



Inclusion Politics and Democracy Implication: The Relationship of Susilo Bambang Yudhoyono Government and Indonesia Ulama Council

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ABSTRACT

This study evaluated the weakness of Seymour Martin Lipset's claim that inclusion is essential for democratic legitimacy. It examined the relationship between the Susilo Bambang Yudhoyono (SBY) government and the Indonesian Ulema Council (MUI). This qualitative study relied on primary data from interviews with SBY and MUI elites, social philosophers, and democratic researchers. The secondary data was taken from document evaluations. The findings showed that, first, the change in MUI's culture to conservative-radical resulted from the meeting between conservative and radical figures from the Hizbut Tahrir Indonesia (HTI), Islamic Defenders Front (FPI), and the Indonesian Mujahidin Council (MMI). Second, the SBY government's collaboration with MUI was carried out through a) the accommodation for the conservative elite, Ma'ruf Amin, to become a member of the Presidential Advisory Council, b) providing several incentives for MUI, and c) changing radical MUI fatwa into the state law. However, these policies created a sense of injustice and a threat to human rights and religious freedom, specifically for minority groups.

Keywords: Inclusion, Legitimacy, Democracy, Civil Society, Fatwas

1. INTRODUCTION

After the election as president in 2004, Susilo Bambang Yudhoyono (SBY) attempted to incorporate the Indonesian Ulema Council (MUI) into his government. As an organ of Islamic civil society, MUI is a vital force based on democratic legitimacy. SBY's political stance was congruent with the contemporary political sociology theory, which believes democratic legitimacy is formed through negotiation and consensus between the state and civil society. For instance, Lipset claims that power needs to strengthen its legitimacy base through respect for civil society's social, political, economic, religious, and cultural aspirations (Lipset, 1959). This is because disregarding civilian power can lead to an attack and disruption of the country's legitimacy (Sen, 2001). However, the practice of the inclusion theory in Indonesia has weaknesses, as the negotiations and consensus performed by the SBY government and MUI have diminished the democratization process.

Previous studies showed the positive role of MUI as a guardian of Islamic principles despite socio-cultural changes (Ansori et al., 2021), as well as the challenges of liberalism and fundamentalism (Rasyid, 2012). MUI appears to mediate between Islam and the state, particularly in formulating national laws with Sharia references (Suhartono, 2018). Moch Nur Ichwan discussed this negative role by highlighting a change in MUI culture since the adjustment in the Pancasila precepts to Islam in 2000. This study found that the organization became orthodox (puritan) and more vocal in voicing Islamic aspirations in the state, market, and civil society since these precepts changed (Ichwan,

2013). The negative role of the MUI was also emphasized through the fatwa describing the Ahmadiyah as heretical (Ropi, 2010).

Meanwhile, Ahmad Suedy specifically discussed the relationship between the SBY administration and MUI. In a study titled "Religion as a Political Game: Increasing Intolerance in Indonesia," Suedy directed his attention to the political game in the 2004 and 2009 presidential elections. This study indicated that SBY, who lacked the support of pro-democracy activists because of his military background and minimal bureaucratic experience, built an alliance with MUI. As a "reward," SBY implemented a policy that converted the role of MUI to the mainstream. The impact of the MUI authorization is the persecution of Ahmadiyah and threats to the rights of other minorities (Suedy, 2014).

This present study examined the politics concerning the inclusion of MUI in the SBY government as an approach to power novel to previous regimes. This issue was investigated from the perspective of Lipset's inclusion theory, which claimed that the inclusivity of a system strengthens democracy. This theory was evaluated to determine its weaknesses in the relationship between the SBY government and MUI and provide a critical note and new perspective.

Within this framework, three formulated questions became the study focus. First, what is the SBY government's inclusion policy regarding the MUI? *Second*, why did the policy bring disaster to democracy in Indonesia? *Third*, what are the implications of this inclusive politics for consolidating the country's democracy? This study assumed that the political collaboration between the SBY government and MUI was problematic. The reason was that the puritan-orthodox voices of this religious organization failed to represent the moderate, tolerant, and democratic existence of mainstream Islam. Inclusion policies, such as accommodating MUI conservative elites, providing various incentives, and ratifying MUI fatwas as a product of state law, create a sense of injustice and threaten the rights of other civil groups, specifically minorities.

This study contributes to the theory of political sociology. Although inclusion is necessary, it should be applied strictly and carefully in a modern democratic society, which also has features of pluralism and multiculturalism. The state needs to firmly reject the aspirations of civil servants who are lawless and intolerant of minorities.

2. THEORETICAL REVIEW

Lipset proposed the idea of democracy as an open political system and placed civil society as an important social basis. Democracy presupposes citizen participation to influence political policy. Democratic legitimacy is formed through state respect for civic aspirations and strengthened by increased inclusivity. Citizens' aspirations are negotiated and the state expresses consensus by formulating effective policies that address their interests (Lipset 1983).

Meanwhile, civil compliance occurs when state policies and power programs are believed to be the best options to address the public interest. Lipset described the relationship between effective policy, civil compliance, and democratic legitimacy, as seen in the following framework:

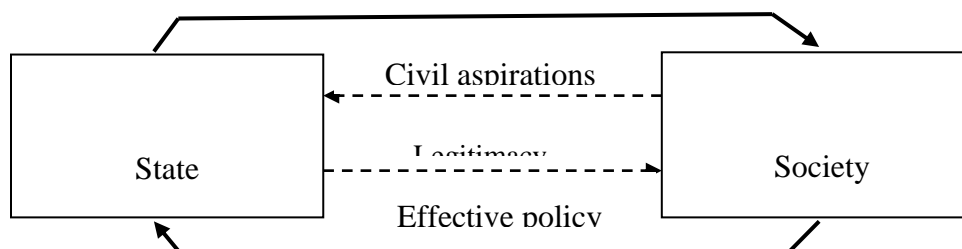


Figure 1. Lipset's Democratic Legitimacy Theory Framework

The main link between the state and society is an effective policy that involves the roles of all elements, namely the police, army, law, central bank, and cabinet. Legitimacy presupposes that the existing political institutions (the rule) are congruent with the social, moral, and religious values accepted and recognized by the community (the ruled). The crisis of legitimacy is caused by a disruption of the trust in power due to the lack of openness to the aspirations of the citizens. According to Lipset, a legitimate system must be open to the public's social, political, economic, and cultural views. The people obey the prevailing system because of shared fundamental values (Parsons, 1953), and without this agreement, society will malfunction, and chaos will arise. This means legitimacy can only be built by convincing citizens that the applied system is fair and deserves to be obeyed.

However, Lipset's inclusion theory is weak because it fails to consider civic culture, the basis of democracy everywhere. Almond and Verba argued that certain civic cultures play an important role in strengthening democracy, though such traditions may be difficult to implement in non-Western countries (Almond & Verba, 1963; Putnam, 1993). According to cultural theory, British culture and its branches are compatible with democracy. From a religious perspective, Protestants are believed to be more in tune with democracy than Catholics, Orthodoxy, and other branches of Christianity, alongside Islam and Confucianism, which are more likely to be hostile (Waterbury 199).

One of the most successful practices of political inclusion in Islam occurred in Turkey during the reign of Recep Tayyip Erdogan. Better known as populist politics (Yilmaz, 2021), Erdogan spread the narratives of this practice and formed coalitions with various groups. These include liberals and democrats, Muslims and non-Muslims, ethnic minorities, and civil society organizations marginalized during the Kemalism era, developing into conservatives, Islamists, and ultra-nationalists. Erdogan's populism consolidated democracy by improving Turkey's socio-political order through the moderating effect of the most revolutionary Islamic political parties, such as Jama'at-Islami and the Wasat Party. It also achieved a shift in support of Islamic citizens from the conservative National Salvation Party led by Necmetin Erbakan to the Justice and Development Party (Gurses, 2015).

3. METHODOLOGY

The objects of this study were the SBY government and the MUI institution, which were selected because they depict an inclusive relationship new to Indonesia. The first step of the selection involved examining the character of the SBY government and the MUI institutional culture through secondary data comprising journals, study reports, and media news. Some peculiarities of the SBY government were observed: an open government, soft power, and a zero-enemy principle. Conversely, a fundamental change was noted in MUI, which was the tendency to produce conservative-orthodox fatwas and ignore the rights of minorities in the Reformation era.

This study began by examining the formation and role of actors behind SBY's power and the organizational development and function of MUI structural members. The next step was reviewing the policies of the two institutions, then examining the reasons, forms, and impact of the inclusion strategy on democracy.

A qualitative design was utilized, with in-depth interviews as the primary data collection technique. The informants were selected through purposive sampling. The critical actors involved in formulating the SBY government and the MUI policies were investigated before this study commenced. Several experts also contributed based on their scientific background by proffering views on the SBY and MUI governments and their relationship. After ascertaining the key actors and

competence of the experts, initial communication was conducted to ensure the informants' willingness to be interviewed and to determine the time and venue.

SBY's informant was DG, a doctor of sociology, while MUI informants included MA, DS, MA, and AR, critical officials during the SBY administration. In addition, several national figures were interviewed, including SH, MAM, FMS, senior researchers, AS and Islamic intellectuals, and UAA. The limitation of this study was the absence of informants from the Islamic Defenders Front (FPI), Hizbut Tahrir Indonesia (HTI), and the Indonesian Mujahidin Council (MMI), preventing the attainment of information regarding their motivations and goals for MUI and the state.

Subsequently, the data were analyzed using Interpretative Phenomenological Analysis (IPA) software. This technique was selected because it allows the allocation of meaning to each actor's role in the inclusive relationship between the SBY government and MUI. The IPA analysis involved the following stages, *first*, carefully reading every word of the interview (read and reread). *Second*, noting the critical information related to the study theme conveyed by the resource persons in the interview (initial notes). *Third*, grouping the same data and making short phrases thematically (developing emerging themes). *Fourth*, connecting the themes and removing nonconforming aspects (searching for connections across emergent themes). *Fifth*, analyzing the themes and proceeding to the next until finished (moving to the subsequent cases). *Sixth*, examining emerging patterns and distinguishing repetitions from new patterns (looking for patterns across cases). *Seventh*, formulating a complete and in-depth interpretation of the data and the pattern of relationships according to the study context (taking interpretations to deeper levels) [(Smith et al., 2009)].

4. RESULT

4.1 The SBY Government's Character

The SBY government began in 2004, five years after the Reform movement demanded fundamental improvements in democracy. The socio-political situation in Indonesia during his regime was marked by the rise of religious identity politics, which experienced marginalization and repression during the New Order. SBY was a nationalist who attempted to implement an open government through the unification of all forces, including radical Islamic groups. Compared to his predecessors, he faced Islamic radicalism as a crime as well as an important civil society aspiration (Jones, 2013). SBY applied flexibility in "managing" Islam because he believed stability developed from political flexibility, particularly from the leader's commitment to act as a consensus builder (Basuki 2015).

The characteristics of open government and personal spirit to function as consensus builders by holding the zero-enemy principle highlighted the soft power approach of the SBY government in dealing with radicalism. This model was a different approach from hard power policies, such as the formation of the Anti-Terror Detachment in Megawati's era. Embracing civilian power, including radical mass organizations under the MUI umbrella, was one of SBY's efforts as a consensus builder. MUI desired the SBY government to be inclusive and accommodating to its concept. Moreover MUI is committed to inviting Muslims to support the Unitary State of Indonesia based on Pancasila (Hariadi 2019).

Amidst the efforts to revise the system through fundamentalists and radicals, SBY supported the continuation of democratic principles. At the beginning of his administration, the former ruler held a national symposium on the restoration of Pancasila on May 31, 2005, at the University of Indonesia (UI) Depok campus. Another effort was delivering a speech on the magic of Pancasila on June 1, 2006, at the Plenary Hall, Jakarta Convention Center, in front of 300 guests consisting of cabinet

officials, high state institutions, and members of parliament, TNI, and Polri, ambassadors from friendly countries, family members, national heroes, political party leaders, and student representatives. All leaders of political parties and factions were present at the forum except for Indonesian Democratic Party of Struggle (PDIP) leaders and faction politicians due to the ongoing feud between Megawati and SBY after the 2004 presidential election.

The speech about the power of Pancasila was deliberately held on UI to repeat the situation in 1953 when Sukarno emphasized the strength of Pancasila through a speech at the campus. SBY's speech was performed to promote the consolidation of democracy by embracing all parties. The speeches at the campus and the symposium were an attempt to end arguments about Pancasila as well as a signal that SBY wanted to embrace all aspirations, including those of radical Islamic groups, for democracy to continue (D. Gunawan, personal communication, February 24, 2016 in Jakarta).

SBY's interest was "managing" Islam, including conservative and radical groups. This was emphasized in his first speech in June 2006 about the importance of building consensus because no one can monopolize the truth. A pluralist figure, viewed SBY as open and accommodating to Islam as the majority religion without intending to strengthen Indonesian Islam:

"Every government should accommodate the majority religion. SBY had strong support in the Legislative Assembly and politics, which possibly motivated his desire to appear as a Pancasilaist and a person who is well accepted by Islam. However, SBY was neither an Islamist nor a conservative" (F.M Suseno, personal communication, March 14, 2016 in Jakarta).

The former president's efforts to practice an open democratic system by "managing" Islam as the majority religion are evident in the mottos of the Democratic Party he founded, namely religious nationalism, humanism, and pluralism. This platform reflects the character of inclusive politics. This political vision describes SBY's steps in combining political power and the majority religion, Islam. The strategy of his administration was to prioritize negotiation and consensus as important principles of modern democracy (D. Gunawan, personal communication, February 24, 2016 in Jakarta).

4.2 MUI's Radical and Conservative Culture

Since the revision of the precepts from Pancasila to Islam in 2000, MUI has become increasingly open to accepting figures and mass organizations that defend the religion's interests, including conservative-radical groups. The three most influential are FPI, HTI, and MMI (Ichwan 2013). The General Chairperson of the MUI from 2001-2005, Dien Syamsuddin, gave reasons for accommodating these mass organizations. According to him, as a big tent of Islamic elements consisting of 70 mass organizations and in line with the mottos of *Khadimul Ummah* and *Al-Khaimat al-Kubro*, MUI seeks to embrace all even when in disagreement (Ameera 2019). Another MUI official described the accommodation as necessary to protect the people from heretical and deviant sects (Admin 2017).

Meanwhile, the accusations that MUI deliberately accepted radical figures and mass organizations to strengthen pressure on the state were rejected. The accommodation was not aimed at moderating and straightening views that conflicted with Islamic teachings. These mass organizations insisted on joining for a long time, but MUI only became lenient in 2005. It embraces these groups in the context of moderation and provides direction for all mass organizations to practice Islam (A. Ridho, personal communication, April 19, 2016 in Jakarta).

A senior researcher of religion and democracy in The Wahid Institute, stated that moderate voices within MUI lost against a loud minority. Although the initial goal of MUI to accommodate the group was probably to become moderate, the actual occurrence was radical. I believe most people are

moderates but lose because the struggle of the radical struggle is intense (A. Suedy, personal communication, June 8, 2016 in Jakarta).

The entry of these figures and mass organizations marked the meeting of conservative and radical currents as well as the beginning of changes in the MUI culture. Conservative schools were represented by figures who were interested in maintaining the purity of Islamic teachings. They were not ideological individuals but old scholars, who were fluent in thrusting Islamic issues in the political sphere. The most influential scholars of this current were Ma'ruf Amin, Din Syamsuddin, Yunahar Ilyas, and Amidhan Shabera.

Generally, radicals have a linear view, reject democracy, and aspire to revise the system. Since 2000, figures such as Husein Umar, Adian Hussaini, Muhammad Al Khathtath, Ahmad Cholil Ridwan, Islamil Yusanto, and Amin Djamaluddin have occupied key positions and exerted significant influence within the MUI structure. These figures were accommodated in line with the MUI's policy of removing liberal progressive figures. The transformation was also marked by the inclusion of FPI, HTI, and MMI organizations into the MUI. As stated by the Wahid Institute researcher, recordings of radical figures and mass organizations influenced the MUI culture. Although small in number, they were regarded as militants with loud voices, which defeated MUI's moderate views. They were very influential in the formulation of fatwas with radical content (A. Suedy, personal communication, June 8, 2016 in Jakarta).

Conservatives and radicals were similarly interested in obtaining support from the silent majority, which is generally moderate. This constellation has a dialectic with a tolerant variant of Islam, characterized by moderate, active, and progressive liberals. The expansion of the power of conservative and radical groups was highly dependent on the content of aspirations. In ideological aspirations, conservatives opposed radical fundamentalists and joined the silent majority, active moderates, and liberal progressives. Conversely, these two groups formed a coalition to win the support of the silent majority when the aspiration was to strengthen Islamic values.

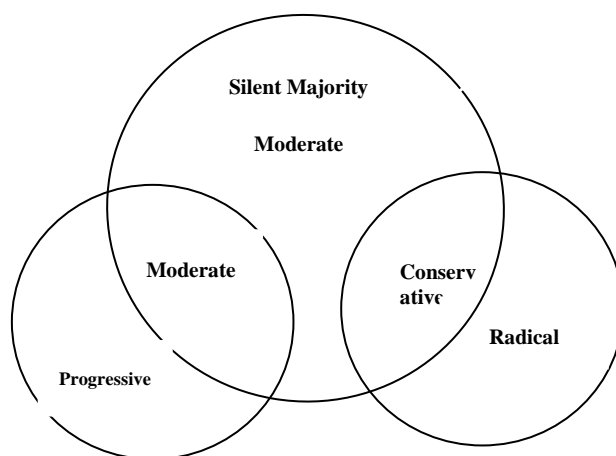


Figure 2. MUI Contestation and Constellation Map

(A. Suedy, personal communication, June 8, 2016 in Jakarta).

In reference to the map of contestation, MUI has experienced various socio-political clashes while fighting for Islamic values and principles. Purification efforts were resisted by Islamic groups, particularly in progressive circles, such as JIL (Liberal Islamic Network). The Fatwa of Haram Secularism, Pluralism, and Liberalism issued by MUI was intended to attack JIL:

"Yes, JIL is being attacked through the fatwa. This is a response to the group's popularity, particularly in 2005, when it had a strong echo in the media world. Numerous ideas were

generated through mass media, which caused a strong reaction from some Muslims. Therefore, MUI responded by issuing an anti-liberal fatwa" (U. A. Abdala, personal communication, April 14, 2016 in Jakarta).

4.3 The SBY Government Inclusion Policy against MUI

In 2005, SBY spoke at the MUI National Conference. One of the main points of this speech was to make the MUI fatwa the basis for formulating state policies in the religious field:

"We want MUI to play a central role regarding Islamic faith to delineate the territory of the state government and highlight the fatwas from MUI and the Ulama that should be adhered to" (Suedy 2014).

The researcher of The Wahid Institute argued that mainstreaming MUI is inseparable from retribution for political support in the 2004 and 2009 presidential elections. During these elections, SBY needed MUI as a political power base, considering his candidacy for the presidency was resisted by the pro-democracy movement. Meanwhile, the elite from SBY's circle denied the allegation by stating some basic reasons for the accommodation of MUI. First, the former president was unwilling to perform in a government with a secular character. Therefore, embracing the MUI was a tactic to "manage Islam" according to the Democratic Party platform, Religious Nationalism. Second, the government at that time avoided the impact between the state and Islam and erased the impression of a state that had crystallized since the New Order. Third, SBY's attitude was part of the moderation strategy, as the government's appreciation and recognition of MUI made radical groups feel accepted by the state (D. Gunawan, personal communication, February 24, 2016 in Jakarta). An important MUI official, confirmed the reason SBY strengthened the role of MUI. As someone with a long history in the military world, SBY had experienced the life of a fresh country without a strong religious touch. As a result, he embraced MUI until the end of his rule (A. Ridho, personal communication, April 19, 2016 in Jakarta).

During his 10-year reign, SBY expressed his respect for the aspirations of MUI by practicing inclusive politics through the accommodation of elites, provision of incentives, and conversion of the organization's fatwa into state legislation.

4.3.1 MUI Elite Accommodation

SBY appointed Ma'ruf Amin, an influential cleric and an important figure at MUI as a member of the Presidential Advisory Council (Wantimpres) in 2007 and 2010 during his reign. Ma'ruf Amin's job was to handle inter-religious relations. According to AS, this caused a debate because Ma'ruf Amin was involved in remuneration politics and had faced resistance, given his conservative views in formulating fatwas. By examining his views on the NU forum, this informant highlighted some proofs of his conservative character. Some of his opinions received little sympathy in the NU forum, which was generally attended by moderate clerics (A. Suedy, personal communication, June 8, 2016 in Jakarta).

In addition, a JIL figure, mentioned that several conservative fatwas, such as fatwa Gafatar (Fajar Nusantara Movement), were published when Ma'ruf Amin held the position as Roys AM PBNU. Fatwa Gafatar led to the expulsion of this group from Central Kalimantan, the destruction of their village, and the mandatory return to their respective villages. Ma'ruf Amin also proposed the implementation of halal labels for shoes and clothes and advocated the existence of laws to discriminate against LGBT people (U. A. Abdala, personal communication, April 14, 2016 in Jakarta).

Dismissing the transactional political rumors about the appointment of Ma'ruf Amin as a Wantimpres staff, another important MUI official, stated that his selection was due to his accommodation of various parties, including the government, rather than being co-opted by SBY. Ma'ruf Amin is accommodating to everyone, including the government. Some scholars also avoid entering the government system for fear of being co-opted (M. Amir, personal communication, April 16, 2016 in Jakarta).

SBY as president, desired to manage Islam better by formulating a role of consideration for the interests of the religion, while Ma'ruf Amin's interests brought fire into Islam. In this case, Ma'ruf Amin was the right choice:

"Ma'ruf has a principle, where his entry ensured the consideration of Muslims and the president's decisions were for their benefit. This is amazing, as SBY appointed an ulema to become a member of the Wantimpres and better manage Islam, unlike previous administrations" (M. Amir, personal communication, April 16, 2016).

4.3.2 State Incentives for MUI

MUI has a building only in the SBY government. Since its establishment on July 26, 1975, the organization has had an office at the Istiqlal Mosque across the Monas area. Following an allocation of 8.9 billion rupiahs in APBN funds, the SBY government established a magnificent building located on Jalan Proklamasi, Menteng, and Central Jakarta. On July 24, 2008, the building was inaugurated in the presence of several SBY cabinet mantels.

Besides the allocation for office construction, MUI received 3 billion rupiahs of APBN funds annually. Through the Minister of Religion Surya Dharma Ali, the Social Assistance Post for MUI was promised to raise 5 billion rupiahs per year for the SBY government. These were meaningful steps because, since 2002, the Megawati government stopped the flow of 25 billion of APBN funds that were promised by President Gus Dur and only disbursed 5 billion in the first period before Gus Dur was ousted (Ichwan 2013).

MUI received numerous funds during the SBY era through cooperation with the state. These incentives were provided through regulations that impacted profits. The socialization of each MUI fatwa that supported government programs was budgeted at 20 to 30 million rupiahs in APBN funds. The issuance of the Banking Law also strengthened the role of DSN in banks with a "sharia window" that benefited MUI officials and institutions (A. Suedy, personal communication, June 8, 2016 in Jakarta).

Furthermore, SBY's financial support continued until the end of his tenure. On October 17, 2014, three days before his term of office ended, the ruler issued Presidential Regulation No. 162 which concerns the allocation of the State Budget for MUI through the relevant ministry, particularly the Ministry of Religion (A. Ridho, personal communication, April 19, 2016 in Jakarta).

4.3.3 Formalization of MUI Fatwas in Legal Products

First, the fatwa on the deviance of Ahmadiyah issued in 2005, which resulted in the extraordinary persecution of the group. Ma'ruf Amin, the MUI administrator who played an important role in issuing this fatwa, appealed to the residents to refrain from identifying as Muslims or mentioning mosques. He also refused Ahmadiyah members from practicing the pillars of Islam as punishment for "slandering Islam" (Widhana 2018).

However, The Wahid Institute researcher asserted that this fatwa was rejected by various groups, and efforts were made within Islam to protect the Ahmadiyah. Outside the MUI, the antithesis

movement stated that Ahmadiyah is not heretical and demanded the state to protect the minority rights (A. Suedy, personal communication, June 8, 2016 in Jakarta).

In response to this controversy, the SBY government listened to the aspirations of MUI. The Joint Decrees (SKB) of the three ministers stated that the MUI fatwa was intended to stop Ahmadiyah from spreading teachings that were contrary to Islam. An observer of the deviant fatwa, as well as a formulator member of the Three-Ministerial SKB Bill, explained the differences in the authority of MUI and the state. However, this figure attested that the core attitudes of institutions were the same, thereby preventing the accommodation of Ahmadiyah:

"Although MUI states that the provision of a prophet is not supported in Islam, the government did not make a similar proclamation. Law. PNPS No. 1/1965 concerning blasphemy was referred to and though considered unproblematic, campaigning to Muslims in that way may cause unrest" (M. A. Mudzhar, personal communication, March 14, 2016 in Jakarta).

An important official of the Director General of Kesbangpol at the Ministry of Home Affairs during the SBY government, alongside the fatwa observer, formulated the draft SKB for the Three Ministers. He stated that PNPS Law no. 1/1965 recognizes the beliefs of every citizen but also limits or prohibits campaigns of beliefs that cause unrest. This was the reason MUI and its mass organizations urged the disbandment of Ahmadiyah. However, religious organizations or declaring certain groups Muslim or non-Muslim is not the domain of the state but the authority of the government to act in case of a disturbance in the social order (S. Hardjosukarto, personal communication, March 1, 2016 in Jakarta).

The Three-Ministerial SKB bill drew criticism because it failed to explicitly accept the demands of the pro-fatwa group or counter-fatwa faction. Instead, the government selected the "middle ground" in a democratic practice that seemed to let residents strive to win negotiations and consensus.

Second, fatwas on pornography and porno-action. The draft of the Anti-pornography and Pornoaction Law (RUU) prepared by Commission V of DPR for the 1999-2004 period was considered meddling by the public, leading to a wave of protests. The RUU-App, which later changed its name to the Draft Law on Pornography (RUU), was also controversial because several points constituted an anti-pornography and pornography fatwa issued by the MUI in 2001. Through Presidential Letter No. 54 September 20, 2007, SBY supported the birth of this legal product, which was finally issued as Law No. 44 of 2008 under the name of the Pornography Law.

Rejecting the accusation that SBY allowed state policy products to be infiltrated by the MUI agenda, the SBY elite stated that the attitude and support of the president was not a result of the Islamic values championed by the MUI but due to his personal ethics. SBY upholds values, norms, and ethics, meaning he would naturally agree to an anti-pornography fatwa. The agreement is very normative, as he approved the fatwa because he has high values, norms, and ethics, and not his religion (D. Gunawan, personal communication, February 24, 2016 in Jakarta).

Third, the Sharia Economic Fatwa, comprising support for several types of Islamic financial transactions. The SBY government issued Law Number 19 concerning State Sharia Securities (SBSN) or Sharia Bonds/Sukuk in 2008 and Law Number 21 of 2009 concerning Sharia Banking a year later. Taxation Law No. 42, which regulates text neutrality for Islamic financial transactions, was also announced in the same year.

The fatwa observer noted the important role of MUI behind the presence of legal products governing the Islamic economy. He considered the MUI's function a positive help in creating sharia economic material law formulas:

"Do not forget there was no material law when the Sharia Banking Law was created, and the authority was given to the Religious Courts. In 1998, the Supreme Court compiled the Sharia economic law, where most of the contents of the MUI fatwa were because the organization had been involved since 1990. Therefore, MUI filled the void by making a fatwa on the Sharia Economic Transaction Agreement" (M. A. Mudzhar, personal communication, March 14, 2016 in Jakarta).

The sharia economic policy of the SBY era was a way of siding with the economy as mandated by the constitution. This was a means of supporting the economy of Muslims who were marginalized by capitalist businesses (Suraya 2016). However, the sharia economic system is not without its critics. AS criticized the capitalization of Islamic values. Sharia economy is a form of objectification of Islamic values. The reality in the market is the principle of capitalism wrapped in Islamic clothing (A. Suedy, personal communication, June 8, 2016 in Jakarta).

Meanwhile, there were three reasons for SBY's support for the sharia market, specifically as a secular modernist. First, he refused to reject the law that regulates the reality accepted and practiced by Muslims. Second, the decline in national economic conditions was supported by the sharia economy. Third, the MUI has a special interest in the role of its staff as officials of the National Sharia Council (D. Gunawan, personal communication, February 24, 2016 in Jakarta).

5. DISCUSSION

5.1 Lipset's Inclusion Theory and Its Limitations

The limitations of Lipset's theory are obvious while observing the dynamics of democracy in Indonesia. First, the idea of democratic consolidation was born from the context of post-industrial radicalism in Europe and Latin America, which are countries with homogeneous Judeo-Christian religious traditions. Radicalism, from Lipset's viewpoint, was triggered by political economic motives, where democracy without justice for all promoted marginalized economic classes to drive revolution and threaten power. The argument that legitimacy was more important than effectiveness inspired the urging of the authorities to strengthen legitimacy by paying attention to basic education and prosperity rights.

Lipset focus on economic principles cannot be used to explain the Indonesian phenomenon. This is because radicalism in the country has a completely different root, namely Islamic political identity. The long history of social exclusion and depoliticization, in which Islam as the majority experienced marginalization, triggered a critical change in the relationship with the state. Therefore, political Islam in the reform era strived to rise again and assert its position socially and politically.

Second, the inclusion theory as a measure of democracy should be accepted as a principle with limited categories. This is because heterogeneity factors were not considered, particularly religious pluralism, where the inclusion of a majority religious group can trigger inequality. The inclusivity of a system enhances its conformity to the will of the citizens and increases its legitimacy, democratism, and stability. However, Lipset failed to realize that the entry of a majority or small group with strong political, economic, and media access in plural and heterogeneous society can threaten the rights of minorities.

Third, pluralist inclusion. In a democratic society, power should accommodate the aspirations and interests of all citizens. Tocqueville, who studied American democracy, observed the importance of a system with a pluralist character. Groups with different aspirations should be given the same space and opportunity in determining public policies (Tocqueville 2005). In his literature, *Making Democracy Works*, Robert Putnam traced Tocqueville's footsteps to analyze Italian democracy. The conclusion was the same, affirming that democracy can work in a society with strong citizen

participation (Putnam et.al. 1994). Meanwhile, civil inclusion with a positive effect on democratic legitimacy is also developing in Japan (Kingston 2004), Malaysia (Weiss 2009), and Korea (Amstrong 2007).

5.2 Bad Civilian Groups and Threats to Democracy

Democracy often clashes with civic culture. Although Lipset's statement is true that democracy requires the state to accommodate the aspirations of citizens to avoid interfering with legitimacy, the criticism is that the inclusion of the interests of certain groups should not suppress the rights of others. The legitimacy of democracy will be stronger when it succeeds in creating justice for all. Robert Dahl initiated democracy as a place of negotiation and consensus and observed its threats. Under certain conditions, democracy cannot be expected to produce the right decisions, meaning the most inclusive systems may also be in danger. Although the system may continue to run, it will move towards a critical point, where democracy betrays the ideals of a post-traditional civilized state that proposes three important points, namely social justice, human rights, and freedom of religion.

The entry of MUI, which accommodates bad mass organizations, such as FPI, HTI, and MMI, is a serious threat to democracy in Indonesia. Experts of social movements, specifically the New Social Movement, consider bad groups as an organ of civil society that disobeys the law (uncivil) and impose its will, thereby damaging democracy (Hadiwinata 2005). Examples of bad civil groups are extremists, militia, thugs, and mafia (Schmitter 2005), whose inclusion without tight control can lead to a "muscle rule" character, where all forces competing with muscles win negotiations and consensus. This means democracy, which places justice as a shared morality, has changed its face into a monster standing on the stage of history and defending the majority while betraying the minority.

Although the MUI's demands against the Ahmadiyah group were moderated by the state through deliberation, the rights of other citizens were hampered. This was recorded in the history of SBY's practice of democracy, and a similar problem occurred with the pornography issue. Despite the provision of legal products by the "middle ground" politics that were more lenient than the MUI demands, the inability of the SBY regime to take a firm stand amidst the divisive issues led to disappointment in the democracy. The citizens were left to fight for power before the state legalized the winner.

5.3 Policy Recommendations

This study offered three recommendations. First, the revision of the Three Ministerial Decree No. 3 of 2008 containing seven statements. This decree is important, providing it prevents blasphemy, as stated in the first point, namely:

"To warn and instruct members of the public not to tell, recommend, or seek general support for interpreting a religion adhered to in Indonesia or performing activities that resemble the activities of religions in other countries that deviate from the basic teachings of that religion"(Indonesia. 2008).

However, the second to seventh points, which prohibit religious practices and regulate public attitudes towards JAI, should be removed because the group is not a blasphemous practice against Islam. JAI was created from reflection and the theological interpretation of Islam by a group of Muslims. Therefore, Islam, not the state, has the internal authority to assess its religious practices.

Second, redefining and repositioning MUI as a quasi-state. As an institution formed and financed by the state, MUI should have been positioned as a mediator between Islam and the state. However, the organization has been politicized by the authorities and its officials, leading to its exploitation as

a political tool that can be co-opted or even clashed with by the state. MUI has functioned as an opponent of the state rather than a mediator. Since MUI made Islam the basis of Pancasila, the state as the highest authority should promote the institution to return to this basic philosophy and its role in democratic mediation.

Third, the inclusion of bad civilian groups failed to have a moderating effect but instead promoted the destruction of democracy (Hadiwinata 2005). Therefore, the state should become strong and control civil movements by relying on Islamic civil society groups that are committed to democratic consolidation. It should listen to the voices of the two mainstream mass organizations, namely NU and Muhammadiyah, and firmly ensure the disbandment of radical organizations, such as FPI, HTI, and MMI.

6. CONCLUSION

This study focused on the relationship between the SBY government and MUI to discover inclusive political practices in the accommodation of the MUI conservative elite into the government structure. This accommodation ensured the provision of incentives from the APBN allocation and the ratification of the MUI fatwa as a product of state law. However, the MUI's aspiration to become an umbrella for bad civil organs, namely FPI, HTI, and MMI, has a bad impact on democracy because it ignores the sense of justice, freedom, and minority rights.

Although inclusive politics is believed to strengthen the legitimacy of democracy, the practice in Indonesia has shown a weakening tendency. Therefore, redefining and repositioning the role of MUI as a negotiator of Islam and the state and strengthening the role of cultural Islamic organs, specifically NU and Muhammadiyah, are important in consolidating democracy.

Future studies related to this theme can be conducted with a mixed method design through interviews with informants as well as surveys. This will ensure the acquisition of information to explain the inclusion politics of the SBY government and MUI and their implications for democracy.

CONFLICT OF INTEREST

The research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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