Introduction

As large parts of the Muslim world embark on a democratization of politics, "elected governments face growing pressure to expand or preserve Islamic law."[1] Consequently, there has been an Islamization of politics in a number of democratizing Muslim-majority countries that has expressed itself in the adoption of *shari'a* law.[2]

This is also the case in Indonesia, the world's largest Muslim-majority democracy. Soon after the collapse of President Suharto's New Order military regime in 1998, observers of Indonesia's democratization process noted an Islamization of politics and public life. Emblematic of this development were local regulations with an Islamic overtone that were adopted in provinces, districts and municipalities across the archipelago.[3] These include regulations prohibiting alcohol consumption, gambling and prostitution as well as those regulations on the collection of religious alms, Qur'an reading, education and women's dress code.[4] Referred to as *shari'a* regulations, "their enactment clearly represents a historical breakthrough in the trajectory of political Islam in Indonesia."[5]

Current scholarship neither describes nor explains this development sufficiently. For instance, existing studies grossly underestimate the number of these *shari'a* regulations, stating that there are between 78 and 160 such *shari'a* regulations in the entire country.[6] In reality, at least 443 *shari'a* regulations were adopted in Indonesia between 1998 and 2013. At the same time, alarmist accounts talk about the "creeping shari'a-ization"[7] of Indonesia and have left many readers with the impression that these *shari'a* regulations are a widespread phenomenon. However,

[1] Kendhammer 2013, 291.
[2] Riaz 1985, 41–7; Kendhammer 2013, 291; Villalon 1994, 434; Yavuz 1997, 63.
[3] Rural districts (*kabupaten*) and municipalities (*kota*) are situated below the province in Indonesia's institutional hierarchy. Governors run provinces, while district heads and mayors control districts and municipalities respectively. For brevity's sake, I will refer to district heads and districts only unless there are dynamics distinct to mayors and municipalities.
[4] Bush 2008, 172–4; Lindsey 2008, 206–8; Salim 2007, 126. [5] Hasan 2007, 10.
[6] Bush 2008, 76; Lindsey 2008, 206. [7] Anwar 2003.

such regulations exist in a confined number of provinces and districts only. In fact, 67.5 percent (299/443) of all *shari'a* regulations adopted between 1998 and 2013 cluster in only six provinces: Aceh, West Java,[8] East Java, West Sumatra, South Kalimantan and South Sulawesi. This is not to say that the surge of *shari'a* regulations is trivial. The six *shari'a* clusters include Indonesia's most populous provinces and encompass half of the country's population. However, it is important to understand that there is considerable variance in the Islamization of politics *within* Indonesia.

The failure of existing scholarship to grasp the prevalence and distribution of these *shari'a* regulations has led to equally unsatisfying explanations about the driving forces behind the Islamization of Indonesian politics. Most accounts argue that Islamist parties, which were established after 1998, have pushed the adoption of *shari'a* regulations. However, the combined vote share of Islamist parties has been in steady decline since 1999. Furthermore, Islamist parties dominate neither parliaments nor executive governments in localities that have adopted *shari'a* regulations, as I will show in subsequent chapters. The few rank-and-file Islamist party members who have been elected as district heads since 1998 have mostly refrained from adopting *shari'a* regulations.

At the same time, all of the aforementioned *shari'a* clusters, with the exception of East Java, are home to Islamist movements whose origins date back to the beginning of the Indonesian republic in 1945. These movements resurfaced in the aftermath of the political opening in 1998. However, due to a combination of ideological, historical and institutional factors, and on which more below, they have neither entered party politics nor managed to occupy formal state positions.

In fact, the overwhelming majority of governors and district heads who adopted *shari'a* regulations are state elites who began their careers during the New Order regime and who have no affiliations to Islamist parties or movements.[9] In other words, *ancien régime* figures seem to play a role in the adoption of *shari'a* regulations too.

This peculiar pattern in the Islamization of politics in Indonesia suggests that, although a variety of Islamist actors have *mobilized across* Indonesia since 1998, *only some* have gained *influence* in politics. Against this backdrop, the research question animating this book asks: Why have Islamist movements that mobilized at the same time as Islamist parties in

[8] Banten province split from West Java province in the year 2000 and became a province in its own right. Due to its shared history, I refer to West Java province only unless there are developments distinct to either province.

[9] During the New Order, all members of the state apparatus automatically became members of the Golkar party, the civilian backbone of the military regime.

Indonesia in 1998 subsequently gained political influence, while Islamist parties have not?

I argue that the key to unlock the mystery behind Indonesia's peculiar Islamization of politics lies not with Islamist parties and movements but is made possible by opportunist Islamizers[10] that are situated within the Indonesian state. In other words, the adoption of these *shari'a* regulations is driven by political expediency rather than ideological shifts within the Indonesian polity.

Concretely, the political opening in 1998 has changed relations among elites who dominate the state apparatus. Recruitment, promotion and retirement for state elites during the New Order were all oriented toward the central government and therefore were ultimately regulated by President Suharto. By controlling competition from within the regime, as well as suppressing discontent and challenges from below, the New Order administration created and maintained a certain unity among these elites. With their political survival at stake after the collapse of the dictatorship in 1998, leading New Order figures hastily adopted various institutional changes, including free elections, an overhaul of the legal framework for parties and the decentralization of power. These changes not only led to fierce competition among state elites but also made their political fortunes much more dependent on mass support. To find allies in their electoral skirmishes with one another, state elites were subsequently forced to "reach out" and "reach down" in the political arena, which made them more receptive to societal pressures from below.

It is important to note, however, that state elites are flexible to the demands of societal groups *only if* these groups can provide resources that help those elites gain power in Indonesian electoral politics. Resources that elites value include power brokers who can mobilize the electorate, the means to finance their political battles and "cultural capital" that will boost their legitimacy and recognition among voters. As they negotiate for these resources, state elites also *mediate* the influence of societal groups and interests because of their dominant position within the state and political institutions. In short, the two developments that, in my view, are behind the Islamization of politics in Indonesia follow a clear sequence. Competition among state elites has *subsequently* allowed Islamist groups situated in society to gain influence in politics. In other words, without competition among state elites induced by institutional changes after 1998, Islamist groups would have remained as politically impotent as they were during the New Order period.

What insights do we gain from a view that assigns causal primacy to dynamics within the state when analyzing the Islamization of politics in

[10] Nasr 2001, 21.

the context of democratization? First and foremost, the book shows that an Islamization of politics is underway via *democracy* itself. Current analyses are either missing or misunderstanding how this process is unfolding because the Islamization of politics occurs in a realm (and via processes) that do not involve the ascendance of parties with an overt Islamist agenda. Therefore, the argument presented here can explain better than existing accounts when, where, by whom and why *shari'a* regulations are adopted in Indonesia. This book shows that there was considerable temporal and geographic variation in the adoption of *shari'a* regulations in Indonesia after 1998 and provides an explanation for these patterns. In addition, the findings presented in this book refute arguments about the decline of political Islam in Indonesia, which are inaccurate or at least premature.[11] Such studies miss the point because they are overly fixated on election results that indicate waning support for Islamist parties. Better to study Islamist groups. Interstices that have opened up as a result of increasing competition between state elites have allowed Islamist groups to push the Islamization of Indonesian politics forward, despite sitting entirely outside the formal party system.

Furthermore, *shari'a* policymaking in Indonesia confirms the need to examine Islamist activism aimed at elections and elected officials. Most studies on Islamist activism in Indonesia are preoccupied with terrorism and political violence conducted in the name of Islam. This literature often assumes that Islamic activism is crisis-driven and that Islamist groups push through the adoption of religious laws in the context of broad social and political changes.[12] In reality, the most consequential forms of Islamist activism are much more stable and routinized. They unfold within the boundaries of formal politics and under "normal" conditions, i.e. once the tumultuous weeks and months of regime transition are over. This book therefore adds to a still small literature on the political *impact* of *non-violent* forms of Islamist activism.

My analysis of *shari'a* policymaking in Indonesia also contributes to a number of broader theoretical debates. Most importantly, it gives a close account of the factors that facilitate the *influence* of Islamist activism. Social movement theory has been devoted almost exclusively to the conditions that allow groups to *mobilize*. Only recently have scholars started to systematically and comparatively examine factors that define the influence of movements.[13] This lack of research is even more pronounced in the literature on *Islamist* movements, with seminal works

[11] See, for instance, Assyaukanie 2009; Mujani and Liddle 2009; Hamayotsu 2011.
[12] See, for instance, Hasan 2006.
[13] See Amenta et al. 2010 and Tarrow 1998, 161–4 for overviews of this literature.

constructed almost entirely around the origins of these movements and the catalysts that mobilize people in the name of Islam.[14] To the best of my knowledge, there is no account explicitly dedicated to factors that determine the impact of Islamist activism. Perhaps, this is because many studies just seek to explain how Islamist activists overcome "collective action problems," that is, how movements emerge and mobilize.[15] Hence, these accounts simply assume that once collective action problems have been solved (i.e. mobilization in the name of a state based on Islamic law), collective benefits will follow *automatically* (i.e. Islamic law will be adopted).[16] Put another way, studies on Islamist activism assume the "political opportunity structures" that enable mobilization will also allow groups to influence politics. The findings in this book qualify such a view. Political opportunity structures do not necessarily allow movements to shape politics because policymaking is hardly ever under the control of a single actor.[17] Arguably, this is particularly true in democratizing Muslim-majority countries in which remnants of the previous authoritarian regime continue to play a role in politics because regime change usually occurs through palace revolutions rather than social revolutions. It is certainly true in the politics of democratizing Indonesia.

Through such findings, this book bridges scholarship on Islamist movements with public policy literatures, which have long recognized that a diverse set of actors are involved in the policymaking process[18] and so policies are a "negotiated order" among different actors.[19]

A number of books on Indonesia and other Muslim-majority countries have emphasized the "convergence" of Islamist and secular forces during democratization,[20] but they seldom elaborate on the motives that spark this cooperation, its potential outcomes and what it reveals about the post-authoritarian power constellations in these countries.

Structure of the Book

In Chapter 1, I review the literature on the Islamization of politics in the context of democratization and show that it overly focuses on Islamist parties, thereby ignoring the potential role of Islamist movements *outside*

[14] See, for instance, Wiktorowicz 2004.
[15] Wiktorowicz 2004. For a critique of rational choice theory approaches to "collective action problems," see Green and Shapiro 1994, 47–71.
[16] Amenta et al. 2010, 295. [17] Amenta et al. 2010. [18] Sabatier 2007, 199.
[19] Barratt 2004, 253.
[20] See, for instance, Teik et al. 2014 and Platzdasch 2009a on Indonesia as well as Turam 2007 on Turkey.

formal party politics. Even research that references these movements is incomplete because it often neglects the role of the state in this process. The few existing accounts of *shari'a* politics that focus on the "convergence" between the state and society as a result of democratization rarely explain the *concrete mechanisms* that lead to the Islamization of politics in democratizing Muslim-majority nations. Arguably, this is because scholars often conflate conditions that allow societal actors to *emerge* and *mobilize* with conditions that allow societal actors to *gain* and *maintain influence*.

The chapter then provides a hypothesis about what kind of Islamist actors are expected to gain influence in democratizing Muslim-majority countries and how their influence is mediated by elites in control of the state. In the final part of Chapter 1, I define key concepts before critically detailing my methods of comparison, case selection and data collection.

Chapter 2 offers a brief history of Islamist activism in Indonesia as a backdrop for analysis in subsequent chapters. Disagreements about the proper place of Islamic law in Indonesian politics date back to the constitutional debates of 1945. Since these debates constitute one of the most enduring ideological fault lines in Indonesian politics, they act as a valuable gauge for the influence of Islamist activism *across time*. To compare the influence of Islamist activism *across space*, the second section of the chapter zooms in on the history of political Islam in West Java and South Sulawesi. Islamist movements have been present in both provinces since 1945, yet elites in control of the state were not responsive to their demands prior to 1998.

In Chapter 3, I explore how reforms adopted after 1998 have uprooted the logics in the accumulation of power and how this has created conditions that have made elites more receptive to societal pressures. Concretely, electoral and institutional changes have concentrated power within local executive governments, at the expense of local parliaments. Governors and district heads are therefore the most powerful local political players. Data on the background of candidates competing in these elections reflect the dominance of academics, bureaucrats, military personnel and businessmen who came to power during the New Order. These state elites rarely face electoral challenges from candidates rooted in society. Most importantly, members of both Islamist parties and Islamist movements are notably absent among both *candidates* and *winners*.

Yet, the democratization of politics has changed the relations among these state elites and with it the logics of amassing power. Even while horizontal accountability has diminished in Indonesian politics, the introduction of free elections has considerably strengthened linkages between

local government heads and the electorate. In other words, due to various reform initiatives, power has come to be concentrated in subnational executive government head offices. At the same time, candidates competing for these powerful governor and district head posts are keen to acquire the support of the mass electorate, rather than a small group of national leaders, which was the case prior to 1998.

Chapter 4 shows how competition among candidates vying for local executive power has become real and intense, forcing them to depend on mass support. Yet gaining and maintaining support is difficult for these state elites because the Indonesian electorate is relatively independent. This requires candidates in newly democratic Indonesia to establish linkages to the electorate, which has created logistical and financial challenges. Concretely, candidates need to find ways to mobilize thousands of voters, secure the means to pay for their campaign expenses and also establish a public image that resonates with voters.

Chapter 5 starts with data establishing that the relationship between Islamist party strength and the adoption of *shari'a* regulations is spurious at best. Islamist parties did not dominate a single parliament that adopted a *shari'a* regulation between 1998 and 2013. Furthermore, the majority of local government heads who adopted *shari'a* regulations were also not Islamist party members. Arguably, political parties have remained without much influence in politics because they have neither the mobilizational nor financial capacity to help state elites accumulate power. Islamist parties also do not enjoy much credibility among the Indonesian electorate, so the parties cannot help boost a candidate's public persona in ways that would enhance his[21] credibility with voters.

In Chapter 6, I dig into the Islamist movements, examined in Chapter 2, which resurfaced in both West Java and South Sulawesi after 1998. I then parse the organizational structure of these movements and their lobbying activities for a state based on Islamic law to show how Islamist movements situated outside formal politics are better than Islamist parties in delivering political resources state elites deem useful.

In Chapter 7, I turn to the impact these Islamist movements have had on the *shari'a* policymaking process. Based on an original dataset, the chapter provides figures on the number, dispersion and kind of *shari'a* regulations adopted in West Java and South Sulawesi province. I also outline the mechanisms through which such groups gained influence. In the second section of the chapter, I examine the adoption of *shari'a*

[21] The majority of candidates in local elections are men although women have made inroads into local politics too in the context of direct local government head elections. See Kurniawati 2015.

regulations across the archipelago to see whether the argument for the Islamization of politics in West Java and South Sulawesi also applies to *shari'a* policymaking elsewhere. The analysis shows that *shari'a* regulations cluster in provinces where local Islamist movements have deep historical roots. I then focus on the last stage of the policy cycle, the *implementation* of various *shari'a* regulations. Interestingly, the same dynamics within the state that allowed Islamist groups to *gain* influence also *limit* their influence. In other words, changing power dynamics among elites permitted certain Islamist groups to gain and exert influence over the *agenda-setting* and *adoption* stage of the policy cycle. The same logics of power accumulation, however, also explain why Islamist groups struggle to affect the *implementation* stage of these policies. This, again, attests to the power of state elites to mediate the influence of Islamist activism.

I summarize the main theoretical contributions of this book in Chapter 8 and point to future avenues for research on the Islamization of politics in the context of democratization in Muslim-majority countries.