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## Introduction

### Background to the study

This study is concerned with the legislation of Sharia (Arabic: *Sharī'a*). Specifically, it is concerned with the provincial and *kabupaten* (regional)/municipal laws in Minangkabau, West Sumatra, which have been introduced since the implementation of decentralization and local autonomy in 2000. There have been numerous attempts to legislate Sharia by the local authorities, including members of parliament, governor and *bupati* (the head of *kabupaten*) and mayor. Sharia legislation at the provincial and *kabupaten*/municipal level is commonly labeled as *Perda Sharia*. The word *Perda* is an abbreviation of *peraturan daerah*, literally meaning the provincial or *kabupaten*/municipal law. Thus, *Perda Sharia* implies that the rules and regulations stipulated in provincial/municipal law are aimed to implement Islamic teachings regarding Sharia. Accordingly; this study will examine those themes of Sharia that have been legislated for. It will also examine the contents, practice and implementation of these laws in the province of West Sumatra.

The position of Sharia in Minangkabau, West Sumatra, has been something of a mystery. The Minangkabau have a matrilineal society ruled by *adat* (custom). At the same time, it is one of the most thoroughly Islamized ethnic groups. This apparent contradiction and conflict between *adat* and Islam has induced a number of scholars to maintain that the matrilineal society has declined as the islamization of society has progressed (Kato 1982:11). In 1803 (Dobbin 1982), the Padri zealots started a movement of Islamic modernist scholars known as the *Kaum Muda*. At the beginning of the 20<sup>th</sup> century (Abdullah 1971), the penetration of a monetary economy, educational progress and increasing population mobility have generally been perceived as the causes of this purported decline (Kato 1978; 1-2). In fact,

despite the perceived decline of Minangkabau *adat*, the current development of the society shows that the matrilineal system is far from disappearing and still manages to survive (Kato 1978:2; Hadler 2007:177). The relationship between *adat* and Islam rests on a maxim of *adat - adat basandi Shara', Shara' basandi kitabullah* (adat is based on Sharia, Sharia is based on the Quran), that is commonly abbreviated as ABS-SBK. This maxim suggests that Minangkabau *adat* is subordinate to Sharia, however, practice demonstrates that the parts of society that are regulated by Sharia vary from time to time (Abdullah 1966; 1971; Dobbin 1983; Huda 2003). Accordingly, the matter of legislating Sharia for provincial and *kabupaten*/municipal laws is important to understand the position and development of Sharia in Minangkabau society today.

The possibility of legislating Sharia for provincial as well as *kabupaten*/municipality laws is created by one main factor: that is, the reformation of the state institutions that occurred after the collapse of the New Order Regime on 21 July 1998. The new era of the Indonesian government is commonly called the Era of Reformation — *Era Reformasi*. This term implies that the new government would conduct a 'reform', i.e. reform state institutions. In order prepare the grounds for these matters, the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat*/MPR) amended the 1945 constitution four times between 1999 and 2002.<sup>1</sup> The amendments resulted in a significant shift

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<sup>1</sup>Debate and discussion on section 29 of the constitution took place inside and outside the parliament during 1999-2002, the constitutional amendment and reform period. Within parliament, the political parties PPP and PBB lodged their formal proposal to amend section 29 and reinsert Sharia into the constitution, even though together both parties only held 71 of the 462 seats. Outside of parliament, this proposal was supported by a number of Muslim groups, including the Islamic Defence Front (FPI), students at the Bogor Agricultural Institute (IPB) and the Bandung Institute of Technology (ITB). However, the proposal to reinsert Sharia into the constitution received no support from the two biggest Islamic organizations in Indonesia, Nahdlatul Ulama (NU) and Muhammadiyah (Hosen 2007:198-199). As a result, the attempt to amend section

concerning the establishment of new state institutions, also in terms of reshaping power relations between these institutions. The 1945 constitution stipulates that the executive (the president), the legislature (the parliament, *Dewan Perwakilan Rakyat/DPR*), and the judiciary (Supreme Court and Constitutional Court) possess the authority to deal with legal issues. The legitimacy of the president and parliament is derived from their election by the people. The president possesses the power of government in accordance with the constitution and the parliament holds legislative, financial and oversight functions.

The president and parliament possess an equal right to table a bill in parliament. Article 20 of the constitution stipulates that both institutions must discuss each bill aiming to reach a joint approval. Subsequently, in order to make a jointly approval bill become law, it requires an approval from the parliament and president. If the president disapprove to the jointly approval bill that has been approved by the parliament, it will automatically become law within thirty days. However, article 5 of the constitution stipulates that whether or not a law is to come into effect relies on the president who authorizes to issue a government regulation (*Peraturan Pemerintah/PP*); otherwise, the law is legally nothing but window dressing in legal terms.

The amended 1945 constitution further stipulates the authority of judicial institutions. The Supreme Court (*Mahkamah Agung/MA*) has the authority to implement judicial power and exercise judicial review of any laws and regulations. Meanwhile, Constitutional Court (*Mahkamah Konsittusi/MK*) possesses the authority to examine a case at the first and final level and has the final power of decision in matters of constitutional review. However, neither of these judicial institutions can exercise their authority without first receiving a plea from an individual or a

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29 of the constitution failed. This failure proves once again that Indonesia is neither a secular, nor an Islamic state.

group who claim that their legal or constitutional rights have been harmed by an existing law or regulation. This development suggests that the legal relations among state institutions are considerably reformed.

In addition to the reform of legal relations among the state institutions, the reform has also dealt with political parties. The number of political parties has drastically increased, from only three political parties under the New Order to 141 parties registered at the Ministry of Justice and Human Rights in 1999. However, only 48 of these parties participated in the general election of 7 June 1999 and only 21 parties won one or more of the 462 contested parliamentary seats ([www.kpu.go.id](http://www.kpu.go.id)). Among this number were several Islamic-oriented political parties who have attempted to introduce Sharia based state laws. This situation arose out of the strengthened role of parliament. Laws 3 and 4 of 1999 state that parliament has four main functions: a) to table bills and legislate; b) to act as a check on government; c) to approve the government's budget; and d) to accommodate and channel the aspirations of the people.

Prior to amending the constitution, on 13 November 1998, the People's Consultative Assembly issued a decision authorizing the government to implement local autonomy and to devolve fiscal powers to the regions.<sup>2</sup> Historically, regimes have perceived autonomy as a threat to national unity and centralized government (Eckardt and Anwar 2006:233). After only a few months of preparation, in May 1999, as part of a wider package of political reforms, the government passed law 22/1999 on regional governance and law 25/1999 on devolving fiscal powers between

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<sup>2</sup> See TAP MPR No.XV/MPR/1998 on the implementation of regional autonomy; administration, sharing and utilization of national sources under the justice principle; as well as the devolving of fiscal powers between the central and regional government in the framework of the unitary state of the Republic of Indonesia.

central, provincial and *kabupaten*/municipal government. Both laws stipulate a redistribution of political authority and financial resources among the three levels of government: central, provincial and *kabupaten*/municipal.

In connection to the implementation of regional autonomy, the central government decided to shift from centralized to decentralized government.<sup>3</sup> This “decentralization” is commonly defined as:

The transfer or delegation of the legal and political authority to plan, to make decisions and to implement and manage public functions and development programs from the central government and its agencies to field organizations of those agencies, sub-national spheres of (regional) government, local government authorities, semi-autonomous public corporation, non-governmental organization, and community-based organizations; with corresponding resources, guided by the principles of subsidiarity and proximity (Ng’ndwe 2003:55-56).

Shifting to a policy of decentralization implies that the central government is willing to share its authority with the provincial and *kabupaten*/municipal governments and other institutions.

I would suggest that there are two grounds for this shift. First, it is the consolidation of state power through efforts to build state authority based on government consent. Second, it is a break with the past, occasioned by both internal and external sources of pressure for change. In connection with these two grounds, factors within government may also have forced the change. These factors

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<sup>3</sup>Through his political party PAN, Amien Rais actively campaigned for Indonesia to leave behind the unitary state and shift to federalism. His main argument was that Indonesia is too diverse to be a unitary state. He eventually withdrew this idea, however, because he received no significant support (Riyanto: 2000).

include: a) the fear for secession for certain regions; b) a determined approach towards deepening democracy; c) the economic crisis since 1998; d) structural change in the economy; and e) the demographic conditions of Indonesia. In addition, external factors may also have stimulated the government to shift to democratic decentralization; for instance, the expectations of or even pressure from international donors, including the World Bank (*cf.* Oluwu 2003:16-17; Pratiko 2003:33-34; Huda 2010:273-275).

The government maintains this decentralization and regional autonomy with a number of laws, rules and regulations that are growing rapidly. Law 22/1999 stipulates that provincial and *kabupaten*/municipal government have the authority to govern all matters with the exception of foreign affairs, national security, the judiciary, monetary policies, religion, the national development plan, state administration, the national economic plan, the human and natural resources strategic plan, national conservation and national standardization. On 15 October 2004 the government passed law 32/2004 as a revision to law 22/1999. Section 13 to 14 of this new law stipulates the authority of the regional government and enhances with a number of details relating to tasks concerning administration and fiscal issues. However, article 10 (3) states that the matters of foreign affairs, national security, judiciary, monetary policies and religion still belong to the authority of the central government.

The application of the principles of decentralization has also significantly reformed power relations within the provincial and *kabupaten*/municipal authorities. The provincial government mainly serves as the representative of central government at the region and has a limited authority concerning with the affairs of *kabupaten*/municipal government. The *kabupaten*/municipal government now possesses the authority to run the *kabupaten*/municipal government within the principles of decentralization. Although regional and central government share

power, the representatives of regional government also possess the same political legitimacy as those members of parliament who are directly elected by the people. Since 2005 this also applies to the governor, *bupati* (the head of *kabupaten*) and mayor.

The regional governments immediately asserted their authority when decentralization and local autonomy were implemented in 2000. The first things they were concerned with were plans to issue rules and regulations, including attempts to legislate Sharia for provincial and *kabupaten*/municipal law. A number of regional authorities justified these attempts by saying that they obtained the authority to legislate Sharia in order to maintain local governance. In addition, the emergence of a number of Islamic political parties and public demands to legalize Sharia significantly contributed to this matter. This development occurred in a number of regions where Islam is an embedded and accepted part of local culture, including, among other provinces, West Sumatra, West Java, Banten, South Sulawesi, and South Kalimantan (Bush 2008; Hooker 2008; Crouch 2009; Muntoha 2010). This attempt to introduce Sharia legislation resulted in a public debate centered on whether local government has the authority to pass Sharia by-laws. Up to now, only the government of Aceh has the explicit authority to codify Sharia as a provincial/*kabupaten*/municipal law. This is called *qanun* and is stipulated in national laws 44/1999 and 11/2006. In other provinces it remains debatable whether regional government has the authority to legislate Sharia. There is a view that the district government has no authority to legislate Sharia in provincial/*kabupaten*/municipal law as article 8 of law 22/1999 and article 10 (3) of law 32/2004 stipulate that religious matters are the subject of the central government, not the district government. The opposing view argues that local government does have the authority to legislate Sharia and that this is justified by articles 69 of law 22/1999 and 136 (1) of law 32/2004, which stipulate that the governor, head of *kabupaten*/municipality and members of the

regional parliament are authorized to issue a local law in order to maintain local needs and identity (*ciri khas daerah*). However, article 70 of law 22/1999 and article 136 (3) of law 32/2004 limit this authority by making it conditional that the local law does not contravene the public good (*kepentingan umum*) or higher ranking laws. Despite these different views, Sharia laws have been introduced in a number of provinces.

This study is devoted to the issue of legislating Sharia for provincial and *kabupaten*/municipal law (*peraturan daerah*) and its implementation after the government applied decentralization and local autonomy. This research uses the legislation of Sharia for the provincial/*kabupaten*/municipal law in West Sumatra. It is confined to those attempts to legislate Sharia that occurred between 2000 and 2011. It concerns the topics of legalized Sharia, the contents of the provincial as well as *kabupaten*/municipal laws, and the actual practice of these laws.

### **Related studies**

To date, there have been a number of studies related to the issue of codification of Sharia for local law. However, not all of these studies applied an academic approach to this subject. Five academic studies that are worth mentioning briefly are those conducted by Deny Hamdani (2007), M.B. Hooker (2008), Robin Bush (2008), Melissa Crouch (2009) and Muntoha (2010). These studies can be summarized as follows:

Deny Hamdani confines his study to the issue of the headscarf in the changing social and political constellation of post-Suharto Indonesia. He devotes a chapter to the practices of Muslim dress code in the municipality of Padang and in a village, called Paninggahan in the region of Solok. He suggests that the formalization of Islamic attire has been unproductive in terms of promoting Islamic precepts, because this theme is an idea that is constantly contested within the complex Muslim social structure.

He also suggests that the imposition of Islamic attire on students in public schools has failed to encourage a personal awareness of religious and cultural identity (Hamdani 2007:128). Hamdani concludes that the imposition of the headscarf has resulted in a purely formal obligation; it has lost its profound inner meaning for those who wear it and the imposition of Islamic dress has transformed the headscarf into a tool of oppression – particularly for non-Muslim students who are forced to adopt this symbol of Islamic identity – rather than a liberating personal choice (Hamdani 2007:172-173). I would argue that these conclusions are premature. A study dealing with human action, the headscarf in this case, requires a long period to observe the practices in order to grasp whether a law has influenced human behavior.

M.B. Hooker, a well-known scholar in the field of law, also focuses his scholarly work on this phenomenon. However, he places this issue in the framework of broader theme: Sharia for the Indonesian *madhhab* (school of Islamic law). Hooker's research was concerned with whether the codification of Sharia for local law is in line with the efforts to define the Indonesian *madhhab*. Hooker examines the texts of Sharia by-laws issued in Aceh, South Sulawesi and West Sumatra as well as the draft criminal codes prepared by *Majelis Mujahidin Indonesia*, a Muslim group that promotes Sharia at a state level. He analyses the position of these local laws in connection with *Pancasila*, the constitution and other state laws and regulations. Hooker concluded that the legal status of a Sharia by-law is uncertain in terms of *Pancasila*, the constitution and regional autonomy laws. (Hooker 2008:243). After analyzing those Sharia by-laws issued in West Sumatra between 2001 and 2006, he concludes that these local laws are a 'work in progress'. Furthermore, he indicates that while these local laws are correct in form, they do not settle the question of validity. The intention of these local laws is to implement Sharia values; that is, to convert these values into public duty (Hooker 2008:268-269). Hooker further suggests that since conflicting assertions around

the legislation of Sharia occur, it requires a study on the effectiveness of the regulations in changing behavior (Hooker 2008:268-269). This study attempts to provide what Hooker has suggested.

Robin Bush shows her enthusiasm in studying this issue. She examines 78 local laws from 470 regions throughout Indonesia. She classifies them into three categories: 35 local laws dealing with public order and social problems; 17 local laws regarding Islamic skills and obligation; and 14 local laws concerning religious symbols (Bush 2008:180). Bush concludes that there are four motives that trigger local authorities to codify Sharia for local laws: history and local culture, corruption and the necessity to disguise or deflect attention from it, local electoral politics and the lack of technical government opportunity at the local level. However, she emphasizes that it is mainly motivated by local politics and the local capacity for good government (Bush 2008:182). Her conclusion is that the appeal of Islamist agendas seeking to formalize Sharia within the legal system is waning. Combined with the pressure on local government leaders to produce concrete results before the next direct elections, this appears to be shifting the emphasis of local politics towards good governance measures and away from symbolic regulations (Bush 2008:191). Her findings reveal that this phenomenon closely relates to local politics. To some extent, my study attempts to revisit her conclusion that indicates that codification of Sharia is waning within the legal system.

Melissa Crouch is also interested in this subject. She reports that the local government of West Sumatra has generated over 40 local Sharia laws, more than any other province in Indonesia (South Sulawesi and West Java are next). Crouch examines 160 local laws from 26 provinces in Indonesia and classifies these under nine themes: clothing, prostitution, social problems (*maksiat*), alcohol and drugs, religious rituals, *zakāt* management, Quranic education, local governance and non-Islamic regulations (Crouch

2009:58-60). She claims that these local laws have discriminated against vulnerable groups such as women, children, the poor and religious minorities. She concludes that the central government has failed to intervene because of the perceived need to maintain the support of the majority Muslim-voter base in a competitive political environment (Crouch 2009:80). However, current developments in the legal system mean that the review of what she claims to be discriminatory local laws is not only the task of the central government, but also that of the Supreme Court. Both have the power to review these laws and judge whether they contradict national laws and regulations. However, it should be noted that this review can only be instigated by a complaint from the discriminated people.

Another scholar who devotes his study to this subject is Muntoha. He raises three main points regarding this issue: the position of Sharia in the legal system, the implication of Sharia emerging in local law, and the categories of the local law regarding Sharia (Muntoha 2010:21). He concludes that the emergence of Sharia in local law is a reflection of the expectation of Muslims to obey Sharia, something which is guaranteed by article 29 of the constitution. He further argues that the national law provides a judicial and normative possibility (*celah yuridis dan normatif*) for the local authorities to codify Sharia in local law, in accordance with their local culture (Muntoha 2010:345-6). His study is based solely on normative discussions and lacks empirical research. Discrepancies between normative law and practice often occur.

In short, further study of the codification of Sharia in local law is necessary in order to gain a more comprehensive understanding of this phenomenon. For this purpose, it is important to pay close attention to the actors in this subject, to the drafts and final texts of the local laws, to how this issue is publicly discussed or debated, and also observe the implementation of those local laws over a longer period of time. This study is devoted to these comprehensive aspects of the phenomenon.

## Focus of the study

This study examines four aspects of provincial and *kabupaten*/municipal Sharia by-laws: the draft, public discussion and debate of a draft during the period in which it is scrutinized by members of parliament, and the texts and implementation of Sharia by-laws. Several Sharia by-laws have been selected for scrutiny. A provincial law is defined as a law that is passed by the provincial parliament and the governor. A *kabupaten*/municipal law is defined as a law that is approved by the parliament and the *bupati* or the mayor.<sup>4</sup> In addition, this study also scrutinizes those regulations issued by the governor or *bupati*/mayor in connection with the legislation and implementation of Sharia.

To categorize whether a provincial or regional law is a Sharia by-law (*Perda Sharia*), I follow Rudolph Peters who suggests that, 'Whether the codification of the Sharia can still be regarded as Sharia and as Islamic, relies on the Muslims themselves; if they hold that it is Islamic and a legitimate interpretation of the Sharia there are no good arguments to view it differently' (Peters 2002:92-93). Thus, I categorize it as *Perda Sharia* if Muslims, politicians, government officers, journalists, or even non-Muslims name it *Perda Sharia*. Nevertheless, there is still another reason to rationalize a provincial or *kabupaten*/municipal law as *Perda Sharia*; that is, if the substantive law, the terms or vocabulary that are used in the texts of the law have been used in the Quran or Hadith or in other sources of Islamic teachings. In short, this study aims to

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<sup>4</sup>Law 10/2004 mentions the term local law (*Peraturan Daerah*), which it defines as a law that is issued by the local parliament (DPRD) and approved by local leaders, i.e. governor or head of region or mayor. Article 7 (2) of this law further classifies the local law into provincial, regional and village law. In 2011 the government amended law 10/2004 with law 12/2011 and the term 'local law' is no longer used. It has been replaced with the terms provincial law and regional law. Article 7 (1) of law 12/2011 stipulates regional law to be at the bottom of the hierarchy of national law; village law is deleted altogether from this legal hierarchy.

present a comprehensive position and the development of Sharia in the specific social context of Minangkabau society in West Sumatra.

### **Research questions**

This thesis seeks to answer the following interconnected-questions: Which parts of Sharia have been used in legislating provincial and *kabupaten*/municipal laws? Who are the actors behind this development? What is/are the motive(s) of the local authorities to legislate Sharia? Are the rules regulated in the Sharia by-laws fully implemented? These questions guide this research project to study a number of aspects of this issue: the draft of law, the legal process in the provincial, *kabupaten*/municipal parliament, the texts, and the actual practice of the law.

### **Methods**

Data for this study is gathered using two research methods – bibliographical and empirical investigation. Bibliographical investigation aims to obtain information dealing with Sharia and other closely related subjects to this theme. It covers several studies on this subject conducted in a number of Muslim communities, in Indonesia and West Sumatra, and several subjects related to the general issue of law. I have conducted research in four libraries located in Leiden: the library of Leiden University (UB), the library of KITLV, the library of faculty of law and the library of social sciences. In West Sumatra, I also used the collections owned by the library of the Sharia Faculty of the IAIN and the faculty of law at Andalas University. In addition, the texts of laws and regulations issued by Indonesian institutions have mainly been gathered by accessing several internet links provided by government and non-government institutions that I consider credible.

I conducted the empirical investigation in West Sumatra over three separate periods. My first fieldwork was carried out from

September 2008 to May 2009, the second was from 22 April to 28 November 2010 and the last one was conducted from 2 December 2011 to 23 January 2012. The purpose of this fieldwork varied. The first and second periods of fieldwork were primarily aimed at gaining data concerning: 1) the legal process relating to local laws in the parliament and at the provincial and *kabupaten*/municipality level. This process begins from the first idea of issuing the law, and moves through the drafting stage, public debates, and finally approval of the local law; 2) the implementation of the provincial and *kabupaten*/municipal laws; and 3) public opinion and responses, to these laws. My final period of fieldwork focused on gaining updates from the field.

During the first and second periods, I gathered data through a variety of ways. First, I conducted several in-depth interviews, conversations, talks and chats with people whom I classified to be directly or indirectly involved with the attempts of Sharia legislation and its implementation. I also classified the respondents based on whether they were opponents or proponents to the issue. This included members of the provincial or *kabupaten*/municipal parliaments for the periods of 1999-2004, 2004-2009 and 2009-2014; local authorities; *ulama* (Arabic *‘ulamā’*: religious scholars); teachers; students; administrators; academics; police officers; NGO activists; journalists and members of the general public. Secondly, I also conducted focus group discussions (FGD) in Padang, Solok and Bukittinggi. In addition, after withdrawing from the field, I have maintained contact with respondents via email, chatting, phone, SMS other forms of electronic communications. I have chosen not to mention their names in this thesis when I quote their ideas, thoughts and personal opinions. Rather, I only mention their position or job. Third, I collected the texts related to the legal process relating to provincial and regional laws; for example the drafts, minutes or text of speeches by the members of parliament and the governor or *bupati*/mayor. Finally, I collected news reports relating to this

issue published in the local newspaper between 2000 and 2010. I collected news from four daily local newspapers: *Daily Singgalang*, *Daily Haluan*, *Daily Padang Ekspres* and *Daily Pos Metro*. In addition, news related to this study was also gathered via internet links provided by several newspapers, TV channels and other social networks including Facebook and YouTube.

### **Organization of the book**

This book is arranged in five chapters, excluding the introduction and conclusion. The introduction provides the background to the study and positions this book in relation to several previous studies of a similar nature. It also includes the related studies to this topic, the focus of this study, the research questions that this study attempts to answer, and the methods used.

Chapter one provides a general sketch of current developments in Sharia in the Muslim world. It includes a number of sections concerning the concept of Sharia, the role of Sharia in Muslim countries, the place of Sharia in the Indonesian legal system, a number of state legislated Sharia laws, the emergence of codification and legislation of Sharia in some provinces, and the position of Sharia in Minangkabau society in West Sumatra.

The contents of chapters' two to five are arranged on the basis of chronological themes relating to the legislation of Sharia. The first theme is the attempt of this legislation to deal with public morality matters. It is followed by three themes on Muslim dress code, the obligation to acquire the skills to recite the Quran and finally matters of *zakāt*. Thus, chapter two presents Sharia by-laws concerned with public morality and relating to criminal law. The chapter begins with a brief discussion of Islamic rules on public law, and it then presents an overview of the place of Islamic criminal law in Muslims countries. Subsequently, it discusses the presence of Islamic criminal law in the Indonesian legal system. The discussion continues in the context of West Sumatra, starting

from provincial law including its draft stage, public discussions in response to the draft and the content of the provincial law 11/2001. Further, this chapter presents six selected regional laws on this topic, derived from Bukittinggi, Padangpanjang, Payakumbuh, Padangpariaman, Sawahlunto/Sijunjung and Pesisir Selatan. The last part of this chapter concerns the municipality of Padang and the (draft) law 11/2005, *Satpol PP* (civil service police unit) and the actual practice of the law.

Chapter three presents the issue of Muslim dress code. This chapter begins with a discussion of the Islamic rules on this topic after which it presents a brief discussion on this matter in the Muslim world and the attitude of the Indonesian government towards this subject. Then, it provides a history of Muslim dress code in West Sumatran society and subsequently examines the provincial law concerning dress code. This chapter also examines a number of selected regional laws from Solok, Sawahlunto/Sijunjung, Pasaman, Limapuluhkota, Padangpanjang, Agam and Solok Selatan. The final section of this chapter presents the actual practice of Sharia law in the municipality of Padang.

Chapter four presents an overview of Quranic education. This chapter begins with a brief outline of the rules on reciting the Quran. This is followed by a short description of reciting the Quran in the Muslim world and the Indonesian government's policy on this issue. The next discussion is about Quranic education within Minangkabau traditions and this leads to an examination of the contents of the provincial law related to this subject. This is followed by a look at selected *kabupaten*/municipal laws of Solok, Sawahlunto/Sijunjung, Limapuluhkota, Pesisir Selatan and Agam. Then, this chapter presents the actual practices of Quranic education in the municipality of Padang, including *SD Plus* programs, implementation of regional law 6/2003 on Quranic education, Muslim responses to the policy and the impact of this policy on Quranic learning centers managed by Muslim communities.

The final chapter focuses on the institution of *zakāt*. It begins by presenting the Islamic rules on *zakāt* and also examines, briefly, developments in this area that have taken place in a number of Muslim countries. Subsequently, the government's concerns about issues of *zakāt* are presented, relating to a period from the 1960s until 2011, when the government issued law 23/2011 as a revision to law 38/1999 on *zakāt* management. The discussion continues in relation to *zakāt* in West Sumatra, starting with how this topic is dealt with at the provincial level and continuing with a look at selected *kabupaten*/municipal laws on this topic. The laws selected originate from the *kabupaten* Pesisir Selatan, Solok, Agam and from the municipality of Bukittinggi, Padangpanjang and Padang. The actual practices of managing *zakāt* in the municipality of Padang are also examined. This includes the establishment of a semi-governmental *zakāt* institution (BAZDA), the collection and distribution of *zakāt* revenue, and resistance to *zakāt*.

This study ends with a conclusion and a recommendation. The conclusion presents a number of findings and offers new understanding regarding the position and development of Sharia in Minangkabau society in West Sumatra in particular and in Indonesia in general. The recommendation addresses the need for further studies in relation to the topic of this study.