future of secularism*, ed. T.N. Srinivasab (New Delhi: Oxford University Press, 2007), p. 239.

55 Sjeichul Hadi Permono, 'Sudah tugas MUI mengeluarkan fatwa' [It is MUI's duty to issue fatwas], 1 Aug. 2005, http://www.hidayatullah.com/search_hitcom.php (last accessed on 13 May 2011).

56 Ibid.

we should bear in mind that the MUI fatwas also made it possible for each party to define and clearly articulate their views and contest those of their opponents. They have had to study and understand their opponents' views carefully and propose compelling arguments against them. In addition, these discursive practices increased contact between the various parties.

At first sight, the polemics seem to have contributed to a breakdown of relations between groups. However, taken as a whole, polemical engagements need not be entirely destructive. On the contrary, increasing contacts and conversations can be intellectually productive. This is particularly evident among the younger generation, whose reactions to the fatwa have crystallised not merely in the mass media and talk shows, but more importantly in their efforts to reach out to a more educated audience through books. Two very different young authors, Budhy Munawar-Rachman and Adian Husaini, deserve to be mentioned here because their work is devoted to defending or critiquing pluralism, liberalism and secularism.

Munawar-Rachman had for a while worked closely with the late Nurcholish Madjid at Paramadina. Since the controversies over the MUI fatwa, Munawar-Rachman has published two volumes related to the contested issues, namely, *Reorientasi pembaruan Islam di Indonesia: Sekularisme, liberalisme dan pluralisme* (Re-orientation of Islamic renewal in Indonesia: Secularism, liberalism and pluralism, 2010) and *Membela kebebasan beragama: Percakapan tentang sekularisme, liberalisme and pluralisme* (In defense of freedom of religion: Conversations about secularism, liberalism and pluralism, 2010).⁵⁷ In both books, Munawar-Rachman examines a large number of progressive Muslim scholars and organisations and concludes on an optimistic note: 'The result of conversations with many progressive Muslim intellectuals reveals that there is no theological problem for the Muslim community to accept such modern democratic ideas as secularism, liberalism, and pluralism.'⁵⁸

At the other end of the spectrum, Husaini has written four books since 2005 on issues related to the fatwa, two of which were published just a few months after the controversy began, entitled *Pluralisme agama: Fatwa MUI yang tegas dan tidak kontroversial* (Religious pluralism: A straightforward and uncontroversial fatwa, 2005) and *Islam liberal, pluralisme agama dan diabolisme intelektual* (Liberal Islam, religious pluralism and intellectual diabolism, 2005). Both books are similar in many ways and very repetitive. Husaini considers the MUI fatwa as a 'hammer' which scared liberal Islam in Indonesia, however, he also warns his fellow defenders of the fatwa that much has to be done 'because the virus of liberal Islam has spread all over the life of the Islamic community, to social, cultural, political and economic aspects, as well as in the field of Islamic studies.'⁵⁹ Not only does he defend MUI's understanding of the key terms, but also call pluralism 'shirk' (idolatry, polytheism), 'because it mixes up the truth and evil'.⁶⁰ As is well known, *shirk* is described in the Qur'an as the greatest sin, one which God will never forgive (Q.4:48).

57 Both titles were published in 2010 by Lembaga Studi Agama dan Filsafat (LSAF) and Paramadina.

58 Munawar-Rachman, *Membela kebebasan*, p. xli.

59 Adian Husaini, *Islam liberal, pluralisme agama dan diabolisme intelektual* (Surabaya: Risalah Gusti, 2005), p. xiii.

60 *Ibid.*, p. 18.

I would argue that although both camps sometimes use harsh language in their writing, attacking one another in this 'war of words' is better than physical violence. There were reports that some radical groups threatened to attack JIL's office. Luthfi Assyaukanie, one of JIL's founders, related how a week after the fatwa was issued about two hundred members of FPI came to attack JIL's office, but were stopped by the police. Assyaukanie continued, 'After this failure, JIL's office received threats almost everyday. Provocative banners were hung everywhere near the office, urging people to ban and expel JIL.'⁶¹ Indeed, a number of activists and sympathisers of Aliansi Masyarakat Madani were physically threatened or attacked. Nevertheless, even given such heightened tension, the majority of Indonesian Muslims are expressing their disagreements in a peaceful manner, either in public forums, television talk shows, or through op-ed articles and books.

The two fatwas discussed above deal with different issues and respond to different phenomena, and their controversy indicates that public debate was alive both during the New Order regime and after its demise. The difference is that during the Suharto regime the debates over fatwa were dominated by the state, while in the post-Suharto era the state seems to have been absent in much of the public debates.⁶² It is evident that the controversy caused by the fatwa on Muslims participating in Christmas celebrations was successfully contained by the Suharto regime, although it touched on a very sensitive issue at a time of heightened suspicion between the Muslims and Christians. In post-authoritarian Indonesia, the public debates and controversies were dominated more by intellectual discussion than by state intervention. Certainly the post-Suharto weakening of state controls in nearly all areas of national life have made a more open and constructive exchange of ideas and views possible. The most creative period of Islamic intellectual history was after all when Muslim scholars engaged in open and constructive discussion and, more importantly, there were issues and problems to discuss and converse about.⁶³ Of course, there have been radical organisations that inclined toward the use of violence to implement these fatwas. Nevertheless, it is worth noting that several books and numerous newspaper articles have been published for and against the fatwa.

Conclusion

This paper seeks to establish at least three points. First, as an institution of ulama sponsored and financed by the government, the MUI's religious authority has been questioned from the beginning. But, the real cause of controversy over its fatwas has to do more with MUI's alignment and realignment with conservative Muslim groups than with its questionable religious authority. It is evident that some radical Muslim groups supported MUI and its fatwas simply because it helped promote

61 Luthfi Assyaukanie, 'Fatwa and violence in Indonesia', *Journal of Religion and Society*, 11 (2009): 15.

62 One may argue that although the post-New Order government did not intervene directly in the debate on the MUI fatwa on pluralism, liberalism and secularism, the policy and attitude of the Minister of Religious Affairs indicate that the government supports such a fatwa. In fact, the Minister's statement as reported by the mass media has been widely criticised by the opponents of the MUI fatwa.

63 Those familiar with the dialectic works of theology (*kalam*) or divergent views of Islamic legal discourses (*fiqh*) will notice that these works were written by scholars in conversation with and/or against one another. Often they used harsh language in assessing or critiquing each others' views.

their cause and aspirations. One may argue that this realignment and the confrontation MUI initiated against moderate Islam is a part of a struggle for the ultimate rule-making authority.

Second, the different responses to the MUI fatwas on Christmas celebration and on religious pluralism, liberalism and secularism reflect the prevailing political climate. Under Suharto when the fatwa on Christmas was issued, the state had restricted the public expression of Islam and the government seemed to dictate the course of public debate. The post-Suharto political climate changed significantly, allowing for a high degree of public participation. The intense public debate over the MUI fatwa on pluralism illustrates the complexities of competing voices in an open political climate. Third, the critical engagement between Muslim progressives and liberals, as well as between radicals and conservatives, serves to stabilise relations between groups by defining the position of each in relationship to the others. The controversy over the fatwa itself is inherently interesting since it marks one of the dividing lines which allowed each group to present their position vis-à-vis others in open contestation. This supports my contention that a polemical atmosphere can produce creative conversations between different, conflicting groups.

The last point deserves further elaboration and contextualisation. Some observers note that Indonesia has recently experienced the rise of radical Islam as exemplified by the emergence of various Islamist groups and political parties demanding that Islam be more visible in national affairs. John Olle gives several examples of radical Muslim attacks on religious minorities and accusations of 'heresy' which occurred soon after MUI issued its intolerant fatwas, which lead him to conclude that these fatwas and violent attacks signify 'the resurgence of authoritarian Islam' in contemporary Indonesia.⁶⁴ What Olle neglects to mention is that these fatwas also engendered unprecedented intellectual discussions and debates. Even so-called radical Muslims began to participate in public discussions and wrote books and op-ed articles to engage rigorously with their opponents. It does not matter how unsophisticated their arguments are, the fact that they showed their willingness to sit around a table expressing their disagreements and concerns in a civilised manner is worth applauding. Of course, the frequent physical attacks on religious minorities and other groups are setbacks for religious pluralism, but I do not think that they represent a deeper shift in the character of Indonesia Islam in general towards radicalism. There is a long-held near-consensus among specialists that the vast majority of Indonesian Muslims are steadily moderate in their religious outlook. Perhaps the concern of conservative Muslims such as Adian Husaini is correct: that the 'virus' of religious pluralism, liberalism and secularism has massively infected the Indonesian *umma*. Further research is also needed to assess the attitudes of grassroots Indonesian society to the MUI fatwas.

64 See Olle, 'The Majelis Ulama Indonesia versus "heresy"'. There are several reports about Ahmadiyah and other 'heretic sects' being attacked by radical Muslims, which Olle connects to the MUI fatwas.