



## **Religion and State in the Islamic Political Paradigm in Indonesia Perspective of Prof. Kamsi**

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**Abstract:** *The relationship between religion and the state has always been an actual problem in the discourse of Islamic political thought. This paper aims to describe the relationship between religion and the state in Indonesia with a focus on studying the Islamic political paradigm in the view of Prof. Kamsi, who is one of the professors in the study of Islamic law politics at UIN Sunan Kalijaga Yogyakarta. Then, library research with analytical descriptive nature is used in this research by conducting a descriptive study that aims to provide answers to various problems regarding the state of a particular subject or object in detail. Then, various data that have been obtained are analyzed and interpreted to get an adequate explanatory meaning. Furthermore, this study states that in the view of Prof. Kamsi. In general, the pattern of relations between religion and the state is not just a pattern of dichotomous relations that cancel each other out. However, the relationship between religion and the state must be harmoniously and proportionally established. This is intended so that the thinking process of Muslims will not be disturbed by the development of a country that is pioneering and building a better and functioning state order for the long term.*

**Keywords:** *Relasi, Agama, Negara, Politik Islam, Prof. Kamsi.*

### **A. Introduction**

Experiences that occur in the lives of Muslim communities in several countries show that there is an awkward relationship between Islam and the state. There are various studies conducted that aim to

harmonize the concept and culture of the Muslim community.<sup>1</sup> In Islam itself, the actual representation of the relationship between religion and the state after the death of the Prophet Muhammad and the end of the leadership of Khulafaur Rashidun is still debated to this day because neither the Qur'an nor the Sunna can find a clear and unequivocal explanation of the political system desired by Islam.

In general, the relationship between religion and the state can be classified into three forms: integrated, intersectional and separated. In the integrated reaction, it is a harmonious relationship between religion and the state and religious leadership as well as being a leader of the state, as has been done by Iran and the Vatican in state practice. Then, the intersectional relation is a relationship that provides an overview of the existence of an intersection between religion and the state. At this intersection, sometimes it is almost perfect with various religious laws that become favourable laws in a country, as implemented by the state of Saudi Arabia in its practice. Meanwhile, in separated or secularistic relations, it is a separation relationship between religion and the state, as is done by the Turkish state and most of the Christian world in their state practice. This paradigm rejects either the intergalactic or symbolic relationship between religion and the state. The secularistic paradigm rejects the state's basis on religion or the determination of religion in a country.<sup>2</sup> The three concepts show various concepts of the relationship between religion and the state that occur in the world political system.

In the context of the Indonesian state, the debate on the relationship between religion and the state is not a new discussion in Indonesian politics. However, it got re-actualization after the spread of a phenomenon of Islamic fundamentalism, which introduced the establishment of an Islamic state which is a unity between religion and state based on Islamic teachings. Another thing that is also interesting to observe is that as a phenomenon of contemporary

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<sup>1</sup> Mujar Ibnu Syarif and Khamami Zada, *Fiqh Siyash Doktrin Dan Pemikiran Politik Islam* (Jakarta: Erlangga, 2008), h. 76.

<sup>2</sup> M Din Syamsudin, "Usaha Pencarian Konsep Negara Dalam Sejarah Pemikiran Islam," *Jurnal Ilmu dan Kebudayaan Ulumul Qur'an, Jakarta: Lembaga Studi Agama dan Filsafat (LSAF) dan ICMI 2* (1993).

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Islamic society, even today, there are still various forms of confusion from being Muslims in giving attitudes to problems regarding the relationship between religion and the state. This confusion model is not only experienced by Indonesian Muslims but also experienced by various countries where most of the population is Muslim. This is reflected in the phenomenon of the Islamic world in carrying out various thought manoeuvres in carrying out its political system and various political actions so that the identity and function of Islam in the state never obtains firmness and clarity in the political system in a country where the majority of the population adheres to Islamic beliefs.

The differences in the relationship between religion and the state that occur in Indonesia started with the founding fathers of the Indonesian nation.<sup>3</sup> Towards the state's independence on August 17, 1945, the founding figures of the nation and state from the Islamic faction and the nationalist faction were involved in a debate about the philosophical and ideological basis of the Indonesian state to be established. Then, the founding fathers realized how difficult it was to formulate the basic philosophy of the Indonesian state, which consisted of the various races, ethnicities, religions, languages and political groups that existed in Indonesia then.<sup>4</sup>

According to some medieval intellectuals and thinkers, religion is positioned in its normative framework as an absolute truth so that it will not change amid the times that continue to experience such rapid changes. However, this does not mean that all medieval intellectuals

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<sup>3</sup> Ahmad Hamidi, Asasriwarni Asasriwarni, and Ikhwan Matondang, "The Relationship Between Religion and The State in Indonesia, and Its Relation to Islamic Law," *NEGREI: Academic Journal of Law and Governance* 2, No. 1 (2022), h. 1–22; Zaidah Nur Rosidah, "Coherence of the Rules of Sharia Against Pancasila," *Bestuur* 8, No. 1 (2020), h. 40–52.

<sup>4</sup> Faisal Ismail, "Religion, State, And Ideology In Indonesia:: A Historical Account Of The Acceptance Of Pancasila As The Basis Of Indonesian State," *Indonesian Journal of Interdisciplinary Islamic Studies* 1, No. 2 (2018), h. 19–58; Michael Morfit, "Pancasila: The Indonesian State Ideology According to the New Order Government," *Asian Survey* 21, No. 8 (1981), h. 838–851; Syukri Hamzah, Mohd Hilmy Baihaqy Yussof, and Alexis Arizabal Enriquez, "Togetherness in the Diversity of the Pancasila Ideology Frame," *Journal of Social Work and Science Education* 1, No. 1 (2020), h. 8–12; Geoffrey C Gunn, "Ideology and the Concept of Government in the Indonesian New Order," *Asian Survey* 19, No. 8 (1979), h. 751–769.

and thinkers interpreted religion in an ideal normative perspective; one who could see the relationship between religion and the state more proportionally than a line of medieval thinkers was Ibn Khaldun, who was one of the famous Muslim scientists. The exact time in at this time, one of them is Prof. Dr. H. Kamsi.

Kamsi is one of the political thinkers of Islamic law this century and made a significant contribution in the field of science, especially in the field of Islamic political law; he is also a professor at the State Islamic University of Sunan Kalijaga Yogyakarta.<sup>5</sup> Kamsi's thinking is unique in what is now called social sciences, especially when discussing politics-oriented.

The scope of thinking of Prof. Kamsi about his politics, especially those related to the issue of the relationship between religion and the state, is a breakthrough in contemporary Islamic political thought.<sup>6</sup> Concerning society with the discussion of the issue of the relationship between religion and the state, classical philosophers' political thought seems more speculative in positioning religion in a normative position like the idea of truth that must be realized in history. On the contrary, Prof. Kamsi views the role of religion in politics as having more influence in the formation and maintenance of the socio-political reality of society. Religion is an image that moves politics, but at the same time, because of the unity of its historical transcendental character, religion is a symbolic field of political struggle that is essential in building social awareness in society.

This paper aims to describe the relationship between religion and the state in Indonesia with a focus on the study of the Islamic political paradigm in the view of Prof. Kamsi because Kamsi is one of the

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<sup>5</sup> Tim Humas UIN Sunan Kalijaga, *Prof. Kamsi Dikukuhkan Sebagai Guru Besar UIN Suka Sampaikan Pidato Guru Besar "Indonesianisasi Hukum Islam"* (Yogyakarta, 2018), accessed June 18, 2022, <https://uin-suka.ac.id/id/berita/detail/243/blog-post.html>.

<sup>6</sup> Kamsi, *Pergulatan Hukum Islam Dan Politik Dalam Sorotan* (Yogyakarta: Pustaka Ilmu, 2014); Kamsi, *Pergolakan Politik Hukum Islam Di Indonesia* (Yogyakarta: SUKA-Press, 2014); Kamsi Kamsi, "Relasi Islam Dan Negara Di Indonesia Dan Malaysia," *Mukaddimah: Jurnal Studi Islam* 18, No. 1 (2012); H Kamsi and M A Dr H Kamsi, "Paradigma Politik Islam Tentang Relasi Agama Dan Negara," *IN RIGHT: Jurnal Agama Dan Hak Azazi Manusia* 2, No. 1 (2012).

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professors in the study of Islamic law politics at UIN Sunan Kalijaga so that studies on the relationship between religion and the state are so essential to get attention in adapting to the nation-state so far. Moreover, in addition to completing the discourse of religious thought, the thoughts of Prof. Kamsi are also the response of Muslims to take part in strengthening the ranks of national awakening.

Several previous research results still have relevance to the discussion of this research, such as the research conducted by Fariz Ulul Abshar, Ulya Ardhia Cahyani Ahmad, Lu'lu'il Maknun, and Ana Nuriyatul with a discussion of the state-Islamic relationship in the formation of law in Indonesia by The aim is to find a harmonious and systemic agreement in the formation of law in Indonesia.<sup>7</sup> Then Ahmad Asroni examines the thoughts and political wisdom of one of the accurate nationalist figures, Wahid Hasyim, regarding the relationship between Islam and the state.<sup>8</sup> Next, Sismanto examined Islam and the relation of religions in the perspective of hadith editorially because it was found that hadiths showed an accommodative relationship between Islam and other religions. Still, some traditions seemed discriminatory.<sup>9</sup> Furthermore, research conducted by Ravico on the thoughts of modernist and neo-modernist groups in looking at the dynamics of the relationship between Islam and the state in Indonesia.<sup>10</sup>

Some of the research results that have been mentioned above have relevance to this research, but there are differences between the focus of the study and the perspectives and methods used. This research focuses on the thoughts of Prof. Kamsi, who is one of the leading and influential Muslim intellectuals in Indonesia; his various

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<sup>7</sup> Fariz Ulul, Ulya Ardhia Cahyani Ahmad, and Ana Nuriyatul Ilmiah, "Relasi Islam-Negara Dalam Pembentukan Hukum Di Indonesia," *SOSIO YUSTITIA* 1, No. 1 (2021), h. 88–107.

<sup>8</sup> Ahmad Asroni, "Pemikiran KH. A Wahid Hasyim Tentang Relasi Islam Dan Negara," *Living Islam: Journal of Islamic Discourses* 3, No. 2 (n.d.), h. 402–416.

<sup>9</sup> Sismanto Sismanto, "Islam Dan Relasi Agama-Agama Dalam Perspektif Hadis Dan Implementasinya Di Lembaga Pendidikan," *AL QUDS: Jurnal Studi Alquran dan Hadis* 5, No. 2 (2021), h. 559–586.

<sup>10</sup> Ravico Ravico, "Dinamika Relasi Islam Dan Negara: Tinjauan Terhadap Kelompok Modernis Dan Neo Medernis," *Ampera: A Research Journal on Politics and Islamic Civilization* 3, No. 02 (2022), h. 92–101.

views on the relationship between religion (Islam) and the state as well as religion and power found their momentum at a time when this nation was entangled with many problems, especially those related to the issue of state ideology. Therefore, the author considers it essential to present by examining the thoughts of Prof. Kamsi, a moderate, inclusive and substantiality, so that it can solve problems regarding the relationship between religion and the state in Indonesia, which often have implications that lead to national.

Furthermore, this research is library research with a descriptive-analytical study. This study explains the thoughts of Prof. Dr. Kamsi on the relationship between religion and the state in the Islamic political paradigm. In taking the nature of the study descriptively, it aims to provide answers to various problems regarding the state of a particular subject or object in detail.<sup>11</sup> Then, the various data that have been obtained are analyzed and interpreted to get an explanatory meaning.

## **B. Religion and State Relations**

Religion and the state are two different entities. Religion is a system that regulates the system of faith or belief and worship of God and the rules that have a relationship with human interaction with humans and their environment. Meanwhile, the state is a powerful organization with authority and can impose its will on everyone who is a citizen of the power organization.<sup>12</sup>

Religion and the state have different roles and regulatory dominance. Religion regulates the relationship between humans and their God, while the state regulates the relationship between citizens and the government. The state was a clear sense when it was needed to achieve human development in civilization, especially the desire of the community to self-regulate various interests, political, economic, and socio-cultural, based on various rules made by the community

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<sup>11</sup> Bagong Suyanto and Sutinah, *Metode Penelitian Sosial* (Jakarta: Kencana Frenada Media Group, 2005), h. 17–18.

<sup>12</sup> Jonathan Fox, Marie Eisenstein, and Jori Breslawski, “State Support for Religion and Social Trust,” *Political Studies* (2022).

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itself. The only basis for consideration used is the theory of community agreement.

Furthermore, it is believed that religion does discuss not only ritual issues but also various values that must be concreted in the state's life, which raises demands that various religious values be applied in the life of the nation and state. Each religious believer believes that the teachings and various values he adheres to must be upheld in society, nation and state life. Religion has become a fundamental need for humans that cannot be separated from the social life of life; besides that, religion is also believed to not only talk about rituals but also talk about various values that must be concreted in social life and the realm of state administration, so that demands arise. So that various religious values are applied in the life of the nation and state.<sup>13</sup>

Religion (Islam) and the state, apart from being seen from the perspective of understanding the text, can be traced historically that the Prophet Muhammad SAW built a plural society of Medina. The Prophet's initiative in establishing the Medina Charter was the first political manifestation in Islamic history. At first, the Prophet's movement was not a political movement, only a religious movement. But later, after the Prophet moved to Medina and had the power to co-opt various other areas, it was politically recognized. Even though the Prophet at that time, on the one hand, was a religious leader in the life of society and the state, as reflected in his vision and mission in building a Medina society that respects plurality. There are three patterns in Islamic intellectual history thinking about the relationship between religion and the state, among others:<sup>14</sup> 1) religion does not only regulate human relations with God but also a system that contains complete teachings, including state life; 2) Islam is entirely unrelated to state affairs, and 3) the Islamic world does not have a state system, but there are various principles of Islamic ethical values in the life of the nation and state.

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<sup>13</sup> Azyumardi Azra, *Reposisi Hubungan Negara dan Agama Merajut Hubungan Antar Umat* (Jakarta: Buku Kompas, 2002), h. 34–35.

<sup>14</sup> Nasaruddin Nasaruddin, "Pemikiran Islam Tentang Hubungan Negara Dengan Agama," *HUNafa: Jurnal Studia Islamika* 6, No. 2 (2009), h. 205–218.

According to the integralist theory, religion and the state are integrated into the relationship between religion and the state. Apart from being a political institution, the state is also a religious institution. According to the integralist theory, the head of state is the holder of religious and political power. The government is run based on divine sovereignty because proponents of this theory believe that sovereignty originates and is in God's hands.<sup>15</sup> Then, according to the symbiotic theory, the relationship between religion and the state is intertwined and requires one another. Religion needs the state because, with the state, religion can develop.

On the other hand, the state too needs religion since, with faith, the condition can create moral and moral-spiritual direction. Because of its symbiotic nature, religious law still has the opportunity to colour various state laws; even in some instances, religious law can be used as state law.<sup>16</sup> Furthermore, this secularistic theory rejects theocratic and symbolic notions. In step, the secularistic hypothesis proposes the division of dissimilarity of religion from the state and the partition of the state from religion.

Religions and countries are two diverse shapes, each with its zone of work, so their presence must be isolated and cannot meddle. Based on this understanding of the polarity, the positive law connected may be a law that emerges from the human assertion through a social contract and has nothing to do with any devout law.<sup>17</sup> Generally, the relationship between religion and the state has experienced an energetic handle from a formalistic to a secularistic typology.

Although religion and the state are neither one nor separated, religion is always related and needs each other (religion-state). In this

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<sup>15</sup> Marzuki Wahid and Rumaidi, *Fiqh Madzhab Negara: Kritik Atas Politik Hukum Islam Di Indonesia* (Yogyakarta: LKis, 2001), h. 24.

<sup>16</sup> Adi Sulistiyono, "Kebebasan Beragama Dalam Bingkai Hukum," *Makalah Seminar Hukum Islam Dengan Teman Kebebasan Berpendapat VS Keyakinan Beragama Ditinjau Dari Sudut Pandang Sosial, Agama, Dan Hukum Yang Diselenggarakan Oleh FOSMI Fakultas Hukum UNS* (Surakarta, May 8, 2008), h. 2.

<sup>17</sup> Agus Thohir, "Relasi Agama Dan Negara," *Makalah Diskusi Kajian Spiritual Yang Diselenggarakan Oleh HMI Komisariat FPBS IKIP PGRI* (Semarang, November 4, 2009), h. 4.



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setting, religion requires the state as an instrument to protect and create a belief. Vice versa, the state also needs religion because religion will help the state in fostering morals, ethics, and spirituality. The presence of the control had by the state in directing human life is a significant exceptional devout commitment since, without state control, religion cannot stand upright.

### **C. Islam and the State of Indonesia**

One of the problems that often stands out in Indonesia is the relationship between religion and the state. The idea of the relation between religion and the state has always been an actual discourse in Indonesia. However, it was debated a few years ago and has experienced fluctuating discourse in the political arena in Indonesia, but this discourse always survives at certain moments. For example, before Indonesia's independence, Islamic law already existed and was popularly debated related to the relationship between religion and the state because Islamic groups wanted to make Islamic law a state ideology, which became the spirit of Islamic political struggle against the Indonesian state.<sup>18</sup>

Towards the independence of the Indonesian state, there has been an open polemic in the mass media between Islamist and nationalist groups involved in a heated debate regarding the determination of the form of the state to be formulated in the 1945 Constitution.<sup>19</sup> The Islamist group wants the Islamic state and the state to merge. One unit, so that the state can run according to religion (Islam) so that the state can carry it out. Meanwhile, the Nationalists wanted religion to be separated from state power. Tensions and debates like this will usually reappear before the election because this moment is an excellent opportunity for all groups who want to fight for their

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<sup>18</sup> Kamsi, *Pergulatan Hukum Islam Dan Politik Dalam Sorotan* (Yogyakarta: Pustaka Ilmu, 2014), h. 55–56.

<sup>19</sup> Kevin W Fogg, *Indonesia's Islamic Revolution* (Cambridge University Press, 2019); Jagad Aditya Dewantara et.al., "Pancasila as Ideology and Characteristics Civic Education in Indonesia," *International Journal for Educational and Vocational Studies* 1, No. 5 (2019), h. 400–405.

political aspirations, whether they have a nationalist ideology or a religion (Islam).<sup>20</sup>

This issue can involve state authorities and citizens, and conflicts between citizens can occur. This issue can be requested from the relationship between religion and the state and people's sees on religion and the state. The relationship between religion and the state has a few propensities, among others:<sup>21</sup> First, a state based on religion; in this country, there is a union of state and religious authorities. The state and state authorities are run based on certain religious teachings. In a state model like this, two possibilities occur, namely that citizens are required to embrace the official state religion. Another possibility is that every citizen is given the freedom to embrace religion according to the beliefs they profess.

Second, religion could be a soul within the state's life; there's a show like this. The state does not formally follow a specific religion, but various religious values end up in the soul of the organizers and organization of the state. There's a ensure from the state for each citizen to grasp a particular religion and worship based on convictions instructed by his religion. Third, in a secular state with a standard demonstrated, there's a separation of religion and state specialists, or within the extraordinary, the state does not pay attention to religion. So religion isn't related to the state. Secularism is an ideology whose supporters consciously condemn all forms of supernaturalism and institutions devoted to it. They also support various non-religious principles as the basis for personal morality and social organization.<sup>22</sup>

In Indonesia, the desire to enforce Islamic law through political channels and a legal constitution or physical struggle against the legitimate government have become part of the long history of

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<sup>20</sup> Ali Akhbar Abaib Mas Rabbani Lubis, "Contestation on Political Space Between Islamism and Islamic Group in Presidential Election 2019," *Al-Tahrir: Jurnal Pemikiran Islam* 20, No. 2 (2020), h. 205–229.

<sup>21</sup> Luthfi Assyaukanie, *Islam and the Secular State in Indonesia* (Institute of Southeast Asian Studies, 2009); Abdul Aziz, *Chiefdom Madinah: Salah Paham Negara Islam* (Pustaka Alvabet, 2011).

<sup>22</sup> Mircea Eliade and Charles J Adams, *The Encyclopedia of Religion*, vol. 16 (Macmillan New York, 1987); Altamira Press and William H Swatos, *Encyclopedia of Religion and Society* (Rowman Altamira, 1998).

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struggle for Muslims. However, the socio-political reality shows that such an idea has never received the support of the majority of the population in Indonesia. Indonesia tends to be on the model of religion as the spirit of the state. Indonesia does not adhere to one particular religion, but the Indonesian state is based on the principle of divinity, and the state guarantees freedom of religion to every citizen.

Talking about the relationship between religion and the state in the context of Indonesia in its early development, it is impossible to forget figures such as Snouck Hurgronje, Van den Berg and Hazairin. Some interesting things can be found in some of their initial research on legal practice in Indonesia. In some of the legal practices of Indonesian society, one can find practices based on Islamic law.<sup>23</sup> The community acts in these legal practices, such as matters of marriage, inheritance, buying and selling, and several others, using Islamic law as the basis for taking the law. Islamic rules largely determine the customs of the people in several regions in Indonesia. According to Mohammad Natsir, Islam cannot be separated from the state because all state affairs are an integral part of Islam which has a philosophy of life or ideology.<sup>24</sup>

From here emerged the *theory of receptio in complexu* by Van den Berg. Berg assumes that Islamic law has been taken as a guide for the community in enforcing the rules of various aspects of their lives. Islamic law is the basis for most of the customary law of the Indonesian people, especially those in the Muslim Malay arc, namely the archipelago that uses the Malay language as an introduction and has experienced being led by an Islamic kingdom. In this Muslim Malay community, there is no separation between customary and Islamic law. In the Minangkabau proverb it is known as "*Adat*

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<sup>23</sup> Rachmat Djatnika, "'Sosialisasi Hukum Islam Di Indonesia', Dalam Abdurrahman Wahid et.al., 1990, *Kontroversi Pemikiran Islam Di Indonesia*" (Bandung: Rosdakarya, 1990), h. 229–231.

<sup>24</sup> Mohammad Natsir, *Capita Selecta* (Jakarta: Bulan Bintang, 1973), h. 436.

*basandi syara', syara' basandi Kitabullah. Syara' mangato, adat mamakai".*<sup>25</sup>

The issue of Islam and the state is a matter of *ijtihadiah* because, in its considerations, it always refers to social and cultural developments that develop and are legal when there is a difference of thought and implementation in the life of the nation and state. Indonesia, as a country and as a nation with a majority Muslim population, tries to provide answers to these various problems. The response of Indonesian Muslims in building and advancing their nation to date has resulted in various reform efforts in various fields of social, national, and state life, which historically can be divided into four periods, namely, pre-independence, new order, post-new order, and reformation era.<sup>26</sup>

Entering the post-colonial era, Indonesia has experienced a long-standing difference between the problems of Islam and the state. The debate between elements of society at the time of formulating the form of the Indonesian state and the differences around what will be the basis for the state, whether Indonesia will become a state based on religion or become a nation-state, is an illustration of the problem of Islam. And the state is a sensitive issue for debate.<sup>27</sup> It was finally resolved to break the deadlock in the series of debates by accepting Indonesia as a nation-state and Pancasila as its state. This debate continued and was prolonged in the Constituent Assembly, which ended with the dissolution of the Constituent Assembly and Sukarno's re-enactment of The 1945 Constitution of the Republic of Indonesia at the urging of the Army military.

A series of historical descriptions shows that Indonesia has chosen to be a nation-state and abandoned various ideals as a state based on a certain religion, in this case, Islam. To some extent, efforts

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<sup>25</sup> Rachmat Djatnika, "'Sosialisasi Hukum Islam Di Indonesia', Dalam Abdurrahman Wahid et.al., 1990, *Kontroversi Pemikiran Islam Di Indonesia*," h. 229–231.

<sup>26</sup> Hamsah Hasan, "HUBUNGAN ISLAM DAN NEGARA: Merespons Wacana Politik Islam Kontemporer Di Indonesia," *Al-Ahkam* 1, No. 25 (2015), h. 19–42.

<sup>27</sup> Bahtiar Effendy, *Islam Dan Negara: Transformasi Pemikiran Dan Praktik Politik Islam Di Indonesia* (Jakarta: Paramadina, 1998), h. 45–47.

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to reject the emergence of an Islamic state in Indonesia and enforce Islamic law are the first steps in secularizing law in Indonesia. Suppose you observe the views of Islamic political experts in Indonesia. In that case, the relationship between religion and the state in Indonesia tends to develop between formalistic thinking, prioritizing form over content, and substantivity thinking, emphasizing content rather than form.

It is interesting to observe the various patterns of Islamic political thought related to the feud between Islam and the post-independence state. As a group, Indonesian Muslims saw it as a moderate attitude at that time. Therefore, many people view it as the success of Islamic leaders in giving birth to the basic philosophy of the state, namely Pancasila, through the declaration of the Jakarta Charter in 1945. However, it must be admitted that not a few also reap this as a failure of ulama or Islamic movement figures in the final formulation. The Jakarta Charter, especially about the abolition of the nine words in the first precepts of Pancasila, divinity with the obligation to carry out Islamic law for its adherents, was later changed to four rich, namely Belief in One Supreme God. This is, among other things, the result of various dialogues and long, chaotic, and exhausting discussions for Indonesian Muslims after independence in addressing the theme of the relationship between Islam and the state.

The rich history of the relationship between Islam and the state that occurred in Indonesia should be an inspiration and valuable lesson to determine attitudes in facing future challenges. Future advancement is required for new thoughts of political Islam or political Islam, which are anticipated to precise different values of popular government, human rights, equity and law authorization, openness, sexual orientation balance, pluralism, compassionate society, and resistance. These different subjects have become the standard of Islamic political thought and honing. Nurcholis Madjid said that in this change, Islam in Indonesia is undoubtedly required to realize its civilization's different values, as shown within the period of Islamic devotion and the primary four caliphs. He accepts that

different Indonesian Islamic values will shape cutting-edge understanding in Indonesia.<sup>28</sup>

#### **D. The paradigm of Islamic Politics in Indonesia Perspective of Prof. Kamsi About State and Religion Relations**

One of the issues confronted by Islam is the disdainful hypothesis composed by Kuntowijoyo that Islam has numerous measurements. In contrast, legislative issues encompass a single size, precisely the levelheaded height. So making religion (Islam) politics is a massive reduction in the meaning of religion.<sup>29</sup> On the other hand, the issue of state politics is a rational matter, while religion is a matter of returning to revelation. But then, Kuntowijoyo also stated that the ummah must be at the forefront of forming rational Islamic politics. Otherwise, Indonesian Muslims, who make up the majority, will only become passengers and not drivers.

There is a political content between the two entities, namely Islam and the state. Politics is what later formed the political theory of Islam and state politics. Therefore, either separating or juxtaposing Islam and the state is not an easy matter. In political discourse, the two entities are always in tension, and there is always a long debate. Therefore, an offer of understanding that is looser, rooted, and rational in addressing the various world and religious issues as well as Islam and the state.

Historically, the relationship between religion and the state in Indonesia has displayed various types of tension and anxiety. On the one hand, the style of intimacy and phobia on the other. Strong tensions occurred during the Sukarno leadership period. In this case, it can be understood that the Indonesian people are still relatively new to discussing the functional relationship between religion and the state. The reform era was marked by the birth of various political parties that asserted themselves as Islamic. This phenomenon

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<sup>28</sup> Nurcholish Madjid, *Cita-Cita Politik Islam Era Reformasi* (Jakarta: Paramadina, 1999), h. xvi.

<sup>29</sup> Kuntowijoyo, "Agama Berdimensi Banyak, Politik Berdimensi Tunggal", *Dalam Abu Zahrah (Ed.), Politik Demi Tuhan* (Bandung: Pustaka Hidayah, 1999), h. 121–125.

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provides an overview of two faces at once, namely the face of intimacy and, at the same time, the face of tension. The face of intimacy between religion and the state is because it is freely open for everyone to form various political parties without any restrictions on whether they are religious or not.<sup>30</sup>

Meanwhile, the face of tension can be seen in the various parties. In turn, the state will involve itself in the gloom between the various disputing parties or internal party divisions. For example, the split of several Islamic political parties who want a solution from the state through the decision of the Indonesian Constitutional Court. In short, the existence of Islam in its contact with the political sphere sometimes enlightens history and civilization, or vice versa, sometimes illuminates it. There are times when Islam becomes a positive force; there are times when it appears as a negative force. Islam can be energy for humanization and dehumanization.

The influence of religion in the world of politics is one phenomenon that occurs in the Islamic world. The enormous influence in the politics of various nations in the Muslim world can be traced to the tendency of very broad political participation among the Muslim population. On the other hand, as stated by many, it can be seen as a divine instrument in understanding the world. The main reason why various religious teachings, including Islam, are viewed by various groups as representatively have been contained in most of all state laws and regulations, normatively as well as formally juridical by the mandate of the Indonesian nation<sup>31</sup> starting from the 1945 Constitution of the Republic of Indonesia, the ratification of the National Education Law (UUPN) in 1988 until the legality of various Islamic institutions such as the Religious Courts (Islam) through the ratification of the 1989 Religious Courts Law (UUPA), the Indonesian Ulema Council (MUI) and the Compilation of Islamic Law. (KHI) in Indonesia in 1991. Even in a monumental development

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<sup>30</sup> Muchamad Ali Safa'at, "The Roles of the Indonesian Constitutional Court in Determining State-Religion Relations," *Constitutional Review* 8, No. 1 (2022), h. 113–150.

<sup>31</sup> Muhammad Daud Ali, *Hukum Islam* (Jakarta: Raja Grafindo, 2004), h. 6.

since the reformation era in 1998, freedom of expression was widely opened until the establishment of various Islamic-based parties, which historically can be traced back to the founding of the political party of Sarekat Islam (SI) on November 11, 1912.<sup>32</sup>

Discussions about Islamic politics in Indonesia are almost inseparable from the role of Muslims. As the majority of the population, Indonesian Muslims have the potential as political legitimacy to participate in the success of national development.<sup>33</sup> With this quality, Muslims have a strong bargaining position against the state. Regarding numbers alone, Muslims must have strong bargaining power with the holders of state power. Moreover, Islam is a religion embraced by the majority of the population; Islam requires political power as an instrument to ensure the implementation of various teachings in the social life of society, nation, and state.

The typology of Islamic political thought in Indonesia that has been created to date is either formalistic, substantive, transformative, totalistic, sentimental, or reasonable, which is seen as a positive reaction from Indonesian Muslim researchers, which ought to proceed as a corresponding balance. Usually, within the conclusion, the different thought change forms are anticipated to contribute absolutely to tending to various issues encompassing Islam, legislative matters, and the state inside the framework of the Indonesian state and nationality, both presently and within the future. Besides that, it maintains a strategic distance from the rise of other flat clashes, such as clashes of religion or other characters.

In the history of the development of the Indonesian state, Islam has become an identity for the struggle of the Indonesian people in facing and expelling the invaders. Fights in all forms, from conceptual and conceptual things, become an inevitable phenomenon in response to the presence of the invaders in this country. To examine the political role of Muslims in establishing the Indonesian

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<sup>32</sup> Hasan, "Hubungan Islam dan Negara: Merespons Wacana Politik Islam Kontemporer Di Indonesia."

<sup>33</sup> Kamsi Kamsi, "Citra Gerakan Politik Islam Dalam Lintasan Sejarah Perpolitikan Bangsa Indonesia (Studi Era Pra Kemerdekaan Sampai Dengan Era Orde Baru)," *Millah: Jurnal Studi Agama* (2013), h. 109–154.



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state, one of which can be seen in the many heroes of Indonesian Muslims, from Sabang to Merauke, who have died in fighting for and defending the Indonesian state from the invaders.

Islam does not question anything about the name and form of government an Islamic leader uses; the most important thing is how moral ethics can work well in a country. In this case, Prof. Kamsi views the Al-Quran as an ethical guide for humans and is not a book of political science; various socio-political institutions and human organizations are constantly changing from time to time. The silence of the Qur'an on the question of which system of government should be used by Muslims is a very broad guarantee for humans to use their minds in choosing the right government system for Muslims themselves. Nevertheless, the purpose of the Qur'an for its ethical values and instructions must be upheld and applied in the social life of society and the state's life. A set of values contained in the Qur'an include justice (*al-'adalâh*), brotherhood (*al-ukhûwâh*), peace (*al-sîlm*), equality (*al-musawâh*), freedom (*al-hurrîyâh*), honesty, and integrity. responsibility (*al-amânâh*).

The perspective of Prof. Kamsi emphasizes various Islamic substantive values, such as welfare, equality, justice, freedom, and so on, rather than formalizing Islamic law as the basis of the state.<sup>34</sup> For Prof. Kamsi, the state with all the attributes it bears is not a fundamental problem in Islam; in other words, the form of the state is not an important thing because the most important thing is that the state government can and can realize benefit, justice, freedom and share other substantial values for society. Therefore, Islamic power must be built based on ethical-moral foundations.

In general, the perspective of Prof. Kamsi regarding the pattern of relations between religion and the state is not just a pattern of dichotomous relations that cancel each other out. According to Kamsi, the relationship between religion and the state must be harmoniously and proportionally established. This is intended so that

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<sup>34</sup> Kamsi Kamsi, "Politics of Islamic Law in Indonesia: Indonesianization of Islamic Law," *Asy-Syir'ah: Jurnal Ilmu Syari'ah dan Hukum* 52, No. 1 (2020), h. 1–29.

the thinking process of Muslims will not be disturbed by the development of a country that is pioneering and building a better and functioning state order for the long term. The pattern of relations between religion (Islam) and the state is where religion is not merely a ritual of worshiping servants to their God, but more. Islam concerns various things regarding how the various rules, limits in muamalah, and socializing in society. In such a nature, it is an embodiment and combination of religious insight with nationality, owned by Prof. Kamsi.

Religion needs the state because the state can be used as a medium to develop religion. In contrast, the state needs religion because the state can develop the guidance and moral ethics of religion. The state has seen Islam with clear eyes. Strengthening the hegemony of Muslims, in turn, gave birth to various analyzes of the model of the ummah's conducive struggle strategy and representative of fighting for the common interest. Regarding national insight, Kamsi's thinking always combines national values with religious values, namely Islam. The combination of the two is based on a foundation of Islamic law, which provides guidelines that Islam does not recognize the separation between religion and politics.

## **E. Conclusion**

In general, the perspective of Prof. Kamsi regarding relations between religion and the state is not just a pattern of dichotomous relations that cancel each other out. According to Kamsi, the relationship between religion and the state must be harmoniously and proportionally established. This is intended so that the thinking process of Muslims will not be disturbed by the development of a country that is pioneering and building a better and functioning state order for the long term. The relationship between religion and the state is built based on checks, balances, and mutualistic symbols because religion provides spiritual values in the life of the nation and state. In contrast, the state provides facilities and guarantees religious life for every citizen. Then, the pattern of thinking about the relationship between religion and the state produced by Prof. Kamsi

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can be used as a new perspective in overcoming various political conflicts based on the belief that can build theological differentiation and political fields in Indonesia.

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