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Implementation of Islamic Sharia Enforcement in South Sulawesi: A Study Sociological Approach

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Abstract

The aim of this research is to determine the implementation of Islamic law enforcement. South Sulawesi is one of the provinces that upholds Islamic law so that it can be used as an integrated part of people's lives. The method used in this research is qualitative by describing the phenomenon of society in implementing Islamic law using a sociological approach. The data found in the research is analyzed to find conclusions about the results found. The results of the research show that the Islamic community has implemented Islamic law and is strengthened by the existence of regional regulations implemented in various regions so that people can live their lives based on Islamic law. Support from the preparatory committee for the enforcement of Islamic law has made it increasingly clear the implementation of Islamic law in South Sulawesi in carrying out a religious-based life. Both through regional regulations and preparatory committees for the enforcement of Islamic law, both contribute to the enforcement of Islamic law that is integrated in community life.

Keywords: Enforcement, sharia, Islam, approach, sociology

1. Introduction

The demands of some of the people of South Sulawesi in sociological terms to uphold Islamic law are thought to be a direct result of the Muslim community's high and obsessive commitment to the Islamic religion, as well as belief in the pillars of faith in the Islamic creed. The Islamic religion consists of three main teachings, namely; Aqidah, Sharia, Morals are life guidelines for humans, although only believers are committed and consistent in using them as guidance. Sharia is one of the popular terms used in society to denote God's laws that developed in Indonesia, including South Sulawesi, in addition to the terms fiqh and Islamic law, which academically have their own meanings to differentiate one from the other, but in everyday speech days are not differentiated.

As God's law, sharia has the most important position in Islamic society, because Muslims believe sharia covers all aspects of human life, both individually and collectively. Usually classified into worship and mu'amalah. Meanwhile, worship functions to regulate the relationship between humans and Allah, while mu'amalah functions to regulate the relationship between humans and humans and objects and rulers. The desired goal is to protect religion, soul, mind, lineage and property, as well as honor. So it can be said that sharia functions to control and regulate all public and private human behavior, even sharia can be used as a means to solve civil and criminal problems both nationally and internationally.

Based on the fact that the majority of South Sulawesi people are Muslim, the majority aspect has become an identity that influences law in government and society. The purpose of Pattupu'i ri ade'e Passanre'i ri syara'e shows that Islamic law is a guideline in carrying out religious rules so that these rules constitute the entire norm which includes actions in behaving towards fellow human beings and towards social institutions in a reciprocal manner so as to cause dynamics in society.

Islamic Sharia is a guideline that cannot be separated from people's lives. In other words, Islamic Sharia has become the philosophical basis of society, the historical background and foundations have become the core of cultural dynamics, become normative ties, so that they become the basis for statutory regulations.

According to historical facts, the implementation of Islamic Sharia has encouraged the development of society in South Sulawesi, so that the development of South Sulawesi society towards a civil society can only be achieved by enforcing and implementing Islamic Sharia in a comprehensive manner.

Based on the facts stated above, the will of Muslims to implement Islamic Sharia strengthens. This desire was formulated in the mandate of the South Sulawesi Muslim Congress, the Preparatory Committee for the Enforcement of Islamic Sharia, which fought for the implementation of Islamic Sharia through the formation of a Political House in the form of constitutional Special Autonomy within the framework of the Unitary State of the Republic of Indonesia. The struggle of the Sharia Enforcement Preparation Committee to enforce Islamic Sharia through Special Autonomy in South Sulawesi received a huge response of support from the people of South Sulawesi.

The demand for the implementation of Islamic Sharia in South Sulawesi can be said to have become a political fact that must be immediately realized in the form of policy because the Regional People's Representative Council of South Sulawesi Province, based on its letter numbered 160/309/Regional People's Representative Council/2001, has recommended the aspirational demand for its implementation. Islamic Sharia in South Sulawesi must be immediately followed up in accordance with the applicable constitutional mechanisms.

2. Method

This research is qualitative research by describing the implementation of Islamic law in South Sulawesi. The data found was analyzed using a sociological approach to discover societal phenomena regarding the implementation of Islamic law. The data sources used as references are primary and secondary data. The primary data is the Makassar Bugis community who live in South Sulawesi. Meanwhile, secondary data is references related to the study of Islamic law. The data found is documented so that it can be accounted for, making it easier to draw conclusions. (Miles, Matthew B., A. Michael Huberman, and Johnny Saldaña, 2014) ^[6].

3. Results and Discussion

The Preparatory Committee for the Enforcement of Islamic Sharia became phenomenal in 2000 as a Political Islam movement that is interesting to observe. By taking advantage of the momentum of regional autonomy and local political empowerment from the political policies issued by President Abdurrahman Wahid during the reform period. This committee moves to fight for the ideals of Indonesia based on Islamic law in a country based on Pancasila and the 1945 Constitution. The organizational nature is in the form of a committee, namely a collection of various Islamic organizations and Islamic figures in South Sulawesi. The Preparatory Committee for the Enforcement of Islamic Sharia formed a Political Islam alliance with the main agenda of realizing the totality of sharia in South Sulawesi, which can even be applied obsessively at the level of the Indonesian national government (Cora Elly Noviati, 2016) ^[7].

This obsession received an enthusiastic response among some ulama, intellectuals, community figures and among young people, not only because it was initiated by young figures. This obsession is also to implement Islamic law as a solution in people's lives. The committee's reason for fighting for Islamic law is that there is a similarity in ideology and

Islamic ideals that the committee wants to fight for. Then they believe in Islamic law as a solution for the present and future, especially in overcoming crises. Then they believe that upholding Islamic law is an obligation for a Muslim. And furthermore, society always needs a new culture in Islamic teachings because the current culture is really destroying the foundations of humanity (Prawitra Thalib, 2018) ^[12].

If you pay attention to various documents and statements from a number of elite members of the Preparatory Committee for the Enforcement of Islamic Sharia, whether in the form of writings or political statements, it shows that they want to unite religion and state, as a unity between sharia and da'wah. In fighting for their ideas, they use structural channels in fighting for the formulation of sharia in the form of regional regulations or constitutive political rules and decisions. The Preparatory Committee for the Enforcement of Islamic Sharia urges the unification of religion and the state in Indonesia. In Islamic political thought, the union of religion and state is a separate school of thought and the state is placed as an instrument in implementing the principles of Islamic law formally, not substantially.

The Preparatory Committee for the Enforcement of Islamic Sharia issued a Declaration, among other things, refusing the Regional People's Representative Council of South Sulawesi Province to concretely follow up on demands for the enforcement of Islamic Sharia through special autonomy for the province of South Sulawesi. And asked the People's Representative Council of the Republic of Indonesia and the central government to enact a special Autonomy Law, with the threat that if this aspiration is not accommodated, they will take concrete steps towards a referendum with the option of Special Autonomy or independence (Jawahir Thontowi, 2002) ^[10].

The obsession with implementing Islamic Sharia by the Preparatory Committee for the Enforcement of Islamic Sharia has produced results in various districts even though a legal umbrella does not yet exist. For example in Maros; Employees of the Regent's office and other government offices have made Muslim clothing mandatory for women, and for men every Friday they are required to wear a skullcap in sturdy clothes, and they are required to pray in congregation. In Bulukumba Regency, this has gone one step further by issuing four regional regulations with nuances of Islamic Sharia, namely regional regulations on Muslim women's clothing, reading and writing the Koran, alcohol-free and paying zakat. By making Balong village in Ujungloe District a model for these four regional regulations (Landes Asifa Quraishi, 2014) ^[11].

Obsesi penegakan syariat Islam oleh Komite Persiapan Penegakan Syariat Islam ini menggema selama kurang lebih lima tahun dengan berbagai aktivitas dan tuntutan terhadap berbagai komponen masyarakat untuk mendukungnya, bahkan sekali-kali ancaman pemaksaan, ditandai dengan pemboman dan anarkis atas nama agama.

Sociology in a simple sense is the science that studies living together in society, and investigates the bonds between humans that control this life. Sociology aims to understand events in society and then try to bring about improvements in life together. Because sociology studies humans as members of society, sociology is related to aspects that influence life in society such as law, economics, politics and religion. In South Sulawesi, the majority of the Islamic religion is definitely related to Islamic law as one of the legal components of the Islamic religion (Otto Jan Michiel, 2010)

[3].

In legal science, sociology has received great attention, not only as an approach in involving legal phenomena but as an object of study as a social phenomenon in studying, forming and enforcing law in society, thereby forming a scientific discipline, namely legal sociology, which is a study that studies social phenomena related to law, control of society by law, empirical analysis of law, extract of a study that studies the phenomenon of society in relation to law, control of society by law, empirical analysis of law, extract of a study that studies the phenomenon of society in relation to law, control of society by law, empirical analysis from law, the concept of a study that studies the phenomenon of society regarding law, the control of society by law, an empirical study of law, the interaction of controlling society with law or legal control of society as well as regarding legal patterns, legal behavior, legal reasoning, and effectiveness law in society (Jeje Zaenuddin, 2015) ^[11].

In sociological studies, law functions as social control in the sense of obtaining behavior, which is considered to be a safeguard, so that society as well as individuals are able to act as groups related to laws that contain sanctions for violations. Law also functions as a tool for making changes to society, especially in modern era life which requires modern changes according to the demands of life itself. Law as social engineering requires various legal instruments that use written statutory regulations to further increase the degree of certainty. With law as social engineering, the changes that must be implemented in people's lives are regulated and planned first through legal instruments.

Since the reform era, there have been major and fundamental changes regarding social studies in Indonesia, especially in the fields of politics and Islamic law. When discussing political life, it cannot be separated from religion, especially Islam, with the birth of political parties based on Islam and having participated in general elections, the idea of enforcing Islamic law has been increasingly voiced by political elites and responded to by a group of Islamic mass organizations both at the national level and in provincial level in various regions in Indonesia.

In the sciences of legal sociology and modern cultural anthropology, evidence has been produced that law can be found in various places where people live and is not limited to the target society, whether it is modern or primitive society. There are values and customs practiced by the people that they received from their ancestors, both in the form of norms and laws that originate from the beliefs they adhere to. In Indonesia, the values in the form of norms and laws come from the Islamic religion which has been growing for centuries because the majority of Indonesia's population is Muslim. (Al Nasser, T. A. M., 2014) ^[2].

The sociological approach in enforcing Islamic law in South Sulawesi is not a way of life for the Islamic nation of Indonesia and has a positive impact on structuring national and state life in a plural society in various life frames ranging from ethnicity to religion. Within the framework of national law and legislation, the existence of Islamic law is not only part of the integration of national law, but also as a filter for national law and as the main raw material in the consolidation and unification of national law. Islamic Sharia is an independent law which is a differentiation of national law, Islamic Sharia is also an independent law which is a differentiation of national law from Islamic issues, and is Islamic civil law for one of the judicial institutions, namely

the religious court which is equivalent to the general court. In this way, Islamic law will remain upheld in people's lives, because Islamic law is a way of life for humans to find blessings.

4. Conclusion

From a sociological perspective, Islamic law can be considered an integrated part of Indonesia because Islamic law has lived and developed in society since the arrival of Islam in the archipelago and became the rules of life in Islamic kingdoms until the arrival of the Dutch colonial era until the independence of the Indonesian nation. The political dynamics of the Islamic religion have experienced ups and downs in line with the politics adopted by the government in power. The old order viewed Islamic law as potential for regulating society in the field of spiritual life. However, within the framework of nation and state development, it is considered to have a secular understanding of religion. During the New Order era, Soeharto placed Islamic law in the order of worship for Muslims. However, in the final period of his leadership, Islamic law received increasing attention in managing life. During the reform period until now, Islamic law has received increasing attention from the government because of the awareness of Muslims towards the teachings of their religion as long as they do not conflict with the ideology of Pancasila.

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