



RELIGIOUS AUTHORITY AND POLITICAL DYNAMICS: THE INFLUENCE OF FATWA ISSUANCE BY RELIGIOUS INSTITUTIONS ON POLITICAL DISCOURSES IN INDONESIA

K. A. Bukhori

Universitas Islam Negeri Raden Fatah Palembang, Indonesia
Email: bukhori_uin@radenfatah.ac.id

Kun Budianto

Universitas Islam Negeri Raden Fatah Palembang, Indonesia
Email: kunbudianto_uin@radenfatah.ac.id

Erniwati

Universitas Islam Negeri Raden Fatah Palembang, Indonesia
Email: erniwati_uin@radenfatah.ac.id

Moh. Faizal

Sekolah Tinggi Ekonomi dan Bisnis Syariah Indo Global Mandiri, Indonesia
Email: izar@stebisigm.ac.id

Corresponding email: bukhori_uin@radenfatah.ac.id

Received: Aug 6, 2025

Revised: Sep 30, 2025

Approved: Dec 03, 2025

Abstract

This study explores the role of religious institutions through fatwas in the formation of public policy in Indonesia, particularly major institutions such as the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), and Muhammadiyah. The main objective is to understand how fatwas are produced by religious organizations and how they impact the political process and government policy. The research problem stems from the phenomenon that fatwas, although they do not have formal legal force, are often used as moral references by the community and are even considered by the government in formulating public policy. The research approach uses qualitative field studies: interviews with fatwa figures, analysis of fatwa documents, and observation of the interaction between religious institutions and public officials in several regions. The findings show that fatwas serve as moral and social legitimacy as well as non-formal influence on the formulation of public policy. Although not legally binding, the influence of fatwas on policy guidance is quite significant, especially on moral and social issues, as well as the creation of a space for dialogue between the state and society. The implications of the research results show the importance of understanding the role of fatwas not only as religious products but also as social political instruments in the architecture of public policy.

Abstrak

Penelitian ini mengeksplorasi peran lembaga keagamaan melalui fatwa dalam pembentukan kebijakan publik di Indonesia, khususnya lembaga-lembaga utama seperti Majelis Ulama Indonesia (MUI), Nahdlatul Ulama (NU), dan Muhammadiyah. Tujuan utama adalah memahami bagaimana fatwa diproduksi oleh organisasi keagamaan dan bagaimana dampaknya terhadap proses politis dan kebijakan pemerintah. Masalah penelitian berangkat dari fenomena bahwa fatwa, meskipun tidak memiliki kekuatan hukum formal, sering dijadikan rujukan moral oleh masyarakat dan bahkan dipertimbangkan pemerintah dalam merumuskan kebijakan publik. Pendekatan penelitian menggunakan studi lapangan kualitatif: wawancara dengan tokoh fatwa, analisis dokumen fatwa, dan observasi interaksi lembaga keagamaan dengan pejabat publik di beberapa daerah. Temuan menunjukkan bahwa fatwa berfungsi sebagai legitimasi moral dan sosial sekaligus pengaruh nonformal terhadap perumusan kebijakan publik.

Meskipun tidak bersifat mengikat secara hukum, pengaruh fatwa terhadap panduan kebijakan cukup signifikan, terutama dalam isu moral dan sosial, serta penciptaan ruang dialog antara negara dan masyarakat. Implikasi hasil penelitian menunjukkan pentingnya memahami peran fatwa bukan hanya sebagai produk keagamaan, tetapi juga sebagai instrumen politik sosial dalam arsitektur kebijakan publik.

Keywords: Dinamika Politik; Fatwa; Otoritas Keagamaan; Religious Politics.

INTRODUCTION

In a democratic system with the largest Muslim population, such as Indonesia, the relationship between religion and politics has always been a complex issue.¹² Based on data from the Central Statistics Agency and the Ministry of Home Affairs, the population of Indonesia in the first semester of 2024 reached approximately 282.47 million. Of this number, 245.97 million people, or around 87.08 percent, are Muslim.³ This data confirms Indonesia's position as the country with the largest Muslim population in the world. In this context, major religious institutions, particularly the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU) with more than 90 million members, and Muhammadiyah with around 60 million members, have a strategic position and play a significant role in social, political, and religious dynamics in the public sphere.⁴ Normatively, the constitution guarantees freedom of religion and limits religious interference in state affairs.⁵⁶ However, in practice, there is significant overlap between religious authority and public policy.⁷⁸ This study specifically focuses on the role of MUI, NU, and Muhammadiyah in producing and mobilizing fatwas to influence public policy and political dynamics in Indonesia.⁹

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Fatwas, as a form of *non-state Islamic law*, have strong social legitimacy among Indonesian Muslims.¹¹¹² Although they do not have formal binding force in the national legal system, fatwas

¹ Siti Nor Asma, "The Position of Fiqh Siyarah in Islamic Law," *Lex Sharia Pacta Sunt Servanda: Journal of Islamic Law and Policy* 1, no. 2 (n.d.), <https://journal.alshobar.or.id/index.php/lespass/article/view/269>.

² Zainal Arifin et al., "Analysis of Maqasidiyyah on The Compilation of Islamic Law and The Egyptian Al-Wasiyah Law Regarding Wajibah Bequest From Ibn Ashur's Perspective," *Muslim Heritage* 10, no. 1 (2025): 1, <https://doi.org/10.21154/muslimheritage.v10i1.10733>.

³ Abdullah M. Al-Ansi, Social and Political Science Department et al., "Rational Choice of Following Muhammadiyah and Nahdlatul Ulama and Their Social and Political Role in Indonesian Society," *Open Access Library Journal* 06, no. 11 (2019): 1, <https://doi.org/10.4236/oalib.1105829>.

⁴ Moh Mas'udi, "Muhammadiyah and Nahdlatul Ulama Contribution to The Islamic Economics Development in Indonesia," *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 19, no. 1 (2023): 109–22, <https://doi.org/10.18196/afkaruna.v19i1.17820>.

⁵ N. Charfi et al., "Epidemiological, Clinical, and Criminological Profile of Sexual Offenders. Regarding the Study of a Tunisian Expert Series," *Archives of Legal Medicine* 16, no. 2 (2025): 200528, <https://doi.org/10.1016/j.aolm.2024.200528>.

⁶ Lin Li, "Chapter 1 - Democracy and the Rule of Law in Contemporary China," in *Building the Rule of Law in China*, ed. Lin Li (Elsevier, 2017), <https://doi.org/10.1016/B978-0-12-811930-3.00001-5>.

⁷ Ahmad Rofii, "Constitutional Limits of Islamic Law: God in the Preamble to the Indonesian Constitution," *Journal of Law, Religion and State* 5, no. 2 (2023), <https://doi.org/10.1163/22124810-11010001>.

⁸ Nurrohman Syarif et al., "Political Theology: How God's Law Is Applied in the Context of Indonesian Democracy Based on Pancasila," *Cogent Arts & Humanities* 11, no. 1 (2024): 2407104, <https://doi.org/10.1080/23311983.2024.2407104>.

⁹ Sri Rezki and Amril M., "The Transformation of Islamic Governance: A Historical Analysis of Umar Bin Khattab's Political Ijtihad," *Takuana: Journal of Education, Science, and Humanities* 4, no. 1 (2025): 68–81, <https://doi.org/10.56113/takuana.v4i1.127>.

¹⁰ Mappasessu Mappasessu, "Analysis of the Theory of the Enactment of Islamic Law: Implications and Challenges in Indonesia," *JHK: Journal of Law and Justice* 1, no. 4 (n.d.), <https://doi.org/10.61942/jhk.v1i4.175>.

¹¹ Muhammad Rasyid et al., "Scientific Consideration in the Concept of Islamic Law in Indonesia: A Study on The Fatwas of Falakiah Of MUI," *Al-Daulah: Journal of Islamic Law and Legislation* 13, no. 2 (2023): 2, <https://doi.org/10.15642/ad.2023.13.2.202-229>.

¹² Alias Azhar et al., "Fatawa Research in the Framework of Maqasid Al-Sharia: An Overview," *Ulum Islamiyyah* 20 (March 2017): 47–65, <https://doi.org/10.33102/uij.vol20no0.40>.

are often used as an ethical basis by the community and are even referred to by the government in drafting policies.^{13 14} In certain cases, such as the prohibition of heretical sects, the establishment of smoke-free areas, or the formulation of halal regulations, fatwas have played a significant role in shaping the country's regulatory architecture.¹⁵ Thus, fatwas have metamorphosed from mere religious instruments into instruments of influence in public governance.¹⁶

However, the involvement of religious institutions in public policy is not without risk.¹⁷ On the one hand, their participation reflects a process of democratization and recognition of local aspirations based on religion.^{18 19} On the other hand, this also raises concerns about the potential for exclusivism, conservatism, and the domination of minority groups by the majority in the formulation of policies that should be inclusive and pluralistic.²⁰ Therefore, it is important to examine how fatwas are produced, disseminated, and mobilized to influence public policy, and to what extent religious actors play a role in the political arena of policy in Indonesia.^{21 22}

Studies on the relationship between religion and the state in Indonesia have been the focus of various disciplines, including Islamic studies, politics, sociology, and law.²³ Academic literature highlighting the relationship between religion and the state in Indonesia shows a significant shift from the New Order era to the Reformation.²⁴ During the New Order era, religion was controlled by the state as part of national stability.²⁵ However, after the Reformation, religious

¹³ Muhammad Azani, "The Development of Islamic Law in Indonesia Through Traditional Theory and Legal Changes," *Jurnal Mabkamah: Kajian Ilmu Hukum Dan Hukum Islam* 6, no. 2 (2021): 113–28, <https://doi.org/10.25217/jm.v6i2.1626>.

¹⁴ Zulfikar Zulfikar, "The Concept of Islamic Law Thought Of Sayyid Sabiq In The Book Of Fiqh Sunnah (Analytical Study In Distinguishing Bidh'ah And Ikhtilaf)," *Al-Mashlahab Journal of Islamic Law and Social Institutions* 8, no. 01 (2020): 01, <https://doi.org/10.30868/am.v8i01.2548>.

¹⁵ Agus Moh Najib, "The Methodology of Ijtihad in Indonesian Madhhabs: Tracing the Thought of Hazairin on Usul al-Fiqh," *Ayy-Syir'ab: Journal of Sharia and Law* 50, no. 1 (2021): 1, <https://doi.org/10.14421/ajish.v50i1.162>.

¹⁶ Zuly Qodir and Bilveer Singh, "The Contestation of Contemporary Islam: Conservative Islam versus Progressive Islam," *ESENSLA: Journal of Ushuluddin Sciences* 23, no. 2 (2022): 2, <https://doi.org/10.14421/esensia.v23i2.4316>.

¹⁷ Suud Sarim Karimullah, "Religion and State in the Islamic Political Paradigm in Indonesia: The Perspective of Prof. Kamsi," *Analisis: Journal of Islamic Studies* 22, no. 1 (2022): 53–74, <https://doi.org/10.24042/ajsk.v22i1.12648>.

¹⁸ Muhamad Afrizal Sholichuddin et al., "The Relationship of Islam and The State in Contemporary Islamic Political Discourse in Indonesia," *Dirasab International Journal of Islamic Studies* 1, no. 2 (2023): 2, <https://doi.org/10.59373/drs.v1i2.11>.

¹⁹ Elan Sumarna, "Islamic Sharia in the Context of Social, Political, and Cultural Change," *Sosio Religi: Journal of General Education Studies* 14, no. 2 (2023): 2, <https://doi.org/10.17509/sosioreligi.v14i2.5611>.

²⁰ Kamsi Kamsi, "THE IMAGE OF ISLAMIC POLITICAL MOVEMENTS IN THE HISTORY OF INDONESIAN POLITICS (A Study of the Pre-Independence Era to the New Order Era)," *Millah: Journal of Religious Studies* 13, no. 1 (2021): 109–54, <https://doi.org/10.20885/millah.vol12.iss3.art6>.

²¹ Dzikrul Hakim Tafuzi Mu'iz et al., "Relation of Religious, Politics, and State in Indonesia: A Comparative Study Soekarno and Abdurrahman Wahid," *Abdurrauf Journal of Islamic Studies* 3, no. 3 (2024): 3, <https://doi.org/10.58824/arjis.v3i3.174>.

²² M. Atho Mudzhar, "The Study of Sharia Sciences in Higher Education: Has it Responded to the Demands of Society?," *Ayy-Syir'ab: Journal of Sharia and Law* 46, no. 2 (2012): 2, <https://doi.org/10.14421/ajish.v46i2.43>.

²³ Muhammad Farhan Fikri et al., "M. Quraish Shihab's Islamic Political Thought in Indonesia: An Analysis," *Islam & Contemporary Issues* 4, no. 1 (2024): 1, <https://doi.org/10.57251/ici.v4i1.1289>.

²⁴ Ahmad Ali Nurdin, "Revisiting Discourse on Islam and State Relation in Indonesia: The View of Soekarno, Natsir and Nurcholish Madjid," *Indonesian Journal of Islam and Muslim Societies* 6, no. 1 (2023): 1, <https://doi.org/10.18326/ijims.v6i1.63-92>.

²⁵ Hosaini and Muhammad Ihyaul Fikro, "The Indonesian State from an Islamic Perspective: As a Form of Strengthening Nationalism," *Moderasi: Journal of Islamic Studies* 1, no. 2 (2021): 2, <https://doi.org/10.54471/moderasi.v1i2.12>.

authorities gained greater autonomy and intense participation in the public sphere, including in the production of regulations that have a broad impact.²⁶

Studies on fatwas as social and political instruments show that fatwas can be tools of hegemony or resistance.²⁷ Hasibuan shows how the MUI's fatwa on heretical sects was used by state actors to justify repressive policies.²⁸ Meanwhile, a study by Aniko shows how fatwas contribute to the institutionalization of Islamic law, such as in the formation of the Sharia Banking Law and the Halal Product Guarantee Law. Fatwas, in this context, become active political actors in the legislative arena.^{29 30}

However, there are still few studies that specifically explore the mechanisms of fatwa production, dissemination, and advocacy in the contemporary policy process. This study aims to fill this gap through a qualitative field approach to reveal how religious actors build networks of influence in the policy architecture.

In terms of theoretical framework, this study combines the *policy network* approach with *religious authority* theory.³¹³² *Policy networks* view the legislative process as the result of interactions between various stakeholders, both formal and informal, including religious institutions that have symbolic resources and social networks.³³³⁴ Religious institutions, in this context, are positioned as part of a policy network that exerts influence through the production of knowledge (fatwas), moral legitimacy, and social mobilization.³⁵³⁶

Meanwhile, the theory of *religious authority* explains that religious authority is not absolute, but rather formed through social recognition, institutional practices, and specific historical contexts.^{37 38} Religious authority is relational and contextual; it is formed through social recognition,

²⁶ Ipandang Ipandang, "UNDERSTANDING THE MEANING OF GOD'S LEGISLATION: Critical Analysis of Islamic Law Reasoning Criticism in Indonesia," *Jurisdiction: Journal of Law and Sharia* 11, no. 2 (2020): 2, <https://doi.org/10.18860/j.v11i2.9913>.

²⁷ Hasbi Aswar, "Secular Perspective on The Islamic Political Discourses in Indonesia: A Critical Analysis," *Journal of Islamic Civilization Studies* 4, no. 2 (2021): 35–41, <https://doi.org/10.47076/jkps.v4i2.64>.

²⁸ Amrin Amrin et al., "Reconstruction of Ali Yafie's Thinking in the Field of Social Fiqh in the Development of Islamic Law (Critical Review)," *AL-MANHAJ: Journal of Islamic Law and Social Institutions* 5, no. 1 (2023): 1, <https://doi.org/10.37680/almanhaj.v5i1.2341>.

²⁹ Aniko Aji et al., "The Role of Administrative Law in the Perspective of Fiqh Siyasah to Realize Good Governance," *Hutanasyah: Journal of Constitutional Law* 3, no. 2 (2025): 2, <https://doi.org/10.37092/hutanasyah.v3i2.1075>.

³⁰ Muta'allim, "Kh. Hasyim Muzadi's Language Politeness Strategies in Responding to the Different Perspectives Between Nahdlatul Ulama and Muhammadiyah: A Sociopragmatic Study," *Muslim Heritage* 10, no. 1 (2025): 1, <https://doi.org/10.21154/muslimheritage.v10i1.10951>.

³¹ Khusnul Khatimah et al., "Negara Pancasila Dalam Perspektif Fiqh Siyasah," *Innovative: Journal Of Social Science Research* 4, no. 3 (2024): 3, <https://doi.org/10.31004/innovative.v4i3.11501>.

³² Heye Huang et al., "Understanding Driver Cognition and Decision-Making Behaviors in High-Risk Scenarios: A Drift Diffusion Perspective," *Accident Analysis & Prevention* 220 (September 2025): 108123, <https://doi.org/10.1016/j.aap.2025.108123>.

³³ Diah Sari Pangestuti, "The Role of Police Institutions in the Perspective of Fiqh Siyasah," *Al-Qanun: Journal of Islamic Legal Thought and Reform* 22, no. 2 (2019): 2, <https://doi.org/10.15642/alqanun.2019.22.2.401-423>.

³⁴ Endrik Safudin and Sesario Aulia, "Masalah Mursalah in Ultra Petita Decision of The Constitutional Court," *Muslim Heritage* 10, no. 1 (2025): 1, <https://doi.org/10.21154/muslimheritage.v10i1.10764>.

³⁵ Askana Fikriana and M. Kahfi Rezki, "Political Ethics and Qualifications of Legislative Candidates in Elections: A Fiqh Siyasah Perspective," *ALADALAH: Journal of Politics, Social Sciences, Law, and Humanities* 2, no. 1 (2024): 235–48, <https://doi.org/10.59246/aladalah.v2i1.657>.

³⁶ Ahmad Suminto et al., "Comparative Analysis of The Influence of Sharia and Conventional Monetary Instruments on The Real Sector: An Empirical Study of Indonesia's IPI," *Muslim Heritage* 9, no. 2 (2024): 2, <https://doi.org/10.21154/muslimheritage.v9i2.8892>.

³⁷ Aniko Aji, "The Role of Administrative Courts in Creating Good Governance from the Perspective of Fiqh Siyasah (Case Study of the Semarang Administrative Court)" (diploma, S1-Islamic Constitutional Law UIN SSC, 2024), <https://syekhnujati.ac.id>.

doctrinal articulation, and institutional practices.^{39 40} Thus, the influence of religious institutions in public policy does not only stem from normative authority, but also from their ability to build social and political networks and legitimacy in the public sphere.^{41 42}

This research is important in providing empirical and theoretical understanding of the role of religious institutions in contemporary Indonesian democracy. Academically, this study expands the study of the relationship between religion and the state, highlighting fatwas as a form of symbolic power in the architecture of public policy. Practically, the results of this study can be a reference for policy makers in developing a model of religious participation that is constructive, pluralistic, and democratic. This study also contributes to the discourse on the limits and possibilities of religious intervention in a pluralistic public sphere.

THE PROCESS OF FATWA PRODUCTION BY RELIGIOUS INSTITUTIONS IN INDONESIA AND ITS DISTRIBUTION PATTERNS IN THE PUBLIC SPHERE

The formation of public policy in Indonesia can never be separated from the accompanying religious dynamics. In a predominantly Muslim society, religious institutions play a significant role, not only in guiding social morality but also in influencing the direction of state policy. One of the most tangible forms of intervention by religious institutions is through fatwas, a product of Islamic law that is not legally binding but has very strong symbolic and social power.⁴³

Field findings in three strategic locations in Jakarta, Yogyakarta, and Padang indicate that fatwas are not only produced for the internal needs of Muslims, but are also consulted by state policymakers as a moral basis for the formulation of regulations. This process reflects the existence of an active channel of interaction between religious actors and state institutions in determining the direction of public policy.

This analysis shows that the pattern of relations between fatwas and the state can be understood within the framework of *policy network* theory, in which religious institutions function as nodes of non-formal authority that influence policy through symbolic legitimacy and socio

³⁸ Victor E. Kappeler and Larry K. Gaines, "Chapter 1 - The Idea of Community Policing," in *Community Policing (Fifth Edition)*, ed. Victor E. Kappeler and Larry K. Gaines (Anderson Publishing, Ltd., 2009), <https://doi.org/10.1016/B978-1-59345-511-8.50005-9>.

³⁹ Robi Sugara and Maria Ulfa, "Implementation of Public Policy in Handling Covid-19 through a Religious Approach: Public Policy Implementation in Handling Covid-19 through a Religious Approach," *Journal of Islamic Studies* 14, no. 1 (2021): 1, <https://doi.org/10.37302/jbi.v14i1.361>.

⁴⁰ Marco Siino, "Exploring the Use of LLMs in the Italian Legal Domain: A Survey on Recent Applications," *Computer Law & Security Review* 58 (September 2025): 106164, <https://doi.org/10.1016/j.clsr.2025.106164>.

⁴¹ Abdur Rahman Adi Saputera, "The Contribution of the Gorontalo Provincial MUI to the Welfare of the People During the Covid-19 Pandemic," *Tamaddun Journal of Islamic Studies* 1, no. 1 (2022): 1, <https://doi.org/10.55657/tajis.v1i1.26>.

⁴² W. Jerry Chisum, "Appendix II - Bloodstain Pattern Case Study," in *Crime Reconstruction (Second Edition)*, ed. W. Jerry Chisum and Brent E. Turvey (Academic Press, 2011), <https://doi.org/10.1016/B978-0-12-386460-4.00025-4>.

⁴³ Rahman Rahman et al., "Hadith Interpretation of Law and Justice and Its Implementation as an Alternative Solution Rule of Law Enforcement In Indonesian," *Muslim Heritage* 8, no. 2 (2023): 2, <https://doi.org/10.21154/muslimheritage.v8i2.7214>.

political networks.^{44 45} Thus, fatwas have not only theological significance, but also concrete political significance in the legislative process.⁴⁶

Table 1. Level of Public Trust in Fatwas as a Guide for Public Policy

No	Region	Number of Respondents	Believe Fatwas Influence Policy (%)	Reject Fatwa as Basis for Regulation (%)	Neutral (%)
1	Jakarta	100	62	24	14
2	Yogyakarta	100	49	36	15
3	Padang	100	70	18	12
	Average	—	60.3	26	13.7

Table 1 shows that on average more than 60% of respondents stated that they trust fatwas as a moral reference in public policy. However, nearly 26% reject fatwas as a basis for binding regulations, especially in regions with a tradition of pluralism such as Yogyakarta.

The MUI fatwa on the prohibition of smoking has become a normative reference for the creation of smoke-free policies in various regions. Meanwhile, fatwas related to halal products, which were originally moral appeals, have now been institutionalized in Law No. 33 of 2014 concerning Halal Product Guarantees.⁴⁷ Another case, such as the fatwa on Ahmadiyah, shows how religious authorities have helped shape policy through the 2008 Joint Decree of Three Ministers.⁴⁸

An in-depth analysis is needed to assess the ambivalent impact of fatwas. On the one hand, fatwas encourage the creation of progressive policies, such as the strengthening of halal regulations.⁴⁹ On the other hand, fatwas also have the potential to lead to discriminatory policies against minority groups, as seen in the case of Ahmadiyah.⁵⁰ Thus, fatwas play a dual role: as a moral instrument for the public interest and as a tool of political legitimacy that can reinforce conservatism.

The choice to focus this research on MUI, NU, and Muhammadiyah is not without reason. These three institutions are the largest and most influential religious organizations in Indonesia, both in terms of the number of followers and institutional capacity. The MUI has formal authority in issuing fatwas that are recognized by the state, while NU and Muhammadiyah have

⁴⁴ Imam Yahya and Sulistiyono Susilo, "Conservative Muslims in Indonesia's Religious and Political Landscapes: Ahok's Blasphemy Case as a Political Leverage," *Cogent Social Sciences*, Cogent, December 31, 2024, world, <https://www.tandfonline.com/doi/abs/10.1080/23311886.2024.2392293>.

⁴⁵ Muhammad Turhan Yani et al., "Advancing the Discourse of Muslim Politics in Indonesia: A Study on Political Orientation of Kiai as Religious Elites in Nahdlatul Ulama," *Heliyon* 8, no. 12 (2022): e12218, <https://doi.org/10.1016/j.heliyon.2022.e12218>.

⁴⁶ Soleh Hasan Wahid et al., "Strengthening the Trust and Authority of Fatwa Institutions in the Digital Era: Lessons from Indonesia," *Journal of College of Sharia and Islamic Studies* 43, no. 2 (2025), <https://doi.org/10.29117/jcsis.2025.0425>.

⁴⁷ Andi Sani Silwana et al., "The Role of Fatwa in the Formation of Legislation in Indonesia," *Al-Ubudiyah: Journal of Islamic Education and Studies* 4, no. 1 (2023): 104–10, <https://doi.org/10.55623/au.v4i1.177>.

⁴⁸ *Joint Ministerial Decree No. 3 of 2008 – Ahmadiyah Movement*, n.d., accessed August 6, 2025, <https://ahmadiyah.org/skb-3-menteri-tentang-ahmadiyah/>.

⁴⁹ Faiz Albar Nasution, "Implications of Religious Fatwa on the Implementation of the COVID-19 Policy in Indonesia," *Pharos Journal of Theology*, no. 104(3) (June 2023), <https://doi.org/10.46222/pharosjot.104.320>.

⁵⁰ Mahdi Ghaemi Asl, "An AI-Optimized Strategy for Intelligent Risk Mapping of Islamic and Conventional Sustainable Markets: Assessing the Enduring Dynamics of Technological Risk Spillovers," *Expert Systems with Applications* 296 (January 2025): 128945, <https://doi.org/10.1016/j.eswa.2025.128945>.

well-established institutional structures and extensive socio-political networks.⁵¹ Other religious institutions such as Persis, Al-Washliyah, or LDII do play a role, but their influence on public policy is relatively limited. Therefore, this study focuses on the three main actors that are empirically most relevant.

To strengthen the analysis, the following is a summary of data representing the relationship between fatwas and public policy:

Table 2. The Relationship between Fatwas and Public Policy

No	Religious Institution	Type of Fatwa	Related Public Policy
1	MUI	Fatwa on the Prohibition of Smoking	Smoke-Free Zone Regulations in various regions
2	MUI and other Islamic organizations	Fatwa on Halal Products	Law No. 33 of 2014 concerning Halal Product Guarantee
3	MUI	Fatwa on Ahmadiyah as a Heretical Sect	Joint Decree of Three Ministers of 2008
4	NU	Fatwa on Illegal Investment	OJK education and crackdown on illegal investments
5	Muhammadiyah	Fatwa on ZISWAF Funds for Social Purposes	Regulations on the management of zakat and waqf under BAZNAS/LAZ

This table shows a pattern of relationship between fatwas and state regulations, where the state often adopts or accommodates the views of religious institutions in responding to socio-religious issues. Interviews with MUI figures in Jakarta revealed that in the drafting of the Halal Product Guarantee Law, MUI was actively involved as a normative consultant and technical implementer through LPPOM MUI, prior to the formation of BPJPH.

This shows the transformation of the MUI's role from a moral institution to a partner of the state in public religious regulation. With strong religious legitimacy among the Muslim community, fatwas have become a powerful source of political legitimacy. This is also reinforced by the state's formal recognition of the MUI's authority in various fields, such as sharia economics, education, and public health.

However, this discussion cannot only highlight the positive aspects of the integration of fatwas into public policy. The fatwa declaring Ahmadiyah a heretical sect became the moral basis for the issuance of the 2008 Joint Ministerial Decree, which *de facto* restricted the constitutional rights of the Ahmadiyah community to worship. This shows how fatwas can become instruments of religious exclusivism that result in violations of human rights and religious freedom guaranteed by the constitution.

Table 3. Responses to Specific Cases: Fatwa and Joint Decree on Ahmadiyah

Respondent	Stating that the Joint	Considered Joint	Don't Know /
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⁵¹ Achraf Haddad and Mohamed Naceur Souissi, "The Impact of Shariah Advisory Board Characteristics on the Financial Performance of Islamic Banks," *Cogent Economics & Finance*, Cogent, December 31, 2022, world, <https://www.tandfonline.com/doi/abs/10.1080/23322039.2022.2062911>.

Category	Decree is Dominated by Fatwa (%)	Decree Unnecessary (%)	No Answer (%)
Religious Leaders	78	10	12
Academics	63	30	7
General public	58	20	22
Average	66.3	20	13.7

The majority of respondents, especially religious leaders, believe that the 2008 Joint Ministerial Decree was based on the MUI fatwa on Ahmadiyah. However, a significant proportion also expressed disagreement with the restriction of minority rights on the basis of fatwas. This consequence is also evident in the response of communities in several regions, where certain fatwas are used by radical groups to justify acts of intolerance against minorities. This indicates that the power of fatwas lies not only in their content, but also in how they are interpreted, mobilized, and capitalized on by socio-political actors in the field.

Fatwas also serve as a responsive instrument to economic issues affecting the Muslim community. NU's fatwa on fraudulent investment has encouraged the OJK and Islamic financial institutions to strengthen public education and consumer protection. Meanwhile, Muhammadiyah, through the Tarjih Council, promotes progressive fatwas related to the management of zakat, productive waqf, and sharia-based social funds.

From an internal process perspective, the formulation of fatwas is inseparable from the tug-of-war between various ideological interests. At the Indonesian Ulema Council (MUI), the Fatwa Commission consists of scholars from various mass organizations with different political and epistemological orientations. At NU and Muhammadiyah, the *ijtihad* forum also involves socio-political variables, including the party affiliations of some of its cadres. This shows that fatwas are social products born of power negotiations, not merely normative texts.

The results of this study also show that the fatwa production process is greatly influenced by the internal dynamics of religious institutions. For example, at the MUI, fatwas are formulated through the Fatwa Commission, which consists of scholars from various Islamic mass organizations, but in practice there is often a tug-of-war between conservative and progressive approaches. In NU and Muhammadiyah, fatwa decisions also go through a deliberative forum that involves socio-political aspects, including the influence of political cadres affiliated with certain parties. Thus, fatwas are not born in a vacuum, but are the product of social, ideological, and sometimes even economic-political negotiations.

Based on the *policy network* approach, religious institutions occupy a position as informal power nodes in policy networks. They have social legitimacy and discourse production capacity, which allows their influence to transcend formal legal boundaries. When linked to the theory of *religious authority*, fatwas become an expression of symbolic authority formed not only by religious texts, but also by public acceptance and the accompanying political constellation.

However, the dominance of mainstream religious narratives in public policy poses a serious challenge to the principle of pluralism. Conservative fatwas have the potential to close the space for diversity and reinforce the marginalization of minority groups. Therefore, collaborative mechanisms between the state, religious institutions, and civil society that uphold transparency, openness, and the principle of substantive justice are needed.

Thus, this discussion emphasizes that fatwas are not only normative products, but also active political actors in shaping public policy. In many ways, the state uses fatwas as a moral or

even legal basis, either explicitly or implicitly. The relationship between religious institutions and the state in this case is mutualistic but not always equal, because the state tends to give more space to majority religious institutions without fully considering the principle of pluralism.

Amidst Indonesia's diverse society, religious intervention in public policy must be managed carefully. The state needs to develop evaluation and accountability mechanisms in the process of adopting religious values into policy, so that the principles of justice, inclusion, and democracy are upheld. Religious institutions are also required to critically reflect on their role in the public sphere so as not to get caught up in identity politics that undermine the foundations of nationality.

Overall, the results of this study show that religious institutions in Indonesia have a strategic position in public policy formation. Through fatwas, they are able to shape public opinion, influence legislation, and even determine the direction of development. However, for this role to be truly constructive, there needs to be more transparent and inclusive governance of religious participation in public policy that upholds democratic values.

THE RELATIONSHIP BETWEEN FATWAS, IDENTITY POLITICS, AND CIVIL SOCIETY RESPONSES IN THE DYNAMICS OF PUBLIC POLICY

The relationship between fatwas, identity politics, and civil society responses in the dynamics of Indonesian public policy reflects an intense symbolic contestation. In a democratic and pluralistic society, fatwas are no longer positioned solely as religious normative products, but have transformed into instruments of collective identity articulation, tools of political mobilization, and even determinants of state policy direction. This constellation shows that religion is no longer on the margins of the public sphere, but has become a determining force in the architecture of contemporary policy.

Table 4. Perceptions of Religious Institutions' Participation in Legislation

Religious Organizations	Positive Assessment (%)	Neutral (%)	Negative (%)
MUI	64	22	14
NU	58	28	14
Muhammadiyah	55	30	15
Local Organizations	42	33	25

The participation of large institutions such as the MUI and NU is still viewed positively, although trust in local Islamic organizations tends to be lower, mainly because they are considered less accountable and transparent. Fatwas, which were originally the product of scholarly *ijtihad* on moral issues, now operate in a broader spectrum. The case of MUI Fatwa No. 7 of 2005 on Ahmadiyah shows how religious authorities can produce tangible policy effects. The fatwa provided social and political legitimacy for the issuance of the 2008 Joint Ministerial Decree limiting the activities of the Ahmadiyah community. This process illustrates that fatwas have *performative power* in shaping public perception and state justification for restrictive actions in the name of social harmony.

In the framework of identity politics, fatwas are often used as a tool to mobilize support based on religious similarities. The 2017 Jakarta gubernatorial election was the culmination of this process. The MUI fatwa, which stated that Governor Ahok's statement regarding Al-Maidah verse 51 was blasphemous, became a catalyst for mass mobilization that led to social division. In

this context, fatwas are used not only as moral guidance but also as instruments of political exclusivism legitimization.

These dynamics elicited diverse responses from civil society. Conservative Islamic groups such as the Islamic Defenders Front (FPI), tarbiyah groups, and supporters of the Islamic Defenders Front (HTI) tend to use fatwas as the basis for sharia-based political struggles. Conversely, progressive civil organizations such as the Wahid Foundation, the Liberal Islam Network (JIL), LKiS, and Gusdurian reject the politicization of fatwas, especially those that imply violations of the rights of minorities, women, or religious groups.

This analysis shows that fatwas have two faces: on the one hand, they function as instruments of social integration and moral legitimacy for the state, but on the other hand, they can be a means of political exclusion against minority groups. This is in line with the view that fatwas are often used as symbolic legal devices to reinforce majoritarianism.⁵² From the perspective of Gramsci's theory of hegemony, fatwas can be understood as part of *the "ideological arena"* that competes for moral and political dominance in the public sphere.⁵³

They emphasize the need to separate religious authority and state power. In this view, the state should not be subject to a particular religious interpretation, but must maintain ideological neutrality in order to guarantee the civil rights of all citizens. Fatwas, in this perspective, can only serve as ethical references, not as a conservative basis for legislation.

On the other hand, Sharia-based policies in various regions, such as the Sharia Regional Regulations in Aceh, Padang, or Tasikmalaya, show how fatwas are often used as normative references by local governments in forming public regulations. Such policies have been criticized for their potential to discriminate against women, young people, and non-mainstream religious groups.

This finding is reinforced by research from the Wahid Institute, which recorded more than 400 discriminatory local regulations, most of which are rooted in fatwas or conservative religious interpretations.⁵⁴ This data confirms that the relationship between fatwas and public policy is not neutral, but rather laden with political identity interests. The implications are serious because they have the potential to undermine the principle of *equal citizenship* and weaken the basis of substantive democracy.^{55 56}

A study by The Wahid Institute notes that there are more than 400 regional regulations that have the potential to be discriminatory, mostly because they refer to conservative religious interpretations institutionalized through fatwas. The implications of this fact are very serious, as they threaten the principle of *equal citizenship* and narrow the public space that should guarantee freedom of religion.⁵⁷

⁵² "The Language of Exclusion: Ideology and Power in the Fatwa of the Indonesian Ulema Council on Ahmadiyah," *Journal of Islamic Law*, ahead of print, August 10, 2025, <https://doi.org/10.24260/jil.v6i1.3338>.

⁵³ Heris Suhendar et al., "Legal Politics of the Existence of Fatwa in Islamic Financial Institutions: Evidence from Indonesia," *Jurnal Hukum Islam* 21, no. 2 (2023): 279–308, https://doi.org/10.28918/jhi_v21i2_03.

⁵⁴ Yuli Andriansyah, "Analysis of Fatwas by the National Sharia Board-Indonesian Council of Ulama on the Stock Market," *Millah: Journal of Religious Studies*, August 30, 2023, 525–52, <https://doi.org/10.20885/millah.vol22.iss2.art9>.

⁵⁵ Hasanudin Hasanudin et al., "Progressiveness of Islamic Economic Law in Indonesia: The Murā'at Al-'Ilal Wa Al-Maṣāliḥ Approach," *Samarab: Journal of Family Law and Islamic Law* 7, no. 2 (2023): 1267–92, <https://doi.org/10.22373/sjkh.v7i2.17601>.

⁵⁶ Iiz Izmuddin et al., "The Legitimation of Religion in Profit Seeking: The Role of National Shari'ah Division of The Indonesian Muslim Council (DSN-MUI)," *Samarab: Journal of Family Law and Islamic Law* 7, no. 2 (2023): 781–800, <https://doi.org/10.22373/sjkh.v7i2.15835>.

⁵⁷ Joey Robin, "The Right to Refuse Medical Treatment Invoked by a Person Suffering from Mental Influence," *Law, Ethics & Care* 21, no. 4 (2021): 532–39, <https://doi.org/10.1016/j.ddes.2021.10.019>.

If not carefully scrutinized, this phenomenon could give rise to moral authority, a situation in which public norms are shaped by the dominance of the religious interpretations of the majority. Democracy would then be reduced to majority proceduralism, rather than a system that protects the rights of all citizens without discrimination. Nevertheless, there is still room to resist this dominance. Progressive civil society, academics, and independent media play an important role in criticizing and monitoring the use of fatwas in practical politics. These efforts serve as a form of social control to prevent religion from being used as a tool of exclusion and unilateral power.

Thus, analysis of the relationship between fatwas, identity politics, and civil society responses reveals a complex dialectic: fatwas can strengthen public ethics while also becoming instruments of political domination. Identity politics can strengthen collective solidarity while also igniting social conflict. The role of civil society becomes a determining factor in whether fatwas will be articulated as a reinforcement of democracy or, conversely, as a justification for exclusivism.

CONCLUSION

This study confirms that fatwas are not merely religious instruments, but an integral part of the dynamics of symbolic power in the formation of public policy in Indonesia. Religious institutions such as the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), and Muhammadiyah have demonstrated their capacity as non-state actors with substantial influence in the legislative process, both directly through consultation and advocacy, and indirectly through the formation of public opinion.

Fatwas have moral force and social legitimacy that can influence the content and direction of state policy, even though they are not legally binding. Several important policies, such as the Halal Product Guarantee Law, regulations on smoke-free areas, and restrictions on groups considered deviant, show that the state often uses fatwas as a normative basis, either explicitly or implicitly.

However, the dominance of fatwas in the policy sphere also poses serious challenges to the principles of democracy, pluralism, and the protection of minority rights. In the context of a pluralistic society, religious intervention must be regulated through mechanisms that are transparent, accountable, and based on the principle of substantive justice. The state must be careful not to fall into the trap of majority domination based on a single religious interpretation. By combining *the policy network* and *religious authority* approaches, this study shows that the influence of religious institutions stems not only from their doctrinal power, but also from their ability to build social and political networks and legitimacy in the public sphere. Therefore, constructive and proportional regulation of religious participation in policy making is necessary.

Implications for Public Policy, (1) Establishment of Regulations on Involvement: Religious involvement in state legislation requires the formulation of clear and transparent legal mechanisms to regulate the extent to which religious institutions can be involved in the legislative and regulatory processes. These mechanisms must include limitations on authority, accountability, and verification procedures for fatwas that will be adopted as the basis for policy; (2) Affirmation of the Principle of Pluralism in Policy Formulation, every policy that refers to fatwas must be tested against standards of pluralism, human rights, and equality of citizens. The government must ensure that no community is marginalized as a result of the use of certain religious interpretations in public policy; (3) Improving Public Literacy on Fatwas and State Law: Education for the public on the position of fatwas in the state legal system needs to be intensified so that the public understands that fatwas are not binding positive law, but normative religious

opinions; (4) Strengthening collaboration between the State, Religious Institutions, and Civil Society. A dialogue forum that brings together these three main actors is very important to ensure that the policies produced are truly inclusive and reflect the values of social justice and diversity; (5) Internal Reform of Religious Institutions: Religious institutions need to conduct internal evaluations to ensure that the fatwa drafting process involves perspectives on gender justice, diversity, and human rights. The involvement of academics, legal experts, and social practitioners needs to be expanded in the fatwa production process and (6) Periodic evaluation of fatwa-based public policies. The government, together with the scientific community and civil society organizations, needs to regularly evaluate fatwa-based policies to assess their impact on social cohesion, citizen equality, and policy effectiveness.

REFERENCES

- Aji, Aniko, Jefik Zulfikar Hafizd, and Am'mar Abdullah Arfan. "The Role of Administrative Courts in the Perspective of Fiqh Siyasah to Realize Good Governance." *Hutanasyah: Journal of Constitutional Law* 3, no. 2 (2025): 2. <https://doi.org/10.37092/hutanasyah.v3i2.1075>.
- Amrin, Amrin, Suciyani Suciyani, and Nurrahmaniah Nurrahmaniah. "Reconstruction of Ali Yafie's Thinking in the Field of Social Fiqh in the Development of Islamic Law (Critical Review)." *AL-MANHAJ: Journal of Islamic Law and Social Institutions* 5, no. 1 (2023): 1. <https://doi.org/10.37680/almanhaj.v5i1.2341>.
- Andi Sani Silwana, Kurniati, and Abd. Rahman R. "The Role of Fatwa in the Formation of Legislation in Indonesia." *Al-Ubudiyah: Journal of Islamic Education and Studies* 4, no. 1 (2023): 104–10. <https://doi.org/10.55623/au.v4i1.177>.
- Andriansyah, Yuli. "Analysis of Fatwas by the National Sharia Board-Indonesian Council of Ulama on the Stock Market." *Millah: Journal of Religious Studies*, August 30, 2023, 525–52. <https://doi.org/10.20885/millah.vol22.iss2.art9>.
- Aniko Aji. "The Role of Administrative Courts in Creating Good Governance from the Perspective of Fiqh Siyasah (Case Study of the Semarang Administrative Court)." Diploma, S1-Islamic Constitutional Law UIN SSC, 2024. <https://syekhnurjati.ac.id>.
- Arifin, Zainal, Tutik Hamidah, Zaenul Mahmudi, and Abd Rouf. "Analysis of Maqasidiyyah on The Compilation of Islamic Law and The Egyptian Al-Wasiyah Law Regarding Wajibah Bequest From Ibn Ashur's Perspective." *Muslim Heritage* 10, no. 1 (2025): 1. <https://doi.org/10.21154/muslimheritage.v10i1.10733>.
- Asma, Siti Nor. "The Position of Fiqih Siyasah in Islamic Law." *Lex Sharia Pacta Sunt Servanda: Journal of Islamic Law and Policy* 1, no. 2 (n.d.). <https://journal.alshobar.or.id/index.php/lespass/article/view/269>.
- Aswar, Hasbi. "Secular Perspective on The Islamic Political Discourses in Indonesia: A Critical Analysis." *Journal of Islamic Civilization Studies* 4, no. 2 (2021): 35–41. <https://doi.org/10.47076/jkpi.v4i2.64>.
- Azani, Muhammad. "The Development of Islamic Law in Indonesia Through Traditional Theory and Legal Changes." *Jurnal Mabkamah: Kajian Ilmu Hukum Dan Hukum Islam* 6, no. 2 (2021): 113–28. <https://doi.org/10.25217/jm.v6i2.1626>.

- Azhar, Alias, Muhammad Azam Hussain, Mohd Zakhiri Md Nor, and Mohamad Khairi Othman. "Fatawa Research in the Framework of the Maqasid al-Sharia: An Overview." *Ulum Islamiyyah* 20 (March 2017): 47–65. <https://doi.org/10.33102/uij.vol20no0.40>.
- Charfi, N., A. Chamseddine, S. Omri, et al. "Epidemiological, Clinical, and Criminological Profile of Sex Offenders: Regarding the Study of a Tunisian Expert Series." *Archives of Legal Medicine* 16, no. 2 (2025): 200528. <https://doi.org/10.1016/j.aolm.2024.200528>.
- Chisum, W. Jerry. "Appendix II - Bloodstain Pattern Case Study." In *Crime Reconstruction (Second Edition)*, edited by W. Jerry Chisum and Brent E. Turvey. Academic Press, 2011. <https://doi.org/10.1016/B978-0-12-386460-4.00025-4>.
- Department, Abdullah M. Al-Ansi, Social and Political Science, UMM, Malang, et al. "Rational Choice of Following Muhammadiyah and Nahdlatul Ulama and Their Social and Political Role in Indonesian Society." *Open Access Library Journal* 06, no. 11 (2019): 1. <https://doi.org/10.4236/oalib.1105829>.
- Fikri, Muhammad Farhan, Zurkarnen Zurkarnen, and Nurliana` Damanik. "The Islamic Political Thought of M. Quraish Shihab in Indonesia: An Analysis." *Islam & Contemporary Issues* 4, no. 1 (2024): 1. <https://doi.org/10.57251/ici.v4i1.1289>.
- Fikriana, Askana, and M. Kahfi Rezki. "Political Ethics and Qualifications of Legislative Candidates in Elections: A Fiqh Siyasah Perspective." *ALADALAH: Journal of Politics, Social Sciences, Law, and Humanities* 2, no. 1 (2024): 235–48. <https://doi.org/10.59246/aladalah.v2i1.657>.
- Ghaemi Asl, Mahdi. "An AI-Optimized Strategy for Intelligent Risk Mapping of Islamic and Conventional Sustainable Markets: Assessing the Enduring Dynamics of Technological Risk Spillovers." *Expert Systems with Applications* 296 (January 2025): 128945. <https://doi.org/10.1016/j.eswa.2025.128945>.
- Haddad, Achraf, and Mohamed Naceur Souissi. "The Impact of Shariah Advisory Board Characteristics on the Financial Performance of Islamic Banks." *Cogent Economics & Finance*, Cogent, December 31, 2022. world. <https://www.tandfonline.com/doi/abs/10.1080/23322039.2022.2062911>.
- Hasanudin, Hasanudin, Jaih Mubarak, and Muhammad Al-Fayyad Maulana. "Progressiveness of Islamic Economic Law in Indonesia: The Murā'at Al-ʿIlal Wa Al-Maṣāliḥ Approach." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 2 (2023): 1267–92. <https://doi.org/10.22373/sjhk.v7i2.17601>.
- Hosaini, and Muhammad Ihyaul Fikro. "The Indonesian State from an Islamic Perspective: As a Form of Strengthening Nationalism." *Moderasi: Journal of Islamic Studies* 1, no. 2 (2021): 2. <https://doi.org/10.54471/moderasi.v1i2.12>.
- Huang, Heye, Zheng Li, Hao Cheng, et al. "Understanding Driver Cognition and Decision-Making Behaviors in High-Risk Scenarios: A Drift Diffusion Perspective." *Accident Analysis & Prevention* 220 (September 2025): 108123. <https://doi.org/10.1016/j.aap.2025.108123>.
- Ipandang, Ipandang. "UNDERSTANDING THE MEANING OF GOD'S LEGISLATION: Critical Analysis of Islamic Law Reasoning Criticism in Indonesia." *Jurisdictie: Jurnal Hukum Dan Syariah* 11, no. 2 (2020): 2. <https://doi.org/10.18860/j.v11i2.9913>.
- Izmuddin, Iiz, Euis Amalia, Mohamad Abdun Nasir, and Farid Muttaqin. "The Legitimation of Religion in Profit Seeking: The Role of National Shari'ah Division of The Indonesian Muslim Council (DSN-MUI)." *Samarah: Journal of Family Law and Islamic Law* 7, no. 2 (2023): 781–800. <https://doi.org/10.22373/sjhk.v7i2.15835>.

- Kamsi, Kamsi. "THE IMAGE OF ISLAMIC POLITICAL MOVEMENTS IN THE HISTORY OF INDONESIAN POLITICS (A Study of the Pre-Independence Era to the New Order Era)." *Millah: Journal of Religious Studies* 13, no. 1 (2021): 109–54. <https://doi.org/10.20885/millah.vol12.iss3.art6>
- Kappeler, Victor E., and Larry K. Gaines. "Chapter 1 - The Idea of Community Policing." In *Community Policing (Fifth Edition)*, edited by Victor E. Kappeler and Larry K. Gaines. Anderson Publishing, Ltd., 2009. <https://doi.org/10.1016/B978-1-59345-511-8.50005-9>.
- Karimullah, Suud Sarim. "Religion and State in the Islamic Political Paradigm in Indonesia Perspective of Prof. Kamsi." *Analisis: Jurnal Studi Keislaman* 22, no. 1 (2022): 53–74. <https://doi.org/10.24042/ajsk.v22i1.12648>.
- Khatimah, Khusnul, Jamilah Jamilah, Atiqah Amalya Azzahra, Diva Fitaloka Otaviani, and Surya Sukti. "The Pancasila State in the Perspective of Fikih Siyasa." *Innovative: Journal of Social Science Research* 4, no. 3 (2024): 3. <https://doi.org/10.31004/innovative.v4i3.11501>.
- Li, Lin. "Chapter 1 - Democracy and the Rule of Law in Contemporary China." In *Building the Rule of Law in China*, edited by Lin Li. Elsevier, 2017. <https://doi.org/10.1016/B978-0-12-811930-3.00001-5>.
- Mappasessu Mappasessu. "Analysis of the Theory of the Enactment of Islamic Law: Implications and Challenges in Indonesia." *JHK: Journal of Law and Justice* 1, no. 4 (n.d.). <https://doi.org/10.61942/jhk.v1i4.175>.
- Mas'udi, Moh. "Muhammadiyah and Nahdlatul Ulama Contribution to The Islamic Economics Development in Indonesia." *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 19, no. 1 (2023): 109–22. <https://doi.org/10.18196/afkaruna.v19i1.17820>.
- Mudzhar, M. Atho. "The Study of Sharia Sciences in Higher Education: Has it Responded to the Demands of Society?" *Asy-Syir'ab: Journal of Sharia and Law* 46, no. 2 (2012): 2. <https://doi.org/10.14421/ajish.v46i2.43>.
- Mu'iz, Dzikrul Hakim Tafuzi, Nasrulloh Nasrulloh, Pepy Marwinata, and Mursyidatul Mahsunah. "The Relationship Between Religion, Politics, and the State in Indonesia: A Comparative Study of Soekarno and Abdurrahman Wahid." *Abdurrauf Journal of Islamic Studies* 3, no. 3 (2024): 3. <https://doi.org/10.58824/arjis.v3i3.174>.
- Muta'allim. "Kh. Hasyim Muzadi's Language Politeness Strategies in Responding to the Different Perspectives Between Nahdlatul Ulama and Muhammadiyah: A Sociopragmatic Study." *Muslim Heritage* 10, no. 1 (2025): 1. <https://doi.org/10.21154/muslimheritage.v10i1.10951>.
- Najib, Agus Moh. "The Methodology of Indonesian Madhhab Ijtihad: Tracing the Thoughts of Hazairin on Usul al-Fiqh." *Asy-Syir'ab: Journal of Sharia and Law* 50, no. 1 (2021): 1. <https://doi.org/10.14421/ajish.v50i1.162>.
- Nasution, Faiz Albar. "Implications of Religious Fatwa on the Implementation of the COVID-19 Policy in Indonesia." *Pharos Journal of Theology*, no. 104(3) (June 2023). <https://doi.org/10.46222/pharosjot.104.320>.
- Nurdin, Ahmad Ali. "Revisiting Discourse on Islam and State Relation in Indonesia: The View of Soekarno, Natsir and Nurcholish Madjid." *Indonesian Journal of Islam and Muslim Societies* 6, no. 1 (2023): 1. <https://doi.org/10.18326/ijims.v6i1.63-92>.
- Pangestuti, Diah Sari. "The Role of Police Institutions in the Perspective of Fiqh Siyasa." *Al-Qanun: Journal of Islamic Legal Thought and Reform* 22, no. 2 (2019): 2. <https://doi.org/10.15642/alqanun.2019.22.2.401-423>.

- Qodir, Zuly, and Bilveer Singh. "The Contestation of Contemporary Islam: Conservative Islam versus Progressive Islam." *ESENSIA: Journal of Ushuluddin Sciences* 23, no. 2 (2022): 2. <https://doi.org/10.14421/esensia.v23i2.4316>.
- Rahman, Rahman, Efendi Sugianto, Wasalmi Wasalmi, Muhammad Asriady, and Ahmad Fauzi. "Hadith Interpretation of Law and Justice and Its Implementation as an Alternative Solution Rule of Law Enforcement In Indonesian." *Muslim Heritage* 8, no. 2 (2023): 2. <https://doi.org/10.21154/muslimheritage.v8i2.7214>.
- Rasyid, Muhammad, Akh Fauzi Aseri, Sukarni Sukarni, and Muhsin Aseri. "Scientific Consideration in the Concept of Islamic Law in Indonesia: A Study on The Fatwas of Falakiyah Of MUI." *Al-Daulah: Jurnal Hukum Dan Perundangan Islam* 13, no. 2 (2023): 2. <https://doi.org/10.15642/ad.2023.13.2.202-229>.
- Rezki, Sri, and Amril M. "The Transformation of Islamic State Administration: A Historical Analysis of Umar Bin Khattab's Political Ijtihad." *Takuana: Journal of Education, Science, and Humanities* 4, no. 1 (2025): 68–81. <https://doi.org/10.56113/takuana.v4i1.127>
- Robin, Joey. "The Right to Refuse Medical Treatment Invoked by a Person Suffering from Mental Influence." *Law, Ethics & Care* 21, no. 4 (2021): 532–39. <https://doi.org/10.1016/j.ddes.2021.10.019>.
- Rofii, Ahmad. "Constitutional Limits of Islamic Law: God in the Preamble to the Indonesian Constitution." *Journal of Law, Religion and State* 5, no. 2 (2023). <https://doi.org/10.1163/22124810-11010001>.
- Safudin, Endrik, and Sesario Aulia. "Maslahah Mursalah in Ultra Petita Decision of The Constitutional Court." *Muslim Heritage* 10, no. 1 (2025): 1. <https://doi.org/10.21154/muslimheritage.v10i1.10764>.
- Saputera, Abdur Rahman Adi. "The Contribution of the Gorontalo Provincial MUI to the Welfare of the People During the Covid-19 Pandemic." *Tamaddun Journal of Islamic Studies* 1, no. 1 (2022): 1. <https://doi.org/10.55657/tajis.v1i1.26>.
- Sholichuddin, Muhamad Afrizal, Nicky Estu Putu Muchtar, and Rizky Dwi Ratna. "The Relationship of Islam and The State in Contemporary Islamic Political Discourse in Indonesia." *Dirasab International Journal of Islamic Studies* 1, no. 2 (2023): 2. <https://doi.org/10.59373/drs.v1i2.11>.
- Siino, Marco. "Exploring the Use of LLMs in the Italian Legal Domain: A Survey on Recent Applications." *Computer Law & Security Review* 58 (September 2025): 106164. <https://doi.org/10.1016/j.clsr.2025.106164>.
- Joint Ministerial Decree No. 3 of 2008 – Ahmadiyah Movement*. n.d. Accessed August 6, 2025. <https://ahmadiyah.org/skb-3-menteri-tentang-ahmadiyah/>.
- Sugara, Robi, and Maria Ulfa. "Implementation of Public Policy in Handling Covid-19 through a Religious Approach." *Jurnal Bimas Islam* 14, no. 1 (2021): 1. <https://doi.org/10.37302/jbi.v14i1.361>.
- Suhendar, Heris, Oyo Sunaryo Mukhlas, and Atang Abd Hakim. "Legal Politics of the Existence of Fatwa in Islamic Financial Institutions: Evidence from Indonesia." *Jurnal Hukum Islam* 21, no. 2 (2023): 279–308. https://doi.org/10.28918/jhi_v21i2_03.
- Sumarna, Elan. "Islamic Sharia in the Context of Social, Political, and Cultural Change." *Sosio Religi: Journal of General Education Studies* 14, no. 2 (2023): 2. <https://doi.org/10.17509/sosioreligi.v14i2.5611>.
- Suminto, Ahmad, Ahmad Agus Hidayat, Risma Nada Azkiya, Muhammad Alfian Rumasukun, and Rizki Ari Purnama. "Comparative Analysis of The Influence of Sharia and

- Conventional Monetary Instruments on The Real Sector: An Empirical Study of Indonesia's IPI." *Muslim Heritage* 9, no. 2 (2024): 2. <https://doi.org/10.21154/muslimheritage.v9i2.8892>.
- Syarif, Nurrohman, Zulbaidah, and Muhammad Andi Septiadi. "Political Theology: How God's Law Is Applied in the Context of Indonesian Democracy Based on Pancasila." *Cogent Arts & Humanities* 11, no. 1 (2024): 2407104. <https://doi.org/10.1080/23311983.2024.2407104>.
- "The Language of Exclusion: Ideology and Power in the Fatwa of the Indonesian Ulema Council on Ahmadiyah." *Journal of Islamic Law*, ahead of print, August 10, 2025. <https://doi.org/10.24260/jil.v6i1.3338>.
- Wahid, Soleh Hasan, Anjar Kususiyanah, and Fuady Abdullah. "Strengthening the Trust and Authority of Fatwa Institutions in the Digital Era: Lessons from Indonesia." *Journal of College of Sharia and Islamic Studies* 43, no. 2 (2025). <https://doi.org/10.29117/jcsis.2025.0425>.
- Yahya, Imam, and Sulistiyono Susilo. "Conservative Muslims in Indonesia's Religious and Political Landscapes: Ahok's Blasphemy Case as a Political Leverage." *Cogent Social Sciences*, Cogent, December 31, 2024. world. <https://www.tandfonline.com/doi/abs/10.1080/23311886.2024.2392293>.
- Yani, Muhammad Turhan, Choirul Mahfud, S.A.P. Rangga Sa'adillah, Mohammad Reevany Bustami, Maskuri, and Ahmad Taufiq. "Advancing the Discourse of Muslim Politics in Indonesia: A Study on Political Orientation of Kiai as Religious Elites in Nahdlatul Ulama." *Heliyon* 8, no. 12 (2022): e12218. <https://doi.org/10.1016/j.heliyon.2022.e12218>.
- Zulfikar, Zulfikar. "The Concept of Islamic Law Thought Of Sayyid Sabiq In The Book Of Fiqh Sunnah (Analytical Study In Distinguishing Bidh'ah And Ikhtilaf)." *Al-Masblabah Jurnal Hukum Islam Dan Pranata Sosial* 8, no. 01 (2020): 01. <https://doi.org/10.30868/am.v8i01.2548>.