



Universiteit
Leiden
The Netherlands

Contesting sharia : state law, decentralization and Minangkabau custom
Huda, Y.

Citation

Huda, Y. (2013, December 4). *Contesting sharia : state law, decentralization and Minangkabau custom*. Retrieved from <https://hdl.handle.net/1887/22643>

Version: Corrected Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/22643>

Note: To cite this publication please use the final published version (if applicable).

Cover Page



Universiteit Leiden



The handle <http://hdl.handle.net/1887/22643> holds various files of this Leiden University dissertation

Author: Huda, Yasrul

Title: Contesting sharia : state law, decentralization and Minangkabau custom

Issue Date: 2013-12-04

Chapter 3

Dress codes: Islam, custom and uniform

3.1. Introduction

During my fieldwork in Padang (West Sumatra) in public places such as markets and wedding parties, I found that eight out of ten females had a dress style commonly called *busana muslim* or *pakaian muslim*. This Muslim dress comes in a floor length version, sometimes with long sleeves, and is worn with a loose or fitted headscarf. In rural areas, the number of women wearing this style of dress could be as many as nine out of ten. The current trend is for this type of dress, in its various styles, to be worn widely by Muslim females in public places, at both religious events and on non-religious occasions. Dress code has emerged as an important issue in West Sumatra since the implementation of decentralization and local autonomy. The local authorities decided to adopt this new uniform for civil servants and students in order to achieve a collective identity for West Sumatran society. The issue of Islamic dress codes relates not only to Muslim female dress, but also to Muslim male dress.

This chapter focuses on the issue of Islamic dress code in West Sumatra. It attempts to answer the question, what does wearing Muslim dress mean for West Sumatran people? This question leads us to seek explanations about what Muslim dress means for West Sumatran society, for local authorities and also for the wearer and the viewers of Muslim garments. This chapter presents a number of discussions and practices on the following

topics: 1) Islamic rules on dress; 2) current debates in the Muslim world about dress; 3) changes and regulations in Indonesia; 4) Muslim dress within West Sumatran culture; 5) the emergence of a dress code in local (provincial and regional) law; 6) Islamic dress practices in Padang; 7) public debate on this subject; and 8) conclusions.

3.2 Islamic rules on dress

Dress provides guidance on the issues of *ʿawra*, such as adornment, protection of the wearer from extreme weather and violence during, among other things, battle. It also distinguishes the wearer, so that they are easily identified and cannot be either ignored or molested. Certainly, the ulama paid more attention to the issue of *ʿawra* than to other issues, because uncovering *ʿawra* may be harmful for both the wearer and the viewer. The word *ʿawra* (singular) *ʿawrāt* (plural), is derived from *ʿawara* which means, among other things, defectiveness, faultiness, deficiency and imperfection (Wehr 1979:768-9). This meaning implies that these parts of the body need to be protected and even that they may be the source of embarrassment or temptation for either the wearer or the viewer. This notion is indicated by the use of the word *ʿawrāt* in the Quran in the chapter on *al-Aḥzāb*/the Allies (33):13, *inna buyūtanā ʿawratun wa mā hiya bi ʿawratin* (truly our houses are bare and exposed, though they were not exposed). Further, the chapter of *al-Nūr* (the light) 24: 58 elucidates that there are three times where a state of undress is permitted: before the morning prayer, clothes may be discarded during the noonday heat, and after the late night prayer.

The ulama define *ʿawra* simply as parts of the body that, in principle, are not allowed to be seen by non-family members, except in an emergency situation. The issue of dress has been connected with notions of purity and impurity (*ṭahāra* and *najas*), ritual behavior (*sunnah*), and the differentiation of the believer

from the unbeliever (*ghiyār*), as well as the separation of the genders (*ḥijāb*). The ulama have different views on determining which parts of the body are *ʿawra*; this difference occurs because neither the Quran, nor the ḥadīth are explicit on this issue.

In order to prescribe rules on this matter, the ulama mostly refer to five groups of verses of the Quran. First is (1) *al-Aḥzāb*/the Allies (33): 53. This verse is concerned with the issue of visiting etiquette and *ḥijāb*. The word *ḥijāb* is understood as 'to cover'. Thus, this verse elucidates that *ḥijāb* means to cover the entire female body. This not only applied to the Prophet's wife, but to all Muslim females (Ibn ʿAraby 1958:1567). Second is *al-Aḥzāb*/the Allies (33): 59. This contains the words *yudnīna ʿalayhinna min jalabībihinna* (they should cast their outer garments over their person (when out of doors)). The word *jalabībihinna* is derived from *jilbāb* and it means that the whole body is *ʿawra* and, as such, should be covered. Third is *al-Nūr*/the light (24): 30-31. These two verses are often used as the basis for obligating Muslim females to wear *jilbāb* and to argue that not all of the female body is *ʿawra*. Fourth is *al-Aḥzāb*/the Allies (33): 32-33. These verses relate to certain rules of conduct, including the rule that Muslim females should not behave like non-Muslim females and should behave properly and stay at home if there is no pressing matter forcing her to leave the house (Ibn ʿArabi 1958:1523; al-Qurṭūbi 1998:127; Ibn Kathīr 1986:483). The fifth verse is *al-Nūr*/the light (24):60, which provides an exception for elderly women in terms of being less strict about covering their *ʿawra*. Besides these verses, there are a number of ḥadīth that have been used for the basis of Islamic dress codes. Nevertheless, no ḥadīth precisely determines which part of the body is *ʿawra* (Shihab 2005:83). Consequently, the ulama must have been influenced by other factors in attempting to understand this issue. These factors include diversity in applying logic, custom, sensitivity towards sexual issues and referring to different religious texts.

The views of the ulama concerning this issue may be summarized into three classifications. Firstly is the 'awra of the Muslim male. They agree that this is the area from the navel to the knee. Secondly is the 'awra of Muslim female. In terms of what is 'awra for Muslim females when she is in the company of non-family members (*mahram*), there are two differing opinions among the ulama. The first and dominant view is that the entire female body must not be seen, with the exception of the face and the hands. The second view is that the whole of the female body, including the face and hands, but with the exception of the eyes, is 'awra. This second view is held by a much smaller group of ulama. The ulama also have different views regarding what is 'awra when Muslim females are accompanied by family members and other Muslim females. According to the Shafi'ite and Hanafite the area that is 'awra is between the navel and the knee; according to the Malikite it is the entire body, with the exception of the face, head, neck, hands and feet, And, according to Hanbalite rules, it is all of the body, with the exception of the neck, face, head, hands, feet and calves. The third view relates to the 'awra of a child. According to Hanafite rules, a child who is under four years old has no 'awra. The genitals and anus of a child who is between four and ten years old is considered 'awra. When a girl child is older than ten, her 'awra is the same as an adult female's. The Shafi'ite hold a more restrictive view; that is to say, that the 'awra of a child and an adult are the same (al-Zuhaily 1997).

Historically, terms that were used to identify Muslim dress varied widely within each country. Stillman identifies over one hundred terms for elements of Muslim dress, many of which are used for the *hijāb* (Stillman 1986:745-746). Furthermore, current discussions on Muslim dress are largely concerned with modest dress by women. The word *hijāb* is used widely in this context, along with the related word 'veil'. While the word 'veil' has no Arabic linguistic referent, *hijāb* is strongly rooted in Arabic language and culture (El Guindi 1999: xi). Discussions about female

Islamic dress commonly focus on three main terms: the headscarf (*khimār*), a gown or cloak (*jilbāb*) and a cloth covering for the face (*niqāb*).

3.3 Current debate in the Muslim world

Scholarly works on dress have provided us with rich and various theories from the perspective of appearance. In the words of Alison Lurie, the richness of dress is associated with language and includes vocabularies that are taboo, modern, ancient, as well as borrowed words, dialect, colloquialisms, slang and vulgarities (Lurie 1981:6). This leads us to the fact that this concept has several dimensions. First, it reveals personal identity, one that is defined geographically and historically and is linked to a specific community and to certain groups. At the same time, it also differentiates an individual from others. Second, dress is an indication of a person's social position in a society. This social position, given at birth, may be affected by class, caste, or lineage. Ultimately, dress may also be a symbol of economic position (Bernes & Eicher 1992:1). In other words, dress is a manifestation of culture and is imbued with a meaning understood by both the wearer and the viewer. From a socio-cultural perspective, dress can be defined simply as 'an assemblage of body modification and/or supplements displayed by a person in communicating with other human beings' (Eicher & Mary 1992:15).

Historically, discussions on Islamic dress have shown that this issue has raised important concerns throughout the Muslim world over the last two centuries. Such discussions have derived from a view that dress is not only seen as a devotional act, but that it has been heavily loaded with several purposes aimed at stigmatizing the wearers. This includes opinions that characterize Islamic dress as oppressive for women (Ahmed 1992; Scott 2007). This notion can be seen in the 1899 publication by Qāsim Amīn, *Taḥrīr al-mar'a* (the liberation of women) long regarded as a major

step in the history of Egyptian feminism. Amīn authored this book to raise four issues concerning Muslim females: 1) Muslim female dress code; 2) participation of Muslim females in public; 3) polygamy; and 4) divorce (*ṭalāq*). With regard to Muslim female dress, he argued that there was no religious teaching, either *naṣṣ* or Sharia, that obligates Muslim women to adhere to a particular dress code, i.e. *ḥijāb* or *jilbāb*, as had been practiced in most of the Muslim world. Any dress code had, in fact, emerged from actual practices, adhered to out of a sense of righteousness, rather than, as widely assumed, as a result of Islamic teachings. According to Amin, the Quran elucidates that Muslim females are allowed to uncover certain parts of her body even when in the presence of non-family members. However, it does not determine exactly which parts of the body are allowed to be bared (Amīn 1911:54-58). Amin's view was a clear attack on Islamic dress codes and aimed at eradicating what he saw as 'bad habits' among the natives (Asad 2003: 233). It could also be interpreted as an attempt to transform Muslim society along the lines of the Western model and to substitute the dominant Islamic-style male dress with Western garb (Ahmed 1992:161).

As Western culture became more prevalent in the Muslim world the issue of *ḥijāb* became an emblem for political differences and a resistance to the homogenizing and egalitarian force of Western civilization. Göle argued that 'it cross-cuts power relations between Islam and the West, modernity and tradition, secularism and religions, as well as between men and women themselves' (Göle 1996: 1). Currently, discussions dealing with Muslim dress focus largely on female attire and the notion that dress is seen not as a manifestation of religious devotion to God, but rather as a symbol of political resistance. This phenomenon has emerged in discussions in a number of European countries, including Belgium, the United Kingdom, France and the Netherlands. However, the discussions in these countries differ according to constitutional and educational traditions. Moors

points out that this issue has transformed from a non-issue into a hyperbolic threat to the nation state and 'it shifted from 'objective' problems to subjectively experienced feelings of fear, anxiety and discomfort' (Moors 2009:406-7).

Discussions dealing with Muslim dress have also occurred in countries where Muslims form the majority of the population. The importance placed on this issue is largely determined by the position held by Islam or Islamic teachings within the constitutional, legislative, as well as the cultural spheres of a particular country. Although the role of dress plays an important part in Islamic culture, on the whole Western fashion still dominates the Muslim world, with the notable exception of Saudi Arabia and a number of Gulf States where people generally adopt traditional attire. Even what it is commonly called *azyā' al-shar'ya* (literally, Islamic dress) usually includes modest forms of Western clothes (Stillmann 2003:161).

3.4 Changes and regulations in Indonesia

The Indonesian government's policies towards religious matters are founded on the country's colonial past and a history of the state distancing itself from any ideas of adapting religious teachings. In fact, since independence, the government has added a few elements of Islamic teachings to the educational process. This relates specifically to the weekly teaching of religion in schools. In January 1946, the establishment of the Ministry of Religious Affairs (MORA) made it possible for the Muslim community to maintain Islamic tradition through *da'wa* and educational activities at all levels, from central government to village hierarchies. However, despite this move, the government stigmatized any symbols associated with Islam and viewed them as backward or as part of an attempt to threaten the Indonesian state. Consequently, Muslims in post-independence Indonesia who wanted to be seen as embracing or as a part of the modernization

process that was introduced by the state frequently avoided using any emblem related to Islam.

Although the Indonesian constitution guarantees the freedom of any citizen to perform their religious convictions, the position of the government towards Muslim dress has, at times, varied. Before the 1980s, the government only granted permission to those Muslims working and studying under the institutions managed by the Ministry of Religious Affairs to wear clothes in accordance with Muslim dress codes. At all other institutions such clothes were forbidden.

At the end of the 1980s, there was a new development concerning dress codes, in particular the headscarf. A number of female Muslim students studying at educational institutions managed by the Ministry of Education were not allowed to follow classes and were expelled from schools. This decision was based on a ruling issued by the Directorate General of Primary and Secondary schools of the Ministry of Education and Culture on 17 March 1982. This stated that wearing the headscarf was against school dress code. The headscarf issue rapidly became a dispute between students, their parents and schools across the country. Indeed, in some cities, including Jakarta, Bandung, Bogor, and Bengkulu, the disagreements about the headscarf ended up in court. However, the verdicts were disappointing for the parents and students (*Panji Masyarakat* 1989). In response to this situation, a number of female Muslim students decided to adjust their dress according to the schools' dress codes; however, there were also students who decided to transfer to private schools that allowed them to wear the headscarf (*Tempo* 1985; Alatas & Fifrida 2001; Hamdani 2007). This did not mean that the dispute on the headscarf had ended.

This issue raised the concerns of Muslim organizations including the Islamic Ulama Council (MUI). This organization proposed a revision of the school dress code to the government and eventually the matter reached and was discussed by members

of the cabinet. Subsequently, the government accommodated the demand and a decision to amend the dress code was taken. On 16 February 1991, the Ministry of Education and Culture via the Directorate General of Primary and Secondary schools issued a decree permitting female Muslim students to wear the headscarf during school sessions (Hamdani 2007). Responses to the decree were varied. There were schools that allowed the students to wear the headscarf at all times; there were also schools that set dress codes that only allowed Muslim dress on Fridays. Since the 1980s, there has been a clear shift and, with the exception of those in the military and the police, Muslim women working in government institutions are now allowed to wear Islamic dress during working hours.

A number of important factors were responsible for this shift in government policy towards Muslim dress. First, the government no longer saw the headscarf as an emblem that threatened the Indonesian state; rather, it accepted that it is a symbol of religious devotion. Wearers were, on the whole, motivated by religious convictions. The shift in government thinking, which came about in the 1980s, was a direct result of increasing numbers of students wearing Islamic attire both in and outside of school. Their demands for a change in the regulations could no longer be ignored by those in power (Alatas & Fifrída 2001). Second, there has been a gradual but definite move towards increased religious devotion in Indonesia in recent decades. This has been reflected in many ways, including a trend for Muslim women to wear more modest dress. This shift has been partly influenced by the emergence of a number of Muslim fashion designers since the 1980s, whose work has been promoted regularly in the specialized Muslim women's media (Bagdja 2007; Elmir 2009). The strong message from this is that Muslim dress can be fashionable and modern, as well as preserving Muslim women's modesty and conforming to Islamic conventions.

Since the implementation of decentralization and local autonomy, the issue of Muslim dress has emerged in several provinces and regions, including Aceh, South Sulawesi and West Sumatra. Public discussions on this subject vary according to the socio-political context of the provinces and regions. In Aceh, for example, the issue of Muslim dress emerges in section 13 (1) of *qanun* 11/2002, which elucidates *Setiap orang islam wajib berbusana islami* (every Muslim is obligated to wear Muslim dress). In the following paragraphs, we will see that this issue has a different nuance in West Sumatra.

3.5 Muslim dress within West Sumatran culture

Dress has always been an important symbol of identity for the Minangkabau people of West Sumatra. Islamic dress not only indicates piety of the wearers, but also shows their adherence to Minangkabau *adat*. Current traditional Minangkabau male and female dress is in accordance with Islamic teaching because it covers the wearer's 'awra. Historically, there has been a lack of historical evidence relating to whether Minangkabau *adat* dress has been in accordance with the Islamic norm or whether it was adjusted to fit the Islamic norm. However, what is certain is that the headscarf was added as a new element of Minangkabau female dress. The headscarf gradually shifted from being a shawl worn over the shoulder or diagonally across the female body to covering only a certain part of a woman's head. Ultimately it became used to cover women's heads entirely.

Due to the intensifying penetration of Western culture, beginning with the Dutch colonial government in the 19th century, dress emerged as an issue. As is commonly known, the colonial administration administered the population into European, native and foreign/oriental (Arab and Chinese) groups and subjected each of them to their own legal system. Included in this was the notion that European dress was worn by Europeans and natives and that

people of foreign/oriental origin wore dress according to their traditional dress code (Van Dijk 1997). Stillmann has suggested that Muslim men adjusted their traditional attire more rapidly than Muslim women (Stillmann 2003:166) and that this also occurred in Minangkabau society. At the beginning of the 20th century, the discussion about Islamic dress centered on male dress, and in particular male attempts to adopt a European style of dress for a particular reason. It was only in subsequent decades that the issue of female dress became part of the discussions.

Because Muslim men interacted with colonial government services before Muslim women, the initial discussions about dress in the second decade of the 20th century dealt with Islamic male dress. In the beginning, the issue of male dress derived from the daily activities of Muslim men; for instance, the use of trains, which due to the segregation policy, had different fares for natives and Europeans. (The fares were cheaper for Europeans than for natives). The consequence was that Muslim men adjusted their traditional dress to a European style in order to get the lower price. This triggered discussions about whether Muslim men should be allowed to wear Western dress (Kaptein 2009:183). Even though the colonial administration had provided a mechanism for the natives to be subject to European law, this issue became a concern of the ulama. Indeed, two opposing sides of ulama groups – *Kaum Tua* and *Kaum Muda* – were involved the discussions. The *Kaum Muda* tended towards allowing the adoption of Western dress, while the *Kaum Tua* ulama rejected this idea, arguing that wearing European dress meant being part of the European people who were commonly viewed as anti-Muslim. In contrast, the *Kaum Muda* argued that Islam did not obligate Muslim men to wear a certain style or color of clothes. Thus, Muslim men were permitted to wear European dress. Kaptein suggests that this subject was not the only concern of the ulama who resided in the Minangkabau region, but also reached the ulama in Islamic institutions in the Middle East (Kaptein 2009).

Discussions dealing with the issue of Muslim female dress first emerged publicly in 1928. Haji Rasul condemned some Muslim women for wearing a *short dress* that, he claimed, contradicted Islamic teachings. A number of Muslim women adopted this Western dress style that was short and sometimes also revealed a woman's décolletage. Haji Rasul authored *Tjerman Terus* attacking this new trend. According to Hamka, Haji Rasul's son, his father condemned this development by characterizing Muslim females who wore this dress style as prostitutes. This dysphemism was rejected by Muslim scholars who lived in the region as well as those at a distance, including Nur Sutan Iskandar who lived in Jakarta. Perhaps unsurprisingly, this issue became the subject of wide public debate and Haji Rasul went on to author two more books on the matter: *Pelita I* and *Pelita II* (Hamka 1982:193-4). Although the public rejected his views, Haji Rasul did not change his position and refused to revise his opinions. Despite attacks by the ulama, several Muslim women were attracted to the *kemajuan* program, which also manifested itself in the adopting of a new dress code that was in line with European dress.

Since independence, the culture of dress has remained a continuing discussion. On the whole, the Islamic dress code is obeyed when Muslims were attending religious or *adat* activities and it has also become an important collective identity for the society. In contrast, the government also maintained its own dress identity, which differed from the dress code of Muslim and *adat* adherents. Muslim women in governmental institutions were not permitted to wear the headscarf during their working hours. The government also imposed a rule that Muslim women had to adopt the governmental dress code if they were dealing with other government administrations. For example, Muslim women had to take off their headscarf when taking a photo to be used on an identity card, certificate or even for their pilgrimage documents. The government certainly applied restrictive rules in connection with this religious symbol in its institutions.

The ulama council of West Sumatra, MUI, was concerned about two situations in particular: firstly, the fact that wearing Islamic dress at government institutions was almost impossible for Muslim women; and secondly, that most Muslim women only wear the Muslim dress for religious activities. On 23 March 1983, MUI issued a *fatwa* concerning Islamic dress, and female dress in particular. The *fatwa* acknowledged that a Muslim dress code has been part of Minangkabau culture and it emphasized that the purpose of wearing Islamic dress was to cover 'awra and to maintain the modesty of the wearer. The *fatwa* defined Islamic female dress as a dress that covers the female body, with the exception of her face, the palms of her hands up to her wrist and the soles of her feet up to her ankle. The text of the *fatwa* shows that MUI calls on Muslim females to wear dress that is in accordance with the Islamic dress code, and it also calls on the government to permit Muslim women to wear Islamic dress during work or study at governmental institutions. However, this *fatwa* had no impact on the government and there were no political decisions on this issue taken.

The expectations of MUI gradually changed, beginning in the 1990s. This decade is marked by a significant transformation in terms of Muslim women increasingly wearing dress according to the Islamic dress code not just for religious activities, but also for unrelated activities such as going to the market, wedding ceremonies and appearances in other public places. This shift was caused by a number of factors. First, the central government's attitude towards the aspirations of Muslim groups was gradually shifting and, as a reaction to this, it allowed female Muslim students to wear Islamic dress from 16 February 1991. In response to this decision, students –from primary level to senior high schools – began wearing variations of the school uniform that were in line with the Muslim dress code during school sessions on Fridays. Secondly, the image of Islamic dress was also changing significantly. It was no longer seen as a symbol of backwardness, but rather wearers are now seen as also being part of modernity.

This shift resulted in the growth of businesses related to female Islamic dress and the promotion of modest designs in specialist media. In addition, the growing devotion of Muslim women was also attributed to this shift. However, it was not just a question of women being motivated purely by Islamic teachings, but also by the growing popularity of modest dress (Alatas & Fifrida 2001; Bagdja 1997; Elmir 2009). At the end of the 1990s, and with the exception of the military and the police service, the wearing of Islamic dress was widespread among Indonesia's Muslim women.

3.6 Provincial, regional/municipal law on Islamic dress

Until the introduction of decentralization and local autonomy, the uniform for female civil servants and both male and female students in primary and secondary schools was commonly viewed as not being in accordance with the Islamic dress code. Female civil servants wore a uniform without a headscarf, with a blouse with short or long sleeves and a skirt that came below the knee. The uniform for girls in primary schools was a white blouse with short sleeves and a dark-red skirt which fell five centimeters above the knee. For boys it was a white shirt with short sleeves and dark-red shorts that fell ten centimeters above the knee. At junior high schools female students wore a white short-sleeved blouse and a dark-blue skirt that fell approximately five centimeters below the knee, while male students wore a white shirt with short sleeves and dark-blue shorts that were no less than ten centimeters above the knee. At senior high school, female students wore a white short-sleeved blouse and a grey skirt that came five centimeters below the knee; and male students had a white short-sleeved shirt with long grey trousers (Hamdani 2007: 230-2).

When the local government gained the authority to maintain local identity, the idea to introduce a new uniform for schools and other government institutions that is in line with Islamic dress gained ground. In response to this idea, a number of

provincial and regional authorities came up with a plan to issue a provincial law or other form of regulation specifically aimed at applying a Muslim dress code. This plan was justified with the argument that, in fact, Muslim dress had been widely adopted as the identity of the society. The following subsections present how this issue is regulated and to what extent the new dress code is enforced.

3.6.1 Provincial law

The provincial DPRD had previously never issued provincial legislation relating to Islamic dress. However, members of the DPRD belonging to the Islamic parties of 1999-2004 had been concerned with the idea of issuing a provincial law on this subject. This initiative was based on the judicial right to table a bill to the parliament, as is stipulated in the Constitution. For example, the E commission, which is tasked with dealing with social welfare affairs (*kesejahteraan rakyat*), had prepared a draft on this subject in which Islamic dress was required to maintain Minangkabau society, which had already embraced an Islamic dress code based on *adat* rules. He further argued that such a law was an attempt to minimize the negative impact of modern dress that was flooding the society (*Haluan*, 27/7/2004). The draft had been discussed limitedly within the E commission. Plans to draft a bill and table it in the DPRD emerged during the period towards the end of the current DPRD that would be replaced by a new intake of members of parliament following the general election of 2004. To date, no provincial law dealing with an Islamic dress code has been passed by DPRD, largely because there seems to be no interest from members of the DPRD of 2004-2009 or 2009-2014 in this issue.

Despite the fact that there is no provincial law there is still attention for this issue. On 6 October 2005, the governor issued a letter calling on civil servants to dress in accordance with a Muslim

dress code.³⁶ This letter did not specify exactly what this dress code was; however, it is commonly understood that Muslim dress means the covering of *'awra*. In fact, this letter has become one of the legal bases for government institutions applying a Muslim dress code for civil servants.

3.6.2 Regional/municipal law

Regulations concerning Muslim dress code throughout the regions in West Sumatra may be classified into two categories. The first category comprises those regulations issued by a *bupati* or mayor. The region of Tanah Datar and the Municipality of Padang are included in this category. In Tanah Datar, the former *bupati* issued a letter on Islamic dress on 27 June 2001, while in Padang it took until 7 March 2005 for the mayor to issue an instruction for Muslim students to switch their uniform to one in line an Islamic dress code during school sessions.

A number of local authorities came up with arguments against issuing a regional law on this subject. They believed that a decision by a *bupati* was sufficiently effective to rule on the dress code of civil servants and students. The head of the Law and Government Bureau of the Region of Tanah Datar said:

The local authorities [the executive, *Bupati*, and the legislature, the *DPRD*] of this region reached an agreement that a Muslim dress code can only be issued in the form of a decision by the *Bupati*. This agreement is based on a practical reason; that is, to take such a matter through the *DPRD* legislation process would not only be time consuming, but also costly. Evidence shows that a decision issued by a *bupati* regarding an Islamic dress code is fully

³⁶ The number of the letter is 260/421/X/PPr-05, dated 6 October 2005, signed by the governor, and addressed to all the government institutions in West Sumatra. This letter also congratulates Muslims on fasting during the Ramadan 1426/2005.

respected by both Muslim civil servants and students. In addition, people have become accustomed to Muslim dress and it is regularly worn by most Muslims in the region on a daily basis. It seems a bit strange to legislate that people who are regularly wearing Muslim garb to wear Islamic dress. Thus, it is argued, there is no need to issue a regional law on this matter (*Interview*, 1/12/2008).

In addition, the text of these letters shows that the *bupati* decided to issue an instruction not only based on his own decision but also following suggestions from members of the DPRD and the MUI in the region. Thus, the *bupati* was not only exercising his own authority in deciding to issue the letter, but also taking into consideration proposals from related institutions.

The same situation arose in the municipality of Padang, but for different reasons. Here, the mayor issued an ‘instruction’ aimed at changing the uniform of students so that it was in line with Muslim dress code.³⁷ The mayor argued that he had the authority to make decisions on this subject without the consent of the DPRD. He argued that there was ‘no need to issue a municipal law on this subject, as long as Muslims support this policy and the purposes of the decision are fully understood’ (*Haluan*, 20/2/2005). Predictably, this decision subsequently received support from the members of the DPRD, including politicians from PPP, PAN and Demokrat Party.

The second category of regulations relating to dress falls under the remit of regional or municipal law. The regions of Solok, Sawahlunto/Sijunjung, Pasaman, Limapuluh Kota, Padangpanjang, Agam and Solok Selatan are included in this second category. The local authorities, the executive and the legislature agreed that any

³⁷The mayor issued the ‘Instruction’ no.451.422/Binsos-III/2005, dated 7 March 2005, which was subsequently followed up by letters no.1556/420.DP/TU.2/2005, issued by the Head of Educational Affairs, dated 30 March 2005.

change in the dress code of civil servants and students must be regulated under regional law. It is widely argued that regional law would provide a strong legal basis for the continuity of the shift; if the local politics changed significantly it would not be an easy process to abolish the regional law. In addition to these arguments, members of the DPRD expected to enhance their public reputation by issuing a regional law on this subject. The implementation of this law mainly relied on whether the *bupati/mayor* had any political interest in implementing the law. In addition, the presence of a regional law on this subject could be taken as an indication that there were no serious political tensions in the power relations between the *bupati/mayor* and the DPRD.

The regional laws on Muslim dress code are confined to seven regions: Solok, Sawahlunto/Sijunjung, Pasaman, Limapuluhkota, the Municipality of Padangpanjang, the region of Agam, and Solok Selatan. These regional laws are aimed at regulating the dress of all Muslims who inhabit the region, but in particular civil servants and students. Although the rules state that they relate to a Muslim dress code, in fact, the rules are largely directed at Muslim women.

The texts of the regional laws reveal that there are four aspects that motivated the local authorities to issue the legislation. First is article 29 of the constitution, which guarantees that every citizen may perform their religious teachings and beliefs. Second is the desire to implement the Islamic teaching that obligates Muslims to wear Islamic dress. Third is the desire to implement the *adat* rule that has fully adopted the Islamic teachings on this issue. Fourth is to maintain a social life that reflects the piousness of every Muslim.

The authorities of Solok, Agam and Solok Selatan, for example, were not motivated to implement *adat*, but the other three aspects were seen as important. The authorities in Sawahlunto and Limapuluh Kota were purely motivated by the desire to implement Islamic teachings and to maintain piousness

in public life. The authorities of Pasaman were motivated by the constitution, and a desire to implement both Islamic teachings and *adat*. And the authorities in Padangpanjang were motivated by Islamic teaching, *adat* and the desire to maintain piety, rather than by the constitution. This suggests that in all regions the passing of a law on Islamic dress was mostly motivated by a desire to implement the Islamic teachings. Consequently, the obligation to wear Muslim dress has become an imperative.

Although these local authorities have various motives, they all have the same purpose and objective in terms of issuing a law on this subject. Their purpose is to implement and maintain Islamic teachings regarding public life and to preserve the dress code according to *adat* rules. In addition, there are four objectives: first, to maintain pious attitudes among Muslims; second, to make Muslims accustomed with wearing Islamic dress during working hours and when they are in other public places; third, to ensure that society remains accustomed with Islamic and *adat* culture; and finally, to preserve the *adat* maxim: ‘Sharia commands, *adat* applies’ (*Shara’ mangato, adat mamakai*). These purposes and objectives make it clear that the regional law on this issue is aimed at maintaining a collective identity for society, i.e. Muslim dress.

Muslim dress is defined in three different ways. These definitions range from the general and imprecise to the detailed and precise. It is defined as ‘the dress of Muslim males and females that has an Islamic characteristic’.³⁸ This definition is obviously very general and imprecise and it does not mention what the Islamic characteristic is. It is also defined as ‘Muslim dress is the

³⁸This definition belongs to the law of *Kabupaten Solok, Pasaman, Limapuluh kota and Solok Selatan*. The original text says: *Pakaian Muslim dan Muslimah adalah pakaian yang bercirikan Islami (Solok, Pasaman and Solok Selatan): Berpakaian muslim dan muslimah adalah cara berpakaian seseorang laki-laki atau wanita menurut tuntunan agama Islam.*

dress that covers the 'awra.³⁹ This definition is straightforward and precise and apparently refers to the terms of Sharia. The last more detailed definition is 'the dress of Muslim men and women that covers 'awra, is not transparent, and not tight'.⁴⁰ This definition adds two new elements to the standard dress code to cover 'awra; that is, that the dress should not be transparent and tight. This definition implies an attempt to correct a dress mode that has been widely practiced by Muslim women, which is to cover 'awra, however, using textiles that are transparent and tight in style. Many believe that this new does not succeed in covering 'awra.

The Islamic dress code can be outlined as follows: The dress for Muslim men is a shirt with long or short sleeves and trousers; for Muslim women it is a headscarf that covers the hair, ears, neck, nape of neck and chest, and a long-sleeved blouse that covers the hips, plus trousers or an ankle-length skirt. Other important elements are that it must not be transparent or tight or show the body shape. In addition, dress can be adjusted for sporting activities, but it must still conform to the dress code.

The Islamic dress code applies to Muslims working in both government and private institutions, and students studying at both government and private educational institutions, ranging from primary to senior high schools. In the regions where there are higher educational institutions, such as universities, this dress code is also applied. Indeed, for this group of Muslims wearing Islamic dress is imperative. However, there are different rules regarding the rest of the Muslim population. For example, in the regions of Agam and Sawahlunto/Sijunjung the Muslim dress code is also imposed on all Muslims living in the area, whereas in other regions it remains optional. In addition, all regional laws

³⁹This definition belongs to the law of Kabupaten Agam: Pakaian muslim adalah pakaian yang menutup aurat.

⁴⁰ This definition belongs to the law of Kabupaten Sawahlunto/Sijunjung.

emphasize that the dress code is only applicable for Muslims working and living in the regions. Non-Muslims are permitted to dress according to their own religion or custom, or they are allowed to adopt Islamic dress.

These regional laws also regulate penalties for disobeying the dress code. Civil servants who disobey the code will be sanctioned according to rules specific to government workers.⁴¹ For students who refuse to conform there are five sequential steps of sanctions: first, they receive a verbal warning; second if they continue to flout the code they will receive an official written warning in the form of a letter; the third step is to warn the parents of the student; if this does not have any effect, the student will be suspended from lessons; and finally, if all of the previous attempts have failed, then the student will be expelled from the school. It is worth noting that while the 'common' Muslim is not forced to obey the dress code, they are expected to wear Islamic dress when interacting with government institutions. Indeed, there is often a notice in public service offices stating 'no service for those not wearing Muslim dress'.⁴² If they insist on being served, the officer will do so reluctantly and say: 'please put on Muslim dress next time you come here'.

To sum up, regional laws on Muslim dress code have provided a chance for Muslims to wear Islamic dress during their work or study at government institutions, where previously it had been strictly forbidden. However, the government's decision on this issue seems to have shifted from one extreme –that Muslims are not permitted to wear the Muslim dress –to another –that Muslims are being coerced into following an Islamic dress code.

⁴¹ This issue is regulated under article 30 of Act no. 43 of 1999 on Civil Servants. This article is subsequently regulated by Government Regulation (*Peraturan Pemerintah*) No. 53 of 2010 on Discipline for Civil Servants and the sanctions are regulated under article 10 of the Government Regulation.

⁴² The notice says *Bagi yang tidak memakai pakaian muslim tidak dilayani*.

This shifting policy has a further implication. Under the previous regime, many devoted Muslims felt unhappy that the government would not allow them to wear dress according to their beliefs. However, the current rules mean that many non-Muslims and non-devout Muslims feel unhappy about pressure from the government to conform to an Islamic dress code. These implications are examined further in the following sections.

3.7 The practice of wearing Muslim dress

The previous mayor of Padang had been relatively late in taking a political decision on this issue compared to other regions that had widely implemented an Islamic dress code.⁴³ This delay may have been as a result of the mayor's lack of concern with religious issues. When a new figure was appointed to the post by the DPRD in 2004, the issue found its way onto the mayoral agenda. Indeed, on 7 March 2005, the new mayor issued an instruction obligating pupils, from primary school through to senior high school level, to replace their un-Islamic school uniforms with new Islamic versions. This instruction was also aimed at increasing the number of religious activities for students. In addition, in the same year, the mayor also instructed Muslims working at municipal institutions to wear Muslim dress during working hours and also for other activities relating to their work. This section presents the practices of Muslim dress in the Municipality of Padang. Subsequently, it will examine the meanings of Muslim dress for three different actors: 1) the mayor, as a policymaker; 2) the wearer; and 3) the viewer.

There were a number of considerations for the mayor in making a political decision to enforce a Muslim dress code for

⁴³ Muslim dress was applied in the Region of Tanah Datar in 2001, Solok in 2002, Sawahlunto/Sijunjung in 2003, Pasaman in 2003, Limapuluh Kota in 2003, and Padangpanjang in 2004.

students and civil servants. These considerations are laid out in the text of the instruction and also in a public statement issued by the mayor and published in the media. The text of the instruction shows that this policy is a follow up of the *Pesantren Ramadan* program⁴⁴ conducted in 2004, which taught various subjects on Islamic teachings in a bid to improve religiosity among students. In addition, the mayor's personal aims also contributed to his decision to introduce this policy. Indeed, he said:

That [to obligate the students to wear Islamic dress] is one of my personal intentions, and it has long been in my mind, even before gaining the post of mayor. I have been obsessed that Muslims who are living in this municipality should obey Sharia, as has been obligated to them by Islam. In addition to this, I also expect this decision will be in line with the adat maxim *adat basandi Syarak, Syarak basandi kitabullah* [adat is based on Sharia, Sharia is based on the Quran]. For me, Islamic teachings and adat must be applied in harmonious ways (Haluan, 17/04/2005).

The mayor also argued that imposing a Muslim dress code on students would provide a possibility for them to perform their *zuhur* and *asyar* prayers at the schools. Previously, these rituals could not be performed in schools because male students were wearing short trousers or female students did not cover their 'awra. Obligating Muslim students to wear a uniform in accordance with an Islamic dress code not only motivates the implementation of Sharia on this matter, but also maintains Minangkabau *adat* and other ritual practices.

The obligation to wear Muslim dress was point ten in the mayor's instruction. It says that Muslim students from primary

⁴⁴*Pesantren Ramadan*, introduced in 2004, provides religious activities for Muslims students during the fasting month of Ramadan. The students are released from their school sessions for these activities and they have to follow religious programs, instructed by their school teachers, at the mosque in their neighborhood.

school onwards are obligated to wear Islamic dress and that non-Muslim students should also adjust their dress by wearing *baju kurung* (long skirt) for female students or long trousers for male students.⁴⁵ In practice, however, female students regularly wear a headscarf, a shirt with long sleeves, and an ankle-length skirt; male students wear a shirt with short sleeves and long trousers. Thus, the dress of the female students from primary through to senior high schools has totally changed; while uniforms for male students in senior high school remains the same and slightly changed for pupils in primary and junior high schools. This new uniform was first applied in July 2005, for the academic year of 2005/2006.

This new dress code was aimed at all schools, whether state-run or privately owned. The municipal government granted one exception and that was for private educational institutions owned by non-Muslims.⁴⁶ These schools continue to apply the national school uniform according to the decree of the Directorate-General of Primary and Secondary schools issued by the Ministry of Education and Culture in 1991. Thus, Muslim students who are studying at non-Muslim schools can choose to wear dress either according to the instruction issued by the mayor or according to the decree of the Directorate General of Primary and Secondary Schools. However, this can give rise to a dilemma for these pupils.

⁴⁵ The text says bagi Murid/Siswa SD/MI,SLTP/MTS dan SLTA/SMK/MA se-Kota Padang diwajibkan berpakaian Muslim/Muslimah yang beragama Islam dan bagi non-Muslim dianjurkan menyesuaikan pakaian (memakai baju kurung bagi perempuan dan memakai celana panjang bagi laki-laki).

⁴⁶ There are a number of non-Muslim schools in Padang, including schools under the Prayoga Foundation (*Yayasan Prayoga*): elementary Schools; SD Agnes, SD Terisia, SD Yos Sudarso, SD Tirtonadi, and SD Fransiscus; Junior High School; SMP Frater, SMP Maria, and SMP Yos Sudarso; Senior High School; SMA Don Bosko, and SMA Xavarious (*Haluan*,17/04/2005).

3.7.1 The meaning of Islamic dress according to the mayor

The mayor asserted his authority by issuing his instruction enforcing a Muslim dress code in schools. This evidence is relevant to what James Scott has suggested; that is, that the ruling class dominates the means of physical and symbolic productions and control culture, religion, education and media to disseminate those values that reinforce its position (Scott 1985:315). In the case of an Islamic dress code, the mayor has a particular interpretation of the meaning of this subject. However, it does not automatically mean that the wearers or viewers preserve the same meanings. Indeed, they probably produce their own interpretations that can be different from or even contradict that of the mayor. In other words, although the mayor has the authority to force the wearer to apply this code, he cannot impose the meaning of it on other parties, because this is an issue of individual belief and value.

Although the mayor does not specifically refer to the meaning of wearing Muslim dress, his position can be surmised from several of his public statements. First, it identifies piousness. Wearing Muslim dress relates to an internalized set of meanings attached to a role played in a network of social relationships. The government has an obligation to provide possibilities for Muslims to practice and express their identity when working in government institutions or attending educational institutions. The wearing of Islamic dress is one way of doing this. It also creates a possibility for Muslims to perform their religious obligations, such as prayers, during school sessions.

Second, Muslim dress maintains an important sense of identity for Minangkabau society. The mayor argued that imposing Islamic dress on students is aimed at preserving the continuity of dress as an expression of the identity of their society, also for the future. However, he did not explain the above two points in great detail. This may be because he wanted to avoid accusations from his political opponents, non-Muslim or outsiders that he provides more privileges to Islam or *adat*. Or, it is also probable that he does

not have sufficient knowledge of the complex aspects of dress within Islamic teachings and *adat*. Instead, he regularly approaches this issue by using more rational arguments.

Third, Muslim dress can also be viewed as a form of sex education. Although the subject of sex education is not a part of the curriculum in schools, the introduction of an Islamic dress code has affected, in particular female, students' knowledge of sex. By covering their bodies not only to prevent sexual harassment by viewers, Islamic dress also restricts the wearer's mobility and ability to socialize, and therefore limits any associated sexual activity, such as walking hand in hand with their boyfriend in public places. This issue also connects to a fear of spreading AIDS that is widely seen as the effect of free sex (Parker 2009:65-9).

Four, in the context of sex education, Muslim dress also prevents the exposure of the wearer's reproductive organs and hides biological changes, such as puberty, which is occurring at an increasingly young age. Indeed, some female students can show signs of adolescence as soon as the fifth or sixth class of primary school. Accordingly, adopting Islamic dress may result in the wearer feeling more secure and induce a more polite attitude.

Five, Muslim dress is a symbol of health. Enforcing Muslim dress is also an attempt to protect the wearers from contracting dengue fever, a disease transmitted by *aedes aegyty* mosquitoes. This virus most commonly infects people under fifteen years old, although there are cases of adults with dengue fever. Although the *aedes aegypty* is not endemic in Padang, dengue fever remains a serious disease and a problem to be solved. The mayor claims that since the implementation of Muslim dress, the number of students suffering from dengue fever has significantly decreased. This goes against the general trend in Indonesia where incidents of this disease are increasing annually due to the effects of an unhealthy environment. The annual report from the Padang health center reveals that 1,586 people were recorded with the disease in 2009 and this number decreased to 1045 in 2010 (*The health* 2011:16).

However, there is no study that proves the effects of wearing Islamic dress on the decreasing number of sufferers; it seems the claim is based purely on the reasoning of the mayor.

Six, Muslim dress is also intended to create equality among the students. The body can also be an economic symbol and dress can reveal whether the student belongs to a rich or poor family. By wearing Islamic dress it is not easy to identify whether a female student is wearing, for example, luxurious or fake accessories, such as earrings and other jewelry. Students belonging to rich families have little possibility to show off their wealth, and female students from poor families do not feel inferior as any accessories are covered by their headscarf.

Seven, Muslim dress is a uniform. It now indicates whether the wearers are students of a certain level of education or civil servants working at an educational or other municipal department and it can even locate someone in the hierarchy (Lurie 1981:18-19). The type and color of Muslim uniform can reveal something of the status of the wearer. However, there is still a lack of study regarding the extent to which Muslim dress has influenced the dignity and confidence of the wearers: whether Islamic dress has significantly increased the dignity and confidence of the wearer or vice versa.

These meanings of Muslim dress put forward by the mayor are not only adopted from the existing values or belief in the society, but are also new interpretations of Muslim dress produced by the mayor closely related to his other tasks as the local ruler. For example, the role of Islamic dress as an identifier of Muslims and Minangkabau *adat* have long existed within the society, but the interpretation of the influence of Islamic dress on sex education, health and equality are aimed at sustaining other programs of the mayor as the local ruler (Parker 2009:67). In short, these meanings reveal that the mayor's intentions to apply a Muslim dress code also directly connect with his other tasks as the local ruler.

3.7.2 The meaning of Islamic dress for wearers

Although the Islamic dress code only applies to civil servants and students, there are a few non-Muslims who also adopt this style of dress. The meaning that wearers attach to Islamic dress can be distinguished into three categories: wearers who support the wearing of Islamic dress; those who are neutral to the issue; and those who are not comfortable wearing Islamic dress.

Those wearers who are proponents of Muslim dress are generally accustomed to wearing clothes that are in line with a Muslim dress code. On the whole, they wear Islamic dress not only during working hours or while attending school, but also when they leave their house for religious activities and even non-religious occasions such as shopping, visiting their colleagues and attending weddings. A few of this group acknowledged that they do not regularly wear Islamic dress when they are in their own neighborhood or for errands within walking distance, such as shopping at the kiosk close to their home or for short visits to their neighbor. For this group, the meaning of Muslim dress is not only the implementation of Sharia, it has also become synonymous with their identity. These people mostly belong to pious families who have always adhered to Islamic dress.

However, according to one wearer, adopting Muslim dress is not always easy. A school teacher said:

Presently, dressing according to the Muslim dress code is not so easy. We are flooded with different dress values by the media, such as newspapers, TV programs, the internet, all of which are challenging our Islamic values. As a teacher, as well as parent, I am facing an uneasy situation about this [wearing Muslim dress] because students also tend to be more independent now and make their own decisions. *Alhamdulillah*, the government [mayor] obligates civil servants and students to wear Muslim dress. And the designs of Muslim dress are currently more varied and affordable (*Interview, with the teacher, 15/07/2010*).

The second category of wearers sees this issue as disconnected with Islamic teachings. They perceive Muslim dress solely as a uniform, or even that it is only a trend, or that the current government prefers modest dress. This group only wears the uniform for work or school and in their own time they feel free to wear any dress style they like. They also said that they often wear Muslim dress if they go to religious occasions, such as to a mosque or to visit their ancestors' graves before the fasting month. This group also felt that the number of people wearing Muslim dress in public places appeared to be growing. One middle-aged woman said that she felt uncomfortable attending gatherings where the majority of females were wearing Muslim dress. But, she acknowledged that she is not yet ready to wear Muslim dress, not only because she feels mentally unprepared to do so, but also because she lacks the money to purchase new dresses for different purposes (*Interview*, with a civil servant, 10/06/2010).

Muslim females belonging to this category tend to differentiate between religious and non-religious places. A religious place is simply defined as a place where religious activities occur, for instance a mosque, visiting a death (*ta'ziya*) or a graveyard. A non-religious place is defined as a place where non-religious activities take places, such as schools, offices, and shopping centers. During my fieldwork, I observed that Muslim females in this group only wear Islamic dress when visiting religious places; they do not wear Muslim attire if they are going to non-religious places. This suggests that for a number of Muslims, not all aspects of their life are seen as areas that must be governed by Sharia.



Figure 3.1 Female students wearing school uniform,
author, 22/01/2011

In addition, there are also non-Muslims students who opt to wear Muslim dress during their school sessions without feeling uncomfortable, even though they have the right to wear the national uniform. These students acknowledge that for the majority of Muslims, Islamic dress is an important part of their identity in terms of being Muslim. However, for this group, wearing Islamic dress does not mean they are Muslim. They see it merely as a school uniform. This opinion is expressed by a Christian student in a vocational school, who spoke frankly: ‘I have been wearing this dress [pointing her headscarf] since the first year of my study and I enjoy it [smiles]. I have friends [non-Muslims] who are also wearing this, but other friends are wearing other dress [national uniform]. As a student, this is my school uniform’ (*Interview, with a Christian student, 25/05/2010*).

The third category of wearers is those who feel uncomfortable with the obligation to adopt Islamic dress. There

are a number of Muslims and non-Muslims belonging to this group. They claim that they do not feel comfortable wearing Muslim dress to school. They argue that they do not like covering their body completely because it hides their beauty. But they acknowledge that they have no choice and cannot wear the national uniform because they are Muslims. Also in this group are a number of non-Muslim wearers who have to wear Muslim dress because the school authorities have imposed it on them. For example, a Christian student acknowledged that she was forced to wear Muslim dress when she was studying at the high schools in Padang but felt very uncomfortable wearing it (Fransiska Silalahi, interviewed by a reporter from *Journal Perempuan*, 60:116-119). Consequently, wearing the unwanted dress provoked a feeling of resistance and this is expressed in various ways.

One form of resistance includes students only wearing Muslim dress during school sessions and immediately taking it off when she leaves the school yard. According to Lurie, taking off the dress is a sign of defiance (Lurie 1981:19). Another form of resistance comes through the gossip and chat of those students who disagree with the dress code. One Christian student revealed:

Because I am the only Christian student at the school, it [wearing Muslim dress] does not become a topic of discussion during the school sessions. But I chat with my friends about this subject when we are attending religious ceremonies in the church. We are fed up with wearing *jilbab* [Muslim dress]. Why should we, non-Muslims, wear *jilbab*? But we keep it [the protest] only in our heart (Silalahi 2008:118).

The only option for those who disagree with the dress code is this kind of daily resistance. We can see from the student above that she avoided confrontation with the school authorities by continuing to wear Islamic dress. Consequently, there was no impact from the daily resistance. However, these actions can

certainly reduce the feelings of resentment and discomfort as it helps the wearer see the dress as nothing more than a school uniform and disconnected from the idea of implementing Sharia or the communal identity of Minangkabau society.

3.7.3 The meaning for the viewer

Most viewers of Muslim dress also have their own interpretations of the attire worn by colleagues, children, family members and neighbors. They may perceive it in the same way as the ruling elite or the wearers or they may have different views. The interpretations of viewers can be classified into two categories: those viewers who interact with wearers during their working hours or school sessions, and those viewers who are involved with wearers in informal activities. The first category covers non-Muslim civil servants and students who do not wear Islamic dress, and the second category relates to parents or family members of civil servants or students, and the inhabitants of the municipality.

3.7.3.1 Non-Muslims

As previously stated, non-Muslim civil servants and students are not obligated to wear Muslim dress. Despite the fact that a few non-Muslims decide to adopt the dress, the majority opt to wear another uniform that is not in line with an Islamic dress code. This subsection deals only with non-Muslims who do not wear Muslim dress and who have been actively interacting with wearers during their working hours or school sessions. These viewers can be categorized as *happy* and *unhappy* viewers and these categories reflect their different perceptions of an Islamic dress code.

For the *happy* group, not adopting the Islamic dress code does not evoke any uncomfortable feelings. They argue that if wearing Muslim dress is meant to signify being Muslim and to identify adherents of Minangkabau *adat* then it follows that not wearing Muslim dress also identifies non-Muslims. The people

belonging to this category are proud to display their non-Muslimness publicly. They can express that 'I am not a Muslim' or 'I am a Christian' or 'I am a Buddhist' through their dress. This current development can be seen, for example, in public places where people are wearing T-shirts with slogans such as 'I love Christ'. This is something that almost never occurred prior to the implementation of the Muslim dress code. Indeed, the identity of non-Muslims was blurred in public.

Furthermore, those people who do not wear Islamic dress often feel a degree of pressure or competitive spirit in terms of achieving more than their peers who wear Islamic dress at work or in their places of study. A female Christian student at senior high school (*Sekolah Menengah Atas, SMA*) said that not wearing Islamic has triggered her motivation to study harder and to become actively involved in extracurricular activities (*Interview, with a non-Muslim SMA student, 25/05/2010*). Similarly, a Christian civil servant who dresses differently than the majority of her colleagues said that her non-Islamic dress influenced her to behave in accordance with Christian values.

In contrast with the first group of the viewers, the *unhappy* group feels uncomfortable not wearing Islamic dress during their working or school hours. They worry that by not wearing Islamic attire they will receive different treatment or may be discriminated against by their colleagues or teachers. They do not understand the government's motivation for implementing a dress code based on the beliefs of one religion, rather than on values that can be accepted by all inhabitants. However, they also acknowledge acts of non-compliance have little impact and that their objections go unheard.

Thus, the difference between the first and second group of viewers is located in perception. The first group demonstrates a degree of tolerance to Muslim attire; in contrast, the second group perceives the Islamic dress code as a form of discrimination.

3.7.3.2 Parents, family members and neighbors

This subsection deals with those viewers of Muslim dress who are parents, other family members or neighbors and who interact with wearers in settings such as at home, in the neighborhood and other places of informal activity. Specific attention is paid to whether the viewers are Muslim and non-Muslim, and the interpretations and impact of Muslim dress on this group are presented below.

Most of the Muslim viewers in this group are of the opinion that the Muslim dress code introduced by the mayor for civil servants and students is directly connected with an aim to implement Sharia as well as Minangkabau *adat*. They claim that Muslim dress has played an important role in the collective identity of Muslims and the Minangkabau *adat* community. Furthermore, they commonly argue that the government has an obligation to concern itself with social identity. A retired man said, 'I am delighted with the current government obligating them [civil servants and students] to wear Muslim dress; it is the government's task to maintain this important identity' (*Conversation*, with a retired civil servant, 10/08/2010). According to another viewer, implementing Muslim dress in educational institutions not only maintains the values of the dress, but also guarantees the continuity of the identity for the next generation. 'It is not easy to be a good Muslim in this modern era where modernity emphasizes the value of self-determination. The implementation of Muslim dress codes by the government may help to maintain the values of wearing the dress' (*Interview*, with a local ulama, 25/07/2010).

A number of parents who have children studying at schools where Muslim dress is imposed perceive Islamic dress as a response to modernity. The fear of the negative impact of modernity has become such a concern for parents that it has become an unofficial and informal discourse that amounts to a 'moral panic' about teenage girls. In this context, wearing Muslim

dress also means maintaining moral values and managing the wearer's mobility and socializing (Parker 2009:65). Thus, wearing Muslim dress is not only seen as a current need, but also important for the future.

Imposing an Islamic dress code in state schools may also create a new opportunity for traditional Muslim families to obtain better education at schools managed by the Ministry of Education.⁴⁷ Previously, traditional Muslim families opted to send their children to schools where Muslim dress is worn. On the whole, these schools are managed by the Ministry of Religious Affairs or are owned by private or Muslim institutions. Since Muslim dress has been implemented at all schools under the remit of the Ministry of Education, traditional Muslim families now have the possibility to study at schools with good academic reputations. Another interpretation of Muslim dress is that it has gradually influenced other family members to switch their dress in accordance with an Islamic dress code. However, this gradual change is not wholly motivated by a desire to implement Sharia; rather, it originates from a need to fit in and adjust their way of dressing when attending occasions where the majority of females are wearing Islamic dress. A middle-aged woman said that currently most of the women attending all-female gatherings such as *arisan*⁴⁸ wear Muslim dress. Initially, she had not adopted Islamic dress, but had felt uncomfortable at being the odd one out. She

⁴⁷In the Indonesian educational system schools are managed by two different ministries: the Ministry of Education and the Ministry of Religious Affairs. The schools under the Ministry of Education have a better quality of education, thus become favored schools for study, rather than those under the Ministry of Religious Affairs. This fact is the result of, among other things, financial factors. Schools managed by the Ministry of Education are funded specifically for educational purposes, whereas schools under the Ministry of Religious Affairs are funded for religious purposes.

⁴⁸*Arisan* is a regular social gathering whose members contribute to and take turns at winning an aggregate sum of money.

finally decided to purchase Muslim clothing and regularly wears it when attending these gatherings.

Finally, I decided to continue wearing Muslim dress when I leave the house. In the beginning, I started to wear this [Muslim dress] because I felt odd attending female gatherings, but now I am more motivated by the religious teachings [*ajaran agama*]. I find that wearing Muslim dress is simple, but it is expensive [laugh], although various qualities of Muslim dress are now available in the dress shops or supermarket. They are affordable enough (*Conversation*, with a middle-aged female, 01/08/2010).

Another Muslim woman shared a similar story. She finally decided to adopt Islamic dress after finding herself being the odd one out when taking her children to kindergarten. She acknowledged that her child also often complained about her appearance and the fact that she did not wear Muslim dress (*Conversation*, with a young female, 20/07/2010). These two cases reveal that wearing Muslim dress is not solely motivated by the desire to implement Sharia, but that social aspects may also motivate Muslim women to wear it.

Non-religious aspects, such as appropriateness or properness, may also motivate Muslim women to wear (or not wear) Muslim dress. However, this is largely determined by whether wearing Muslim dress is located as a habit or a rule in the society (Hart 1994). If it is only a habit it will not generally result in women wearing it, whereas if there is a rule, women are forced to adopt the dress code or face criticism from society for inappropriate behavior. This situation can be seen in social gatherings among Muslim females in neighborhoods where not all of them wear Muslim dress. In this case, the dress is not aimed at covering *‘awra*, but rather it is considered a value of appropriateness. We also see this reasoning at play when Muslim women leave their homes for short journeys or when they are

receiving familiar guests at home. However, this is not a factor within traditional Muslim families or families who have performed pilgrimage. These families regularly wear Muslim dress with the purpose of covering their *'awra* whenever they deal with other people who do not belong to their family (*muḥrim*).

Non-Muslim viewers in this group have a different interpretation of the Muslim dress code imposed by the government. For them, it evokes feelings of fear and discomfort. They are concerned that not wearing Islamic dress may result in different treatment. They suspect that inequality may occur in terms of accessing public services from government institutions or in public schools, or in terms of gaining equal opportunities as civil servants. However, there is no evidence to suggest that they or their family members have experienced discrimination relating to government services. In addition, viewers also experience what is commonly called 'political fear'. This political fear can be defined as a fear arising from a political discourse and several public discussions that locate this issue as an attempt to implement Sharia, and the desire to replace the state with an Islamic state. For this group, the government imposing an Islamic dress code is a sign that a number of Muslim groups are determined to shift Indonesia towards an Islamic state.

To sum up, the meanings of Muslim dress for the ruler, the wearers and the viewers outlined above demonstrate how closely linked this issue is with their lives and daily activities. The meanings attached to Islamic dress indicate the depth of involvement within the social-cultural-religious structure of their society. Religious individuals and families tend to attach religious significance to Muslim dress; non-religious people and families tend to attach non-religious meanings to the issues; a political-minded person will interpret it from a political standpoint; a local ruler will view the issue from the perspective of all his tasks as the ruler. In other words, these meanings also reflect their position in the socio-religious-economic structure.

3.8 Public debate: Contestation of values

Although local authorities have argued that issuing a Muslim dress code had a number of purposes, it is difficult to deny that the attempt was primarily to implement a dress code according to Sharia. This Muslim dress code has emerged in the form of an imperative stated in a number of regional laws or other forms of decisions issued by the local rulers. When the government began to implement these regulations, this issue became a topic of public discussion and debate. This discussion and debate is directly related to the codification of Sharia in regional law. The public discussion and debates dealt with the legal issue of whether the codification of Sharia in regional law is justified. This subject has also become an important political issue that has evoked considerable feelings of discomfort and fear among both opponents as well as proponents. The arguments of both sides are briefly presented below.

Proponents, including members of DPRD and local rulers, have argued that the adoption of Islamic values concerning dress is the government's concern and that the authority in this matter not only belongs to the local government, but is also guaranteed under the 1945 constitution and the philosophy of the state, *Pancasila*. They also argue that this issue is not related to Islamic teaching per se, but that it has been adopted as an important form of cultural identity. These arguments have received support from many Muslims and Muslim organizations, including Muhammadiyah and MUI, as well as *adat* organizations such as LKAAM (an umbrella *adat* organization). In addition, public discussions often became emotional when supporters accuse opponents of this issue of 'Islamophobia', which has its roots in colonial times.

By contrast, opponents argued that adopting the Islamic teachings concerning dress and issuing a regional law to this effect contradicts the constitution and other regulations. They further argued that only the province of Aceh has a special privilege

allowing it to implement Sharia. In other provinces, including West Sumatra, religious matters are governed by central government. Moreover, opponents accuse proponents of having a long term agenda to reintroduce an Islamic state and that imposing an Islamic dress code may threaten integration in Indonesia. They accused such a policy of provoking feelings of fear among vulnerable people.

Another argument put forward by a number of NGO activists is that imposing a Muslim dress code is in contradiction with human rights. They advocate two reasons to support this claim. First, imposing Muslim dress has resulted in discrimination for non-Muslims civil servants and students who dress differently from the majority. This situation also conflicts with the principle of equality before the law. They also predicted that this discrimination may lead to other discrimination in work or schools. Second, imposing Muslim dress meant that civil servants and students no longer had the right to decide their own dress.⁴⁹ However, this second reason looked misleading, as the government had always had a uniform policy – in whatever form – for civil servants and students. According to Lurie, wearing a uniform ‘is to give up one’s right to act as individual – in terms of speech is to be partly or wholly censored’ (Lurie 1981:18).

The arguments used by the opponents and proponents of Muslim dress are emotional: the opponents accuse supporters of the code of threatening the foundations of the state. Proponents accuse the other side of Islamophobia and of being anti-Sharia, As a result of such emotive exchanges, it was almost impossible for both sides to discuss the issue in a proper way. For instance, there were few public discussions or forums where both sides of the issue were presented. As a result, the issue was confined to the realm of gossip, chat, rumor and scandal.

⁴⁹These arguments by proponents were also expressed during two programs on the Metro TV Channel, entitled *Genta Demokrasi*, that aired in September 2010.

The local authorities have attempted to clarify the issue of Muslim dress by disconnecting it with any attempt to disintegrate the state. For example, the governor of West Sumatra, in an interview with Perter Gontha, a television host, argued that the local government had intended to create harmony between the society and the government, but that it has become a challenge as the policy had created feelings of discomfort and worries about discrimination. He acknowledged that the inappropriate reactions to this subject also constituted a challenge for the local authorities. He also argued that without the dress code Muslims were being denied their right to implement the values derived from their religious teachings. The governor said:

Truly, we are very respectful when the Balinese celebrate the *Nyepi* [last day of Balinese calendar when no work is done] and, for example, there are no flights back and forth to Bali. Not a single one of us raises a protest. This is because of all of us respect the religion of the Balinese. How come [some people protest] when the majority of Muslims issued a regulation only for them? This must be also respected. That is simple! However, the issue is seen as forcing others [non-Muslims] to obey the [Islamic] regulations. In fact it does not....⁵⁰

This issue is intermingled with other related issues dealing with attempts to implement Sharia in an Indonesian legal and historical context. Only time and experience will tell which direction this issue will ultimately take.

⁵⁰ Governor Gamawan Fauzi, interview by Peter F. Gontha, TV Channel, www.youtube.com/watch?v=NMzxKvtzbQY, www.youtube.com/watch?v=XNVDGfIDrYE.

3.9 Conclusions

This chapter reveals that regional laws oblige Muslims who are employed as civil servants and students to dress according to an Islamic dress code. A number of local authorities are motivated to implement Sharia in relation to the dress code. This shift is justified by a view that Islamic dress provides a communal identity for the society. Consequently, the local government has the authority to issue a regional law on this subject. The dress code is regulated by a number of regional laws, which provide guidance not only concerning things such as covering *'awra*, but also other functions, such as adornment and distinguishing the wearer. These two new elements of the dress code have departed from the emphasis given by most ulama on the issue of *'awra*.

This matter of dress has become the subject of wide public debate and discussion. A number of non-Muslims and NGOs activists as well as politicians perceive this development to be in contravention with the constitution and the philosophy of the state, as well as the principle of equality before the law. The proponents of Muslim dress see this opposition as a form of discrimination of those Muslims who intend to implement Sharia. They argue that the constitution and the philosophy of the state guarantee their right to adhere to their religious teachings. These arguments are frequently repeated and have been used by both sides in the debate since the beginning of independence and the first attempts to codify Sharia in the state law.

For the local authority, the intention behind obligating Muslims to wear Islamic dress is not only to implement Sharia but it also links to other related governmental tasks. However, the wearers and viewers of Muslim dress may perceive these intentions differently.

After more than a half decade of the implementation of Muslim dress the result has been a shift in Muslim daily life. For example, the dress code appears to have enhanced the religiosity and cultural awareness not only of the wearers, but also among

Muslims in general. It has also created a new possibility for traditional Muslim families to continue their education in schools that have better academic reputations and that are managed by the Ministry of Education. However, the fact cannot be avoided that obligating Muslim students to wear Muslim dress has also raised feelings of discomfort and discrimination among non-Muslims or undevout Muslims. Thus, a further empirical study is required to examine whether this policy has had an impact in terms of the local government maintaining and managing public services. For example, whether or not local government officers have a particular preference for the wearers of Islamic dress during recruitment processes.

The continuity of this practice in the future may be determined by two factors. First, it relies on local politics. This practice will continue if the following mayor/local ruler has the same stance on this issue. If this is not the case, then there is a possibility that the dress code will be revised or replaced with another policy. For instance, a new rule could revise the current imperative form of the rule with an alternative more optional version. Second, it also relies on whether the current practice is seen as having affected any advancement in the society. As previously stated, a further study is required in order to examine these issues.