The Role of HUDA in the Implementation of Islamic Syari’ah in Aceh

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Abstract: One of the ulama organizations that still exist to fight for the establishment of Islamic law in Aceh is HUDA. Since its birth, HUDA has participated in socializing Islamic Shari'ah to the society and giving input for perfection of qanun of Shari'ah implementation. HUDA is involved in each discussion about Shari'ah qanun by the government, because the ulamas in HUDA are considered to have high religious knowledge and have a strong influence in the society. The method used in this study is a qualitative method, with the data collection techniques through observation, interview and collection of documentation data. Meanwhile the results of research include: first, in the struggle for the implementation of Islamic Shari'ah in Aceh, HUDA has participated since the government issued Law no. 44 of 1999 to Aceh to socialize the principles of Shari'ah to the public. Second, HUDA organization also provides a strong understanding through continuous and systematic study of tasauf, tauhid and fiqh in a number of districts/towns in Aceh and outside the Aceh province. For their roles to the community, HUDA is widely known and increasingly close to the community.

Keywords: Al Quran; HUDA; Islamic Shari’ah; Aceh

I. INTRODUCTION

One of the organizations that take part greatly in the implementation of Islamic shari’ah in Aceh is Himpunan Ulama Dayah Aceh (HUDA). This organization was born a few days before the government issued Law no. 44 of 1999 about the Implementation of Special Feature of the Special Province of Aceh. One of the contents in the Law no. 44 is about the implementation of religious life based on Islamic Shari'ah. With the existence of this permanent legal has made Aceh as the only province in the Republic of Indonesia who is given official authority by the government to implement Islamic Shari’ah.

The declaration of the implementation of Islamic Shari’ah was announced by Abdurrahman Wahid as the President of the Republic of Indonesia on December 19, 2000 at Baiturrahman Mosque, Banda Aceh. When referring to the historical chronology, the people of Aceh before the formation of this republic already desired the Islamic Shari’ah can be enforced. After Indonesia's independence a strong desire to implement Islamic law continues to be pursued by the people of Aceh. According to Azyumardi Azra actually what Aceh wants is a continuity of the past process in which the present generation wish for the implementation of Islamic shari’ah.

1Himpunan Ulama Dayah Aceh (HUDA) was born through a large meeting attended by 600 teungku dayah on 13-15 September 1999 at the tomb of Tgk. Syiah Kuala in Banda Aceh. The birth of HUDA is not prepared as the birth of a political party or other formal organization. HUDA was born because of the urgent need at that time, between protecting the needs of the community, TNI / Polri and GAM and the demands of referendum being initiated by SIRA, the students, santri and NGOs in Aceh. Interview with Tgk. Jabbar Sabili, Organizing Committee of MUBES tof eungku dayah 13-15 September 1999, January 24, 2016. While Law no. 44 of 1999 about the implementation of the Province of Aceh Special Region was signed by the President of the Republic of Indonesia BJ. Habibie on 22 September 1999, HM Kaoy Syah, dkk, Keistimewaan Aceh dalam Lintasan Sejarah (Jakarta: Pengurus Besar Al-Jami’atul Washliyah, 2000), p. 244.

2Shari’ah comes from the word syara’ah which means the way, the rule. According to the term, of syara’, shari’ah is a set of rules established by Allah SWT as the handle of human life, both in relation to Allah and with human (hablum minallah wa hablum minannas). Asnawi Muhammad Salam, Aceh Antara Adat dan syariat (Banda Aceh: Ar-Raniry Press, 2004), p. 75-76.

because since the arrival of the Netherlands to Aceh the opportunity to enforce Islamic law was restricted even to certain fields (especially in trade and criminal) blocked and deleted strictly. Since then the community and its leaders continue to strive to be able to re-implement Islamic Shari‘ah in Aceh.  

The momentum of the implementation of Islamic Shari‘ah can only be achieved by Aceh along with the change of politics and state policy due to the reform in Indonesia, one of the most important things is the amendment of the 1945 Constitution. This amendment is then accompanied by various changes in the lower legislation. This has made Aceh the only region that gets special autonomy to implement the Islamic Shari‘ah in the Republic of Indonesia. To support the all implementation, the government has issued Law no. 22 of 1999 about Regional Government, Law no. 25 Year 1999 about Financial Balance between Central and Local Government, and Law. No 44 year 1999 about the Implementation of Special Feature of the Special Province of Aceh for the Implementation of Islamic Shari‘ah. The Islamic Shari‘ah policy in Law no. 44 in 1999 is mentioned in chapters 1, 4, 6, 8, 9 and 11. In article 1 number 10 mentioned that Islamic Shari‘ah is the guidance of Islamic teachings in all aspects of life. While number 11 mentioned that tradition is the rule or deeds that based on Islamic Shari‘ah which is commonly obeyed, and glorified since the former which serve as the foundation of life. The implementation coverage of Islamic Shari‘ah in Law no. 44 Year 1999 is very wide, because Islamic Shari‘ah is defined with the guidance of Islamic teachings in all aspects of life.  

The presence of Islamic Shari‘ah in Aceh is basically an effort to harmonize the worldly life with the ukrwai life because Aceh and the Islamic Shari‘ah are two distinguishable but difficult to separate the aspects. The mission of Aceh’s struggle in its past history and its efforts to restore its dignity in the present is basically in the Islamic Shari‘ah. Religion for the people of Aceh is not only a symbol of struggle and politics, but also the ultimate goal of the struggle itself.

To support the implementation of Islamic Shari‘ah various efforts continue to be done by the government and the society so that the Islamic Shari‘ah can be applied thoroughly in Aceh. HUDA as one of the organizations of dayah leaders associations in Aceh since the government issued Law no. 44 became the most eager organization to respond to the presence of Shari‘ah. Then with the membership of the dayah leaders who are well known by the community, it makes it easier for HUDA in conveying the importance of performing the Shari‘ah to the community.

II. METHODOLOGY

This research is a descriptive qualitative research. Therefore, this qualitative method is expected to be used to describe and analyze the role of HUDA in Aceh. According to Bogdan and Biklen, in qualitative research there will be attempts to understand and interpret the meanings, opinions and behaviors that humans present in certain situations because the qualitative data is a source of extensive description and contains explanations about the processes that occur within the local scope. Even with qualitative data, it will be able to understand the events chronologically, and can assess the causality in the mind scope to obtain more explanations and can be useful as well as guide the researcher to obtain unexpected findings to form a new theoretical framework. In addition, the qualitative method can also provide the complex details about phenomena that are difficult to express by quantitative methods.

In the collection, the stages involved include in-depth interviews with some key informants which are determined through purposive technique. Then through direct observation, in order to establish the interaction with the informants. With a good interaction it will create a trust between the researcher and the informants. The observations are conducted as what needed in the field. The documentation technique are on the archives, and books about opinions, theories, propositions or laws that relate to the research problems. In qualitative research this technique is the main data collecting instrument because the proof of hypothesis proposed logically and rationally through opinion, theory and laws received, either to support or to help the hypothesis.

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7 Media that is often used by teungku (ulama) in Aceh in socializing the Islamic Syari‘ah among others is santri dayah for them as the leader of dayah, Islamic forum, Friday preach, religious lecture which much commemorated by the society of Aceh until now.
III. DISCUSSION

1. The role of HUDA in the history of Islamic Shari'ah struggle

Since the government provides legal protection on the implementation of Islamic Shari'ah for Aceh Province, HUDA becomes the most active organization to fight for the establishment of Islamic Shari'ah. Everywhere they became a religious mouthpiece for the people, even though at that time Aceh was being hit by a conflict between RI-GAM. Through their role, the Islamic Shari'a can easily be socialized to the people who live in gampong-gampong (villages).

Referring to the history, Islamic Shari'ah in Aceh has been started since Aceh was ruled by Sultan Iskandar Muda (1607-1636 AD). At that time, Islamic Shari'ah was not only implemented in the field of aqidah and private law, but extended to the application of public law such as criminal law. Islamic Shari'ah during the Sultanate of Aceh has become a law that gets the legality of the state, so there is only one law that applies the Islamic Shari'ah. For the people, Islamic Shari'ah has become the norm which governs all aspects of life, whether in the field of politics, education, law, economics, social, culture and others. The people of Aceh understand that Shari'ah can regulate their behaviors, whether they are for the benefit of the world and the ukhrawi. Therefore, the Islamic Shari'ah for the people of Aceh is a living law and is related to the social dimension and the revelation (sacred) dimension.

Islamic Shari'ah in Aceh is so visible when it is used as an ideology of resistance. The Acehnese leaders described the existence of the occupiers can cause the destruction of the people's lives. The occupiers not only killed, but also would destroy the Islamic Shari'ah. The Islamic Shari'ah teaches that the struggle against unbelievers should not cease. Jihad is a religious duty that must have on every Muslim. For the people of Aceh, the Portuguese presence in Malacca (1511-1641) was then seen as a threat to Islam in the archipelago. So the first Acehnese Sultan, Ali Mughayat Shah (1515) took a stand against the Portuguese. The resistance was committed in various forms, such as the deployment of military power, political diplomacy and trade embargo. In the time of the Sultanate of Iskandar Muda, the attempt to expel the Portuguese was done on a large scale. And also the war against the Netherlands which began on March 26, 1873 which is considered as the longest and the most expensive war in the history of the Dutch East Indies. For the people of Aceh, the war against kafeer (the unbelievers) occupation has two consequences. First, the religion duty for defending the religion of Allah and second, defending themselves from enemy attacks. This war is a fardhu ain for every Muslim, and the war against the invaders is a holy war and also known as the Sabi war or prang lawan kaphee (war against the kafeers).

Islam for the people of Aceh has become an inherent identity, when one is disturbed, it will disturb the others. In other words, when Aceh is attacked it will destroy the joints of Islam that has stood firmly in society. This is the slogan of the ulema and the leaders of Aceh in inflame their ideology against the Dutch colonialism, namely to defend the religion of Allah in the earth of Aceh and maintain the dignity of the people of Aceh. For that jihad fi sabillah is a necessity.

At the beginning of independence, the demand for the implementation of the Shari'ah became the main agenda of the Acehnese people. Although in its journey there have been various obstacles, but the people of Aceh constantly fight for it. The demand then reaches its climax when the government issued Law no. 44 of 1999. The presence of Law 44 becomes the entrance for HUDA to fight for the Islamic Shari'ah to lift the dignity of society under the banner of Shari'ah. HUDA since that time has vigorously participated in guarding the way of Shari'ah.

HUDA's commitment in guarding the Shari'ah path can be known from the narrative of the secretary general of HUDA. At the beginning of the Islamic Shari'ah, HUDA was one of the organizations that were often invited by the society as well as the Regional Government and DPRK/DPRA to ask for their opinions and inputs in every draft of Perda and Qanun related to the implementation of Islamic Syari'ah. Until now every discussion of qanun in DPRK/DPRA, HUDA always invited to give inputs about qanun draft before endorsed by the government become qanun which will be applied to society.9

For HUDA, the qanun of Shari'ah applied does not have difficulty in conveying to the society, because HUDA ulema in social reality have become one unity that cannot be separated from the society. This of course becomes something very positive for HUDA. Another thing that can support the strengthening of the Syari'ah is the number of HUDA boarders as the leader of dayah, so that all forms of socialization can be started from their respective dayah, before submitted to the Islamic community outside the dayah assembly, or through sermons on every Friday to the community.

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9Interview with Tu Bulqaini, Sekjen HUDA, 6 April 2016.
2. The role of HUDA in the implementation of Islamic Shari'ah

For HUDA, Islamic Shari'ah which is being implemented not just the responsibility imposed by the Law to an institution, but it is the command of Allah that is obliged to all people. HUDA as an organization where compiling the da'wah ulamas has a duty as educators and preachers. For the ulamas, the role of educator and preacher has been attached to them. Wherever they live these two functions will be run without expecting any reward, for their high dedication has made them as the cultural leaders who are always respected by the people of Aceh.

According to the chairman of HUDA, Tgk. Hasanoel Bashry that what is performed by ulamas is closely related to the socialization of Islamic Shari'ah in Aceh. Understanding Islamic teachings taught by ulamas through da'wah educational institutions is the most important instrument in order to ensure the implementation of Islamic Shari'ah in a sustainable manner. In addition, the function of da'wah and the involvement of ulamas in various social dimensions is a must, for the community, ulamas still as a reference in answering various problems of society.

HUDA, in the middle of the implementation of Islamic Shari'ah, is one of the many instruments that are playing a role in Aceh. For that reason, all parties are obliged to realize these ideals. During this time it has been impressed that the task of implementation of Islamic Syari'ah is the obligation of the ulamas and the government, not the obligation of all parties. In fact from the perspective of Islam it has been explained that the practice of Islamic Shari'ah is a duty of all people who believe. While the effort to establish a legal system based on Islamic Shari'ah is an obligation on the person who has authority in the matter. The hadith of the Prophet explains that the wickedness (munkar) must be changed by hands, unless we can then by our tongues and if with the tongues cannot bear it then it must be changed with the heart.

The hadith experts argue that the policy of changing wickedness by hand is the duty of the ruler (government), because the ruler has the power to force with the legal system they established. While changing the wickedness through the tongue is the task of ulamas through education and da'wah. While changing the wickedness with the heart is the task of the common people by way of avoiding such wickedness.

During this time according to the chairman of HUDA that the task of changing wickedness with the tongue including the efforts to apply Islamic Shari'ah through education and da'wah always be a daily task of the ulamas. If the task undertaken by the ulamas is not in accordance with the task of the government, then do not expect the implementation of Islamic Shari'ah will run as expected by all parties. For HUDA, now the optimization that must be done by the ulama is not the optimal role, but the optimal function. Besides the functions as educators and preachers, ulamas should add one more function that is the leadership function. Here the ulamas should think and act that the future Aceh leaders must be from among the ulamas, so that the function of the tongue (da'wah) and the function of the hand (power) can be done by the ulamas, so the ulamas not only contribute to provide the insights about Islamic Shari'ah through da'wah as well as the pulpit of mosques, but also can play an active role in taking policy in planning and implementing Islamic Syari'ah in accordance with the demands of the Shari'ah itself both in religious matters and other social issues.10

When the central government has formalized the Islamic Shari'ah to Aceh, HUDA's passion to socialize the Shari'ah is so great. The same thing also happens for other religious organizations, even many of them who welcome the Shari'ah in euphoria. So that socialization is performed in various forms, ranging from the pulpit of the mosques, banners, billboards, even some people take the role by writing their opinions about Islamic Shari'ah in a number of mass media.

The above phenomena should be the concern of HUDA ulamas and other components in filling the Shari'ah spaces which are being initiated by the government and the whole of Aceh. Here all the ulamas and the community demanded a high critical power against the various ruling decisions including in undermining the implementation of the Shari'ah. In the event of silaturrahmi of ulamas and siureutoh uroe Tsunami (one hundred tsunami days) one of the very serious discussions discussed by HUDA and a number of other scholars is the reinforcement of the Islamic Shari'ah from the weakness of systematic attempts performed by certain parties systematically.

According to Yusny Saby, the weakness can be done from all directions including through "opinion forming community" which tends to be frightening in Islamic crime if Islamic Syari'ah is implemented in kaffah. Especially in Indonesia any type of Islamic crime has never been treated officially as a part of the criminal law in Indonesia. The institutions who call themselves “human rights defenders” still feel as though an Islamic criminal law if committed would violate the human rights. They continue to perceive on stoning, cutting off hands, qishas and caning. All those are as very cruel, inhuman, primitive and violation of human rights. In such context, HUDA has taken some strategic role in fortifying the community from the various weaknesses

that are being actively conducted by the parties in the name of freedom and human rights. The roles of HUDA include strengthening of dayah institutions, and providing the routine Islamic teachings through the tastafi (tasauf, tauhid and fiqh) forums to the community. Both models as illustrated above will be described in the following points.

3. The Strengthening of Dayah Institutional

Dayah is not only as a place to learn, but also as a symbol of the struggle in expelling the occupation on the earth of Aceh. The great contribution of dayah to the past has become a challenge for HUDA, so that in its Basic Budget Article 7, paragraph 1, HUDA would like to preserve and develop dayah educational institutions and to improve the quality of dayah in order to become a dayah manyang (Ma’had Aly) as efforts to educate the life of an Islamic Acehnese society.

HUDA's hard work in improving the quality of dayah now has resulted, with the establishment of dayah MUDI Mesra Samalanga, Bireuen led by the chairman of HUDA as a dayah manyang (Ma’had Aly) by Minister of Religious Affairs, Lukman Hakim Saifuddin on May 30, 2016 with 13 dayah manyang (Ma’had Aly) throughout Indonesia. The establishment of MUDI dayah as a dayah is a special pride for HUDA, because with the existence of the dayah manyang students can improve their abilities so that they will be equal to the 12 other dayah whose status are enhanced by the Minister of Religious Affairs.

The achievements achieved by MUDI Mesra will encourage other dayahs to immediately improve themselves in order to improve their status to be better. The role of HUDA here is very important, considering that the great dayahs who have a strong influence in society are almost all HUDA officials. As a form of HUDA responsibility for the existence of dayah, in the second HUDA MUBES held December 1, 2013 in Banda Aceh one of the subjects they recommend is to make dayah as a famous and leading institution in Aceh and internationally. The ideals of this HUDA have a strong reason, because the dayahs in Aceh in the past were able to produce a number of prominent scholars who then their name is not only known in Aceh and even to the country mancan.11

Currently there are not many traditional dayah whose names are famous and still able to maintain the greatness of the dayah. Only a few dayah still exist, such as Dayah Darussalam Labuhan Haji, in South Aceh, Dayah Budi Lamno in Aceh Jaya, Dayah Abu Lam U, in Aceh Besar, and Dayah Mudi Mesra in Samalanga. Some of the other traditional dayahs in almost every sub-district in Aceh are new dayah, established by santris who have studied at the above-mentioned dayahs. To maintain the sustainability of dayah, the government within a decade is quite serious paying attention to dayah (traditional and modern). The seriousness of the government is by establishing an autonomous body at the level of governmental department namely Badan Pembinaan Pendidikan Dayah (BPPD) of Aceh. The dayah board was formed in addition to save the dayah from various backwardness as well as to improve the quality of the dayah itself.12

HUDA hopes that the history of glory dayah in the past can be repeated again. For that reason, HUDA continues to encourage the traditional dayahs in Aceh to improve their ability. Because if the traditional dayah does not prepare and improve the ability of itself, then someday the dayahs will only stay the name, because people prefer to choose an integrated dayah which adopts the curriculum of dayah as well as the modern school curriculum. The existence of dayah in the midst of the struggle of modernity is still significant. Dayah, historically was able to portray itself as a fortress of colonialism, but now it should be able to portray itself as a stronghold of cultural imperialism so strongly in hegemonizing the lives of people, especially in urban areas. HUDA in this case must be able to make the dayah as a port for the younger generation so that they are not dragged by the flow of modernism that traps them in a spiritual void. Realistically, the existence of dayah until now is still able to answer the emptiness of society spirituality. Nevertheless, the fast acceleration of modernity requires the dayah to respond quickly so that its existence can really be justified. For that reason, the future of dayah is determined by how far the dayah able to formulate itself as a dayah which is able to answer the future demands without losing its identity,13 and one step that needs to be done is to renew the dayah education curriculum, since the curriculum will determine the direction and the purpose of education. Therefore, the adaptability of dayah for all challenges will precisely strengthen the dayah as an educational institution that must be considered and maintained.14 The idealization is what is expected by the people from HUDA as an organization which is born and grown from the womb of dayah in Aceh.15

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4. Socialization through Tastafi Forum

The socialization of Islamic Syari’ah formally becomes the responsibility of the governmental institution. HUDA as a non-formal organization still takes the role, although voluntarily. For HUDA the Islamic Shari’ah which is charged by Allah on this earth is not only the responsibility imposed by the Law, but it is Allah’s command that is obliged to all human. Therefore, HUDA will always carry out these tasks with full sincerity without expecting any rewards from humans.

HUDA which has its main duty as educator and preacher always uses the dayah media and Islamic forum to convey education and messages of da’wah. For the ulemas of HUDA the role of educator and preacher has been attached to them. Wherever they live these two functions will be performed, for their high dedication has made them as the overwhelmed leaders by the people of Aceh. According to Tgk. Hasanoel Bashry and Tgk. M. Yusuf A. Wahab that what is being carried out by ulemas is now closely related to the socialization of Islamic Shari’ah in Aceh. HUDA ulemas in this case there are ones who rely on the institution of dayah as a medium of socialization of Islamic Syari’ah to the students of dayah or through Islamic forum existing around the village. Besides relying on the institution of dayah and Islamic forum, HUDA also has established an Islamic forum that routinely conveys the principles of Islamic teachings to the community. This Islamic forum they named Tastafi (tausuf, taahid and fiqh) as the official forum of the HUDA ulemas. This Islamic forum originally started at the Baiturrahma Mosque in Banda Aceh which now has been implemented in several mosques such as Al-Bakri Samalanga Mosque, Darul Jamil Beureunun, Lhoksukon Mosque, Agung Bireuen Mosque, Kembang Tanjong Mosque, Bujang Salem Krueung Geukueh Mosque, Grong-grong Pidie Mosque, The Foundation of Sirajul Mudhi Jakarta, and Taqarrub Darussalam Mosque Medan. The presence of these Islamic forums driven by HUDA ulemas has been enriching the community for their religious knowledge.

IV. CONCLUSION

The existence of HUDA is quite important to know, because in Aceh there are a number of ulemas institutions which are struggling to enforce Islamic Syari’ah together. These institutions are formal in nature such as the MPU (Majelis Permufakatuan Ulama), and there are institutions that are informal, such as Inshafuddin, RTA, HUDA, and MUNA. For HUDA itself in enforcing the Islamic Syari’ah they rely heavily on their ability and influence, it is possible because they consist of dayah leaders that spread all over Aceh. So with such status, it has been easier for them to socialize the Islamic Shari’ah into the life of the community.

According to HUDA ulemas, the enforcement of Islamic Shari’ah is an obligation that must be endured by all parties, for that reasons, all elements in Aceh are obliged to support the stages of implementation of Islamic Syari’ah. HUDA in this context has mobilized all power, including in fostering the regular Islamic forum through the Islamic forums of tasauf, taahid and fiqh (tastafi). The Islamic forum itself as a form of moral responsibility of HUDA ulemas to the community, because for them ulemas have the main task, that is teaching and educating. Through these two roles, the people easily understand all aspects contained in the Shari’ah.

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