Hizbut Tahrir Indonesia's View toward Democracy and Nation State and Its Implication in Indonesian Democracy

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Abstract: This essay examines the emergence of HizbuutTahrirIndonesia (HTI) in the public sphere as an openly fundamentalist movement in the democratic era. HTI existed in Indonesia since the early 1980s. Its early presence was as a clandestine organization, because of the repressive state, but after 2000 it transformed itself into as an open Islamist movement. The fall of Suharto and subsequent democratic transition eradicated political restrictions, providing oxygen for HTI to publicise its religious beliefs and political program. This essay focuses on HTI's view on democracy and nation state notion. It demonstrates that conceptually HTI is not in line with democracy concept and practically it refuses to participate in electoral politics. This writing argues that the presence of HTI with its stance antidemocracy may hamper the process of consolidating democracy in Indonesia.

Key Words: *HizbuutTahrir* Indonesia, democracy, consolidating democracy, and nation-state

Introduction

After the downfall of Suharto's regime in 1998, the debate of relation between politics and Islam¹ revived. The

¹Compare with the debate over Islamic State, there have been three categories, firstly, it is pro-syari'ah group who force to implement syari'ah by establishing Islamic state. The second is moderate Muslim who refuses to apply the syari'ah and the last is an assortment of secular nationalists. See A. E. Hara, Pancasila and The PERDA SYARI'AH Debates in the post-suharto Era: Toward a new Political Consensus', in O.Atsushi, et., al., (ed), Islam in

debate created generally three prototypes of thoughts related to this cause. The first is a group or a paradigm which declares that politics and Islam are two separate and distinct aspects. The second is a group that is completely different from the former, they said that both islam and politics are united, both cannot be separated each other. The last is a party trying to exist in middle position by arguing that Islam and politics is not fully different and also not wholly compatible.²

In this paper, I will focus in the second prototypes by delivering a case study of *HizbuutTahrir* Indonesia (abbreviated HTI). HTI (the Islamic liberation party) is a trans-national fundamentalism Islamic movement which claims that Islam is a comprehensive religion covering all aspects in human lives, so between Islam and state (politics) should comprehend and implement simultaneously. It is therefore not surprised that HTI force the revival of caliphate (Islamic state) throughout Muslim world.

This paper begins with a general overview of the polarization of discursive relation between state and Islam in Indonesian context. It then addresses HTI's view on democracy and nation state and eventually seeks to examine implications of in Indonesia and it may weaken the sense of nationalism of Indonesia people.

Politics and Islam: an Unfinished Discussion

Relation between politics and Islam will become an ongoing debatable in terms of academic and praxis level. This is because Islam cannot be interpreted by only one way or method. The fact points that Muslims understand and practice the teachings of Islam in daily lives are extremely varied, though there is still thread that can bring together between one interpretation with others. Multiple interpretations are main

JICSA Volume 01- Number 01, June 2012

contention: Rethinking Islam and State in Indonesia, The Wahid institute, Indonesia, CSEAS, Japan, CAPAS, Taiwan, 2010.

² A. H 'Rambe, Memahami Hubungan Islam dan politik di Indonesia: Suatu Upaya Dialogis Menuju Sikap Gereja yang Konstruktif' (Understand Relation between Islam and Politic in Indonesia: Diaogic Effort toward the Constructive Attitude of Church), INTIM-Journal STT Intim,Makassar, No. 5, 2003, p. 52.

characteristic of Islam which can be avoided.³ As explained before, in general there are three different streams in contemporary Islamic political discourses, namely, firstly, a group⁴ which believe that Islam and politics must be separated because Islam is only a religious system that does not regulate matters relating to politics and government and Islam does not has a standardized system of politics. What prophet Muhammad implemented in his time could not be claimed as the experience of classical government.⁵

Moreover, according to this theoretical stream, the term "state" (*dawlab*) is never discovered in the holy Qur'an which means political power or authority. These expressions only serve as incidental signs and have no relation with political field. Indeed, they argue that Qur'an is not a holy book containing political science. However, Qur'an encloses a set of ethical values and injunctions on social-political behaves, including to provide the principles of justices, equality, brother, and freedom. As long as the state commits with these principles, it can be considered as Islamic values.

Based on this line of argument, what is important thing that should be appeared is that the state must implement and ensure the existence of those basis values. Therefore, in their viewpoint, the establishment of Islamic state is not essential.

On the other hand, there is no legitimate reasons to argue that Islam is incompatible with the modern political system⁶ such democracy and nation-state. Conversely, the second model - included this group are *HizbuutTahrir*Indonesia (HTI), The Islamic Defender Front (FPI, Front Pembela Islam), Indonesian Mujahidin Council (MMI, Majelis Mujahidin Indonesia), other parties committed with fundamentalism

JICSA Volume 01- Number 01, June 2012

³ B. Effendy, Jalan Tengah Politik Islam: kaitan Islam, Demokrasidan Negara yang tidakMudah (Middle Road Political Islam: The Link Democracy and state which is not Easy), Ushul Press, Jakarta, 2005, p.6.

⁴ Include in this group are youth NU and Muhammadiyah who get involved in Islamic liberal Network- pioneered by UlilAbsharAbdillah- (Jill), LKIS in Jogjakarta, LSAP in Surabaya and other communities who initiated the Islamic liberal thoughts in other in Indonesia. See A. H. 'Rambe, p. 53

⁵ B. Effendy, 2005, p.9

⁶ B. Effendy, Islam and the State in Indonesia, ISEAS, Siangapore, 2003, p7.

Islamic thoughts, though they have different emphasis in their movement- is group who has the political struggle to establish the Islamic state as *sine qua non* and *locus primus* of the Islamic *shari'ah* implementation.⁷The *shari'ah* must be positioned as the state constitution and the political sovereignty in hand of Divine.⁸ This model emphasizes the legal and formal aspect of Islamic political idealism.⁹Therefore, the contemporary notion of democracy, the modern nation state, and other Western concepts are incompatible with Islamic teachings.¹⁰

Actually, this notion is based on the postulate that Islam is religion and state as well (inna al-Islam din wadawlah). From normative point of view, Islam poses the comprehensive teaching covering all aspect in human's lives; therefore Islam has economical, social and political system that can be a complete and absolute guide in the state. Meanwhile from historical perspective, they very often refer to prophet Muhammad's experience in establishing Islamic state in Medina.¹¹ The last model is group which take a middle position. They try to synthesize these two extreme different views by accommodating an element of the first schools of thought and other elements of the second flow. For example they believe that politics and Islam is a different issue but the two do not necessarily have to be combined or separated.¹² Islam is not only a religious moral but also containing political teachings. There are various expressions in Qur'an related to this field.

¹⁰This group is also characterized by anti-Western, especially anti-American and all the cultural products of ideology from the West. For example, Hizbut-TahrirIndonesia,which is often held up the themes of nuanced criticism of the intervention of Western countries like the U.S. against Islamic countries. Not surprisingly then, the discourse of anticapitalism, democracy, nation-state, secularism, globalization, andso often echoed by HTI in their movement in terms of in their rallies, seminars, conferences, and so forth.

¹¹ B. Effendy,2003, p.6.

¹² Apparently, there is hesitation that whether Islamic state built by Muhammad can be imitated in the current context or not. The doubt is because the Prophet Muhammad is a man who was guided directly by God. He is completely different with ordinary people. B,2005, p.8.

JICSA Volume 01- Number 01, June 2012

⁷A. H. Rambe, p., 54

⁸B. Effendy, 2003, p. 3

⁹B. Effendy, 2005, p. 6

However, the groups are not apt to revive Islamic state. The essential thing that has to be done is toestablish Islamic society *(masyarakat madani)* in which Muslim's interest can be actualized through the rise participation of political Islam, Islamic parties, and Islamic policies made by government.¹³

A Brief History of HT

To comprehend the history of *HizbuutTahrir* clearly, it cannot be separated from the history of its founder, Taqiuddin an-Nabhani (1909-1977)¹⁴. He established the ideology of aparty that became the foundation of all*HizbuutTahrir* branches.¹⁵ In other words, one of the prominent features of *HizbuutTahrir* was the acceptance by all branches of *HizbuutTahrir* of a central ideology proposed by an-Nabhani all branches of *HizbuutTahrir*, local interest facing individual branches notwithstanding. Therefore, there was substantive similarity between all branches of *HizbuutTahrir* in terms of ideological construction, objectives, and themes voiced by *HizbuutTahrir*.¹⁶

JICSA Volume 01- Number 01, June 2012

¹³ It is widely accepted that Indonesia under Suharto's regime was representation of this model. Although Indonesia is not secular or theocrasy country, not only guarantee freedom for its people to choice their own religion but also Indonesian government provide facilities such as mosque, church, temple, and so forth, even it established a religious department which set up the religious issues like the implementation of hajj or permit the establishment of places of worship, etc. see B. Effendy, 2005, pp. 9-10.

¹⁴Abdul QadeemZullam was the second leader, replacing Taqiuddin an-Nabhani who passed away in 1977. When Abdel QadeemZullam died in April 2003, another Palestenian, Ata Abul-l-Rushta, substituted him. See Emmanuel Karagiannis and Clark McCauley, 'Hizbut-Tahrir al-Islami: Evaluating the Thread Posed by a Radical Islamic Group That Remains Nonviolent', in *Terrorism and Political Violence*, Routledge, 2006, pp. 315-334 p., 316-7.

¹⁵AriefIhsanRathomy, *PKS and HTI: GenealogidanPemikiranDemokrasi* (PKS and HTI: Genealogy and Thinking of Democracy), (Jogjakarta, FISIPOL UGM, 2005), p., 78.

¹⁶Greg Fealy, 'Hizbuut'Tahrir in Indonesia: Seeking A "Total" Islamic identity', in Akbarzadeh&Mansouri, *Islam and Political Violence: Muslim Diaspora and Radicalism in the West*, London, Tauris Academic Studies, 2007, p.158.

HizbuutTahrir was founded in Jerusalem in 1953 by *Taqiuddin an-Nabhani*. He was born (1909) in *Ijizm*, a village near Haifa,¹⁷ in the Northern Palestine. He passed away in 1977 and was buried in *Auza'i*, Beirut.¹⁸ After finishing his study at *al-Azhar University*, Cairo, *al-Nabhani*went back to Palestine and worked in the Ministry of Education as a teacher at junior high school in *Kaifa*.¹⁹ During his study, he became involved in the Muslim Brotherhood. He also read literatures authored by its thinkers and activists.²⁰ Not surprisingly, when he returned home to *Haifa*, he acted as a key figure in the Palestinian branch of the Muslim Brotherhood until the establishment of Israel in 1949.²¹ His contact with the organization in turn affected the way he thought and looked at the social-political problems facing the Islamic world.

In 1938 Taqiuddin an-Nabhani quit his teaching career and started workingas a judge in *Sharia* courts such as in the Islamic court in Ramleh, after studying law at *al-AzharUniverity*²². He expressed dismay that the Western values had infiltrated the education institution and distorted its curriculum. By engaging in the *Sharia*court, he wanted to keep his distance from the Education Ministry in order to have greater opportunities to implement his knowledge of *Shariah* law.²³ He was concerned with the implementation of *Shariah*law that was not applied totally in the daily lives of citizens. Though Islamic family law (*ahwal al-shakhsiyah*) and its some derivations

JICSA Volume 01- Number 01, June 2012

¹⁷David Commins, ' Taqi al-Din al-Nabhani and The Islamic Liberation Party', in *The Muslim World journal*, vol. LXXXI,No. 3-4, 1991, p, 194.

¹⁸Syamsul Arifin, Ideology dan Praksis Gerakan Sosial Kaum Fundamentalis: Pengalaman HizbuutTahrir Indonesia', (ideology and Praxis of Social Movement of Fundamental Group: The Experience of Hizbuuttahrir Indonesia), (Malang: UNM Press, 2005), p. 89.

¹⁹Frank Schneider, 'Threat Behind a Legal Façade?', Unpublished M.A, Thesis, Naval Postgraduate School, Monterey, California, 2006, p., 13

²⁰Greg Fealy, p. 153.

²¹David Commins, p. 194.

²²Frank Schneider, p., 13

²³AriefIhsanRathomy, p., 81

had been applied, other aspects were secular or *kafir* (out of Islam).²⁴

Nabhani's was anxious and criticised the conditions experienced by Muslims, offering solutions, not only when he became a teacher and judge, but also when he took advantage of the pulpit and preached at the mosque *al-Aqsa* and *al-Ibrahim al-Khali.l*²⁵ It was his contention that the main problems faced by Muslims were political, so that building a strong political institution was the solution for this problem. As a result, in 1953 the Islamic Liberation Party (*HizbuutTahrir*) was established with the prominent aim of revitalising the Muslim Word from its current adversity, to liberating Muslims from the secular thoughts, system, and laws, and also to restoring the Islamic caliphate.²⁶

The Ideology of HT

One of the important elements to be reckoned with in the study of social movement is the existence of an ideology. In this context, ideology means aset of values, ideas, beliefs, purposes and rational justifications for individual and collective action in a social movement.²⁷Asasocial movement, *HizbuutTahrir*acknowledged Islam as itsideology of struggle.

Like Muslim Brothers, *HizbuutTahrir* declares that Islamic values cover all aspects of daily life without any exception.²⁸An-Nabhani believed that the al-Qur'an and the *hadiths* provided adequate foundations for legal decisions covering all aspect of life. The remaining role of authoritative scholars is to interpret

JICSA Volume 01- Number 01, June 2012

²⁴SyamsulArifin, pp. 91-92.

²⁵SyamsulArifin, pp. 93-94.

²⁶Mohammed Nawab Mohammad Osman, 'Reviving the caliphate in the Nusantara: HizbuutTahrir Indonesia's Mobilization Strategy and Its Impact in Indonesia', *Working Paper*, S. Rajaratnam School of International Studies, Singapore, 2009, pp. 1-2.

²⁷David A. Snow and S. C. Byrd, *Ideology, framing Processes, and Islamic terrorist Movement*, a paper presented at a New York University Conference, 2000, p. 120. Available at: https://webfiles.uci.edu/sbyrd/home/terroristmovements.snow.byrd.2007. pdf. Accessed on 20 May 2012.

²⁸Greg Fealy, p. 153.

the basic norms.²⁹ One of Indonesian *hizbiyyins*³⁰ (Hafidz Abdurrahman) argued that Islam is like other religions in that it has a set of rules in terms of ritual activities. Due to the breadth of Islamic thoughts, Abdurrahman opposed anybody who tried to unify Islam with other secular ideologies such as capitalism or socialism.³¹ Compared to others ideologies such as capitalism that separates the role of religion from daily life and guarantees the absolute freedom of religion, property, person and opinion or socialism and communism which declare that religion is 'the opium of the masses' that prevents a person from taking creative and innovative action. Islam is the most comprehensive ideology. Both capitalism and socialism contain very real weaknesses.³²

Islam is a religion including a spiritual and social field simultaneously as an ideology. Thus, it is not surprised that the main objective of *HizbuutTahrir* is to revive Islamic caliphate like what previous Muslim implemented in Islamic history such as Ottoman Empire.³³The obligation of restoration of Islamic caliphate for HTI is because of three arguments: (1) normative, in this level this compulsion is based on what the Holy Koran and *Sunnah* declared, HTI argues 'that to establish *khilafah* is compulsory for every Muslim (and) even is considered as the noblest religious duty',³⁴ (2) historical precedence argument which refer to what was applied by the prophet Muhammad in*Medinah* era and events after the his death followed by a group of caliphs, known*khulafa al-rasyidun* to replace the Prophets and HTI also adores other Islamic caliphates, like Umayyad,

²⁹ICG, 'Radical Islam in Central Asia: Responding to Hizbut-Tahrir', ICG Asia Report No 58, p., 3

³⁰Hizbiyyinis a name of the followers of HizbuutTahrir

³¹SyamsulArifin, , p. 104.

³²David Commins, pp. 197-198.

³³FahlesaMunabari, 'Hizbut-Tahrir Indonesia: The Quest for the Caliphate and Shariah, A paper presented at International Workshop on Islam and Middle East: Dynamics of Social and Political Transformation, Kyoto, University, August 2-3, 2008, p, 9.

³⁴AgusSalim, 'The Rise of Hizbut-Tahrir (1982-2004): Its Political Opportunity Structure, Resource Mobilization, and Collective Action Frames', p., 212.

JICSA Volume 01- Number 01, June 2012

Abbasid, and Uthmaniyah in Turkey,³⁵ (3) factual condition of Muslim's pain and misery which are largely dealing with Muslim such as the Israeli occupation of Palestine, the US invasion in Iraq and Afghanistan, the suppression against Muslim in Southern Thailand, the Philippines, Kashmir, Somalia, and so on.³⁶

The Islamic caliphate is a form of Islamic government headed by a caliph. He is a leader of the *ummah* (Muslim community) and at the same time as representative of God who has to enforce the laws of God on earth. The caliphate is recognised as just and legitimate system of ruler for Muslims. Thoughts embodied in the Qur'an, the *sunnah*, and what was implemented by caliphs in long-history of Islam becomethe legal framework of the system.³⁷

To gain its main goal, the organization proposes a threestage process for what HizbuutTahrirhasclaimed as 'Islamic peace revolution³⁸. The first is the culturing stage (marhalah at tatsqif). This stage aims to establish cadres who believe in he truth of thoughts and methods of HizbuutTahrir in order to form a group which iscapable of carrying the party's ideas³⁹. The second is the interaction stage with ummah (marhalahtafa'ulma'a al ummah). It refers to encourage ummah to carry the Islamic da'wah obligation so that it works to implement Islamic view in life, state, and society. The last stage is the accepting power or the takeover of power (government)⁴⁰. This stage intends to implement Islam totally

JICSA Volume 01- Number 01, June 2012

³⁵AgusSalim, p. 214.

³⁶BurhanuddinMuhtadi,' The Quest for *HizbuutTahrir*in Indonesia', in *Asian Journal of Social Science*, 2009, p. 631.

³⁷Frank Schneider, p., 6

³⁸BurhanuddinMuhtadi,p., 630

³⁹Muhammad Muhsin Rodhi, *Tsaqofah dan Metode Hizbuut Tahrir dalam Mendirikan Negara Khilafah Islamiyah* (Civilisation and Method of *HizbuutTahrir* in Establishing the State of Islamic Caliphate), (Bangil: Al-Izzah, 2008), p., 40

⁴⁰MateenSiddiqui, 'The Doctrine of HizbuutTahriri', in ZeynoBaran, (ed.), 'The Challenge of HizbuutTahrir: Deciphering and Combating Radical Islamic Ideology', Conference report, the Nixon Center, September 2004, p., 4, available in <u>http://www.islamawareness.net/Deviant/Hizb/confrephiz</u> <u>tahrir.pdf</u>, accessed on 3 July 2012.

HizbuutTahrir Indonesia's View toward Democracy

and completely and to spread the Islamic message over the world.⁴¹ However, HTI claims that the use of violence is an inappropriate way in reaching the third step. HTI also asserts that Islamic caliphate can only be gained when majority of Muslims have Islamic attitude and are actively looking for an Islamic state.⁴²

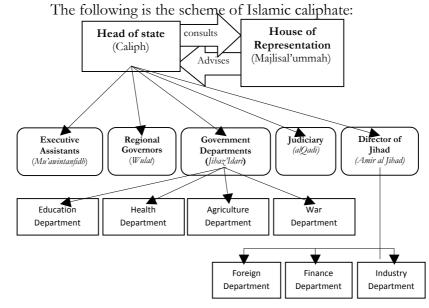


Figure 2: Organizational chart of *HizbuutTahrir's* vision for the Caliphate⁴³

Furthermore, *HizbuutTahrir* declares that there are two kinds of government, the Islamic and the*kufr* (unbeliever) system⁴⁴. The *kufr* system or *darulkufur* refers to a form of government which must be attacked and taken over its power, including also although the government is run by a Muslim

⁴¹ MAJ Daniel J. Ruder, 'the long War in Central Asia: HizbuutTahrir's Caliphate', *a Monograph*, 2006, p 22. Available at: <u>www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA450614</u>. Accessed on: 24 May 2012.

⁴⁴The Methodology of Hizbut-Tahrir for Change, (London, Al-Khilafah Publication), p., 6

JICSA Volume 01- Number 01, June 2012

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⁴²Greg Fealy, p. 159.

⁴³SyamsulArifin, , p. 208

majority, the laws and rulers that are applied within are not from Islam such as Indonesia⁴⁵. If the *kufr* system is still maintained to implement it, according *HizbuutTahrir* its leader should be faced and attacked by military power until failing down⁴⁶.

Hizbut Tahrir Indonesia (HTI)

HTI is a branch of *HizbutUtTahrir* that was brought from Australia in the early 1980s. In Australia,⁴⁷ Abdullah bin Nuh, anIslamic teacher and preacher who owned*al-Qazahalipesantren* (Islamic boarding school) in Bogor, West Java⁴⁸, was acquainted with *hizbiyyin*in Sydney. One of the *hizbiyyin* that Abdullah met was Abdurrahman al-Baghdadi, aPalestinian activist of*Hizbuuttahrir* who emigrated to Australia in the 1960s. *Bin Nuh* invited *al-Baghdadi* to disseminate the teachings of *HizbuutTahrir.*⁴⁹

When al-Baghdadi arrived in Indonesia in 1982, he utilized Bin Nuh's*pesantren* as HTIheadquarter to disseminate *Hizbuuttahrir's* teachings. From the headquarter, the teachings of *Hizbuuttahrir* and the recruitment wereexpanded. *Halaqah*(study circles) and *daurah* (training programmers) were introduced as intensive methods of recruitment.⁵⁰Both al-Baghdadi and Bin Nuh tried to attract recruits on several university campuses such as particularly the Bogor Agricultural Institute (IPB), the Bandung Institute of Technology (ITB), and the University of Indonesia(UI). HTI also advanced its recruits to many Mosques across Java Island.⁵¹

⁴⁵Zaki Mubarak, Genealogi Islam Radikal di Indonesia: pemikirandanProspekDemokrasi, pp, 254-255.

⁴⁶Jean Francois Mayer, 'Hizbut-Tahrir: The Next Al-Qaida, Really?', in PSIO Occassional Paper, April 2004, p., 17.

⁴⁷Abdullah came to Sydney, Australia, where his son was being educated.

⁴⁸MasdarHelmy, *Islamism and Democracy in Indonesia: Piety and Pragmatism*, (Singapore, ISEAS, 2010), p., 118

⁴⁹Alexander Horstmann, 'Transnational ideologies and Actors at the level of Society in South and Southeast Asia', in *NBR Project report*, 2009, p. 47.

⁵⁰BurhanuddinMuhtadi, p. 626. ⁵¹Greg Fealy,p. 155.

JICSA Volume 01- Number 01, June 2012

Under Soeharto's regime, HTI became clandestine organization to avoidSeoharto's intimidation. HTI never used HizbuutTahrir terminology in their documents. Itwaited until Seoharto's fallto use it.⁵² In 1998 the downfall of Seoharto's regime took place. This situation encouraged HTI to bring it into public view⁵³. Therefore, in early 2000, for the first time the organization held an international conference hosted in Jakarta which aimed at to introduce the goal of the Islamic caliphate. In 2001, HTI added "Indonesia" to the party's formalname.⁵⁴ 12 August 2007, HTI organized the second caliphate conference at Bung Karno stadium in Jakarta thatattracted approximately 100.000 Muslim who were mostly members and sympathizers of HTI. This event was widely reported by both the national media such as KompasCyber Media and the international media such as Reuters and BBC News.55 Until nowHTI has built a number ofbranches that are mainly located on Indonesia urban areas.56

Resource Mobilization Strategies

Resource Mobilization theory is a response to limitation existing in the early socio psychological approach which view a social movement consisting of irrational or angry Individuals who join to respond social strain. Resource Mobilization theory approach the social movements as rational and organized manifestations of collective action. Movements are not portrayed as irrational outbursts intended to reduce Individual's distress, but rather as organised contention structured through mechanisms of mobilization providing strategic resources to sustain collective action.⁵⁷

JICSA Volume 01- Number 01, June 2012

⁵²Ken Ward, 'Non-Violent Extremists?HizbuutTahrir Indonesia', in *Australian Journal of International Affair*, 63:2, 2009, pp. 150-151.

⁵³MasdarHelmy, p., 120

⁵⁴Ken Ward, p. 15i

⁵⁵FahlesaMunabari, 'Hizbuut'Tahrir Indonesia: The Rhetorical Struggle for Survival', in Ota Atsushi, Okamoto Masaaki, and Ahmad Suaedy (ed), *Islam Contention: Rethinking Islam and State in Indonesia*, (Jakarta: Wahid Institute- CSEAS-CAPAS, 2010), 174.

⁵⁶Alexander Horstmann, p. 47.

⁵⁷See Q., Wiktorowicz, Islamic Activism: A Social Movement Theory Approach, Indiana, Indiana University Press, 2004, pp. 9-10.

As an organized and structured social movement, HTI under reformasi era is fully aware that to establish Islamic caliphate needs the collective action and support of many people, at least those who agree with HTI's ideology, though they are not necessarily to become cadre of HTI.58 Ismail Yusanto, one of leader and spokesman of HTI said that 'it is not important for us to recruit every single person. Only a few chosen people would be enough to effect change. However, the masses must be educated about the Caliphate so that when the time comes, the will support it'.⁵⁹ For this purpose, HTI utilizes a variety of ways to change mindset of society so as to accept HTI's message. According to Ismail Yusanto, there are three basic elements binding society, namely, feelings, thoughts, and rules. He declared that to gain the acceptance of society toward Islamic sharia and caliphate ideology Islamic value should permeate within these components, therefore, society will think, feel in line with Islamic Sharia, and live under Islamic rules. All aspects of life have to be governed by the Islamic values.⁶⁰

It can be clearly seen that HTI uses media publication including producing a weekly pamphlet (Al-Islam Bulletin), publishing a monthly journal (Al-Wai'e)⁶¹, and also translating many books into Bahasa Indonesia.62 Using online resources and digital sources areother ways that HTI use to promote this organization to society. HTI also made its own website (http://www.hizbut-tahrir.or.id).63 Besides, HTI is creatively establishing informal virtual group such as Face Book community, You Tube, the*umma*Online Forum and Melayu.com, and so forth. In terms of intellectual activities, HTI is very vigorously to conduct seminar, talks and conferences. In seminar and talks, HTI very often invite the

⁶³SyamsulRijal,

JICSA Volume 01- Number 01, June 2012

⁵⁸Mohammed Nawab Mohammad Osman, p. 10.

⁵⁹Mohammed Nawab Mohammad Osman, p., 10.

⁶⁰You Tube, *HizbuntTahrir Indonesia part 3*, uploaded by tedungselar on 14th November 2006, available at <u>http://www.youtube.com/</u> <u>watch?v=OLYTtz94M_Q&feature=related</u>, accessed in 26th May 2011.

⁶¹GreagFealy, p., 158

⁶²SyamsulRijal, 'Making Hizbiyyin: HizbuutTahrir in South Sulawesi', M.A. Unpublished Thesis, The Australian National University, 2009, p., 33

important figures (such as Abu BakarBa'asyir, Sidney Jones, etc.) in Indonesian society from outside the group as speaker, even inviting political or religious figures who disagree with their ideology to debate them in the certain issues like *khilafah*, etc.⁶⁴ HTI is very energetically in using demonstrations and rallies to galvanize support from public and build public awareness of the truth of its ideology. Issues delivering in such demonstration related to not only local problems such as corruption, unemployment, poverty, etc., but also international issues are very often becoming their concern.⁶⁵ Since HTI is a branch of HizbututTahrir and has international network with their counterparts elsewhere over the world. Also, HTI usually utilizes mosques astrategy to disseminate itsthoughts. Unlike NU and Muhammadiyah organizations that build and preserve mosques, HTI only focuses on to be members of mosque committee and tosubsequently dominate mosque activities.⁶⁶

Another interesting strategy in mobilizing recourses doneby HTI is necessity to outside assistance⁶⁷ (*nusrah*). Seeking *nusrah* was inspired from Prophet Muhammad' means of spreading Islam. The messenger strived for seeking *nusrah* and he did it many times, as described from the following quotation:

If we look to the *Seerah* will see that the Messenger (saw) sought the Nusrah from the leaders who possessed power. He did this despite the ugly response from tribe after tribe. He insisted on seeking the Nusrah and he repeated this many times and did not cease in seeking it. In his book "At-Tabaqaat al- Kubraa" Imam Muhammad IbnSa'd (168-230) mentioned no less than fifteen tribes (that the Messenger visited). This persistence if it indicates anything, it indicates in a clear manner that seeking the Nusrah was an order from Allah (swt).⁶⁸

⁶⁸ "The Search for the Nusrah", Khilafah Magazine, Issue 1 vol. 3, January 2003, p., 18

JICSA Volume 01- Number 01, June 2012

⁶⁵SyamsulRijal, p., 31

⁶⁶AgusSalim, p., 170

⁶⁷Greg Fealy, p. 159.

The use of informal network (nusrah) is very important because HTI leaders can connect with important figures by inviting them in HTI events, then, by getting involved these informal structures would allow HTI leaders to influence certain Muslim groups, and because these informal structures encourage HTI leader to disseminate their agenda without worrying to face repression.⁶⁹ This assistance can be seenfrom strategic group within community, elite politics, and other Islamic activist group, which could join in restoring caliphate. Not surprisingly, HTI often holds the events that invite politicians. Usually after these sorts of contacts, HTI leaders will organize regular meetings with those politicians to propagate itsideology to them. Alongside politician's network, HTI builds relationship with other Islamists. For example HTI persuade the former spiritual head of the Jemaah Islamiyah (Abu BakarBa'asyir) and the leader of Islamic Defenders Front (Front *Pembela Islam*), HabibRizieq to become the revival of caliphate as key platform of their movement.⁷⁰

By utilizing these structured and organized strategies to spread HTI's ideology, it is no doubt that HTI will have a significant influence in the social-religious life and politic, particularly the rise acceptance of public towards HTI's main aim in their movement. HTI capability to galvanize or mobilize mass (through former chairman, Muhammad al-Khathath, organised the one million Muslim march in calling for antipornography laws for example) to enforce Indonesian government in making policy such the enactment of antipornography and the banning of Ahmadiyah pose an indicator that HTI has influence in society.⁷¹

Critique toward democracy

It can be concluded that there are five reasons of why HizbuutTahrir and HTI argued that democracy is not in accordance with Islamic values. Firstly, democracy is a rulling system made by human to escape them from injustice ruler and

⁶⁹Mohammed Nawab Mohammad Osman, pp. 24-25.

⁷⁰Mohammed Nawab Mohammad Osman, p. 32.

⁷¹Mohammed Nawab Mohammad Osman, pp. 31-32.

JICSA Volume 01- Number 01, June 2012

from ruler's domination of people on behalf of religion. Therefore democracy is absolutely human made, there has no correlation with divine revelation or religion.⁷² That is way democracy is never recognized in Islamic history and teachings. It is an alien terminology in Islam. Secondly, the notion of democracy is emanated from secularism ideology that separates religion from life and state.⁷³

Thirdly, "democracy is a western word and Western term applied to rulling of the people, for the people, by legislation of the people."⁷⁴ It means that democracy give people sovereignty to make rules. People also can be entitled to revoke these rules according their interest. Due to people as master, they have a right to elect and determine the leader or ruler.⁷⁵ However, in Islam sovereignty (*as-siyadah*) is in hand of *shari'ah* and power (*as-sulthan*), is in hand of *umma*.⁷⁶Umma have no a right make laws except god. This is because all activities of human are tied by God's commands and prohibitions, only God who has a right to create the laws.⁷⁷

Fourthly, democracy is not allowed in Islam because a majority vote become the benchmark in the decision-making, whereas in Islam according HizbuutTahrir, not all matters can be resolved by simply relying on a majority, but must refer to legal experts.⁷⁸There are three patterns of decision making in Islam according HizbuutTahrir,firstly, if the matters are related to law, the decision-making should be based on the Koran and

JICSA Volume 01- Number 01, June 2012

⁷² A. Q. Zalloom, Democracy is a System of Kufr: it is Forbidden to Adopt, Implement or call for it, Al-khilafah Publication, London, 1995, p.5.

⁷³ Z. Mubarak, p.275.

⁷⁴ A. Q. Zallom, p.7.

²⁰ A. I Rathomy, PKSdan HTI; Genealogidan Pemikiran demokrasi, Fisipol UGM, Jogjakarta, 2006, p.134

⁷⁵ A. Q Zallom, p. 6.

⁷⁶ The term umma means mother. It refers to Islamic conception of political community or the importance of Islamic solidarity among Muslims. ⁷⁷ Z. Mubarak, p.276

⁷⁸ A. I. Ahmad and R. Haryadi, pengusungSyariah di jalurtengah(Bearers of Shari'ah in the Middle Path), in A.S Karni (ed), 'HajatanDemokrasi: PotretJurnalistikPemiluLangsungsimpul Islam Indonesia dariModeratHinggagariskeras', PT Era Media Informasi, Jakarta, 2006, p.288.

hadith. The second is related to the expertise of people who make decision. For instance, a sick person who should be treated by a doctor does not need to request approval of a majority of votes in determining the settlement decision of his illness. In this situation, a doctor who has qualified can handle the problem. The last is concerning to technical implementation of *Shari'ah.* In this situation, the majority vote is really needed.⁷⁹

Lastly, there has different interpretation of freedom in democracy and Islam. Democracy advocates the general freedom. For democracy, these freedoms have to be provided for citizen, so that they can apply their sovereignty and direct it by themselves. They also enable them to choose the rules and the members of parliament without worrying about any pressure and compulsion⁸⁰whereas Islam according to HizbuutTahrir does not acknowledge these freedoms. For example, Islam does not condone freedom of belief. Muslim cannot change their religion. Because this is not in line with *Shari'ah*, anyone who wants to change his religion will be sentenced.

Beside these five factors above, HTI's rejection to democracy can be also seen in its behaviors of political participation. For example, HTI reject to get involved in election because it is part of democracy while the latter is not an Islamic system. It is worth to pay attention what one of HTI's members, Abd. Samad, said about not participating in the general election, as follow:

'The reason I did not vote based on *syari'a* notion. Just like that! Seeing from the law perspective, the election is *mubah* (permissible). But when talking about the election purposes, what its purpose? The goal is to choose representatives. What their Duty? Their task in the Islamic view is only to deliver aspirations related to Islam's interests. Not to make laws. Regarding with the making of laws, in the view of Islam, the right to make laws is only Allah Swt. It means the current government

⁷⁹ A. I. Rathomy, pp. 137-138.

⁸⁰ A. Q. Zallom, p. 10.

JICSA Volume 01- Number 01, June 2012

institution have not become Islamic government due to serving as the function of making laws."⁸¹

Similarly, in an article entitled "HTI PilkadaTakSesuaiSyariat Islam" (HTI Election is not compatible with Syari'ah), another member of HTI, FitraSagara, argued that the general election is a part of democracy while democracy is a secular culture and thus the general election is also a secular culture that is not compatible with Islamic syari'ah.⁸²

However, HTI's refusal to take participation in general election does not bind its members since according to Ismail Yusanto that 'casting votes on voting days are the right of every Muslim'. But he emphasizes that political parties whose agenda to apply the caliphate and *shari'ah* are deserve to cast a vote.⁸³ In Islamic perspective, according to him, general election can be equated with the Islamic concept of *wakalah* (representation), where its original law is permissible (mubah) as long as fulfilling Islamic requirements, namely wakil (representative), muwakkil (people who are represented by wakil), 'amal (activities that will be conducted by the *wakil* on behalf of *muwakkil*'s command), and 'aqad (contract made by both sides).84 If these activities performed by *wakil* are in line with syari'ah, they are accepted, but if not they are rejected. One example of the un-islamised acts done by *wakil* is the creation and the stipulating of any legislation that comes in addition to syari'ah since as mentioned earlier, the only law maker is God.⁸⁵

⁸¹SyamsulArifin, p. 160

⁸² 'HTI: PilkadaTakSesuaiSyariat Islam' (HTI: Election not Compatible with Islamic Syari'ah), *KOMPAS. COM*, 21 February 2008, available in <u>http://nasional.kompas.com/read/2008/02/21/1240529/</u> HTI.Pilkada.Tak.Sesuai.Syariat.Islam, accessed on 24 June 2012.

⁸³FahlesaMunabari, Hizbut-Tahrir Indonesia: The Quest for the Caliphate and Shariah, p.26.

⁸⁴Muh. Ismail Yusanto, 'PernyataanHizbuutTahrir Indonesia tentangPemiluLegislatif 2009' (Statement of HizbuutTahrir Indonesia on Legislative Election 2009), in *Khabarislam: Menujukebangkitan Islam*, available in <u>http://khabarislam.wordpress.com/2009/04/05/pernyataan-hizbut-</u>tahrir-indonesia-tentang-pemilu-legislatif-2009/, accessed on 27 June 2012.

⁸⁵Muh. Ismail Yusanto, PernyataanHizbuutTahrir Indonesia tentangPemiluLegislatif 2009',

JICSA Volume 01- Number 01, June 2012

Therefore, it is not surprising, from 2005 until the present this notion (not participation in the general election) was modified as recognized by leader of HTI, Hafidz Abdurrahman. He argued that the election still can become a means of struggle like in some countries in which there are some activists of HizbututTahrir who are acting as member of parliament. Moreover he does not see whether the election is a form of democracy or not. The election is only artificial method to elect the representatives and the head of state. This had applied in the long history of Islam in election of the head of state.⁸⁶ Even Ismail Yusanto in an international caliphate conference on August 12, 2007 in Jakarta, declared that HTI would enliven the political scene of Indonesia. This organization was preparing itself into a political party. 'It's already in our plans', said Ismail.⁸⁷Until now, however, HTI has not turned into a political party that is recognized by the state

However, for Munabari, what Ismail said that HTI gives freedom to its members to use vote right, its stance not to participate in general election, and its will to form a political party are such kind of more political maneuvering than the truth'.⁸⁸ It is done on purpose to avoid charge from the government that HTI violates the law on general election number 12 years 2003,('any actions or activities that discourage people to exercise their rights to cast votes on voting days be considered illegal and thus is subject to punishment'),⁸⁹and to implicitly reveal its disenchantment of the failure of Islamic and secular parties in fulfilling people aspirations. He added that the political maneuvering is one of HTI's strategies to maintain its footing so that it feels safe to disseminate its agendas.⁹⁰In other words, in my opinion, though there has been change HTI's

⁸⁶ A. I Rathomy, pp 147-148

⁸⁷HTI BakalJadiParpol (HTI Will Become a Political Party)', *Detik.com*, Aug. 12, 2007, available in <u>http://news.detik.com/read/2007</u> 08/12/101247/816087/10/hti-bakal-jadi-parpol, accessed on 27 June 2012.

⁸⁸FahlesaMunabari, Hizbut-Tahrir Indonesia: The Quest for the Caliphate and Shariah, p.27.

⁸⁹FahlesaMunabari, Hizbut-Tahrir Indonesia: The Quest for the Caliphate and Shariah, p.26.

⁹⁰FahlesaMunabari, Hizbut-Tahrir Indonesia: The Quest for the Caliphate and Shariah, p.27.

JICSA Volume 01- Number 01, June 2012

behavior by getting involved in the election, HTI's involvement does not based the awareness or beneficial democracy as system of government, even it only manipulate the election to disseminate its objectives and ideology. In other words, HTI does not intend to support the process of democracy even is going to destabilize the consolidated democracy.

Critique toward Nation State

An-Nabhani declares that the broad presence of patriotism and nationalism is one of major obstacles to party in establishing Islamic caliphate.⁹¹One of impacts of the Ottoman Empire's downfall is that Muslim became divided, based on geography and nationality, so that they became weak to face colonials. The fact shows that Muslim fight each other because of their own national interest. Every Islamic country is more concern about his national attention.

It has been argued by Yusanto quoted by Muhtadi⁹²that national expressions are understood as tribal fanaticism clearly does not suit with the ideals of Islam. Moreover, nationalism is a form of the pre-Islamic tribal fanaticism revived in modern style and rhetoric. HTI, therefore, views solidarity, brotherhood, and sense of Muslim nationhood should be underpinned by Islamic brotherhood, not based on race, blood, clan, tribe, birth place, language, geographic boundaries, genetic ties, and all elements of nationalism.

It is widely accepted by activists of HTI that there is deliberated effort (conspiracy) of West to become *umma* into small nation-state. This effort can be traced back to when Ernest Renan, postulated the concept of nationalism that caused the emergence of nation-state since the Ottoman Empire threatened Western countries. After the fall of this Empire in the early twentieth century, the nation-state idea was expanded in Muslim societies. As a result, Muslim societies divide into the small nation state and the *umma* was no longer a foundation basis for political community.⁹³

⁹¹ B. Muhtadi, p. 632

⁹² B. Muhtadi, pp 632-633

⁹³ B. Muhtadi, p., 633

JICSA Volume 01- Number 01, June 2012

The Challenge of Democracy and Nation State

HTI becoming as an inimical to consolidating democracy can be seen at level of support for democratic regime principles and for modern nation state as preferred political community. Several reason of why HTI become a hindrance to democracy will be considered. Firstly, HTI's strong rejection of democracy, mainly its assumption that the Islamic caliphate which applies *Shari'a* within is the only best breakthrough to the complex catastrophes happened in Indonesia and Muslim World in general, can disturb the process of democratic consolidation, creating the instability of democracy. This is because, according to some scholars such as Juan Linz and Alfred Stepan, that a consolidated democracy may be implemented if three factors are meet, namely:

Behaviorally, no significant institutions or actors spend significant resources attempting to achieve their objectives by creating a non-democratic regime or turning to violence. Attitudinally, a strong majority of citizens believe that the democratic procedures and institutions are "the only game in town" to govern collective life in society. Constitutionally, governmental and nongovernmental forces alike become committed to resolving conflicts within the specific laws, procedures and institutions sanctioned by the democratic process.⁹⁴

In a same vein, Prezeworski argues that:

Democracy is consolidated when under given political and economic conditions a particular system of institution becomes the only game in town, when no one can imagine action outside the democratic institutions,

⁹⁴Cited from Bob S. Hadiwinata and ChirstophSchuck, 'Mapping Indonesia's Way towards Democracy: In Search of a Theoretical Frame, in Hadiwinata and ChristophSchuck (eds.), *Democracy in Indonesia*...,p., 14.

JICSA Volume 01- Number 01, June 2012

⁹⁸

when all the loser wants to do is to try again within the same institutions under which they have just lost.⁹⁵

From these quotations, certainly democracy can be consolidated when there is a shared conviction among political elites, political organizations, mass-based organizations, and more importantly the public at large that democracy is a useful and worth breakthrough in dealing with a wide range of deteriorations coming about in Indonesia. Democracy is the only rule of game acknowledged in the state and all segments of society should take part in achieving democracy. But it does not overlook the diversity of opinions, organizations, and political parties. As long as the difference is under democratic norms, procedures, and expectations, it is able to be acceptable. In other words, there is no a group for example, which takes the advantage of democracy transition such as enjoying the freedom of expression and assembly to disrupt or even replace democracy with another system. For instance, HTI exploits democracy such as its presence in the democratic public sphere, to destroy democracy since HTI has main goal to establish an Islamic state. In this context, the emergence of HTI in the public realm is acceptable but the problem lies in HTI's objectives that are not in accordance with democracy's aims.

Secondly, the strong refusal of HTI to engage in the election or the manipulation of democracy as opposed the goal of democracy can disrupt the democratic consolidation. The reason for this is that Mujani⁹⁶ argued that one element of democracy is democratic culture that consists of political engagement and trust in political institutions. This dimension can encourage citizen to get involved in democratic politics and integrate them into the democratic system. These are important things because of helping to make democracy work properly and to become stable and more consolidated.

Thirdly, HTI's will to establish umma, Muslim brotherhood which is tied by religious identity, entirely Muslim world on the earth will potentially destabilise the nation state

JICSA Volume 01- Number 01, June 2012

⁹⁵SaifulMujani, Religious Democrats: Democratic Culture and Muslim Political Participation in Post-Suharto Indonesia, Unpubilished Dissertation, OHIO State University, 2003, p., 235.

⁹⁶ S. Mujani, p 232

building because this can bring people from the political loyalty of nation state to umma. As a result, HTI is very often to accentuate the global jihad priority of fighting against 'far enemy' rather the relatively 'near enemy'. HTI always raises in its demonstration for example the far issue such as the Israel occupation of Palestine and the US invasion of Iraq and Afghanistan rather than wrestling near or local concerns that correlate with national interest. Indeed the political loyalty to nation state is a precondition to realize the stability of the state is important element for democratic that an consolidation.⁹⁷Fourthly, argued it has been that HizbuutTahrir's concept of Islamic Caliphate that does not recognize fixed boundaries or territories is completely contradictive with the concept of nation state which acknowledges the idea of a fixed territory. Thus, the nation state is a basis element of democracy. There will be no democracy without the nation state. On the other words, the two concepts of democracy and nation-state are impossible to be separated.98

Fifthly, the presence of Islamic fundamentalism movements itself which promote vigorously the implementation of Islamic syari'ah such as MMI (Majelis Mujahidin Indonesia or Council of Indonesian Jihadists), HTI, and so forth seem to undermine the inclusivism and pluralism which have became the foundation of the original idea of Indonesia as state and nation and even created sectarianism. HTI also wants to replace the Pancasila with Islamic caliphate. It was proven by holding the International conference of caliphate in a Jakarta stadium rally in 2007 which was attended more than 80.000 people. This conference called for the establishment of Islamic caliphate and dismantling of the Pancasila-based Indonesia Republic.⁹⁹Mujani, quoted from A. E. Hara- onr anti-syariah proponent, argued that the effort of HTI to implement syari'ah laws does not appreciate democracy

JICSA Volume 01- Number 01, June 2012

⁹⁷ B. Muhtadi, p. 642.

⁹⁸ B. Muhtadi, p. 642.

⁹⁹ R. E. Elson, 'Nationalism, Islam, 'Secularism' and The State in Contemporary Indonesia Australian Journal of International Affairs, Vol.64, No. 3,2010, p. 334

HizbuutTahrir Indonesia's View toward Democracy

and pluralism because it does not treat the citizen, especial women and non-Muslim, equally. Another anti-syari'ah proponent, LuthfyAssaukanie from Liberal Islam Network (Jaringan Islam Liberal, JIL) argued that HTI completely does not coincide with the Republic of Indonesia because of its promoting a different kind of political system.¹⁰⁰ The Republic of Indonesia is final and Pancasila as the ideology of Indonesia state is a historical agreement that compromises the different religious and views existing in Indonesia society for a long time ago. Therefore, Pancasila is really needed for democracy in Indonesia and to prevent some groups who want to change Indonesia into an Islamic caliphate.¹⁰¹

Conclusion

From explanation above, it can be concluded that HTI is a trans-national group who disagree with the concept of democracy and nation state because they are from outside Islamic values or ideology. Even both concepts are more likely to disrupt the Muslim world. The large amount of drawbacks occurred in the Muslim world are because of implementing these *kufr* (unbeliever) system.

The refuse of HTI to democracy and nation state can be a hindrance of the democratic consolidation in Indonesia and will weaken the sense of nationalism of Indonesia people. Because there is a party who think and utilize a different system of democracy, even want to change the system of democracy into Islamic state. This condition discourages the democratic atmosphere which is being built by Indonesia after the downfall of Suharto regime in 1998. Another reason is that HTI does not recognize a fixed territory of nation state. If there has no nation state, democracy won't appear because both democracy and nation state are mutual complemented in which they need each other.

¹⁰⁰ A. E. Hara, 'p. 55. ¹⁰¹A. E. Hara, pp.56-57.

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