

Debate over Islamic Symbolism and Substantialism in the Formulation of Local Regulation in Tasikmalaya Municipality

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Abstract

This study aims to reveal debate over the formulation of local regulation. Particularly, it seeks to know political dynamics at the grassroot level in policy-making. Theoretical assumption mentions that policy-making is not only a process of government technocracy, but it can also a debate over current discourse among citizens. The qualitative study discloses that the political debate over this discourse occurs due to contradictory perspectives on the aspirations of Shari'a law as a part of formal institutions in the state. The first camp argued that Islam should exist in the public as an effort to build an ideal society. Islam must be included as part of the state, at least in local regulation. In contrast, the second camp argued that in building the ideal society, state does not need to include Islam as part of the state in the regulation.

Keywords:

Islamic Symbolism; Islamic Substantialism; Local Regulation; Sharia Law; Tasikmalaya Municipality

INTRODUCTION

Nowadays after New Order era, there was an attempt in showing the existence of Shari'a law in a public as a social movement by several Islamic clusters. Martin Van Bruinessen (2014) explained this phenomenon as *conservative turn*. In 2005, *conservative*

turn started to exist in Indonesian Islamic movement. This phenomenon can be interpreted as a movement to bring back Islamic movement into conservative direction. Zainal Abidin Bagir (2011) on his book presented some influencing indicators to signify the occurrence of conservative turn phenomenon such as serious conflict between Muslim and Christian communities in some places, terrorism in Jakarta and Bali, the attempt to bring back seven words on Jakarta Charter on the amendment of 1945 Constitution, the emergence of sharia local regulation in several regions, the

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emergence of new movements like Hizbut Tahrir Indonesia (HTI) and Salafi, and also there were some series of controversial fatwa from Indonesian Ulema Council (Majelis Ulama Indonesia/MUI) in 2005 such as fatwa stating that secularism, pluralism, and religious liberalism were contradictory with Islam.

There are so many kinds of Islamic movement in Indonesia, but if we talk about Islam in general there are only two basic ideas of Islamic movement related to the state. The first idea believes Islam should be symbolically manifested in the politic. This idea then called as Islamic fundamentalism, Islamic radicalism, Islamic literalism, Islamic politic, Islamic symbolism, or Islamic Legal-formal. Those Islamic movements which hold this idea wish that Islam should formally play crucial role in society. This idea was text-orientated religious in the scriptural meaning (Mubarak, 2007). Those who agree with this idea were obsessed to formally link between Islam and state, which then tried to establish Islam as national principle. It means for who believe this idea, they will uphold the values of sharia law which then it must be obeyed by the society. Thus, the character of this movement is that using the parliament as the battleground.

The second idea considers Islamic values do not need to be symbolically manifested in politic. Even further, this idea refuses the existence of Islamic party and sharia symbolization (Nasir, 2013; Malik, 2016). Even so that Islam must be used as a foundation in the society. Those who agree with this idea believe that sharia law symbolization will ultimately endanger a nation's integration and also blemish intrinsic meaning of the religion itself (Parsons & Mietzner, 2009). This idea also reckons that combining religion and politics is a great mistake. In this case, religion only be used as a tool to reach politic interest (Jurdi, 2008). This idea also believes that the use sharia law symbolization gives negative image for Islam as if it is only used as a tool by some elite to legitimize their desire to get political power. There are some Islamic countries that are not able to reflect Islamic spirit in managing their state, they do not guarantee the security for their citizen, do not uphold the values of humanity and justice, do not practice honesty, do not prosper the citizen, etc. This second idea then led the formulation of Substantive Islamic movement, Cultural Islamic, Islamic Modernist or Islamic Liberal. Each of movement is not identical to each other yet they have their own

uniqueness. Those movements do not utilize the parliament as battleground but utilize Islamic education such as *pesantren* or *dakwah* as battleground. From the backgrounds above, it can be formulated a research question: How a debate on the discourse that occurred between Islamic symbolism of and Islamic Substantialisme behind the formulation of the Local Regulation of Values in the Tasikmalaya?

THEORETICAL PERSPECTIVES

Research Method

In this study, researchers used qualitative research methods to obtain a profound result of the observed people's behavior and in-depth interviews results from representative people (religious scholars and islamic party leaders) also documents from local legislative. The characteristic of qualitative research were: focusing on the existing problems or actual problems and describing the facts being investigated completed with rational interpretation (Denzin & Lincoln, 1994). This research explored phenomena in the field, which then were analyzed using descriptive analysis. Different with other qualitative study, in this study researcher did not propose hypothesis. The

researcher presented descriptive exposition based on the research findings.

Islam and State

Looking at the phenomena of the emergence of sharia local regulation in several regions in Indonesia, those cannot be separated from the debate on correlation between religious and politics (Firman, 2009). There are two great perspective namely symbolism and substantialism. The debate occurs on the issue and symbols domain. The Islamic group which then called as *symbolic Islam* believes that Islam must be symbolically embodied in politics; meanwhile the *substantive Islam* refuse all kinds of attempt to legalize Islam in politics. Those who agree with this idea believe that sharia law symbolization will eventually endanger a nation's integration and also blemish intrinsic meaning of the religion. Combining between religion and politics is a great mistake. In this case, religion only be used as a tool to reach politic interest. *Symbolic Islam* believes that Islam is an integrative religion, Islam does not recognize the separation between religion and state, between the world and the hereafter and the any other form of separation.

Bahtiar Effendy (1998) mentioned both ideas in different term, legal-formal Islam and substantial Islam. Legal-formal Islam simply can be interpreted as an idea that intends Islam to formally play a major role in the society. This idea was text-orientated religious interpretation within the scriptural meaning. They were obsessed to formally link between Islam and state, which then tried to establish Islam as national principle or Islam as the major official religion of the nation. All the people are obliged to implement Islamic value in their life under state's control. Meanwhile, substantial Islam prefers ideals that are free from formalistic-legalistic institutionalization of religion in the public and political spheres. This idea focuses on the content rather than the form and even it rejects the idea of Islam as the as national principle. They more concern on the forming a social system that is relevant to Islamic values.

Meanwhile, M. Subkhan (2008), who conducted a study on the implementation of Islamic Sharia in Banten province, saw three paradigms in the debate on religious and state relations. First, the Integralistic Paradigm, both religion and state are inseparable unity. The area of religion includes politics and the state. The state is considered as both

political and religious institution. Based on this paradigm, the head of state hold both religious and political power. The government was upheld on the basis of "God authority", because those who agree with this paradigm believe that sovereignty is from and hold by "God's hands" (Arif, Al-Fayyadl, & Adian, 2010; Aziz, 2011). Thus, from the integralistic paradigm perspective, the enforcement of Islamic law as the state's positive law is inevitable.

Second, the Symbiotic Paradigm. Both religion and state, according to this paradigm, have mutual symbiotic relationship, they needed and completed one another. In this case, religion needs the state as a place to grow. The state also needs religion to develop state's interest using religion's ethical and moral-spiritual guidance. Thus, this paradigm gives special treatment for the majority religionists to enforce their religious laws under the legitimacy of the state. Or at least, because of its symbiotic characteristic, the religion laws have the opportunity to be a part of laws of the state, even in certain matters religion law can be established as law of the state.

Third, the Secularistic Paradigm. This paradigm proposes a separation between religion and state. Thus,

according to this paradigm, Islamic law cannot simply be applied and implemented in a certain political area. In addition, Islamic law cannot be a positive law unless it has been accepted as a national law.

Those paradigms then become a debatable issue when there are religious values become the part of state law. Although later, the issue have caused new problems related to the society's pluralism. Those problems arise when a policy discriminates other groups (Bagir, 2011). This is because in some policy formulations concerning religious issues involves the religious and state groups. Including when religious issues are incorporated into the formulation of a local regulation.

Public policy

Local regulation is one of the public policy forms at the local level made to solve public problems at the local level. The local regulation arranging process cannot be separated from the relationship between the local government and the local society members. A local regulation sometimes comes not only from the initiatives of local government but from local people's social movement demanding a problem solving through

government policy. There is no doubt that the social movements have a great role in influencing public policy and the state. Indeed, many social and political experts acknowledge that social movements are an important changing power in a society. Public policy is a concrete form of the interaction process between the state and its citizen (Putra, 2003). It means that public policy cannot be separated from the public. The public policy is made from society demands that are conveyed to the state. The public policy is as form of state accommodation against these demands. Public policy is formed based on the demand, needs, or claims made by private citizens or a cluster in the political system related to their problems (Agustino, 2006). Those demands are in the form of a pressure to push the government to do concrete action. The public desire for a resolution encourages the formulation of public policy. Public policy also a balance achieved by the group through an attempt and it gives balance where the opposing groups always struggling for their aspirations. The policy in Tasikmalaya is the result of debate on discourse from different perspectives, different struggle as well based on their perspective in influencing the formulation of a public policy.

The public policy studies from time to time develop based on the perspectives and theories. It is because the previous public policy studies were not able to explain the social phenomena behind a policy. Policy studies, almost all of them were dominated by conventional public policy theories influenced by the perspective of rational choice theory. The rational choice theory is strongly influenced by Weberian rationality (Boudon, 2003). He perceived rationality is as a central feature of modern bureaucracy. The government institutions are regarded as a stage on which people stand (decision makers) with good intentions, equipped with a variety of technical skills and intellectuals are adequate, so it will perform a variety of good and useful actions..

In the perspective of this theory, the decision-making actors are in a neutral position, they only think about the good for society. Thus, in making the decision, they seriously think if the decisions they made will bring benefit for the society and minimize the possible negative impact. This theory puts aside the values brought by decision makers. The decision-makers have their own perspectives about rationality. In addition, rational choice theory is heavily focusing

on understanding of the legislation process in established democracies. This theory is inadequate as an analytical tool for understanding and predicting political interactions and policy processes in the society.

Not only that, the study of policy still refers to positivistic approach. The excessive orientation on the functionalist theories causes the study of public policy is less sensitive toward the structural issues and tends to place the authority of the state as the main study. The studies of state-centric policy cause the study less sensitive to the social realities in the society. Thus, public policy studies tend to ignore the role played by elements in the community such as interest groups or even the most influential people in the community who can influence policy such as studies conducted by Migdal (1997) or V. Sidel and R. Sidel (1976) that find a strong local people who can influence public policy.

CONTEXT: FINDINGS AND DISCUSSIONS

The Debate on the Islamic Symbolism and Substantialism Discourse in the Formulation of Local Regulation of Values in Tasikmalaya

This section will explain the differences in Islamic orientation and expression as well as the emergence of the local regulation of values in Tasikmalaya. This is related to the debate about how the relationship between Islam and politics is, particularly in Tasikmalaya. When talking about Islam and politics or Islam and the state, not all Muslims share the same understanding. This is because the Islamic expression is strongly influenced by a person's understanding, so those differences in Tasikmalaya are determined by how the actors involved in interpreting Islamic and political relations. In addition, differences in Islamic expression also occur because the issue is related to the mundane problems that continue to change. Muslims do believe that they have a purpose or aspiration of life that is the realization of the prosperity in the world and the hereafter, so to realize this goal Muslims are guided by the teachings in Al-Quran and Hadith. However, there are differences in the interpretation of guidelines between the issues of the hereafter and the worldly problems.

The differences guidelines show in terms of religious activities, which includes faith and worship of God, clear and detailed guidelines. Whereas the

guidelines of worldliness are such as on the norms and ethics of human relations, the reference for Muslims only in the form of general lines or general principles. Basically, the issues of the hereafter covering faith and worship does not change, while the worldliness covering the norms and ethics of human relationships keep changing in accordance human nature that always change from time to time (Abdillah, 2011).

In Tasikmalaya, there is difference in expressions on each Muslim groups in dealing with the issue related to their interconnection in the society. Those differences are; how the implementation of Islamic value in the society, can a public policy be in accordance with the Islamic values, and can the Islamic values be accommodated into a public policy such as local regulations. On the other hand, socialization and institutionalization about Islamic values can be carried out through some efforts that emphasize on the change of social consciousness and the behavior of each individual without the involvement of the state. In fact, those efforts still need the involvement of the state even without change the national system into Islamic system. It means, the state through its policies participate in the

process of socialization and institutionalization of Islamic values.

There is a power from Islamic symbolism in the middle of various perspectives and expression about religious value in Tasikmalaya's society. In the end, those group with different perspective make an agreement which then be implemented as public policy.

The Expression and Orientation of Substantive Islamic

One of the clusters focusing on the relation between Islam and the state considers that the state does not need to be a religious state (Islamic state), but the state needs to consider the contribution of Islamic religious ethics in the social life. Religious ethics can be a foundation in state management. The formalization of religion within a state will only ruin the religion itself, so that Islam is narrower and only can be understood by the interpreter (Singh and Qodir, 2015). This perspective is known as substantial Islamic perspective Those who follow this idea are more likely to understand and articulate Islam substantially.

This perspective does not recognize the state as the achievement, yet the state as embodiment of substantive values of Islam in the culture

domain. Islam in here is as a culture, in which the interaction occurred is a value interaction, not a contestation of power. In addition, the Islamic field is not on the state, but in the field of culture that is a field of guarding the values of society and the struggle of humanity and universal justice (Afif, 2010). As the consequence, the steps taken are not the effort in associating Islamic values with the state or pressuring the state to reinforce of Islamic values, but the step taken is rather on how to strengthen Islamic values in the society.

The substantialist approach is closer to the Islamic culture. Those who use this approach ask the claim stating that those who are not within the power sphere do not completely implementing Islam. They also ask the claim stating that those who do not make a serious effort building an Islamic state are does not fight for the sake of his religion. They reinforce the Islamic cultural strength by strengthening the people's religious. This Islamic substantialism perspective is based on historical experience in Indonesia. For several times, Islam is defeated in political, juridical, electoral, and bureaucratic spheres. Because of that reason, it is necessary to formulate Islam that can redeem the Muslims'

disappointment. Therefore, Muslim needs to be sympathetic and appreciative in formulating Islam to build Islam that can exist in the modern world. Islam should be more aspirational, accommodative, and courteous. As a consequence, there will be no power which shall suppress the development of Islam.

Substantial Islam more emphasize on the Islamic cultural power, by strengthening the peoples' religious (Effendy, 1998). Based on the substantialist' understanding, Islam must be a culture in society,

"...I agree that Islam can be a culture in society. So, Islamic movement should be carried out through a cultural movement as well. The cultural movement actually comes from society. The most important thing is how Islamic values are substantially implemented by the society..." - KH Didi Hudaya¹.

The substantial Islam or cultural Islam belongs to an important part of Indonesian Islam. This substantial Islam have great influence to the discourse on the relationship between Islam and the state. Singh and Qodir states there are four trusted arguments to support this

substantial Islam perspective (Singh and Qodir, 2015). *First*, that there is no strong evidence about the obligation to build Islamic state founded in Quran and Hadith. In perspective of substantial Islam, the political actions done by Prophet Muhammad were not intended to proclaim the establishment of an Islamic state. The Medina charter did not indicate that it was an Islamic State, but it was an agreement for Arab society that had ethnics diversity.

Second, the substantialist does recognize that Islam have a set of socio-political principles. They believe that Islam is not an ideology. Islam have some principles such as justice, honesty, openness, responsibility, and deliberation but those are not an ideological principles. An ideology is made to be followed, it causes the people to have less critical thinking. In other word, Islamic Ideology can reduce Islam itself.

Third, Islam is an eternal religion, so the understanding of Islam should not be limited by the legal-formal notions especially those built in the context of a particular space and time. Islam must be understood by a thorough interpretation, which implements its textual and doctrinal guidelines into contemporary situations and contexts. Thus, there will always be

¹ Head of Nahdlatul Ulama-Tasikmalaya

an Islamic transformation into contemporary principles and practices.

Fourth, based on the substantialist perspective, human understanding on religious doctrines is essentially relative only on value which can change from time to time. In addition, each person has their own understanding toward Islam; so that no one can claim that his/her perspective is the right one against the others. The basic principle of a state is an agreement. It is not a doctrine. In sum, a compulsion on a state to implement Islamic ideology is equal to forcing the God to follow the human will and interests (Sakai & Fauzia, 2014).

The approach used by Azyumardi Azra who mentions Political Islam and Cultural Islam regarding to Islam and state relations. It defines cultural Islam as Islam which does not manifest itself as a political institution or strengthens its existence in parliamentary political struggle but Islam which manifests itself substantially in cultural institutions and civilizations. Cultural Islam does not relate itself to politics and power but rather focuses on matters of worship or ritual (Azra and Al-Jauhari, 1996; Tanuwidjaja, 2010). Despite political linkage, substantial Islamic groups concluded that the Islamic political format should

prioritize content rather than form, even they declare rejection of the idea of Islam as the basis of the state (Tanthowi, 2005). Their main concern is the question of how a socio-political system that reflects or conforms to Islamic values is formed. This means that they appreciate more egalitarian and democratic mechanisms.

This group rejects the entry of Islamic values formally in a state policy or positive Sharia. In Indonesia, such rejection was seen when the Issue of the restoration of seven words in the Jakarta charter into the state basic principles when the 1945 Constitution was amended. There are several reasons related to the rejection. First, restoring of seven words in the Jakarta Charter into the 1945 amendment will potentially invite the danger of state intervention in the area of religious life. The interference will create distortions over the implementation of the religious tenets themselves, and tends to bring religious politicization to the immediate goals by the interested groups. Secondly, the inclusion of Islamic Sharia will cause harm to the religion itself and to the state as a public domain. Third, the implementation of Sharia regulated by the state will pose a danger of hypocrisy as

the obedience to the Sharia caused by state coercion is only a false obedience. Religion must essentially be an autonomous region of the state (Butt, 2010; Yulianto, 2003). Thus, it is clear that the substantial groups strongly reject the formalization of Islam. Besides, it is not strategic nor has a strong base of argument, so it will distort Islam itself.

Condition of good society in a country can be categorized as an Islamic society not only when in such process it uses the symbols of Islam but also when a society holds up and carries out the values of justice, honesty, order, and mutual help, because these values are substantially taught by Islam. Thus, the emphasis is more on the meaning of a society or country that puts forward the meaning of its substance is more important than its symbolic meaning. If a country refers itself as an Islamic state and its constitution is based on Islamic Sharia but the practice of the implementation of country is far away from Islamic tenets or values, the behavior of the country's elites is dishonest, unjust and unreliable, then the country cannot really be called as an Islamic state.

The issue of the members of Islamic community is not on the question of

whether Islam should be a symbol of the state or an ideology, but how the normative meanings or values contained in the Qur'an and Hadith can be transformed into socio-political life. This is much more important as nowadays western values such as consumerism, materialism, and hedonism have replaced the religious values, particularly in the community of Tasikmalaya. Now, the western values become a trend of modern life in society, including the Islamic community itself. Therefore, one thing that must be considered is how the Islamic values in society can be reinforced so that then it can be a shield for the influence of western values.

In line with the views above, some Islamic communities in Tasikmalaya do seem to agree that what they need to strive for is the substance of Islamic values, not the struggle that fights for the existence of Islamic symbols or the formalization of Islamic values into a policy (Yulianto, 2009a; 2009b). The groups that want to legislate Islamic Sharia do not seem to understand what actually the substance of the Islamic Sharia itself is. Yet the most important is not formalizing the Islamic into the legislative but carrying out the Islamic

Shari'ah in religious life in society (Yamani, 1977).

The implementation of Islamic Sharia is the obligation of every Muslim. Islamic Sharia is a Sharia of God that must be implemented by every person who is Muslim, thus no need for Islamic Sharia that is formalized into a government policy even in the context of regulating the life of society and state. Although the goal of Islamic Sharia is to organize the life of society and the state particularly in religious life but not all citizens of Tasikmalaya agree if life in the society should be arranged based on Islamic Sharia².

In expressing their views, the fundamentalists in the city of Tasikmalaya do cultural struggle in facing the challenges of the time changes. As expressed by KH Didi Hudaya, that the struggle that must be done is the various efforts that make Islam can unite in the community.

Symbolic Expression and Orientation of Islam

The group of Muslims that is discussed in this section is the group of Muslims seen vis-à-vis the group

discussed earlier particularly about how their views and ways of realizing an ideal society. In broad outline, the goal of this Islamic group is to realize the Islamic society through the involvement of the state. According to their view, Islam and the state cannot be separated. Many of them are positioning Islam not only as a belief system but also as an ideology. In addition, they are fighting for the enforcement of Islamic Sharia, where Islamic Sharia is used as a guide in living the life of a society (Bush, 2008). This enforcement of Islamic Sharia is an important part of the Islamic struggle, in which they assert that Islam is the only source of identity, meaning, stability, legitimacy, progress, strength, and hope expressed through the slogan "Islam is the way of life". The attempt to find the "way of life" is no longer through western ideologies but through the values that exist in Islamic tenets. They are committed to Islam as the only guidance of life in the modern world.

This group, based on the terminology of Samuel P Huntington (2000), is the part of the revival of Islam that emerged post-cold war, where Islam as an ideology begins to globalize. This revival of Islam as a manifestation of efforts to replace western world-view by

² Interview with Iip Syamsul Arief, Leader of Persatuan Islam/ Persis-Tasikmalaya (Islamic United Organisation- Tasikmalaya).

applying Islamic Shari'ah. The application of Islamic tenets is related to social behavior such as the wearing of the veil for women or abstaining from drinking liquors. Moreover, the Islamic revivalism can also be seen from the increasingly rampant religious activities, the domination of the opposition to the secular government by Islamic groups, and the development of international solidarity among Muslim societies and Islamic countries.

The existence of Islamic groups who want formalization of Islamic Sharia through state policy is an expression and response toward the hegemony of western values in the life of modern society. The living status of modern society which is dominated by western and secular values are regarded as a crisis that must be immediately dealt with. They oppose the West by firmly believing that the world has collapsed, and therefore they are in a position to immediately proclaim a new world order from the old world order that is considered to be untrustworthy. The new world order is a society order that conforms to Islamic principles in accordance with their interpretations. Islam is perceived as the answer to the destruction of the society's order, and as the theological basis to form a new order.

The theological basis they use is their belief in the holistic character of Islam. Islam is conceived as the totality of all aspects of social and personal life. The religious premise is seen as a hint that Islam provides a complete doctrine of all aspects of human life including the concept of state and government system.

In addition to being holistic, the Islamic Shari'ah which becomes the basis of Sharia in every aspect of life is flexible, can develop to cope with all problems that are evolving and constantly changing (Jati, 2013). In the literature of the Islamic legal literatur there are solid foundations for even the most complicated solutions for the present problems (Liddle, 1996). Thus they argue that every issue of human life, whenever the problem occurs, can be solved by applying the Sharia of Islam as the legal basis of any solution to the existing problem. Therefore, the struggle of Islam becomes a continuous effort to apply all the tenets of Islam in public life.

Some opinions such as from the orientalist questioning the nature of the holistic Islamic Sharia. They question it by asking, in fact the word "shari'ah" contained in the Qur'an does not have any legal and legislation meaning, and then why is Islamic Sharia always be

associated with Islamic law (Qardhawi, 1997; Siregar, 2008). However, such opinions are regarded as unacceptable opinions or as arbitrary questions. They argue that there has been much evidence to prove that the Qur'an is complex. The Qur'an concerns all legal matters, among others: related to the matter of worship; family affairs; criminal, crime and sanction; sale and purchase transactions; political issues, and relations between countries, and so on.

Emergence of the Regional Regulation on Values; the Mediator between Symbolic Islam and Substantive Islam

The regional regulation on values is the result of a compromise involving two parties with different views either outside the regional people's representative assembly or the issue of enforcement of Islamic Shari'at through discussion in the regional people's representative assembly. That is because the debate about the inclusion of the enforcement issue of Islamic Sharia into the regional government policy is not only happening at the level of community groups but also within the regional people's representative assembly building. When entering the realm of public policy-making within the regional people's

representative assembly building, initially the issue of enforcement of Islamic Sharia is not acceptable by the majority of regional people's representative assembly members,

"...when the aspirations of the Muslims scholars had reached the regional people's representative assembly, there was a debate within the Regional People's Representative Assembly itself. Initially of the 8 factions, then 6 factions refused due to the spirit in their souls is nationalistic. In addition, it is because of the mission of their parties, do not want the enforcement of Islamic law, only uphold the unity of the United State of Indonesian Republic. On the other hand, there were also those who, although in principle they agreed on the implementation of Islamic Sharia but only in private implementation, it does not need to be included into the regulation. Quran mah teu kudu di-perda-an (Al-Quran should not be legislated). There are two opinions, some agreed that Islamic values are should be formalized through local regulations, and some did not. And I think, why they think so? Zakat also has the law, marriage also has the law, why do not they reject them? Through a long debate, the Regional People's Representative Assembly finally agreed to the regulation No.12 / 2009... "-
H. Pepen Ruspendi, SE³.

³ Senior Politician form United Development Party-Tasikmalaya (Partai Persatuan Pembangunan-Tasikmalaya).

The concept of "Values" is then seen as an acceptable mediator to both sides as opposed to the Islamic Sharia concept. Parties from both elements of society and regional people's representative assembly who reject the enforcement of Islamic Sharia through local regulations as seen from their arguments when held hearings on 5th, 6th, and 10th of August 2009 in the Parliament Building which presents all elements of society and community organizations in Tasikmalaya. But then, they can accept when the concept raised is the concept of values even though the substance is still related to the Islamic Sharia. Values or norms are defined as a system of conduct that is considered good and proper that concerns all aspects of human life both individuals and groups of people (Crouch, 2010). Meanwhile, the values of community life based on the Islamic tenets and social norms as referred in Regional Regulation No. 12/2009 which has been agreed upon is a life of society that upholds the glory of Islamic tenets that originate in Al-Quran and Hadith as a guidance of life for every Muslim, both in carrying out the personal life and community life, nation and state in the atmosphere of community life and harmonious, peaceful, safe, orderly and

peaceful environment by sticking to the rule of law that is applicable in Indonesia.

Although finally the regional regulations that was agreed in Tasikmalaya regional people's representative assembly building were not entirely like what the Ajengan had previously proposed, the draft of local regulation (Rencana Peraturan Daerah/Raperda) was debated in the regional people's representative assembly, which then ratified by Tasikmalaya Regulation No. 12/2009 on the Development of Values of Community Life Based on the tenets of Islam and Social Norms of Tasikmalaya. is the regulation was actually the product of the Ajengan who had succeeded in making a movement and arranging 7 drafts on Islamic Sharia, even though this draft was formally proposed by the Government of Tasikmalaya.

In the case of the emergence of the "values" rule as a result of the struggle by the symbolic group, when it is associated with the orientations and expressions difference between symbolic Islam and substantive Islam, beyond the question of differences in state involvement in the formation of an ideal society, it is interesting that the reality is difficult to get a clear distinction of the

view. Theoretically, for example, this symbolic Islamist group perceives Islam a totality in all aspects of life both in personal life and in social life, and believes that Islam provides complete rules on all aspects of human life including the concept of state and government, but many Islamic groups based on their characteristics that can be categorized as symbolic groups when they live in a country that is not built as a theocracy state, it is seen that this group cannot actualize and express all its thoughts or religious orientations. In the case of Tasikmalaya, the Islamic Sharia that was striven to be enforced through a movement is not in order to enforce the Shari'at of Islam strictly. This can be seen from the struggle for only part of the Islamic Sharia not to the application of punishment as Islamic law when a violation of Islamic Sharia.

There are three main characteristics of an Islamic community which has a fundamentalism view namely the control of women, the political practices against pluralism, and the unification of religion and politics (Rinaldo, 2010). They believe that Islam is the solution of every change process of a society that is in crisis. Islam can be the main solution in all aspects of life as it

has three dimensions which are; a *din* (religion) character which means Islam as a holy religion, *dunya* (world) which means Islam as a complete worldview, and *daulat* (kingdom/ state) which means Islam as a state or political system. The pattern and political orientation of the fundamentalists are formal-structural with the ideals of the establishment of an Islamic state based on Islamic Sharia law. This is due to in the political theology of the fundamentalist Islamic movement, there is an understanding that religion and the state are two things that are inherent and inseparable. Religion is placed as a life cornerstone of the state both on the affairs of society and the execution of government affairs.

CONCLUSION

The results of this study showed that the emergence background of the idea of applying the Regulation of Values No. 12/2009 in Tasikmalaya is influenced by some several factors; cultural history factor, political factor, and social-religious reality factor which is considered far from Islamic values, while at the same time Tasikmalaya is known as the City of Santri. The research data results showed that the Islamic Sharia enforcement movement that occurred in

Tasikmalaya is not caused by the Islamic movement in a conservative direction, or in other words the Islamic Sharia enforcement movement that occurred in Tasikmalaya is not rooted in conservative thoughts. This is seen when the movement develops and reaches the realm of legislation, there is an effort to adjust the Islamic Sharia which is compatible with national law.

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