



**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

STELLINGEN

As part of the thesis:

Contesting Sharia: State law, decentralization and Minangkabau custom

1. Although Sharia is not constitutionally acknowledged in Indonesia, legal history shows that it has played a role in the development of the Indonesian legal system. Parliament and government have legislated a number of aspects of Sharia for state laws and regulations (this thesis).

2. The government used a delaying tactic aiming to avoid official implementation of the Sharia-by-laws (*Perda Sharia*) that were not in line with the Constitution and laws of a higher authority (this thesis).

3. The proponents of Sharia neither succeeded to ensure the legislation of Sharia as a solution for maintaining public morality, nor did they manage to put matters of public morality—that had been regulated under national laws—to legally fall under the jurisdiction of the provincial, municipal and/or district authorities. Yet, local rulers still attempt to enforce public morality with *Satpol PP* (this thesis).

4. The obligation for Muslim students and civil servants to dress according to an Islamic dress code at school and work respectively has successfully strengthened their identity as Muslims and Minangkabau. Nevertheless, it is undeniable that this obligation may also create a feeling of being discriminated against among non-Muslims (this thesis).

5. Obliging Muslim students to be able to recite the Quran by adding this subject to the primary education curriculum rather than empowering the Quranic education centers, managed by the Muslim community, has been a costly policy, because the government had to provide more funds, teaching staff and facilities at primary schools in order to handle it. Moreover, this policy tended to deteriorate the function of the mosque and *surau* as the Quranic education centers (this thesis).

6. Islamic charity, managed by the government and Muslim community, is now experiencing a phase of transition from implementing piety towards an economic phenomenon (this thesis).

7. Local rulers have benefited from the establishment of charity institutions (*Badan Amil Zakat Daerah (Bazda)* or *Badan Amil Zakat Nasional (baznas)*) by using the *zakat* revenue as an alternative financial source to fund programs of the local government (this thesis).

8. *Taghayyur al-aḥkām bi-al-taghayyur al-azmān wa-al-amkina* (Changing laws may be caused by the changing of times and of places (the saying of the Ulama).