

Abdurrahman Wahid on Islam, Democracy, and the Republic of Indonesia

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Abdurrahman Wahid opposed any conception of a monolithic role of Islam in the form of Islamic parties which aspired to establish an Islamic state. For Wahid, Islam would best play a role in social transformation in order to support the development of democracy in Indonesia. Indeed, Wahid's view on the interface between Islam and state has departed from the traditional paradigm of the legal formal approach and embarks on what can be called a political approach (i.e. based upon political principles). This political approach sees a role for mutual legitimacy in the relationship between Islam and state and he offers democracy as a quasi-norm which should be respected by the state as well as Muslims. It enables Muslims to participate actively in the national political system as well as reflect critically on the autocratic Soeharto regime.

Keywords: Abdurrahman Wahid, the Fiqh paradigm, Islam, Democracy, and the Republic of Indonesia



A. Introduction

Wahid was aware of the marginal role of Islamic organizations or parties in Indonesian national political life in both the old order era and the new order era,¹ despite the fact that Muslims, the majority of Indonesians, were the source of Indonesian political legitimacy. Indeed, it was a nightmare for the Muslims to formulate the relationship between Islam and the Republic of Indonesia to see the fact that Islam is a religion of law.² Marginality, in his analysis, was due to Muslims not being able to reformulate political Islam in line with the modern political system of Indonesia. Moreover, they were divided into two major groups, namely the traditionalist and modernist Muslims, and they only unified when the fate of Islam was in danger. The modernist Muslims followed an Islamist paradigm that took the state to be a tool for implementing Shari'a (Islamic law); meanwhile the traditionalist Muslims followed the Fiqh paradigm which recognized a pluralistic understanding of Shari'a and did not insist on the implementation of Shari'a on the Indonesia legislature. However, the traditionalist Muslims were not able to participate actively in the course of the modern political system in Indonesia as they had not yet incorporated the modern political system into their paradigm. It was not surprising that, up to that time, the secular paradigm dominated Indonesian political life under the leadership of President Soekarno and President Soeharto respectively.³

Abdurrahman Wahid saw the mismatch of religion with the political system and reformulated the role of Islam in the Indonesian political system. If Muslims persisted in advocating the legal formal approach they would confront the supporters of the secular paradigm. It was likely that the modernist Muslims would fail to establish an Islamic state, unable to overcome the pluralistic nature of the Indonesian political system. In this regard, Wahid was more realistic in his objective of advocating just substantial Islamic values, not legal formal Shari'a ones. This is due to he approaches the state in the view of political approach that the state should respect the rights of its citizens. In this regard, he is sceptical of any ruler who tends to govern autocratically, without exception that of an Islamic state. Wahid is concerned with the politicization of Islam by the ruler which would direct to

¹ (Abdurrahman Wahid, 1999b, p. p. 101)

² (A. Wahid, 1998, pp. pp. 22-23)

³ (Ricklef, 2008, p. p. 393) Please see also (Lukito, 2008, pp. pp. 237-238)

religious conflict. This leads him to stress the idea of democracy in his brand of Islamic political thought.

On the other hand, Wahid's thought on Islam and democracy is to offer an alternative to the failure of the secular paradigm to bring modernization in Muslim countries such as in Turkey under the rule of Kemmal Attaturk, Iran under the rule of Reza Syah and Reza Pahlevei, Iraq under the rule of Saddam Husein, Egypt under the ruler of Nasser and Anwar Sadat, and Syria under the rule of Hafez Asad.⁴ These failures were due to the enforcement of the secular paradigm as an ideology and refusing to share legitimacy with Islam, still the inspiration for many Muslims. Much of Wahid's thinking was also shaped by Indonesia's own national traumas and Wahid was critical of both the Soekarno and Soeharto regimes' failure to unify political groups which were rooted either in secular paradigms or religious paradigms, especially strongly Islamic ones.⁵

B. Discussion

Abdurrahman Wahid on the Relationship between Islam and State

Wahid's thought on Islam and the state in Indonesia is a further development of the Fiqh paradigm which recognizes Islam and the state as different identities. The Fiqh paradigm works through negotiating Islam as the 'norm' and the social systems, especially the state political system. Indonesian political system should develop mutual legitimacy with Islam as well as the local cultures. Wahid challenged the Soeharto regime which tried incorporating culture into the state, namely the bureaucratization of culture, because this eliminates its critical function to the state and only serves the regime. Wahid also challenged those who tried to incorporate Islam into the state, namely the bureaucratization of Islam, because this would repress other understandings of Islam. All of these are due to Wahid's belief that culture belongs to society, not to either the state or Islam.⁶ This section is to elaborate Wahid's critique of both the Islamists, by his advocacy of the Fiqh-plus paradigm, and the Soeharto regime, by his idea of mutual legitimacy. For that purpose, firstly I elaborate Wahid's conviction that there should be no concept of an Islamic state.

⁴ (Abdurrahman Wahid, 1999b, p. p. 66)

⁵ (Arif, 2009, p. p. 21)

⁶ (Arif, 2009, pp. pp. 274-275)

1. There is no Concept of an Islamic State

In Wahid's view, Muslims must be open to a relationship between Islam and state. Islam is a religious law which requires Muslims to deal with any societal system, including the state. Regarding Islam as a religion of law, Muslims should define clearly the relationship between Islam and state as the condition for the implementation of Islamic laws.⁷ In this regard, Wahid was in line with the Islamists who believe Islam is a religion of law, but unlike them he did not consider it as an obligation for establishing an Islamic state. In this regard, he differentiated Islam from the institutionalization of Islam. The Islamists believed that:

Religious norms are eternal so that they should be established with their all consequences which one of them is to institute these religious norms into societal regulations. Regarding these related to the society, there should be an executor for the state law and accordingly, the Islamists insisted on the implementation of the religious law totally in the life of the Muslim by means of the state apparatus.⁸

Wahid wrote several articles arguing that Islam does not have a concept of an Islamic state at different times. This informs us that the issue of Islam and the state continued to be a durable issue and accordingly, to some extent, he repeated some arguments in different articles. I would like to summarise these systematically in this section below. Firstly, Wahid argues that the basic concept of societal system in Islam is a law (*al-hukmu*), not a state (*al-dawlatu*) so that its emphasis is not on the form of state (*al-dawlah*) but on its arrangement (*al-hukm*). In this regard, he is following Charles Torrey's argument that the Qur'an does not mention the term *dawlah Islamiyah* (Islamic state), indeed mentions the term *dawlah* but with the meaning 'rotate' or 'circulate': that is in the verses 'so as to the wealth does not rotate amongst the rich in your community (*kaila yakuna dulatan baina al-aghniya'i minkum*).'⁹ It implies that Islam is concerned more with the economic system of the state which will guarantee welfare and justice to the people than with the form of the state alone. Furthermore, the Qur'an term *baldah* (state) does not imply a certain form of state but refers to the sociological context of a good state which gets blessing from the God (*baldatun thayyibatun wa rabbun ghafur*). For Wahid, the above

⁷(Abdurrahman Wahid, 1999a, pp. pp. 69-70)

⁸ (Abdurrahman Wahid, 2007b, pp. pp. 294-295)

⁹(Abdurrahman Wahid, 1999a, pp. pp. 56-57)

arguments do not imply an Islamic state, but refer to the social ethics for guiding a society in arranging state affairs.¹⁰

The second argument in Wahid's belief that Islam does not have a concept of an Islamic state is based on the historical fact that Muhammad the Prophet never reformulated definitively a successive mechanism of his leadership as the basic requirement of a definitive governmental system.¹¹ If Islam has a certain form of Islamic state, he, of course, will choose his successor or formulate the mechanism for it. The caliphate system adopted by his successors was a result of *ijtihad* for the purpose of arranging Islamic communities. It is not surprising that the pattern of Islamic leadership has changed over time.¹² In line with the second argument, Islam does not regulate the size of the state. At first, Muhammad the prophet established the city state of Medina and, then, it developed into the width of imperia in the form of caliphates by his successors. Moreover, some caliphates appeared at the same time competing amongst themselves for domination, besides the existence of some kingdoms which found justification from any caliphate.¹³

Thirdly, he follows the arguments of Dr. Ali Abdel Raziq's (1887-1966), a Muslim intellectual from Egypt, in his book *Al-Islam wa al-Qawa'id al-Sulthan* (Islam and the Principles of Power) that there is no Islamic conception of state as Islam does not mention an Islamic state, but rather the terms of a blessing state (*baldatun toyyibah*).¹⁴ Abdel Raziq argues that there is no political doctrine in Islam; Muhammad's actions were not of a political characters, but moral. His prophetic mission did not want to change the existing form of the state and he was sent down by God to deliver mercy amongst people in the life (*wa ma arsalnaka illa rahmatan lil 'alamin*). The word '*rahmah*' is formed from the roots '*rahim*' which means all people are brothers. By doing so the fundamental mission of the prophet is to develop brotherhood which is needed for maintaining the unity of man and

¹⁰(A. Wahid, 2002, p. p. 234) See also (Effendy, 2003, pp. pp. 6-7) In this regard, Effendy follows Muhammad 'Imara, Egyptian Muslim scholar.

¹¹ (Abdurrahman Wahid, 1999a, pp. pp. 56-57)

¹² (Abdurrahman Wahid, 1999a, pp. pp. 86-87) See also (A. Wahid, 2002, pp. pp. 234-235) Also in See also (A. Wahid, 2000b, p. p. 1)

¹³ (A. Wahid, 2006, pp. pp. 112-113) Please see also (Abdurrahman Wahid, 2007c, pp. pp. 3-6)

¹⁴(Abdurrahman Wahid, 1999a, p. p. 63)

protecting life from violence.¹⁵ In this view, Islam is only a religion and does not have a direct relationship with the caliphate system because the caliphate, including the four right-guided caliphs, is not a religious system but a worldly system.¹⁶ It is worth mentioning here that Ali bin Abi Thalib acted as the advisor of the three consecutive caliphs before he himself occupied the office of caliph.

Fourthly Wahid asserts that Islam does not have a concept of the state which is consistent with the universal nature of Islam as a religion. On the one hand, based on God's Mercy, God does not ordain explicitly political system of the state because He allows that it varies from one country to other country, considering the special geographical and demographical demands of the region. Similarly, the main task for the Prophet is not to build the state but to spread humanity amongst people. Otherwise, he would have agreed to receive the offers of wealth, status, and kingdom from pagan Quraisy, instead of persisting in his mission to spread Islamic teachings, considering Muhammad was suffering humiliation and torture from them.¹⁷ The state affairs as the worldly affairs fit well with Hadiths '*Antum a'lamu bi umuri dunyaakum*' which meant that you know well about your own worldly affairs. However, the principles for the state to run well are ordained in the Qur'an: two tendencies of the state implicitly are mentioned in the Qur'an Al-Imran 159 '*Wa syaawirhum fil amr*' for monarchial system and '*Wa amruhum syuura bainahum*' for democratic system of government.¹⁸

Wahid did not want to establish an Islamic state in Indonesia as there is no religious obligation for it. Moreover, the history of civilization provides hard facts about the birth of the state, based on the consensus of people concerning the importance of arranging societal life.¹⁹ In the case of Islam, indeed there are hadith saying that Imam should be from the Quraisy, but, Wahid argues, this hadith should be understood as a kind of suggestion, not a religious obligation, as religion and state have their own laws. The state as the representation of worldly affairs follows the natural law of the survival of the fittest; meanwhile religion works more at an

¹⁵ (A. Wahid, 2002, p. p. 233) Ahmad Syafi'i Maarif, the former Head of the Central Board of Muhammadiyah, agreed with Dr. Abdul Raziq's statement on caliphate as not the only legitimate Islamic political system. Please see (Ma'arif, 1988, p. p. 144)

¹⁶(M. Wahid & Rumadi, 2001, p. p. 29)

¹⁷(Al-Buthy, 2002, p. p. 364)

¹⁸(Bisri, 2000, pp. pp. viii-ix)

¹⁹ (Abdurrahman Wahid, 1999a, p. p. 57)

individual level which believes in the spirit of God and should commit to behaving in parallel with God's spirit. Accordingly, Wahid views worldly life based on the realistic approach that the establishment of state is due to the existence of power in the society, Islamic state being no exception. This realistic approach manifests in an article demonstrating the pivotal role of the military in sustaining the caliphate. His analysis heads him to the conclusion that the state is a secular affair.²⁰

Although the concept of an Islamic state was a modern phenomenon when Muslims encountered the Western colonialists, Muslims had confronted the problem of politics since their early history and, then, they were able to establish the city state of Medina which, then, expanded into the caliphate. The collapse of the Ottoman Caliphate in 1258 did not mean the implementation of Islamic teachings stopped in effect. Moreover, the claim of the caliphate as the Islamic state, successively by Umayyad, Abased, and Ottoman Turkey, did not always hold true for some of the caliphs did not rule by the Islamic laws but were above the laws. There quite often existed some tyrannical regimes which were often challenged by clerics and Sufis who led religious communities.²¹ This implies that Shari'a does not have to be implemented into the state, but it is likely to be under control of clerics as the leaders of Islamic communities.²²

Other historical facts also support the idea that the societal system of community is the most essential for implementing Islamic laws. For example, Muhammad the Prophet did not order the Muslim minority in Ethiopia to establish an Islamic state.²³ This implies that the implementation of Fiqh is adjusted to the existing societal system as a result of agreement amongst people. Moreover, the Qur'an also does not order Muslims to establish an Islamic state by its terminology of religious communities (*kuntum khaira ummatin ukhrijat linnas*). To put it simply, it is the good religious communities (*khaira ummatin*), not the good Islamic state (*khaira daulatin or khaira jumhuriyyatin or moreover khaira mamlakatin*).²⁴ This implies that Muslims in a certain region have collective freedom and also the

²⁰ Please see Wahid's article "Islam dan Militerisme dalam Lintasan Sejarah" [the History of Islam and Military] in (Abdurrahman Wahid, 1999b, pp. pp. 53-67)

²¹ (Riyadi, 2002, p. p. 16)

²² (Thahir, 2002, p. p. 87).

²³ (A. Wahid, 2000a, p. p. 56)

²⁴ (Abdurrahman Wahid, 1999a, p. p. 87)

responsibility to formulate an appropriate societal system for implementing Islamic values and norms. They should not persist in establishing an Islamic state if it will create violence or anarchy in the society because the overarching mission of Islam is not to establish an Islamic state but to provide the salvation which manifests into a welfare and just state. It implies that the state is only a tool not an aim for that purpose and consequently the form of the societal system of the state should be discussed amongst Muslims in that country in conjunction with the political bargaining with other political forces.

2. Abdurrahman Wahid, the Fiqh-Plus Paradigm, and the Nation State

As I mentioned above, the political background of Wahid's religious political thought was the Soeharto autocratic regime which tried to marginalize the political role of the NU party as well as the unreliable cooperation between the regime and the modernist Muslims. Soeharto did not want to have any political adversary, especially from Islamic parties, as he considered it as the cause of political instability, such as with the case of the Old Order regime. In line with this, Soeharto did not like the NU party, the strongest Islamic party, which could challenge the secular nature of his regime.²⁵ The NU party was not an Islamist party which aspired to establish an Islamic state as it developed the Fiqh paradigm. However, the regime tried to marginalize the political role of the NU party by issuing some regulations. The most obvious regulation for that purpose was the policy of the fusion of the political party with the aim of creating internal conflict. In this regard, the NU party fused with other Muslim parties into the Union Development Party (*Partai Persatuan Pembangunan*, PPP) in 1973. The NU politicians were able to maintain their followers to choose the Union Development Party in 1977. In this general election, Wahid also participated in the campaign with the hope that this party functioned to develop democracy. He, then, corrected his support for PPP as he witnessed the blatant strategies to intervene in the internal problems of PPP and accordingly, he considered that the regime did not want to develop a fair political competition by means of political party.

²⁵ (Bruinessen, 2002, p. p. 4)

The fate of NU was at stake as the regime did not accommodate the political interest of NU in the government. The regime did not want to give any post in the ministry to NU. Indeed, the regime tried to cooperate with the modernist Muslims to abate the political role of NU. Wahid realized that it was useless to challenge the regime directly, especially, at the peak time of the regime. Wahid observed the regime's accommodation of the modernist Muslims furiously as there was no stable foundation for their cooperation; it was just for the purpose of 'a marriage of convenience.'²⁶ To respond to this issue, Wahid developed the Fiqh-plus paradigm with two simultaneous targets that were the regime to rule by democratic mechanism and the Muslims to follow his Fiqh-plus paradigm. By so doing, he tried to unify the Muslims into one front in the effort of controlling the regime to rule democratically. This Fiqh-plus paradigm was as a kind of persuasion of those who still aspired to the idea of an Islamic state or at least interpreted Pancasila by the Shari'a.

Wahid followed the Sunni tradition of NU which developed the Fiqh paradigm as a tool for providing legitimacy to the Republic of Indonesia and he developed this Fiqh paradigm into the Fiqh-Plus paradigm by his adoption of modern sciences and philosophy. Accordingly, this Fiqh-plus paradigm is Wahid's advance on the implementation of the Fiqh paradigm in Indonesia to respond to the autocratic Soeharto New Order regime. By so doing, Wahid offered democracy as a quasi-norm which should be respected by both the state and Muslims. In this regard, Wahid introduced a political approach to the relationship between Islam and the Republic of Indonesia by offering democracy as the standard for the justification of the ruler. This also means that he did not want to establish an Islamic state as its ruler does not always rule by Islamic principles. In this regard, he did not want to unite Islam with the state. In line with the Fiqh paradigm, Wahid viewed the similarity between Islam as the gift from God, and the state as the creation of human beings, but both should develop mutual legitimacy.²⁷ Accordingly, Islam should be implemented or adapted properly in any kind of societal system, besides providing normative standards for the prevailing systems. In other words, Islam should accommodate the culture in which Islam develops its missionary targets. This is due to culture functioning as a

²⁶ (Abdurrahman Wahid, 1999b, p. p. 12)

²⁷ (Abdurrahman Wahid, 1999a, p. p. 54)

medium for the implementation of Islam. Accordingly, Wahid reminded Muslims to differentiate Islam from the Arab culture as the former is universal and the latter is particular.²⁸

He argued that this Fiqh paradigm is truly Shari'a (Islamic law) as it does not contain political bias. It believes that Islam and state are different entities so that the validity of religious practices by Muslims does not depend on the approval of the leader of the state, but on the leaders of Islamic communities. Fiqh paradigm tries to adjust culture to Islam through an apparatus of legitimacy: filtering and, then, supporting the culture. By so doing, Fiqh is relativising the religious law related to societal systems, including political system. In this regard, NU differentiates which is a religious practice (the rituals of Islam) and which is a non-religious practice (culture). In the view of the principles of Fiqh, in the matter of rituals, Islam follows the principle of *al-aslu fil ibadah tahrimuha, illa idza al-dalilu 'ala tajwiziha* (The origin of regulation for rituals of Islam is that everything unlawful, except where there is specific regulation for the matter); meanwhile, in the matter of non-rituals, Islam follows the principle of *'al-aslu fil mu'amalah tajwiziha, illa idza dalla addalilu 'ala tahrimiha* (The origin of regulation for non-religious practice is that everything is lawful, except if there is a specific regulation which bans the case). For NU, the religious guidance is not always from Qur'an and hadiths, but possible through other methods such as *ijma* (consensus), *qiyas* (analogy), and *urf* (local tradition).²⁹

Wahid introduces a Fiqh-plus paradigm which develops a political approach to the issues of Islam and the state. He employs political approach for the purpose of transforming the political aspiration of the Muslims to suit a modern political system, in which the objectives of Islamic movements are similar to the objective of national development. For that purpose, he encourages Muslims to adopt a substantial Islamic law in the form of universal values. Accordingly, Muslims are able to cooperate with secular groups to support the development of democracy in Indonesia. In this regard, he is different from secularists such as Soekarno and Hatta, as the latter did not try to transform Muslims' understanding of Islamic law to suit the modern concept of a

²⁸ (Abdurrahman Wahid, 2007b, p. p. 341)

²⁹ (Abdurrahman Wahid, 2007b)

nation state. In this regard, Wahid continued and developed classical Islamic thought to suit modern socio-cultural change.

This was contrary to the Islamists' normative approach of placing Islam higher than state so that they had trouble with the fact that the state, like any other societal system, is never perfect. This is a duty of Muslims: to improve continuously the quality of societal life, including national political life. This requires Muslims being conscious of the existing disparity between the norms and the realities of societal life as the products of culture. Wahid argued that this is actually the task of human beings: to make any efforts for directing the societal realities to certain norms, as God does not order them to establish a Holy kingdom in this world. This implies that Wahid is opposed to the idea of the bureaucratization of Islam,³⁰ namely incorporating Islam into the state institutions. This is because he aspires to the idea of religious communities playing the role of civil society which would play checks and balances to the state in the pursuit of democratic government.

The Fiqh-plus paradigm was to respond to that of the Muslim modernists such as Anwar Harjono who continued the thought of Natsir and A. Hasan. Indeed, Anwar Harjono supported the activities of Natsir in *Dewan Dakwah Islamiyah Indonesia* (DDII) and then became its general chairman in 1997.³¹ These Muslim modernists tended to develop a legal formal approach that the state is to implement Islamic law. Indeed, previously this legal formal approach was adopted by the classical Muslim scholars and at that time, this was reasonable as they developed their thoughts in the context of an Islamic state in the form of the caliphate; however, they pursued a gradual method in their efforts of implementing the true Islamic law.³² This is completely different from the Muslim modernists who do not want to compromise their scriptural interpretation of Islamic law.

The Islamists follow Sayyid Abul A'la al-Maududi who argues that Islam is a way of life (*ad-din*) which is superior to other ways of life, so that it is unacceptable for the Muslims to adopt other ways of life such as the Western law in a matter of statecraft.³³ This is the reason why they are struggling for the establishment of an

³⁰ (Arif, 2009, p. p. 275)

³¹ (Feener, 2007, p. p. 112)

³²(Abdurrahman Wahid, 1999a, p. p. 56)

³³ (Maftuh, 2007, p. p. 302)

Islamic state. They believe that God sent down Islam in its complete form as a way of life (*ad-din*), such as in the Qur'an phrasing: '*Masuklah kalian ke dalam Islam secara kaffah*'. In this regard, Wahid argues that the word *kaffah* does not refer to a given societal system.³⁴ Wahid also does not agree with the Islamists' understanding of the verse al-Maidah 3 as the complete form of Islam as a way of life and he believes that the complete form of Islam is in the essence of its ability to absorb new ideas continuously. Regarding the hadiths 'Islam is superior and nothing is superior to Islam', Wahid argues that what comes from foreign cultures is actually a further development from its origin in Islam.³⁵

Wahid evaluates that the Islamic ideological paradigm is a 19th century phenomenon when Islam had to respond to the birth of modern ideologies such as Marxism, nationalism, and capitalism. He argues that the birth of Islamic ideology was a response to the colonization of Islamic countries by the West. Muslims' resistance included all methods, including religion. Accordingly, Islam was interpreted politically for the purpose of liberation, including new visions of independent states.³⁶ This modern Islamic ideology can be traced from Jamaluddin al-Afghani and, then, developed by some modernist Muslims such as Muhammad Abduh, Rasyid Ridla, and Abu 'Ala al-Maududi. Indeed, they tried to renovate the understanding of Islam, but, in Wahid's evaluation, they had failed in that purpose as they did not develop democratic attitudes toward different understandings of Islam.

Modernist Muslims understand that the Qur'an does not provide a detailed legal code, but rather a set of "norms and principles" to establish justice in all time and places so that they have encouraged a kind of intuitive *ijtihad* –rather than relying on the man-made Fiqh of the established schools which they perceived as a hindrance to the unification and solidarity of the Muslims.³⁷ Harjono often referred to the 'spirit' of Islamic law, called by *Sunnatullah*, as the further development of the Natural Law discourse on the Shari'a pioneered by Natsir. Michael Feener evaluates 'that Harjono is never really searching for God's law' and tends to consider Shari'a for granted. He defines *Sunnatullah* as 'A law that is not made by human beings, but

³⁴(Abdurrahman Wahid, 1999a, p. p. 60)

³⁵(Abdurrahman Wahid, 1999a, pp. pp. 60-61)

³⁶(Abdurrahman Wahid, 1999a, pp. pp. 81-82)

³⁷(Feener, 2007, p. p. 114)

influences and in fact serves to order human society, with or without their agreement to it'.³⁸ Adopting a socio-cultural approach, namely the Fiqh-plus paradigm, Wahid does not think normatively, as the normative principles are likely to be implemented differently in different societal systems. The integralistic nature of the socio-cultural approach enables him to notice the spiritual dimension of any kind of activities prevailing in society.³⁹

This socio-cultural approach enables Wahid to accept the Republic of Indonesia as the latter gives freedom to Muslims to practice Islam. Muslims are practicing Islam in the communities under the guidance of the clerics. They are also able to practice the Islamic universal values within the national political system. In this regard, Wahid is very concerned with the idea of democracy which would guide the run of the government. This is exactly Wahid's belief that it is impossible to separate religions, in this regard Islam, from politics given that Islam is a source of values. However, Wahid argues that religion should play not in formal terms but in substantive terms by introducing substantive religious values and ethics in guiding political processes. This way government still runs within a religious framework, following the principle of Islamic law that government policies should follow the people's welfare (*tasharruful imam 'alarra'iyyah manutun bil mashlahah*).⁴⁰ In line with this, he argues that Islam should accept the modern concept of nation state. In this regard, Wahid follows Ibn Khaldun who argues that religion was not sufficient an element for establishing a state where the element of a shared feeling (*ashabiyah*) was absent.

Wahid argues that the modern concept of nationalism is following Ibn Khaldun. In the same line, he believes, the Sunni clerics accept Ibn Khaldun's idea of nationalism as they read *Muqadimah*, the work of Ibn Khaldun, and they do not challenge this idea of nationalism. Wahid argues that there should be a consensus amongst the clerics (*ijma sukuti*) on the idea of nationalism, although he confesses that there are no convincing proofs (*hujjatus tsubut*) for that consensus (*ijma sukuti*). He admits that it is not easy for Muslims to accept the modern idea of nationalism, although the Qur'an mentions a similar idea to nationalism. This hinges on the *al-*

³⁸ (Feener, 2007, pp. pp. 111-112)

³⁹ (Abdurrahman Wahid, 1999a, p. p. 61)

⁴⁰ (Abdurrahman Wahid, 1999b, p. p. 159)

Hujurat verse (13) of the Qur'an referring only vaguely to a group of people living together a certain territory, a concept quite different from modern nationalism which reflects a political identity with its national ideology and, moreover, composed of various ethnicities with their cultural bonds. In this regard, Wahid encourages Muslims to reinterpret the meaning of verse *al-Hujurat* 13 in order to adjust to the modern concept of nationalism while attaching to the Islamic cosmology.⁴¹

Wahid evaluates convincingly that Islamists' aspiration for an Islamic state is their modification of the idea of nation state with the purpose of implementing Shari'a (Islamic law). For them, an Islamic state is to unify Islamic aspiration and the problem of national ideology. This idea of an Islamic state, then, functions as a counter to the birth of modern ideologies. Wahid considers that it is problematic for the Islamists who set the acceptance of Shari'a as the condition for the adoption of nation state because they would confront other ideologies. If this is the case, it would hinder the achievement of the Islamic goals. Wahid evaluates that it is a fundamental mistake to formalize two different identities into the single institution of state: a universal Islamic aspiration is submitted to the state authority. By treating Islam as a state ideology, this is automatically Islam according to the state authority, which then tends to be repressive towards other interpretations of Islam. This is exactly the cause for the separation of state from religion in the view of the modern concept of the nation state. Indeed, the concept of nation state has limitations for the implementation of Shari'a because a nation state should be neutral to any religions.⁴²

Following a socio-cultural approach, Wahid believes that Islam as a way of life always finds itself involved in a structure, namely the societal system, because such structures are the actualization of societal life. At the same time, Islam's confrontation with a structure is secondary, and its primary concern is the fulfilment of the Islamic mission in the form of welfare, justice, and safety. Wahid formulated this subtle relationship following the principle of the Fiqh paradigm which considers that social conception should be based on the principle of 'means to an end' (*al-ghayah wal wasa'il*): Muslims should persist in their objectives, including targets, but they have freedom to choose the appropriate methods to obtain their goal. This

⁴¹ (Abdurrahman Wahid, 1999a, pp. pp. 87-88)

⁴² (Abdurrahman Wahid, 1999a, pp. pp. 87-88)

implies that the Muslims consider the specific methods secondary, and that includes the structural form of the societal system. However, it is unlawful to pursue the objectives by wanton means as Islam has the task of preserving some values and social ethics (to pursue the objectives, namely the Islamic mission), with respect to the proper methods for achieving the objectives (*akhlaq al-karimah*). In the case of Indonesia, Islam should function as social ethics for guiding the course of the state and society with respect to human beings.⁴³ Wahid believes that the greatness of Islam would flourish if, without interference from the state, the influence of Islamic values prevails in political and societal life. Islam as surrendering to the will of God, it is inappropriate to put personal commitment to God under the control of the state. This belief, Wahid argues, is consistent with the hadith saying '*bahwasanya aku diutus hanyalah untuk menyempurnakan kemuliaan akhlak*' which means that Muhammad the prophet was not ordered to establish an Islamic state, but rather just to refine the soul of the people in order to perform good deeds. He also revealed the historical facts that not all religious laws were regulated into the state laws and many of them just consisted of ethical guidance practised consciously by people. These historical facts justified the understanding of religious law as Fiqh which means 'to be understood or to be conscious.' From the historical evidence we find that the need for legislating religious laws applies only to those which are suitable (*wadh'ul ahkam fi halati imkaniiyati wadh'ih*).⁴⁴

Wahid's support for the concept of nation state does not mean he denies Islamic universal values and in contrast he argues that it is due to its universal values that the caliphate will limit the elasticity of Islamic values. Wahid believes in the universal character of Islam rooted in the concept of Oneness of God (*tawhid*). This concept of *tawhid* does not imply justification of the one universal Islamic government system of caliphate. This is due to the fact that Islam's guidance of worldly affairs, such as society and state, are not elaborated in detail and Islam provides only principles to guarantee that life runs effectively. He argues that the Islamists' attitude of seeing a contradiction between nationalism and the unity of *umma* (a Muslim community) goes against the tradition of Sufi which flourishes in

⁴³ (Abdurrahman Wahid, 1999a, pp. pp. 74-75)

⁴⁴ (Abdurrahman Wahid, 1999a), pp. 76-77.

Islam. Ibn Arabi (w. 638 H), a great Sufi from Andalusia, says that the human nature of pluralism and the world with its richness are the manifestation of God's appearance (*tajalli*).⁴⁵ Furthermore the term of *umma* does not justify the existence of one *umma* and one caliphate.⁴⁶

For Wahid, Islam teaches Muslims the consciousness of nationalism, as stated in Qur'an *Al-Hujurat 13*.⁴⁷ In his view the God's will can be formulated collectively by men's will reflecting one nature of human life which is in conjunction with democracy.⁴⁸ Moreover, clerics also permit Muslims to follow different leaders such as stated with '*ta'addudul a'immah*' (it is lawful to have some leaders) and consequently it is also lawful for people to have different opinions.⁴⁹ Wahid's support of nationalism is based on his belief that Islam is very concerned with worldly human life because, as a religion, Islam is not only concerned with ritual practices but with giving guidance on living in this world. Despite the fact that the Qur'an is mostly content about how to arrange this worldly life's affairs, we are not able to use Qur'an verses as direct models of Islamic laws, such as is done by radical Islam groups. He also argues that such as any other law, Islamic law requires development of a concept of territory as a basis for the implementation of religious law. It, then, justifies the need for the concept of border in Islam. It is reasonable for Islam to adopt and develop the concept of nation-state.

3. Abdurrahman Wahid's Ideas on the Mutual Legitimacy

Wahid evaluated that the policies of Soekarno and Soeharto were similar to Kemal Attaturk's of Turkey, who had failed to modernize his country because of his neglect of developing strong social organizations, including religious groups, to play the role of civil society. In other words, the secularists neglected the role of Islam as the source of values and progress, besides ruling undemocratically. Accordingly, Wahid was very concerned with the issues of Islamic tradition and of democracy and he analysed them as the key elements of modernization. Actually, it was ironical

⁴⁵(Siradj, 2004, p. p. 1)

⁴⁶(Siradj, 2004, p. p. 1)

⁴⁷ (A. Wahid, 2000a, p. p. 25)

⁴⁸ (Abdurrahman Wahid, 1999, p. p. 117)

⁴⁹(A. Wahid, 2001). This state was built based on the Medina Charter, consisting of 47 articles, though surprisingly, none of them are referring to Qur'an. Please see (Madjid, 2004, pp. pp. 44-57)

having the autocratic regimes, as the Republic of Indonesia was established based on the Constitution which would limit the power of the president.⁵⁰ Accordingly, Wahid tried to create a balance of power and he traced this problem from Islamic tradition.

He employed the Fiqh paradigm which recognizes Islam and the state as different identities, though both should develop mutual legitimacies.⁵¹ In this regard, Wahid offered democracy as a mediating instrument between the state and Islam. By so doing, Wahid was critical of the process of centralization by President Soeharto as well as of his neglect of the empowerment of society, including religious communities.⁵² Abdurrahman Wahid's idea of dual legitimacy is a further development from the previous NU leaders as Wahid tried to offer the idea of democracy as a medium for mediating the conflicting interest between Islam and the state. This idea of democracy would facilitate dialogue between supporters of religious aspiration and those of the secular character of the state. This idea of democracy implied that Wahid supported the Republic of Indonesia and considered it as the final form of Indonesian Muslims' political aspiration. In this regard, Wahid formulated his thought from the political point of view that the nature of politics is related to power sharing.⁵³ By so doing, Wahid developed a mutual legitimacy that Muslims would support the ruler if he/she governs democratically. He argues that:

Indeed, from the historical perspective the relationship between religion and state developed following the idea of dual legitimacy: The state provided legitimacy to the existing religions, including Islam, and Islam, the dominant religion professed by Indonesians, conferred legitimacy on the state. The state need not always be an Islamic state provided it does not contravene Islam.⁵⁴

Wahid thought the mechanism of the principle of checks and balances was very important for establishing a democratic political order, especially between the state and civil society. Wahid advocated that religious communities should take the role of civil society in order to put limits on government. This conception of social control, of course, was derived from his conception of mutual legitimacy.⁵⁵ He

⁵⁰ (Abdurrahman Wahid, 1999b, p. p. 101)

⁵¹(Rochmat, 2011, p. p. 31)

⁵² President adopted the theory of modernization by Rustow, concerning his incline to the economic development. Wahid considers correctly that

⁵³ (Abdurrahman Wahid, 1999a, p. p. 54)

⁵⁴ (Abdurrahman Wahid, 1999a, p. p. 109)

⁵⁵ (Abdurrahman Wahid, 1999a, p. p. 54)

learned from the history of Islam, especially the Sunni tradition, which developed this mutual legitimacy where the clerics supported the existence of the state as a tool for implementing public order, but they challenged the claim of the caliphs as the last resort of religious justification. Indeed, some clerics joined into the governing elites, but but some were independent clerics. They consoled people in relation to oppression of regimes and were critical of the autocratic regimes. For example, NU justified the existence of the Netherland East Indies, but did not participate in the *Volksraad*, similar to parliament.⁵⁶

Wahid tried to trace the conception of social control from classical Muslim scholars who had employed this conception for the purpose of improving the quality of the government gradually. Wahid evaluated that the fundamental weakness of their religious political thoughts were their beliefs in theories of power so that they did not question the principal of governing clearly mentioned in the Qur'an, namely *syuro* (similar to democracy). He confessed that al-Mawardi had developed the idea of the caliph's rights and obligations, but these rights and obligations were not related organically towards the rights and obligations of the people. Wahid analysed that al-Mawardi had not yet paid enough attention to the effort of putting into operation the principle of checks and balances. Another cleric, al-Ghazali, in his book *Ihya al-Ulum al-Din* (in the section of holy war (*jihad*)) proposed the idea of the 'basic needs model', called the method of *daf'u daruri ma'sumin* (method for protecting people from destruction). By this method, the needy people should be given aid with food and clothing. Moreover, al-Ghazali formulated the obligation of communities to help the needy people for the payment of health and medicine (*tsaman al-dawak wa ujrat al-tamrid*). Last but not least, the issue of who had rights to receive these kinds of protection was very progressive and included non-Muslims.⁵⁷ In this regard, al-Mawardi formulated the limit of the caliph's power which paved the way for balancing the power of state and the people.⁵⁸

This conception of mutual legitimacy was already adopted by the Constitution of 1945 as NU participated in the establishment of the Republic of Indonesia. This Constitution as well as the national ideology of Pancasila recognizes

⁵⁶ (Abdurrahman. Wahid, 2007, pp. pp. 10-11)

⁵⁷ (Abdurrahman Wahid, 1999a, pp. pp. 58-59)

⁵⁸ (Abdurrahman Wahid, 1999a, pp. pp. 59-60)

an important role of religions as ethical values in the national political life. However, Indonesia is still trying hard to find the proper role of religions for that purpose. In this regard, Wahid evaluated that the conflict between the secular and Islamic ideological paradigms was acute as it would not stop just through formal compromise. The acceptance of Pancasila by the supporters of the contending ideologies was not followed by agreement on the formulation and realization of some programs to support the idea of a non-secular but also not religious state because they had different interpretation of Pancasila. The ruling government tried to control the bureaucracy and governmental institutions. This happened continuously at the different historical times of the independence war (1945-1949), liberal democracy (1950-1959), Soekarno's guided democracy (1959-1966), and the Soeharto new order regime (1966-1998).⁵⁹ Interference with the bureaucracy and other government institutions had distorted the pivotal function of the modern state, namely providing welfare to its citizens.

Wahid's idea of dual legitimacy was to respond specifically to the Soeharto autocratic regime which clearly broke the Constitution. Accordingly, Wahid tried to establish democracy by advocating the important role of the Constitution.⁶⁰ He evaluated that the regimes manipulated the interpretation of the Constitution in the guise of protecting the national ideology in the face of existing competing ideologies.⁶¹ For solving the ideological conflicts, especially between the Islamic and secular aspirations, Wahid wrote an article in 1980 titled '*Agama, Ideologi dan Pembangunan*' [Religion, Ideology, and Development].⁶² In this article he emphasized the need for developing open dialogue in order to resolve the problem, namely democracy, and criticized the autocratic regime of Soeharto which ignored the role of religious communities.⁶³ The core cause of this distortion was due to various socio-political groups not trusting each other. Some Muslim groups did not trust the secular government, which quite often neglected the Muslims' interest, such as in some cases in the history of Indonesia.⁶⁴ Conversely, the secularists were also

⁵⁹ (Abdurrahman Wahid, 1999b, pp. pp. 6-7)

⁶⁰ (Arif, 2009, p. p. 269)

⁶¹ (A. Wahid, 1994, p. p. 122)

⁶² (Abdurrahman Wahid, 1999b, pp. pp. 1-22)

⁶³ (Abdurrahman Wahid, 1999b, p. p. 8)

⁶⁴ Please see (Suhelmi, 1999, pp. pp. 32-47)

worried about the intention of some Muslims, especially the modernist ones, such as M. Natsir and his successor, Anwar Harjono, who persisted in their ideological paradigm to establish an Islamic state and this was not necessarily contradicting the official state ideology of Pancasila. They were inspired to interpret Pancasila by Shari'a because Pancasila was an open ideology which should be filled by Shari'a.⁶⁵

Wahid criticized the Soeharto regime which tried to hide the actual problem between the national ideology and Islamic religious movements. In this regard, he argued that this problem should be handled by means of a democratic mechanism for formulating a rational relationship between Islam and state.⁶⁶ For that purpose, he stressed the need for a means by which government might openly discuss the problem as an early stage of preserving the true meaning of the national ideology and the Constitution. In this regard, he was appreciative of democratic debates between the Federalists and Republicans (especially Hamilton versus Jefferson) in the history of the USA in the early 19th century.⁶⁷ In the context of the new order era, the government should convince the Islamic movements that the consolidation of the national ideology would not reduce and endanger the role of Islam in the national political system.⁶⁸ In this regard, he did not concur with the Soeharto regime's silent bargaining, 'a tug-of-war model' for negotiation of religious and secular aspirations. He also did not agree with the method of the temporal coalition in the form of 'a marriage of convenience'.⁶⁹ This was due to these two models being at risk of external challenges, on top of simply postponing the resolution of the core problem, risking the outbreak of massive social conflicts as its solution.⁷⁰ Wahid also did not agree with the Soeharto regime's efforts at taming the Islamic political aspiration by providing huge sum of money for any activities related to purely religious rituals. Moreover, he did not support the creation of Islamic organizations by the regime as he considered this regime strategy as like the strategy of cutting steel by means of stronger steel, or 'divide and rule'.⁷¹

⁶⁵ (Geertz, 1971, p. p. 33)

⁶⁶(Abdurrahman Wahid, 1999b, p. p. 12)

⁶⁷(Abdurrahman Wahid, 1999b, pp. pp. 8-18)

⁶⁸(Abdurrahman Wahid, 1999b, p. p. 11)

⁶⁹ (Abdurrahman Wahid, 1999b, pp. pp. 8-12)

⁷⁰(Abdurrahman Wahid, 1999b, p. p. 6 and p. 8)

⁷¹(Abdurrahman Wahid, 1999b, pp. pp. 2-3)

C. Conclusion

Wahid was sceptical of the role of any ideologies, either religious ideologies or secular ideologies in the form of liberalism or communism, as these ideologies very often just provided the rulers with a formal justification for maintaining their power and neglected the interest of the people. In line with this, Wahid became a strong supporter of democracy in its neutral stand towards any kind of ideologies. In this regard, he tries to find justification from the Islamic tradition in the view of the Fiqh paradigm which recognizes Islam and the state as different entities, but both should develop mutual legitimacy. This implies that the validity of religious practices is not related to political affiliation, but in the view of the Fiqh. Accordingly, he discards the idea of an Islamic state and supports the Republic of Indonesia. In the relationship between Islam and the Republic of Indonesia, he offers democracy as a quasi-norm which should be respected by both the state and Muslims. For that purpose, he advocates religious communities to take the role of civil society which play checks and balances to the state as he is sceptical to power which tends to be autocratic.

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