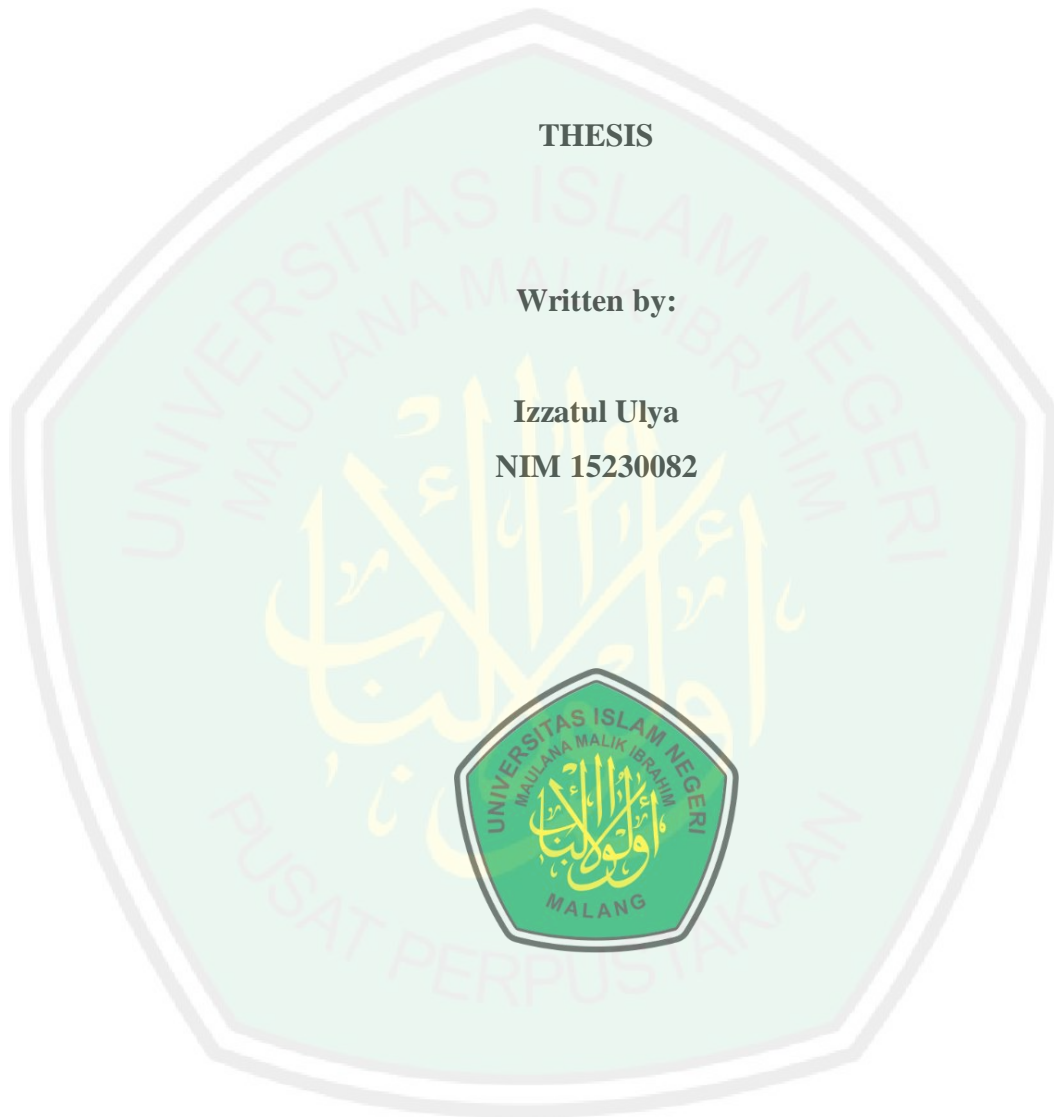


**RELEVANCE OF JAMAL AL DIN AL AFGHANI'S POLITICAL  
THOUGHT TO THE FORM OF GOVERNMENT OF INDONESIAN  
REPUBLIC**

**THESIS**

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**MAULANA MALIK IBRAHIM OF MALANG**

**2019**

## STATEMENT OF THE AUTENCITY

In the name of Allah (swt),

With consciousness and responsibility towards the development of science, the writer declares that the thesis entitled:

### **RELEVANCE OF JAMAL AL DIN AL AFGHANI'S POLITICAL THOUGHT TO THE FORM OF GOVERNMENT OF INDONESIAN REPUBLIC**

Is truly the writer's original work. It does not incorporate any material previously written or published by another person. If it is proven to be another person's work, duplication, plagiarism, this thesis and my degree as the result of this action will be deemed legally invalid.

Malang, June 24<sup>st</sup> 2019

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### RELEVANCE OF JAMAL AL DIN AL AFGHANI'S POLITICAL THOUGHT TO THE FORM OF GOVERNMENT OF INDONESIAN REPUBLIC

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## MOTTO

“Toleration and liberty are the foundations of a great republic.”

Frank Lloyd Wright



## ACKNOWLEDGEMENT

*Alhamdulillah bini'matihi tatimmu shalihah*, with all of His grace, mercy and guidance the thesis entitled **Relevance of Jamal Al Din Al Afghani's Political Thought to The Form of Government of Indonesian Republic** can be done very well. *Wasshalatu was salam 'ala Rasulillah*, for his teachings that taught us to live in the world, led our way from the darkness to the light in this life. May we are become one of those who will has his *syafaat* in the Judgment day.

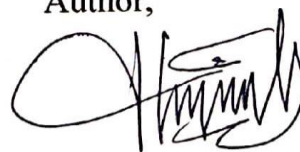
1. Prof. Dr. Abdul Haris, M.Ag, as the Rector of the State Islamic University of Maulana Malik Ibrahim of Malang.
2. Dr. Saifullah, S.H, M. Hum, as the Dean of the Faculty of Sharia at State Islamic University of Maulana Malik Ibrahim of Malang.
3. Dr. M. Aunul Hakim, M.H. as the Head of the Constitutional Law department of the Faculty of Sharia State Islamic University Maulana Malik Ibrahim of Malang.
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7. All lecturers faculty, staff as well as employees faculty of Sharia State Islamic University of Maulana Malik Ibrahim Malang which has delivered teaching, educating, guiding, and with sincere practice. May Allah give his reward that is worth him all.
8. All two sincere faithful parents pray, give whatever for the sake of his daughter, devoting compassion both in the form of fact and inner and always give guidance and motivation.
9. My friends, thank you for support until I can finish this thesis well, hopefully we will meet later in the future.

Hopefully what I have gained during the lecture at the State Islamic University Maulana Malik Ibrahim of Malang This can be beneficial to all readers, especially for me personally. Here the author as an ordinary man who never escapes from wrong and sin, realizing that his thesis is still far from perfection. Therefore, the author is very hope of criticism and advice from all parties for the perfection of this thesis.

Malang, July 23<sup>rd</sup>, 2019

Author,



Izzatul Ulya  
Student ID Number 15230082

## TRANSLITERATION GUIDANCE

### A. General

The transliteration guide which is used by the Sharia Faculty of State Islamic University, Maulana Malik Ibrahim Malang, is the EYD plus. This usage is based on the Consensus Directive (SKB) from the Religious<sup>o</sup> Ministry, Education Ministry and Culture Ministry of the Republic of Indonesia, dated January 22, 1998, No. 158/1987 and 0543. b/U/1987, which is also found in the Arabic Transliteration Guide book, INIS Fellow 1992.

### B. Consonants

Arab	Latin	Arab	Latin
ا	A	ط	Th
ب	B	ظ	Zh
ت	T	ع	‘
ث	Ts	غ	Gh
ج	J	ف	F
ح	H	ق	Q
خ	Kh	ك	K
د	D	ل	L
ذ	Dz	م	M
ر	R	ن	N
ز	Z	و	W
س	S	هـ	H
ش	Sy	ء	‘
ص	Sh	ي	Y



ض	DI		
---	----	--	--

The hamzah (ء) which is usually represented by and alif, when it is at the beginning of a word, henceforth it is transliterated following its vocal pronouncing and not represented in writing. However, when it is in the middle or end of a word, it is represented by a coma facing upwards (’), as oppose to a comma (,) which replaces the “ع”.

### C. Vocal, Long-pronounce, and Diftong

In every written Arabic text in the latin form, its vowels fathah is written with “a”, kasrah with “i”, and dlommah with “u, whereas elongated vowels are written such as:

Elongated (a) vowel = â	for example قال	beomes qâla
Elongated (i) vowel = î	for example قيل	becomes qîla
Elongated (u) vowel = û	for example دون	becomes dûna

Specially for the pronouncing of *ya' nisbat* (in association), it cannot represented by "i", unless it is written as "iy" so as to represent the *ya' nisbat* at the end. The same goes for sound of a diftong, *wawu* and *ya'* after fathah it is written as "aw" da "ay". Study the following examples:

Diftong (aw) = و	for example قول	becomes qawlun
Diftong (ay) = ي	for example خير	becomes khayrun

### D. Ta' Marbûthah (ة)

*Ta' marbûthah* is transliterated as “t” if it is in the middle of word, but if it is *Ta' marbûthah* at the end of word, then it is transliterated as “h”. For example

الرسالة للمدرسة will be *al-risalat li al-mudarrisah*, or if it happens to be in the middle of a phrase which constitutes *mudlaf and mudlaf ilayh*, then the transliteration will be using “t” which is enjoined with the previous word for example في رحمة الله becomes *fi rahmatillah*.

#### E. Auxiliary Verb and Lafadh Al-Jalâlah

Auxiliary verb “al” (أ) written with lowercase form, except if it located at the beginning of word, while “al” in lafadh jalâlah which located in the middle of two words or being or become *idhafah*, it removes from writing. Study the following:

1. Al-Imâm al-Bukhâriy said ...
2. Al-Bukhâriy explains, in the prologue of his book ...
3. MasyâAllâhkânawamâ lam yasya” lam yakun.
4. Billâhi, azzawajalla

## TABLE OF CONTENT

<b>FRONT COVER</b> .....	<b>i</b>
<b>STATEMENT OF THE AUTHENTICITY</b> .....	<b>ii</b>
<b>APPROVAL SHEET</b> .....	<b>iii</b>
<b>MOTTO</b> .....	<b>iv</b>
<b>ACKNOWLEDGEMENT</b> .....	<b>v</b>
<b>TRANSLITERATION GUIDANCE</b> .....	<b>vi</b>
<b>TABLE OF CONTENT</b> .....	<b>x</b>
<b>TABLES</b> .....	<b>xiii</b>
<b>ABSTRAK</b> .....	<b>xiv</b>
<b>ABSTRACT</b> .....	<b>xv</b>
<b>المستخلص</b> .....	<b>xvi</b>
 <b>CHAPTER I INTRODUCTION</b>	
A. Background of Research.....	1
B. Statement of Problem .....	7
C. Objective of Research.....	7
D. Significance of Research .....	7
E. Previous Research .....	8
F. Research Methode .....	12
1. Type of Research .....	13
2. Research Approach .....	13
3. Legal Material.....	14
4. Methode of Collecting Data .....	14
5. Methode of Data Processing.....	15
G. Structure of Discussion.....	16
 <b>CHAPTER II REVIEW OF RELATED LITERATURE</b>	
A. Politic.....	18
B. Form of Government .....	20

1. Understanding Form of Government.....	21
2. Kinds of Forms of Government.....	22
1) Monachy.....	22
2) Republic .....	24
C. History of Islamic State Administration.....	31
D. Biography of Jamal al Din al Afghani.....	33
1. The Life of Jamal al Din al Afghani.....	33
2. Background to The Political Thought of Jamal al Din al Afghani.....	36
3. Jamal al Din al Afghani’s Works .....	39
 <b>CHAPTER III FINDING AND DISCUSSION</b>	
A. Political Thought of Jamal al Din al Afghani about Republic.....	41
B. Relevance of Jamaluddin Al-Afghani's Political Thought to The Form of Government of Indonesian Republic.....	49
 <b>CHAPTER IV CONCLUSIONS AND SUGGESTIONS</b>	
A. Conclusions.....	69
B. Suggestions.....	70
 <b>BIBLIOGRAPHY</b>	



## TABLES

Table I.I	Previous Research.....	11
Table A.2	Relevance of Jamal al Din al Afghani’s Political Thought to The Form of Government of Indonesian Republic .....	63



## ABSTRAK

Izzatul Ulya, 2019, NIM 15230082, **Relevance of Jamal Al Din Al Afghani's Political Thought to The Form of Government of Indonesian Republik**, Skripsi, Jurusan Hukum Tata Negara, Fakultas Syariah Universitas Islam Negeri Maulana Malik Ibrahim Malang, Pembimbing: Dr. M. Aunul Hakim, S.Ag., M.H

**Kata Kunci:** Bentuk Pemerintahan, Jamal al-Din al-Afghani, Pemikiran politik, Relevansi, Republik,

Jamal al-Din al-Afghani sebagai tokoh pembaharuan Islam modern yang memadukan gagasan Internasionalisme dengan Islam. Dalam gagasannya, Afghani menolak segala penetrasi Barat dan antikolonialisme. Sebagai akibat dari penetrasi Barat, muncul bentuk absolutism dan depotisme pada Kerajaan-kerajaan Islam saat itu. Baginya absolutism hanya akan membuat rakyat terbelenggu. Namun, Afghani tidak menolak secara penuh pemikiran Barat. Afghani memadukan ajaran Islam dengan Barat yang secara tersirat mengangkat bentuk pemerintahan Republik melalui gagasannya. Senada dengan Afghani, Indonesia juga menganut bentuk pemerintahan republik yang berkedaulatan rakyat. Kedua konsep republik ini memiliki relevansi sebagaimana bentuk pemerintahan republik, yaitu demokrasi dan keterlibatan rakyat.

Rumusan masalah dalam penelitian ini ada dua, yang *pertama* yaitu bagaimana pemikiran politik Jamal al Din al Afghani tentang bentuk pemerintahan Republik. *kedua* yaitu bagaimana relevansi pemikiran politik Jamal al-Din al-Afghani terhadap bentuk pemerintahan Republik Indonesia.

Penelitian ini merupakan jenis penelitian yuridis normatif. Penelitian ini menggunakan gabungan pendekatan undang-undang dan pendekatan konseptual. Metode pengumpulan data adalah bahan hukum primer dan bahan sekunder dikumpulkan dengan menginventarisasi hukum positif dan bahan hukum lainnya yang relevan, studi kepustakaan, pengelompokan bahan hukum, dan menganalisisnya. Metode pengolahan data yang digunakan adalah *organizing*, *editing*, dan *analizing*.

Hasil penelitian ini bahwa, *pertama*, pemikiran Jamal al Din al Afghani tentang republik, di antaranya: adanya 'pemerintahan terbatas', adanya prinsip keadilan (*adl*) dan konsultasi (*shura*), adanya gagasan demokrasi, adanya shura yang dijalankan oleh *ahl hall al 'aqd* atau *ahl syawkah*, *ahl hall al-'aqd* harus berpengalaman dan bermoral baik, Setiap masyarakat berpartisipasi melalui syuro dan pemilihan, pendirian partai, kebebasan pers, dan revolusi yang berdasarkan kekuatan rakyat. *kedua*, yaitu pemikiran Afghani relevan dengan bentuk pemerintahan republik Indonesia. Hanya saja terdapat satu poin Afghani bertolak belakang dengan Pasal 7B UUD 1945, yaitu adanya kekuatan rakyat (*people power*). Baginya, untuk menentang absolutism harus melalui pemberontakan atau pertumpahan darah.

## ABSTRACT

Izzatul Ulya, 2019, NIM 15230082, **Relevance of Jamal Al Din Al Afghani's Political Thought to Form of Government of Indonesian Republic**, Thesis, Department of Constitutional Law, Faculty of Sharia State Islamic University Maulana Malik Ibrahim Malang, Supervising: Dr. M. Aunul Hakim, M.H.

**Keywords:** Jamal al-Din al-Afghani, Form of Government, Political Thought, Relevance, Republic.

Jamal al-Din al-Afghani as a figure in modern Islamic reforms that combines the ideas of Internationalism with Islam. In his ideas, Afghani rejected all Western penetration and anti-colonialism. As a result of Western penetration, absolutism and depotism emerged in the Islamic kingdoms at that time. For him, absolutism will only make the people fettered. However, Afghani did not completely reject Western thought. Afghani combined the teachings of Islam with the West which implicitly raised the form of Republican government through his ideas. In line with Afghani, Indonesia also adheres to a form of republican government that has the people's sovereignty. Both concepts of the republic have relevance as a form of republican government, namely democracy and people's involvement.

The formulation of the problem in this research is twofold. *First*, is how Jamal al Din al Afghani's political thinking about the form of Republican government. *Second*, is how the relevance of Jamal al-Din al-Afghani's political thinking towards the form of government of the Republic of Indonesia.

This research is a type of normative juridical research. This study uses a combination of legal approaches and conceptual approaches. Methods of data collection are primary legal materials and secondary materials collected by inventorying positive law and other relevant legal materials, library studies, grouping of legal materials, and analyzing them. Data processing methods used are organizing, editing, and analyzing.

The results of this study that, *first*, Jamal al Din al Afghani's thinking about republics, between them: the existence of 'limited government', the existence of principles of justice (adl) and consultation (shura), the idea of democracy, the existence of shura run by *ahl hall al ' aqd* or *ahl syawkah*, ahl hall al-'aqd must be experienced and morally good, Every community participates through syuro and elections, the establishment of parties, freedom of the press, and revolutions based on the power of the people. *second*, namely Afghani thinking is relevant to the form of government of the Republic of Indonesia. It's just that there is one Afghani point in contrast to Article 7B of the 1945 Constitution, namely the existence of people power. For him, to oppose absolutism must be through rebellion or bloodshed.

## المستخلص

عزة العليا، ٢٠١٩، ٨٢٠٠١٥٢٣، أهمية الفكر السياسي لجمال الدين الأفغاني في شكل حكومة جمهورية إندونيسيا ، البحث الجامعي ، قسم القانون الدستوري ، كلية الشريعة ، جامعة مولانا مالك إبراهيم الإسلامية الحكومية بمالانج. المشرف: د. عون الحكيم، الماجستير

الكلمات المفتاحية: التفكير السياسي جمال الدين الأفغاني ، شكل الحكم ، الجمهورية

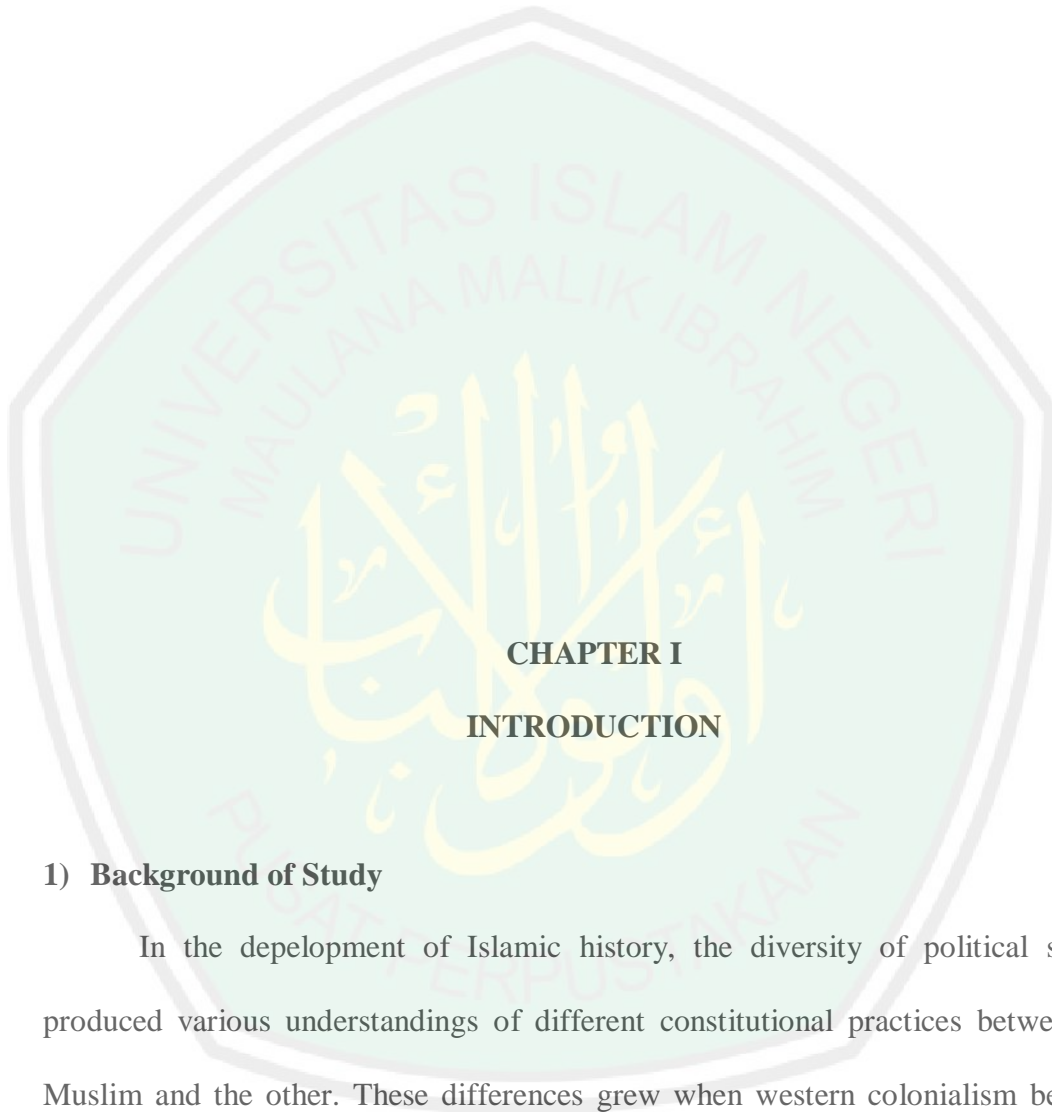
جمال الدين الأفغاني كشخصية في الإصلاحات الإسلامية الحديثة التي تجمع بين أفكار الدولية والإسلام. في أفكاره ، رفض الأفغاني كل اختراق الغربي ومعاداة الاستعمار. نتيجة للاختراق الغربي ، ظهرت أشكال من الحكم المطلق والمستودع في الممالك الإسلامية. بالنسبة له ، فإن الحكم المطلق سيجعل الناس محبطين فقط. ومع ذلك ، لم يرفض الأفغاني الفكر الغربي تمامًا. لقد جمع الأفغاني بين تعاليم الإسلام والغرب التي أثارت ضمناً شكل الحكومة الجمهورية من خلال أفكاره. مثلاً، تلتزم إندونيسيا أيضاً بشكل من أشكال الحكم الجمهوري الذي يتمتع بسيادة الشعب. كلا المفهومين للجمهورية لهما صلة كشكل من أشكال الحكومة الجمهورية ، أي الديمقراطية ومشاركة الشعب.

أما أسئلة البحث، هي الأول كيف يفكر جمال الدين الأفغاني في شكل الحكومة الجمهورية؟ والثاني ما أهمية التفكير السياسي لجمال الدين الأفغاني في شكل حكومة جمهورية إندونيسيا؟ وأهداف البحث فيه لمعرفة التفكير السياسي لجمال الدين الأفغاني في شكل حكومة جمهورية إندونيسيا. ولمعرفة أهمية الفكر السياسي لجمال الدين الأفغاني في شكل حكومة جمهورية إندونيسيا.

إن هذا البحث من حيث نوعه الدراسة القانونية المعيارية (*juridic normative research*) استخدمت هذه الدراسة مجموعة من المناهج القانونية والمناهج المفاهيمية. وكانت طرق جمع البيانات هي المصادر الرئيسة يعني كتاب التفكير لجمال الدين الأفغاني. وكانت مصادر البيانات التي يتم جمعها مأخوذة عن القانون الإيجابي والمواد القانونية الأخرى، وكتاب المقارنة التفكير السياسي والشبكة الدولية أو غيرها التي تتعلق بالموضوع في هذا البحث الجامعي. واستخدمت الباحثة في تحليل البحث هي التنظيم (*organizing*) والتحرير (*editing*) والتحليل (*analizing*).

ونائج البحث في هذه الدراسة ، أولاً ، وهي: تفكير جمال الدين الأفغاني في الجمهوريات "حكومة محدودة" أي، وجود مبادئ إسلامية ، على سبيل المثال العدالة، الشورى، الديمقراطية. وكانت الشورى تعمل بأهل قاعة العقد أو أهل الشوكة ، يجب أن تكون قاعة أهل العقاد من ذوي الخبرة والخير من الناحية الأخلاقية ، فكل مجتمع يشارك من خلال التناسل الانتخابي والانتخابات ، وإنشاء الأحزاب ، وحرية الصحافة ، والثورات القائمة على الشعب. ثانياً، تفكير الأفغاني صلة بشكل حكومة جمهورية إندونيسيا. إنها الأفغاني تتعارض مع المادة ٧(ب) من دستور ١٩٤٥ ، وهي فكرة سلطة الشعب. بالنسبة له ، يجب أن يكون معارضة الحكم المطلق من خلال التمرد أو الدماء اللازمة.





## CHAPTER I INTRODUCTION

### 1) Background of Study

In the development of Islamic history, the diversity of political streams produced various understandings of different constitutional practices between one Muslim and the other. These differences grew when western colonialism began to attack Islam that occurred in the 19<sup>th</sup> century. Besides dominating the Islamic region, the West also began to spread ideological political thinking. This is what gave rise to the response of Muslims at that time, including rejecting, accepting, and only taking of positive part.

As we know that talking about constitution, of course, can not be separated from political terms. Politics in Arabic is known as *al Siyasa*, so in the books of the Salafush Shalih scholars known as *siyasa syar'iyah*, as in *al Muhith* that *siyasa* is rooted in the word *sasa - yasusu*. If it is said *sasa al-amra* (taking care of or regulating cases) so that the meaning of *siyasa* (politics) is applied to management and training, then the word is used in regulating human affairs and the perpetrator of the management of human affairs is named politician (*siyasum*).<sup>1</sup> Therefore Fiqh Siyasa is one aspect of Islamic law that addresses the regulation and management of human life in a state to achieve prosperity for humans. As a constitutional science in Islam, Fiqh Siyasa includes talking about who is the source of power, who is the executor of power, what is the basis of power and how the implementers of power carry out the powers given to them, and to whom the executor of power is responsible for his power. In this case also relates to the form of government.<sup>2</sup>

Regarding with having state life, Quran in certain limits doesn't provide description. Quran only applies value. Likewise *as-Sunnah*. For example, the Prophet Muhammad never set out detailed rules regarding the procedure for changing the leadership of the ummah and the qualifications of leaders of the *Ummah*. But the

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<sup>1</sup> Fatahullah Jurdi, *Politik Islam Pengantar Politik Islam*, (Yogyakarta: Calpulis, 2016) h. ix

<sup>2</sup> Muhammad Iqbal, *Fiqh Siyasa Kontekstualisasi Doktrin Politik Islam*, (Jakarta:Prenada Media Group, 2014) h. 4

words of God and the Word of the Prophet Muhammad were revealed which are considered related to the matter of *Fiqh Siyasa Syar'ah*, both directly and indirectly.<sup>3</sup>

وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً قَالُوا أَتَجْعَلُ فِيهَا مَن يُفْسِدُ فِيهَا وَيَسْفِكُ  
الدِّمَاءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ {30}<sup>4</sup>

“And [mention, O Muhammad], when your Lord said to the angels, "Indeed, I will make upon the earth a successive authority." They said, "Will You place upon it one who causes corruption therein and sheds blood, while we declare Your praise and sanctify You?" Allah said, "Indeed, I know that which you do not know.”

From the verse above, God does explain that humans are *Khalifah* on earth. However, in the Qur'an it doesn't emphasize further how the system of government must be applied. Like the practice of government at the time of the Prophet who has two functions at once; as a Prophet and head of state, then continued during the *Khulafa ar-Rashidin* which began to be known as the *shura* system, then the *Umayyad Daula* and *Abbasid Daula* who began to implement a monarchical system of government missed attention to *shura*, until the end of the monarchy and modern political thought emerged which originated from Egypt<sup>5</sup> by *Jamaluddin al-Afghani* due to the decline of Muslims at that time.

<sup>3</sup> A. Djazuli, *Fiqh Siyasa Implementasi Kemaslahatan Umat dalam Rambu-rambu Syariah*, (Jakarta: Prenada, Cet III 2007), h. 3

<sup>4</sup> QS. al-Baqarah (2): 26, 30.

<sup>5</sup> Antony Black, *Pemikiran Politik Islam dari Masa Nabi hingga Masa Kini*, (Jakarta: Serambi, 2006), h. 547

The thought of modern Islam emerged marked when the mid-period of the Islamic world began to weaken under the occupation of Western and there was division and grouping of political forces. In addition to colonialism, the West also began to spread ideas and culture that could not be separated from the influence of secularism.<sup>6</sup> Jamaluddin al-Afghani as one of the leaders of the renewal and revival of Islam in the 19th century, shared the views of other modernists that the mind and character were the motor of historical change. Therefore, what is really needed in Islam is a spiritual and intellectual awakening.<sup>7</sup> Jamaluddin al-Afghani as a catalyst for modernism combined with the idea of internationalism<sup>8</sup> implicitly raised the form of Republican government.

Modern political thought initiated by Jamaluddin al-Afghani was inseparable from the current socio-political conditions. From his experience of visiting various Islamic countries, Jamaluddin saw the fact that the Islamic world was dominated by autocratic and absolute governments. The rulers in the Islamic world exercise power as they wish. Therefore, to build a strong government there must be a change in thinking orientation in society.<sup>9</sup> For this endeavor, Jamaluddin emphasized a

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<sup>6</sup> Akmal Hawi, *Pemikiran Jamaluddin Al-Afghani (Jamal Ad-Din Al-Afghani) (1838 – 1897 M)*, MEDINA-TE, VOL.16, NO.1, (Juni 2017), h. 9

<sup>7</sup> Antony Black, *Pemikiran Politik Islam dari Masa Nabi hingga Masa Kini*, h. 549

<sup>8</sup> Some of the modern thoughts initiated by Jamaluddin al-Afghani were related to Pan-Islamism, Nationalism, and the anti-colonialism movement

<sup>9</sup> Muhammad Iqbal dan Amin Husein Nasution, *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, (Jakarta: Kencana Prenada Group, 2010), h. 63



revolution based on people's power, so that this goal could be achieved.<sup>10</sup> This is the root of Jamaluddin al Afghani's thinking about the republic.

In line with Jamaluddin al-Afghani's idea regarding the sovereignty of the people, Indonesia as a country that adheres to a form of republican government that has the people's sovereignty. This is like what is found in the 4<sup>th</sup> Pancasila precept that reads, “*Democracy led by the wisdom of the representatives of the People.*” As well as Article 1 paragraph (1), (2), and (3) the 1945 Constitution reads:

- (1) *The State of Indonesia shall be a unitary state in the form of a republic.*
- (2) *Sovereignty is in the hands of the people and is implemented according to this Constitution.*
- (3) *The State of Indonesia shall be a state based on the rule of law.*

Democracy in Indonesia has been running and has produced some procedural progress. The legislative elections, presidential elections, until the elections can take place freely, transparently, democratically and peacefully. Freedom of opinion and association is far better than the previous period, the new order or *Orde Baru*. Those changes have aroused and brought new hope. This new expectation means articulating public interests far better than the previous period which distanced itself from the narrow interests of certain groups or groups.

Mohammad Hatta as one of the most influential Republicans gave various reasons that explained why Indonesia had to choose the form of a republic as a form of its government. The first reason is that the republic is a form of government where

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<sup>10</sup> In his view, Jamaluddin always provoked Muslims in any country he visited to oppose the arbitrariness of their rulers. The people must seize freedom and independence through revolution. When in Egypt, he also advocated the formation of a people's government through popular participation in constitutional government.

the sovereignty is the people.<sup>11</sup> With the sovereignty of the people, the people who have the highest authority are the people, where the government with authority will come from the people and work in the interests of the people to reach consensus. This agreement will be a guarantee of equitable justice.

The second reason is that with the existence of popular sovereignty, the highest responsibility is also on the shoulders of the people because the basis of fair governance is who is in power so he is responsible. This second reason is very related to the reason for not choosing the form of state monarchy or oligarchy. If in the form of a monarchy or oligarchy, power belongs only to the king or a small group of people so that the course of a country will depend on certain groups.<sup>12</sup> Therefore, with the existence of sovereignty, the highest power in the law of a country is single.<sup>13</sup>

From the above explanation, basically Indonesia has similarities in the background of the election of the Republican form of government. If Jamaluddin al-Afghani chooses a republic because he sees a system of monarchy that is too supportive of the people, then the background of the clash of government in Indonesia is the transition from the new order era which also tends to dictators.<sup>14</sup> From this background, the nature of independence and sovereignty emerged. That is

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<sup>11</sup> Mohammad Hatta, *Kedaulatan Rakyat, Demokrasi, dan Otonomi*, (Bantul: Kreasi Wacana, 2014), h. 78

<sup>12</sup> Mohammad Hatta. *Kedaulatan Rakyat, Demokrasi, dan Otonomi*, h. 85

<sup>13</sup> Menurut Jean Bodin, (Syaiful Bakhri, *Ilmu Negara dalam Pergumulan Filsafat, Sejarah, dan Negara Hukum*, (Depok: Rajagrafindo Persada, 2018), h. 216 , Mohammad Hatta. *Kedaulatan Rakyat, Demokrasi, dan Otonomi*, h. 85,

<sup>14</sup> Malcolm Caldwell dan Ernest Utrecht, *Sejarah Alternatif Indonesia*, terj. Saut Pasaribu, (Yogyakarta: Djaman Baroe, 2011) h. 461

what makes the thinking of Jamaluddin al-Afghani similar to the current system of Indonesian government. For this reason, this study will discuss more about the relevance of Jamaluddin al-Afghani's thinking towards the form of government of the Republic of Indonesia.

## **2) Statement of Problems**

Based on the background of the research above, the statement of the problem in this research is:

1. What is the political thought of Jamaluddin al-Afghani about the form of republic?
2. What is the relevance of Jamaluddin al-Afghani's political thinking to the form of government of the Republic of Indonesia?

## **3) Objectives of Research**

Based on the statement of the problem above, the objectives of the study in this research is:

1. To describe the ideas of political thoughts Jamaluddin al-Afghani about republic
2. To describe about Jamaluddin al-Afghani's political thoughts on the form of government of the Republic of Indonesia

## **4) Significances of Research**

The benefits obtained through this research theme are as follows:

1. Theoritically

This research is expected to contribute ideas or provide solutions in the life of the state related to the politics of diversity. Thus the reader or other prospective researchers will know more about the history of republican forms of government in Islam and in Indonesia and can be used as a guide for other parties or researchers who want to examine in depth about the form of government related to the problems the author mentioned above.

2. Practically

The results of this study are expected to contribute to research in order to improve quality in understanding the form of republican government.

#### 5) Previous Research

To find out the authenticity of this research, the author will include previous research related to the theme in the discussion. The thesis and journal are carried out by several researchers, as follows:

1. Muhammad Choiri's thesis research Faculty of Sharia and Law, States Islamic University of North Sumatra students 2017, entitled *Relevansi Pemikiran Konsep Negara Ideal Menurut Abul A'la Al –Maududi*. In this study the researcher explained that Abul A'la Al-Maududi was one of the reformers of Islamic thought whose ideas and ideals were very influential in Islamic development. According to Abul A'la Al-Maududi the most important principle in Islam is monotheism (*Tawheed*) and the main task of the prophets and messengers is to teach (the unity of godhead) to all

mankind. The focus of this research is the ideal State concept. Then reflect this thinking with the government in Indonesia and implement this idea with the government in Indonesia and Pakistan. Abul A'la Al-Maududi invites Muslims to return to the full teachings of Islam, that is, to return to the Qur'an and the Sunnah. That means that the State must also use God's law as a whole in running the government. The law of using the Qur'an and the Sunnah is obligatory.

In this case, Abul A'la Al-Maududi put forward three basic concepts, namely the concept of the universe, the concept of *al-hakimiyah al-ilahiyah* and the power of Allah in the field of legislation. Its relevance in governance in Indonesia is very difficult to implemented. In order to be relevant to government in Indonesia, the way is to take the essence of Islamic teachings and then carry out reconstruction so that it can be in accordance with the Indonesian government.

The equation in this research with the author's research, which is found in the discussion about the state. In addition, this study also uses a type of literature study or library research. While the difference is in the subject of research, namely Abul A'la Al-Maududi. In this study only explained the concept of an ideal state in general and not legal research.

2. This thesis writing by Reshita Gusti Vianinggar Faculty of Teacher Training and Education (FKIP) students at University of PGRI Yogyakarta 2016, which entitled *Pengaruh Pemikiran Sayyid Jamaluddin al-Afghani*



*dalam Pembaharuan Islam Terhadap Pergerakan Politik.* In this study the aim was to find out the ideas of Jamal al Din al Afghani 's renewal in both political activities and Islamic renewal thoughts on politics in Egypt.

The results of the research concluded that Jamal al Din al Afghani was a political figure and also an orator who aroused the enthusiasm of Muslims to face European colonialism. The ideas he conveyed were to straighten out the notions of Islam, the system of government, and Pan-Islamism or Muslim unity. In carrying out his political activities, he moves around. The biggest influence is nationalism in Egypt.

The equation in this research is a discussion about the renewal of Islamic political thought carried out by Jamal al Din al Afghani. Likewise with the type of research, namely normative or library research. And the historical approach in the study. Whereas the difference is in the influence of Jamaluddin al-Afghani's thinking in Egypt.

3. This thesis writing by Veni Octaviani Ushuluddin Faculty student at State Islamic University of Raden Intan Lampung 2016, which entitled *Konsep Khilafah Perspektif Amien Rais dan Jamaluddin al-Afghani.* In this study, it describes the views of Amien Rais and Jamal al Din al Afghani about the Khilafah and knows the point of similarities and differences between both of them.

The results of the study that Amien Rais and Jamal al Din al Afghani have in common, namely their rejection of the establishment of

*khilafah* based on the characteristics of their democratic thinking. Amien Rais saw that the *khalifah* did not need to stand because there was no absolute command. Whereas Jamal al Din al Afghani viewed the institution of *khilafah* where his power tended to be absolute would close the opportunity of the people to argue and criticize their leaders. For this reason, he prefers a democratic republican government because leaders can be responsible and guarantee the rights of the people to argue.

The equation in this research is a discussion of the form of government, which in this paper is called the caliph by Jamal al Din al Afghani. As well as the type of normative research or literature study and using a historical approach. Whereas the differences in the study are the comparative approach between Jamal al-Afghani's thinking and Amien Rais's political thinking about the Caliphate.

**Table I.I**

**Previous research**

No	Title and Author	Equation	Distinction
1	<i>Relevansi Pemikiran Konsep Negara Ideal Menurut Abul A'la Al -Maududi</i> , by Muhammad Choiri, Faculty of Sharia and Law at State Islamic University	<p>a. this research is to discuss Jamaluddin al-Afghani's thinking about his national attitude, in this case related to his thinking about the republic.</p> <p>b. this research is normative or library</p>	<p>a. the object of this research on Ideal State Concepts According to Abul A'la Al-Maududi</p> <p>b. in this study only explained the concept of an ideal state in general</p> <p>c. in this study using historical approach</p>

	of Raden Intan Lampung 2017	<i>research</i>	
2	<i>Pengaruh Pemikiran Sayyid Jamaluddin al-Afghani dalam Pembaharuan Islam Terhadap Pergerakan Politik di Mesir Tahun 1876-1879</i> , by Reshita Gusti Vianinggar, Faculty of Teacher Training and Education (FKIP) students at University of PGRI Yogyakarta 2016	<p>a. this research is about Jamaluddin al-Afghani's political thinking in Islamic reform</p> <p>b. this study using normative or <i>library research</i></p>	<p>a. in this study discussed about Islamic renewal of the political movement in Egypt</p> <p>b. in this study using historical approach</p> <p>c. using historical research methods and not legal research</p>
3	<i>Konsep Khilafah Perspektif Amien Rais dan Jamaluddin al-Afghani</i> , by Veni Octaviani, Ushuluddin Faculty at State Islamic University of Raden Intan Lampung 2016	<p>a. in this study discusses about Jamaluddin al-Afghani's political thinking on the concept of <i>khilafah</i> , in this case related to the form of government</p> <p>b. In this study using normative or <i>library research</i></p>	<p>a. in this study are described only in general about the khilafah, in this case related to the form of government</p> <p>b. In this study using historical approach</p> <p>c. Not legal research</p>

## 6) Research Method

Research method is one element that is very important in writing to achieve maximum and objective results. The research methodology is a set of methods adopted by researchers to solve problems. The writing of this paper uses historical methods, namely a step or a way to reconstruct the past systematically and

objectively by collecting, criticizing, interpreting and synthesizing data in order to enforce strong facts and conclusions.

### **1. Type of Research**

The type of research used is a type of normative juridical research. Because, in this normative study using legal materials and literature as a source of research data. This research is also referred to as library research, namely the method used to collect data from various literature.<sup>15</sup> This method begins by collecting primary data to be used as the basis of this research which then uses other data sourced from secondary data relating to the theme of this writing, because based on the field of study, this type of research is normative research. The data collected consists of written materials that have been published in the form of books, magazines, research results, and the internet, which are directly or indirectly related to this research.

### **2. Research Approach**

There are several approaches that are used in normative juridical research, namely the statutory approach, case approach, historical approach, comparative approach, and conceptual approach.<sup>16</sup> But in this study using a conceptual approach because in this study discusses the form of republican government from Jamaluddin al-Afghani's political thinking and its relevance to the Republic of Indonesia.

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<sup>15</sup> Amirudin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum*, (Jakarta: Raja Grafindo Persada, 2004), h. 133

<sup>16</sup> Soerjono Soekanto, *Pengantar Penelitian Hukum*, (Jakarta: Universitas Indonesia, 1986), h. 46

### **3. Legal Material**

In this research, the authors used two types of legal materials, some of which were:

#### **1) Primary Law Material**

Primary legal material is an authoritative legal material which means having authority. The primary legal material that the author use is The Constitution of the Republic of Indonesia of 1945.

#### **2) Secondary Legal Material**

It is a legal material that is helpful or supports primary legal material in research that will strengthen the explanation therein. Among the secondary legal materials in this study are the books, other books, theses, journals, comprehensive manuscripts of book I and documents that cover the political thought of Jamal al Din al Afghani and the form of government of the Republic of Indonesia.

### **4. Method of Collecting Data**

In normative juridical research, the method of collecting legal materials is done by researching several library materials or commonly referred to as secondary legal material. The legal materials contained in this study include those from books or literature and articles relating to the object of this research, in this case Article 1 paragraph (1) The Constitution of the



Republic of Indonesia of 1945. The following are the stages of data collection originating from literature, including:

- a) Conduct an inventory of positive law and other legal materials relevant to the object of research, such as the articles in The Constitution of the Republic of Indonesia of 1945 which are related to the characteristics of a republican state.
- b) Study literature through books, articles contained in print and electronic media, including books, comprehensive textbooks I, and related journals.
- c) Collect legal materials and principles relevant to the problem. The relevance of Jamal al-Afghani's political thinking to the articles contained in The Constitution of the Republic of Indonesia of 1945 related to the republic.
- d) Analyze legal materials and relevant principles to solve problems that are the object of research.

## 5. Method of Data Processing

After the data is collected, the researcher uses data processing methods with the following stages:

- a) *Organizing*, which is composed of data obtained systematically according to the planned exposure framework. By collecting data on the background of Jamal al-Afghani's thoughts, his thoughts, and their relevance to the form of the republican government.

- b) *Editing*, that is, the data that has been collected is then examined carefully. The examination includes aspects of the completeness of the source of information, clarity of meaning, conformity and harmony between one and the other, relevance and uniformity, and one group of data back to the data obtained.
- c) *Analyzing*, which is analyzing these data so that certain conclusions are obtained. Analyzing Jamaluddin al-Afghani's thoughts and their relevance to the form of republican government.

## 7) **Structure of Discussion**

To understand this report more clearly, the materials listed in this Thesis Report are grouped into several sub-chapters with systematic delivery as follows:

### a. **Chapter I Introduction**

Contains background, problem formulation, research objectives and benefits, scope of research, and systematic writing.

### b. **Chapter II Review of Related Literature**

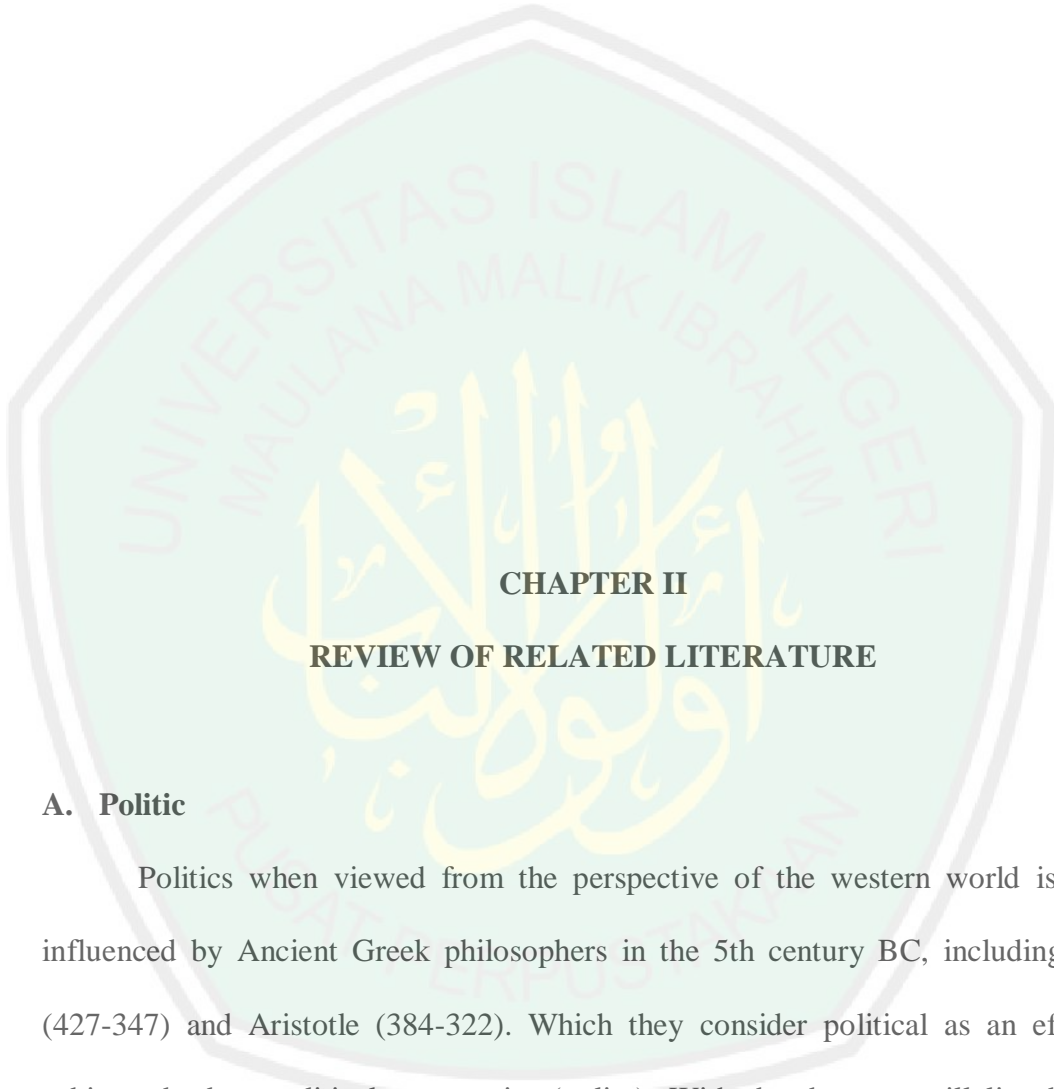
This chapter contains theories in the form of definitions taken from book citations relating to the preparation of thesis reports and some literature reviews related to research, namely political understanding, republican governmental form theory, biography of Jamal al Din al Afghani, history of constitutionalism in Islam, and history of the Republic of Indonesia.

**c. Chapter III Finding and Discussion**

This chapter contains the results of library research, namely how the political ideas of Jamal al Din al Afghani and the relevance of Jamal al Din al Afghani's political thinking to the form of Republican government.

**d. Chapter IV Conclusion**

This chapter contains conclusions and suggestions relating to the analysis and optimization of the system based on those described in the previous chapters, namely the conclusions from the results of research on Jamal al Din al Afghani's political ideas and the relevance of his thinking to the form of government of the Republic of Indonesia.



## CHAPTER II

### REVIEW OF RELATED LITERATURE

#### A. Politic

Politics when viewed from the perspective of the western world is much influenced by Ancient Greek philosophers in the 5th century BC, including Plato (427-347) and Aristotle (384-322). Which they consider political as an effort to achieve the best political community (polity). With that humans will live happily because they have the opportunity to develop talents, associate with society, and live

with high morality. This is a political view that emphasizes the normative aspects that lasted until the nineteenth century.<sup>17</sup>

Ancient Greek understanding of the political notion that these words refer to Aristotle's thinking, namely *'policy'* or *'city state'*. For the first time he introduced the words "politics" through his observations about *'humans who are basically political animals'*. With that Aristotle wanted to say and explain that the nature of politics is *'social life'*. In relation to that, Aristotle viewed politics as the *'best city'* determination - because policy means *'city'*, then gave birth to the word *'politics'* - therefore, politics not only discussed the *'best city'* but also analyzed the general nature of cities and political systems or *'politeiai'*. Aristotle also considered that politics was very necessary to discuss citizens as a basic State-City entity. The good or bad of a policy according to Aristotle said that it depends on the agreement that exists in the community. In order to create a uniform agreement to achieve the objectives of the 'policy', namely: the common good, then unity and diversity must exist among citizens.<sup>18</sup>

There are many views about what politics really is and none of these views are widely accepted. The policy which means city, city state of the policy developed the concept of polites which meant citizens and the concept of politicos which meant citizenship. Whereas the root in English is politics which means wise. If the etymological understanding of the two root languages is continued, politics can be

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<sup>17</sup> P. Antonius Sitepu, *Studi Ilmu Politik*, (Yogyakarta: Graha Ilmu, 2012) h. 4

<sup>18</sup> P. Antonius Sitepu, *Studi Ilmu Politik*, h. 4, Leo Agustino, *Perihal Ilmu Politik*, (Yogyakarta: Graha Ilmu, 2007) h. 5



understood as a process and system of determining and implementing policies relating to citizens in a city state.<sup>19</sup>

a) However, from some social and political experts' views on political understanding, such as Danker, Miriam Budiardjo, Garna, Apter, it can be concluded that politics includes regulation and power in the life of the state with all its activities so that people's aspirations can be realized in clear rules.

b) Its elements: State, power, decision making, policy, and distribution/allocation of power/authority and covered by relations with other countries (International)

In its application include, among others:

1. What are the values/desires/aspirations of the people that need to be realized (what model of democracy?)
2. How can the government (supra political structure) and other political institutions (political infrastructure) be legally recognized?
3. What are the obligations of each party (supra and infra political structure) in regulating power to hold a adopted democracy?
4. How to regulate relations with other nations/countries?

## **B. Form of Government**

Confusion of understanding between the form of government with state form still occurs. Often both forms are considered identical and therefore there are no

<sup>19</sup> Amir Ibrahim, Pokok-pokok Pengantar Ilmu Politik, (Bandung: Mandar Maju, 2009) h. 4

separate discussions and have different meanings. Sri Soemantri in the excerpt of the book *Ilmu Negara* by Hotma Hutapea<sup>20</sup> explicitly distinguishes between forms of government and state forms. However, these differences cannot be understood by everyone. In fact, both of them have principal differences. The following is an explanation related to the form of government.

### 1. Understanding the Form of Government

Since the days of Ancient Greece, several hundred before century the scholars thought that in this world there were three kinds of governments, namely *monarchie* (monarchy), *oligarchie* (oligarchy), and *democratie* (democracy). The principle of the difference between the three types of government is based on the number of people who hold government power. The word monarchy comes from *monos* which means 'the only' and the origin of the word *archein*, which means 'power' (*heerschen*). Thus, monarchy means 'power which is in the hands of a human being'.<sup>21</sup>

The word oligarchy originates from *oligoi* which means that few people (*weigen*) and *archie* means to rule, the oligarchie means power that is in a few people. While the word democracy comes from 'demos' which means 'people' and 'cratos' which means 'strength'. Then democracy means the power that is in the whole people.

In the current form of modern government, in principle the division of government forms refers to the distribution of state power to all state organs in a

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<sup>20</sup> Hotma P. Sibuea, *Ilmu Negara*, (Jakarta: Airlangga, 2014) h. 186

<sup>21</sup> Hassan Suryono, *Ilmu Negara*, (Yogyakarta: Penerbit Ombak, 2014) h. 98

country determining the form of each country. If the distribution of state power is centralistic then the form of government produced is monarchy. If the system of distributing power is decentralized, the form of government produced is republic. Then it can be concluded that at present there are two types of government, namely: 1) monarchy, 2) republic.<sup>22</sup>

## **2. Kinds of Forms of Government**

The classification of forms of government as stated above is a debate among experts. Some think that the form of government is not only monarchy and republic, but also includes monarchy, aristocracy and democracy. In the context of this debate, several writers such as Sri Soemantri and Bagir Manan suggested that monarchy and republic were forms of government. Likewise with writers who also guided that the form of government consists of two, namely: monarchy and republic.

### **1) Monarchy**

As explained earlier, that etymologically monarchy comes from the word monos which means one and archaeological which means to rule. Thus literally monarchy can be interpreted as a government held by a ruler. A monarchy usually is a country headed by a hereditary and served for a lifetime. Besides the king, the monarchy can also be in the form of empire or sheikh (for example, Japan, Iran, etc.), among other countries that embrace

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<sup>22</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 186

democracy, namely: Britain, the Netherlands, Norway, Sweden and others.<sup>23</sup>

In the above sense, the monarchy means that in carrying out the government all power is centralized (centralized) in the hands of the ruler absolutely. Whereas the doctrine that underlies absolute power is the doctrine of theocracy (God's sovereignty).

### 1. Characteristics of Monarchy Government

The characteristics of the monarchical form of government can be defined as follows, including:<sup>24</sup>

- a. The administration of the state by one ruler called the king. The king holds power centrally and is absolute. This is because the king is considered a representative of God. As God's representative, the king obtained the right to reign.
- b. Appointment of head of state based on descent. The system of appointment of kings or heads of state means that the people do not have power in matters to determine the head of state. the people are kept away from the affairs of state officials. As a consequence, the people do not have legal or moral rights to hold the king accountable as the state administrator. In fact, in modern politics the authorities have social responsibility towards the people.

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<sup>23</sup> C.S.T Kansil dan Christine S.T. Kansil, *Sistem Pemerintahan Indonesia*, (Jakarta: Bumi Aksara, 2005) h. 18

<sup>24</sup> Hotma P. Sibuea, *Ilmu Negara*, h.187

## 2. Kinds of Forms of Government Monarchy

The various forms of government monarchy are divided into three, including:<sup>25</sup>

- a. absolute monarchy or monocratic monarchy is that all state power is in the hands of the king. In such a monarchy, the power and authority of the king or emperor as head of state are unlimited or absolute. The order is a law.
- b. monarcho oligarchie or constitutional monarchy is when the king's power is limited by the rules of both the written and unwritten basic laws. This monarchy is limited by law or constitution, so that the king is limited by the existence of a constitution.
- c. Parliamentary monarchy or democratic monarchy are people who have a great influence and participate in government. This monarchy has a parliamentary assembly or parliament and minister. Both individuals and groups responsible for parliament. In this monarchy, the head of state is only a symbol.

### 2) Republic

The form of Republican government has been known since the days of Classical Greece. Ancient Greek countries such as Athens and Sparta were city states in the form of a republic. However, the term republic as a form of government is not known in Greek political philosophy literature. In other

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<sup>25</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 188



words, even though in reality the city states of Athens and Sparta were republics but the term itself as a form of government was not known at that time. Bagir Manan stated that, “although conceptually Classical Greek government was in the form of a Republic, the name of the republic itself was unknown, even though Plato's work, *Politeia*, was copied by the name of the Republic.”<sup>26</sup> While the term Republic began to be known as a form of government in ancient Roman times. The term Republic is used as a conception of the form of government not easily explained. But to understand it, one way that can be done is by the method of etymology or approach method from the point of view of the origin of the term republic.

### 1. Understanding of Republic

Etymologically, the Republic comes from Latin, namely *Repubblica*. *Res* means the property or possession and *publica* means general (many people). So literally, republics are all things that belong to or belong to the public (general). For this reason, it is understood that *res publica* = public interest. In line with the understanding conveyed by Bagir Manan that the Republic originated from Roman civilization, which in Latin is called *respublica*, which can be understood as everything relating to public interest.<sup>27</sup>

In the meaning above, the term republic can be associated with the context of state administration and administration. If associated, republic is a

<sup>26</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 186

<sup>27</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 186, Inu Kencana Syafi'ie, *Ilmu Pemerintahan & al-Qur'an*, (Jakarta: Bumi Aksara, 2004), h. 121

form of government. As a form of government, republic contains an understanding of the administration of a government or state carried out by and for the public interest. In the same sense, Bagir Manan suggests the notion of republic as follows, In principle, understanding republic (republicanism) contains the meaning of government held by, and, for the public interest (the masses).<sup>28</sup>

The public interest contained in the meaning of the term republic is actually a principle or political principle. As a principle or political principle, public interest is a most important subject in the context of state administration and administration. For this reason, the establishment of the public interest contained ideals that were aspired to be realized in the life of the community and state, such as structuring the structure of state institutions, the relations of state organs, and institutional infrastructure as a concretization of the basic principles of public interest.

Today the republic is a country with a people's government headed by a President of the United States 4 years, Indonesia 5 years. Usually the president can be elected after his term of office. Republican states can be divided into two parts, namely union and unity. Republicans can also have a prime minister (PM). Then, the elected president is a symbol. Therefore, countries such as the Republic of Indonesia and France give a dominant

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<sup>28</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 187

position to the president, while the president cannot be dropped by parliament.<sup>29</sup>

## **2. Characteristics of the Form of Republican Government**

The main characteristics of the form of republic government can be determined as follows, including:

- a. the constitutional style of a country in the form of a government republic is democratic. In a democratic state style, state power is not centralized in one hand or one institution. But spread to various state organs (decentralization). This system is considered to be able to describe the principle of establishment or principle of public interest in the country.
- b. the people are actively involved in the administration of the country. The involvement of the people in the administration of the state is a must. For this reason, there must be an institution, procedure and mechanism that is intentionally built as a means to channel people's aspirations, such as referendum institutions, political parties, general elections, and so on.

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<sup>29</sup> C.S.T. Kansil, Christine S.T. Kansil, *Sistem Pemerintahan Indonesia* (Jakarta: Bumi Aksara, 2008) h. 17.; Inu Kencana Syafi'ie, *Ilmu Pemerintahan & al-Qur'an*, h.

### 3. Kinds of Forms of Republican Government

The Republic has several systems like the monarchy, including:<sup>30</sup>

#### 1) absolute republic

The dictator Republic is a form of republical government where the power of the head of state (president) is unlimited.

#### 2) constitutional republic (democracy)

a form of government with power is entirely in the hands of the people.

#### 3) parliamentary republic

the president is only the head of state. However, the president cannot be contested. While the head of government is in the hands of the prime minister who is responsible to parliament. In this system legislative power is higher than executive power.<sup>31</sup>

### 4. Democratic in the Form of Republican Government.

As stated above, the first feature of the form of government of the Republic as a government which is held by, and, for the public interest is a democratic style of constitution. This style is built by organizing state power based on a system that can realize the principle or principle of the basic establishment of public interests in a concrete manner in the administration of the country. Theoretically, organizing the country there are two kinds of

<sup>30</sup> Hassan Suryono, *Ilmu Negara*, h. 104

<sup>31</sup> Hassan Suryono, *Ilmu Negara*, h. 104

alternatives, namely: (a) a system of centralization of power (centralization of power) or (b) a system of power dispersal (decentralization).<sup>32</sup>

For centralization, this style is not suitable for the form of a republic government because this pattern only requires power to someone in a state organ. For this reason, a suitable feature in the form of government republic is decentralization. In this system, state power is centered in the hands of one or an institution but is distributed to state institutions. Each institution has a different authority. In short, that every state institution does not have a monopoly on power.

Decentralization of power is a limitation on the scope of functions and the powers of state organs can only carry out in accordance with their authority, in this case limited by the existence of a constitution. This limitation aims to prevent an absolute government presence. With this limitation, it produces democratic state administration, in which the republic government has the spirit of organizing and serving the public interest. It is this democratic style that must be supported by a democratic state administration process so that the principle or principle of establishing a republic which contains public interests can be realized concretely in the life of the community, nation and state.

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<sup>32</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 192



## 5. People's Involvement in The Implementation of The State

In the form of a republic government, people's involvement in the administration of the state is an important matter. If the people are involved in the administration of the state, the structure of state power, and state institutions need to be arranged in such a way as to form a constitutional building pattern that opens the possibility for the people to be actively involved in the administration of the state.<sup>33</sup>

In democratic state administration, the people are actively involved in almost all aspects of state administration. This happened because the purpose of administering the state was due to the public interest. In this case it is seen that the legitimacy of the power of the people is the highest authority. In the same context, Usep Rana Wijaya describes the position of the people which is very important in the administration of government or the state briefly as follows, "there is no state affair which, after all, is beyond the reach of the people."

Theoretically, in a country with democratic constitutional building, the involvement of the people in the administration of the state includes all aspects of state life, starting from the formulation of state policies, stipulation of state officials, stipulation of state expenditure, and so on. However, in reality the people are not always involved in all aspects of state

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<sup>33</sup> Hotma P. Sibuea, *Ilmu Negara*, h. 194

administration. in fact, the scope of people's involvement in the implementation of each democratic country varies.

### C. History of Islamic State Administration

Own administration has been practiced since the time of the Prophet Muhammad after he migrated to Medina. The Prophet carried out two functions at once, namely as a messenger of Allah and as head of state of Medina. To carry out both functions, he regulates the interests of his people based on the time revealed by Allah SWT. After he died, the second function was then continued by *Khulafa ar-Rashidin*. From here arises the problem of *siyasah* which is who has the right to replace him.<sup>34</sup> In the end, Abu Bakr as-Siddiq was elected after debates and discussions involving the Muhajirin and Anshor, which were called the events of the *Tsaqifah*. This event indicates that the *siyasah* problem is very important and sensitive. Fortunately, Abu Bakr and Umar bin Khattab were able to minimize these differences so that they were considered capable of running the government well. As the Prophet Muhammad, Abu Bakr, and Umar applied Islamic nomocracy principles.<sup>35</sup>

Turmoil began to emerge when the leadership of Uthman bin Affan after six years of his leadership. Usman is considered to have committed nepotism and was concerned with his family. From here began a rebellion which resulted in Uthman being killed at the hands of the Muslims themselves. things got even more chaotic

<sup>34</sup> Muhammad Iqbal, *Fiqh Siyasah Kontekstualisasi Doktrin Politik Islam*, h. 21

<sup>35</sup> power based on divine law, order of nature, obeying the will of Allah SWT and Rasul SAW, (Muhammad Tahir Azhary, *Negara Hukum*, (Jakarta: Prenada Media, 2004), h. 178

when Ali bin Abi Talib replaced Usman. The incident between the coalition of Aisha, Thalhah, and Zubeir who attacked Ali did not find a solution to the problem. So that Muslims are divided into three political forces, Syi'ah, Khawarij, and Mu'tazilah.<sup>36</sup> Which each of these groups has their own views related to political thought.

After the leadership of the *Khulafaur-Rasyidin*, in the development of *Fiqh Siyazah* it was simply divided into three periods, namely the classical period, the mid period, and the modern period. In the development of the classical period, establishment began to occur in the Islamic world. Holders of power in this period were the Umayyads (661 – 750 AD) and the Abbasids (750-1258 AD). In the Umayyah period tended to be radical, extreme, and there had not yet been a study of *Fiqh Siyazah*. While during the Abbasid period Fiqh studies began to be developed. However, studies developed tend to support power.<sup>37</sup>

It was in this middle period that the Islamic world began to weaken under the occupation of western nations and there was division and grouping of political forces. In addition to colonialism, the West also began to spread ideas and culture that could not be separated from the influence of secularism. This is also a sign of the modern period appearing. One of the figures in this period was Jamal al Din al Afghani.

Jamal al Din al Afghani is a character who brings fresh ideas to the Islamic world. Where the Islamic world at the time of its presence, was experiencing setbacks

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<sup>36</sup> Muhammad Iqbal, *Fiqh Siyazah Kontekstualisasi Doktrin Politik Islam*, h. 22

<sup>37</sup> Muhammad Iqbal, *Fiqh Siyazah Kontekstualisasi Doktrin Politik Islam*, h. 23

in various aspects of life (economic, social, political, military and scientific).<sup>38</sup> Jamaluddin said that the decline of the Islamic world was a result of Muslims who were far from the Koran and hadith. For this reason Jamal al Din al Afghani tried to improve the aqidah of Muslims who were contaminated with ways to restore true Islamic beliefs.

From Jamal al Din al Afghani 's political activities and ideas it was very appropriate if Jamal al Din al Afghani was a person who was aware of the dangers of Western penetration and the division of Muslims. Not only theoretical, but also looking for solutions to various problems faced. His movement and ideas inspired Muslim countries to rise from adversity due to Western occupation and regain independence.<sup>39</sup>

#### **D. Biography of Jamal al-Din al-Afghani**

##### **1. The Life of Jamal al-Din al Afghani**

Jamal al Din al Afghani was one of the leaders of the renewal and revival of Islam in the 19th century. Jamal al Din al Afghani was born in 1838 AD His father was a follower of the Hanafi school named Sayyid Syafdar. It is said that Jamal al Din al Afghani was still in the line of the Prophet through Husein ibn Ali ibn Abi Talib, the husband of the Prophet's daughter Fatima. A lot of people stated that he was an Iranian, but he hid his shi'ah in the midst of rulers and Muslim communities

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<sup>38</sup> Akmal Hawi, *Pemikiran Jamaluddin Al-Afghani (Jamal Ad-Din Al-Afghani) (1838 – 1897 M)*, MEDINA-TE, VOL.16, NO.1, (Juni 2017), 9

<sup>39</sup> Muhammad Iqbal dan Amin Husein Nasution, *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, h. 67

that were predominantly Sunni. Some people claim that he is an Afghan, as stated in the back of his name.<sup>40</sup>

According to L. Stoddard, Jamal al-Din al-Afghani was born in Asadabad near Hamazan Persia, but Afghani was of Afghan nationality. The title '*Sayyid*' shows that Afghani was a descendant of the Messenger of Allah and his blood mixed with Arab blood. While the Shiites claimed Afghani was Persian. Muhammad Hasan T'imaduddin, one of Shi'ah's followers, affirmed that Afghani was an Iranian. He refused that Afghani came from Afghanistan. Even another figure of Shi'ah, Murtadha Motahhari, did not want to use 'al-Afghani' behind his name. He wrote the name Sayyid Jamal al-Din Asabadi.<sup>41</sup>

Apart from differences in origin, Jamal al Din al Afghani (Afghani) played an important role in the reform movement of modern Islamic politics. His knowledge is very broad about syi'ah and sunni. He studied Islamic philosophy, Sufism and Islamic sciences as well as various branches, while also studying introductory Arabic. Besides that there are those who use Persian, among others: political science, philosophy, physics, and mathematics. Afghani then continued his studies in India studying mathematics with modern methods in French. He is fluent in Arabic, Persian, Turkish, Rushto, French, English and Russian. Afghani was known as a traveler who wandered from one country to another to influence important people in

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<sup>40</sup> Muhammad Iqbal dan Amin Husein Nasution, *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, h. 58

<sup>41</sup> Muhammad Iqbal dan Amin Husein Nasution, *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, h. 59



Persia, Egypt and Turkey. The countries he had visited were, India, Egypt, France, England, Persia, Russia, Iraq and Turkey.<sup>42</sup>

When he was 18, Afghani left for India and lived there for one year. Then Afghani went to Mecca to perform the Hajj. After that Afghani returned to Afghanistan. When he was 22 years old, Afghani was appointed as assistant to Prince Dost Muhammad Khan in Afghanistan. After Mohammad Khan died, his successor Sir Ali Khan appointed Afghani as his advisor. After that Afghani was appointed prime minister to the government of Muhammad Azam Khan. But Azam Khan was soon dropped by the opposition. To avoid the bad influences that might have happened to him, Afghani left for India and went on Hajj in 1869.<sup>43</sup>

Although in the beginning it was kept away from Egyptian politics, but in fact political issues could not be abandoned. Because, a political problem forced Afghani to leave Egypt in 1879. After ten years in Egypt with Afghani's position in politics in Egypt, Afghani moved from one country to another, including to India (1879), London and Paris (1883), Iran (1889), Russia (1890), and finally Afghani received an invitation from Sultan Hamid from Turkey and died in Istanbul as a political prisoner in 1897.<sup>44</sup>

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<sup>42</sup> Reshita Gusti Vianinggar, *Pengaruh Pemikiran Sayyid Jamaluddin Al-Afghani Dalam Pembaharuan Islam Terhadap Pergerakan Politik Di Mesir Tahun 1876-1879*, skripsi (Yogyakarta: Universitas PGRI Yogyakarta, 2016), h. 13.

<sup>43</sup> Muhammad Iqbal dan Amin Husein Nasution, *Pemikiran Politik Islam dari Masa Klasik Hingga Indonesia Kontemporer*, h. 59

<sup>44</sup> Harun Nasution, *Pembaharuan Dalam Islam; Sejarah Pemikiran dan Gerakan*, (Jakarta: Bulan Bintang, 1992), h. 52

## 2. Background to the Political Thought of Jamaluddin al-Afghani

The existence of Western penetration to the world, especially Islam, began to dominate the economy and trade. However, around the 19th century the West began to master politics and culture. This was seen when the West was involved in power or interfered in influencing the decisions of the Islamic kingdom at that time. Of course the negative impact is felt by Muslims, especially after the West shows very strong cruelty and abuse.

The situation of the Muslims worsened after the authorities cooperated with West colonialists, while the authorities were arbitrary towards the people themselves. The people are oppressed and do not have the ability to fight for their rights. How can these conditions be changed while the Muslims feel backward and divided. While it is colonial with a variety of advantages further narrows the situation of the Islamic ummah to fight for their destiny.<sup>45</sup> But in the end the problem above changed to new hopes for the Islamic world with the presence of modern renewal figures.

Conditions like the above that inspire Islamic leaders to think and find solutions to restore the power of Islam, in this case Islam must learn from the west, namely Islamic thinkers began to throw their thoughts on how to raise and make Muslims progress and make various world reforms Islam.<sup>46</sup> The most important figure of modern Muslim reformers in Islam in the 19th century was Jamal al-din al-Afghani (1838-1897). Al-Afghani was one of the fundamental procedures that tried to

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<sup>45</sup> Nurul Humaidi, *Al-Afghani dan Akar-Akar Pembaharuan Politik Islam*, Bestari, (Desember 1996), h. 22

<sup>46</sup> Ris'an Rusli, *Pembaharuan Pemikiran Modern dalam Islam*, (Depok: RajaGrafindo, 2013), h. 82

reorient the Islamic tradition in the world of emanating from the Islamic encounter with Western modernity.

Afghani as one of the leaders of renewal in Islam, with his renewed thought believes that Islam is in accordance with all nations of all ages, all circumstances. If there seems to be a conflict between Islamic teachings and the conditions brought about by changing times and changing conditions, then adjustments can be obtained by holding new interpretations of Islamic teachings as stated in the Qur'an and Hadith. For this interpretation, *ijtihad* and the door of *ijtihad* are needed for him to be widely opened.<sup>47</sup>

In these conditions Afghani concluded that the decline of Islam was not due to the teachings of Islam as it was widely suspected and expressed by people who were not happy with Islam, so that Islam was deemed not in accordance with the changing times and new conditions. Therefore, to build a clean and strong government, the first to be built is the community. There must be a change in the orientation of thought in the community, from the attitude and acceptability of the existing government towards efforts to change conditions that are not in accordance with conditions that are not in accordance with the values of Islamic teachings. According to Afghani, as quoted by Ahmad Amin, in essence the power of a society will be valuable if it arises from within themselves. Representative institutions of the people are neutral and can determine the form of government, whether royal, sultanate or government controlled by foreign powers. The representative institution is very dependent on the people who

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<sup>47</sup> Harun Nasution, *Pembaharuan dalam Islam Sejarah dan Gerakan*, h. 11

will fill it. Therefore, the thoughts and souls of the community must first be built and addressed, then it can be discussed about the form and system of government.<sup>48</sup>

After briefly describing the dynamics from within and from outside that occurred in the 19th century, in the writings of Seda Ünsar<sup>49</sup> to an extent, the impact of those dynamics on the evolution of Afghani's political philosophy. In the main, Afghani's life revolved around two tasks: the reformation of Islam which seems to have likened himself to Martin Luther, and the unification of the Islamic world, for which he seems to have dedicated his life. Keddie claims that Afghani was a constant interpreter of Islam who rejected both "unthinking traditionalism and blind imitation of the Christian West". Yet, since what Afghani saw as "unthinking traditionalism" and "blind imitation" and an intellectual of the modern age would see diverge at great length, analyzing Afghani as merely a neo-traditionalist may not capture the whole picture.

As found in the writings of Abba Idris Adam from the University of Nigeria, that<sup>50</sup> Afghani's plan for the development of Islamic Modernism was based on the idea to make an arrangement or compromise between traditional culture and the philosophical and scientific challenges of the modern Western world. The method and way opted by Afghani was not complete rejection of traditional Ulama nor to

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<sup>48</sup> Maryam, *Pemikiran Politik Jamaluddin Al-Afghani (Respon Terhadap Masa Modern dan Kejumudan Dunia Islam)*, Jurnal Politik Profetik Volume 4 Nomor 2 (2014), 16.

<sup>49</sup> Seda Ünsar, *On Jamal Ad-Din Al-Afghani and The 19th Century Islamic Political Thought*, Gazi Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi 13/3, (2011) h. 82

<sup>50</sup> Abba Idris Adam, *Islamic Civilization in the Face of Modernity: the Case of Jamal Al-Din Al-Afghani and Muhammad Abduh*, International Journal of Humanities and Social Science Vol. 7, No. 6, (June, 2017), h. 41

follow the West blindly. He took the middle path. He stressed the need of modern science and technology of the West which the Islamic world should acquire without accepting the philosophical and theological consequences coming out from their use in the Western perspective. One should know Afghani's view on science in his renewal and reform programme. As he says: "Muslims must not turn to pure imitation of Europeans, as this will open their countries to the acceptance of Europeans rule. Instead, they should find the inspiration for reform and science in their own religious texts, especially the Qur'an. The latter, if properly interpreted, will be found to be compatible with modern values."

Authoritarian government is not much different from tyranny. This form of government undermines the activeness of citizens as well as being vulnerable to foreign monopolies which are directly directed at the authorities of a country. The results can be seen, with the ease that Western imperialism has mastered and intervened in the form of absolute government which is widely used as a system of government in many Islamic countries.

### 3. Jamal al Din al Afghani's works

The works of Jamal al Din al Afghani as quoted from the Encyclopedia of Islam, namely:<sup>51</sup>

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<sup>51</sup> Dewan Redaksi Ensiklopedi Islam, *Ensiklopedi Islam, J II*, (Jakarta: 1993, Ichtiar Baru Van Hoeven), h. 298



1. Al-‘Urwah al-Wusqa
2. Makidah asy-syarqiyah
3. Diya al-khafiqain
4. Ar-raddu ‘Ala al-Dahriyin
5. Risalah fi ar-radd ‘Ala al-Masihiyah
6. Haqiqah al-insan wa haqiqah al-watan tanah air
7. Bab ma ya’ulu laihi amr al-muslimin





**CHAPTER III**  
**FINDING AND DISCUSSION**

**A. Political Thought of Jamal al Din al Afghani about Republic**

As found in Chapter II regarding republic, that the Republic has two main characteristics, namely democratic and people's involvement. As Jamal al Din al Afghani, as one of the leaders of Islamic reform, has explained how Muslims rose by taking the middle way, namely the election of a form of government republic (constitutional government or republic and the concept of active citizenship) as a form of government in accordance with the conditions of the people Muslim. To Afghani, a republican government is a 'restricted government', a government that is accountable to its people and thereby the anti-thesis of an absolutist one. "It is a

government that consults the governed, relieves them from the burdens laid upon them by despotic governments and lifts them from the state of decay to the first level of perfection”. So, the author divides the two types according to the characteristics of the republic in the previous chapter:

### 1. Democratic

For Afghani, Islam wants a government in the form of a democratic republic, because Islam teaches shura. Republic in which there is freedom to issue opinions and obligations of the head of state to submit to the Constitution. In this case, what constitutes constitution is a constitution that is used as the basis for running the wheels of government regarding the values and norms summarized in it based on the Qur'an.<sup>52</sup> In other words Afghani wanted a republican government because the one in power in the country was the constitution and law, not the head of state. The head of state only has the power to enforce the laws and laws formulated by the institution.

To Afghani, a republican government is a ‘restricted government’, a government that is accountable to its people and thereby the anti-thesis of an absolutist one. “It is a government that consults the governed, relieves them from the burdens laid upon them by despotic governments and lifts them from the state of decay to the first level of perfection”<sup>53</sup> so, in the explanation put forward by Afghani,

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<sup>52</sup> Reshita Gusti Vianinggar, *Pengaruh Pemikiran Sayyid Jamaluddin Al-Afghani Dalam Pembaharuan Islam*, h. 30

<sup>53</sup> Md Nazrul Islam and Md Saidul Islam, *Islam and Democracy*, h. 7

in a republican government, Afghani suggests as justice (*adl*) and consultation (*shura*), and the arbitrary rule of political masters.<sup>54</sup>

Al-Afghani promoted democratic ideas of tolerance, equality and justice, and stressed the need for democratic governance based on equality, justice, and people's participation. In an article, published in the journal *Misir* in February 1879, "The Despotism Government," al-Afghani attributed Islam's decline to despotism, he stressed, was the reason thinkers in the Muslim world could not enlighten the public about the essence and virtues of a republican form of government.<sup>55</sup>

Democracy itself is part of the characteristics of the form of a republic government. Afghani added that in a democratic government, as a form it is with *shura*. *Shura* can be held to solve various problems. *Shura* is commanded by Allah SWT in the Qur'an so that it can be practiced in various matters. *Shura* is a mechanism that leaders can ask for advice from the people on a problem or case at hand. Al-Afghani's proof of the necessity to hold a *shura* is that according to him *shura* is ordered by Allah.<sup>56</sup>

فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ

وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ (١٥٩)

<sup>54</sup> Md Nazrul Islam and Md Saidul Islam, *Islam and Democracy: Conflicts and Congruence*, Religions, 8(6), 104, (May, 2017), h. 6

<sup>56</sup> Veni Octaviani, *Konsep Khilāfah Perspektif Amien Rais dan Jamaluddin Al-Afghani*, h. 58

<sup>57</sup> Q.S. Al Imran, 3, (159)

*So by mercy from Allah, [O Muhammad], you were lenient with them. And if you had been rude [in speech] and harsh in heart, they would have disbanded from about you. So pardon them and ask forgiveness for them and consult them in the matter. And when you have decided, then rely upon Allah. Indeed, Allah loves those who rely [upon Him].*

In Islam itself shura is carried out by *ahl al hall wa al-‘aqd* or *ahl syawkah* which means community representatives to solve problems faced by the community concerned so that their lives can be fulfilled. About how to consult has been explained in the paragraph above. The verse shows the three attitudes that Allah commanded the Prophet Muhammad in conducting deliberations, including: gentle, forgiving, and paying attention to the vertical relationship with Allah.<sup>58</sup>

## 2. People's Participation

One of his main demands was that people should be allowed to assume their political and social role by participating in governance through Shura and elections. Afghani had squarely blamed despotism as the prime factor for Muslims backwardness, because it blocked the attempts of Muslim thinkers to enlighten the public about the essence and virtues of republican government.<sup>59</sup>

One of the efforts made to achieve democracy as in the Republican State, Afghani carried out a political movement which was to spread the idea of Pan Islamism in the Islamic world. To achieve this idea, in 1879 on Afghani's efforts, the

<sup>58</sup> Muhammad Iqbal, *Fiqh Siyasah Kontekstualisasi Doktrin Politik Islam*, h. 218

<sup>59</sup> Abba Idris Adam, *Islamic Civilization in the Face of Modernity: the Case of Jamal Al-Din Al-Afghani and Muhammad Abduh*, International Journal of Humanities and Social Science Vol. 7, No. 6, (June, 2017), h. 42



National Party (*Al-Hizb al-Wathani*<sup>60</sup>) was formed in Egypt, the aim of which was to fight universal education, hold press freedom, incorporate Egyptian elements into military positions and so. This movement in 1838 AD has aroused the spirit of Muslims in fostering unity and unity in opposing the occupation of the West.<sup>61</sup>

In addition, the purpose of the establishment of the *Hizb al Wathan* party was to instill awareness of nationalism in the Egyptian people. This is evident from the slogan he proclaimed "Egypt for the Egyptians". With this bond the existence and independence of each member state is still recognized and respected, while the position of the heads of state (president), whatever the title, remains the same and equal to one another, without any of them being more exalted.<sup>62</sup> For the author, the existence of *Hizb al Wathan* (National Party) means that it has fulfilled the basic values of public interest that are manifested in a concrete manner in institutions in the state infrastructure sector which are a means of people's involvement in the administration of the state.

In reforms of the political field that salafiyah wants to fight for in Islamic countries is the implementation of Islamic teachings on deliberation through constitutional councils and representative bodies (the people), restrictions on the authority and authority of the government with constitutions and laws, and the

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<sup>60</sup> with the support of this party, Afghani tried to overthrow the Egyptian king who was in power at the time, Khadewi Ismail, who because of his wastefulness owed much to the state-states. Khadewi Ismail's position was replaced by his son Khadewi Tawfiq and promised to carry out reforms, helping Afghani's renewal efforts. Turning around, Khadewi Tawfiq continued his father's political line and continued to collaborate with Britain. This certainly caused an attitude of reaction from Afghani to oppose Khadewi Tawfiq. As a result, Afghani was expelled from Egypt.

<sup>61</sup> Akmal Hawi, *Pemikiran Jamaluddin Al-Afghani*, h. 19

<sup>62</sup> Akmal Hawi, *Pemikiran Jamaluddin Al-Afghani*, h. 20

mobilization of the strength and potential of the people to support political reform and at the same time to liberate the world of Islam from the occupation of Western domination.

According to Afghani, as quoted by Ahmad Amin, in essence the power of a society will be valuable if it arises from within themselves. Representative institutions of the people are neutral and can determine the form of government, whether royal, sultanate or government controlled by foreign powers. The representative institution is very dependent on the people who will fill it. Therefore, the thoughts and souls of the community must first be built and addressed, then it can be discussed about the form and system of government.<sup>63</sup>

According to Afghani, the best and most effective way to achieve these goals is through a revolution based on people's power, if necessary with bloodshed. He said that if there were indeed a number of things that had to be captured and were not expected to be accepted as gifts or gifts, then freedom and independence were two things. While living in Egypt, from the very beginning Afghani advocated the establishment of "People's Government" through the participation of the Egyptian people in genuine constitutional government. Afghani talked a lot about the necessity for the formation of a representative council that was arranged in accordance with what the people wanted, and its members consisted of people who were truly elected by the people, because he believed that a council was formed by the order of the king or head of state, or at the suggestion of foreign authorities, the institution will be

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<sup>63</sup> Maryam, *Pemikiran Politik Jamaluddin Al-Afghani*, h. 16

more a political tool for those who form it. When the Egyptian ruler Khedevi Taufiq intended to retract his promise to form a legislature on the grounds that the people were still ignorant and politically blind, Afghani wrote a letter to Khedevi stating that it was true among the Egyptians, like the people in other countries, many who are still stupid, but that does not mean that among them there are no smart and brained people.<sup>64</sup>

The idea or proposal of experienced representatives is a valuable contribution to the government. Therefore the people's representatives must be knowledgeable and broad-minded and have good morals. Representatives of the people who have extensive knowledge and good morals will produce good laws for all people.<sup>65</sup> Conversely, if the people's representatives do not have extensive and immoral knowledge, they will bring the people to evil and the laws made will only harm the people and benefit the authorities.<sup>66</sup>

Looking at the ideas of renewal above, Afghani has made Islam an anti-colonialist ideology. For him, Islam is the most essential factor for the struggle of the Muslims against Europe, the West and in general. But it does not necessarily reject Western teachings. For this reason, Afghani took a middle way, namely taking West's values and taking values in Islam originating from the Qur'an and Hadith. Unfortunately, however, there is no literature that explains in detail how Afghani's

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<sup>64</sup> Veni Octaviani, *Konsep Khilāfah Perspektif Amien Rais dan Jamaluddin Al-Afghani*, h. 59

<sup>65</sup> J. Suyuthi Pulungan, *Ide Jamaluddin Al-Afghani, Muhammad Abduh, Rasyid Ridha Tentang Negara dan Pemerintahan Dalam Islam*, (Palembang: IAIN Raden Fatah, 2013), h. 287

<sup>66</sup> Akmal Hawi, *Pemikiran Jamaluddin Al-Afghani*, h. 21

thinking is related to republic, especially the failure to discuss the constitutional council. Although all of his work made him listed as one of the leaders of modern Islamic reform and revolutionary movements that aroused Islam.

If seen from Afghani's findings about the form of republic government, it can be explained more clearly in the conclusion below.

(1) Democratic

- 1) Limited government, namely the government that is responsible for the people and the constitution.
- 2) The existence of Islamic principles, such as justice (adl) and consultation (shura)
- 3) The idea of democracy according to Afghani was about tolerance, equality, justice, and emphasizing the need for democratic governance based on equality, justice and public participation.
- 4) The existence of shura is carried out by ahl hall al 'aqd or ahl sawkah who are representatives of the community and the constitutional council.
- 5) The people's representatives or members of the ahl hall al-'aqd must be experienced and have good morals.

(2) People's Participation

- 1) Every community participates through syuro and elections chosen through full community participation.

- 2) Doing political movements by taking concrete steps by establishing the National Party (Hizb al-Wathan)
- 3) There is press freedom
- 4) The existence of a revolution based on the power of the people, if necessary with bloodshed.
- 5) The existence of rakyat people's government 'with community participation.

**B. Relevance of Jamaluddin Al-Afghani's Political Thought to The Form of Government of Indonesian Republic.**

According to Moh. Kusnardi and Harmaily Ibrahim, cited in the book written by Titik Triwulan, the 1945 Constitution both in the opening and the articles do not show any similarity in terms of using the term form of the state. Is the use of the term indicated to the nature of the Indonesian state as a Republic or only as a Unitary State. In its opening stated:

*“..... ‘Indonesia's National Independence shall be laid down in a Constitution of the State of Indonesia, which is to be established as the State of the Republic of Indonesia with sovereignty of the people and based on ...”*

Then in Article 1 paragraph (1) of the 1945 Constitution also states that: *‘(1) the State of Indonesia shall be a unitary state, with the form of a Republic.’*

In accordance with the republic traits contained in the previous explanation, the republic principle can be emphasized in the phrase 'sovereignty of the people'. In addition, this can be seen from several Indonesian country sizes, including:



- a. Form a state not a monarchy (kingdom).
- b. The head of state is chosen through community participation and not inherited.
- c. The term of office of the head of state is determined in a certain period of time.<sup>67</sup>
- d. Democratic state administration, and
- e. People's sovereignty

But unfortunately, an explanation of the form of Indonesian government and the shape of the Indonesian state has not been explained separately. In some literature it is only mentioned about the concept of a unitary state. However, in terms of the unitary state, Indonesia itself has the form of a unitary state. Where the principle of a unitary state is to hold the principle of decentralization. This decentralization was used as one of the benchmarks of the form of the republic government.

Democracy and community participation as the principle form of republic government are in the 1945 Constitution (UUD 1945). The following are articles that contain the principle or characteristics of the form of a republic government in accordance with the previous discussion, namely:

- 1) Indonesia is a republic state: Article 1 paragraph (1) in the 1945 Constitution.

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<sup>67</sup> Titik Triwulan Tutik, *Konstruksi Hukum Tata Negara Indonesia Pasca Amandemen UUD 1945*, h. 155

2) Democratic State Administration: SECTION II MAJELIS PERMUSYAWARATAN RAKYAT, SECTION III THE STATE'S EXECUTIVE POWERS, SECTION V STATE MINISTERS, SECTION VI REGIONAL ADMINISTRATION, SECTION VII DEWAN PERWAKILAN RAKYAT, SECTION VIIA DEWAN PERWAKILAN DAERAH, SECTION VIIIA BADAN PEMERIKSA KEUANGAN, SECTION IX JUDICIAL POWER and so on, whereas

3) The involvement of the people in the republic state is in CHAPTER VIIB GENERAL ELECTIONS, Article 27 paragraph (1) and (3), Article 28E paragraph (3), Article 28F, Article 28H paragraph (2), and Article 28J paragraph (2).

The author concludes that with the above division, Indonesia has followed the principle of the republic state, more specifically the form of constitutional republic government. In this case, Indonesia has the same principle as Jamal al Din al Afghani as the originator of the form of government republic in Islamic state administration. For this reason, the following is the relevance of the form of Indonesian government contained in the 1945 Constitution towards Afghani's political thinking regarding the republic:

**a) Democratic**

1. Limited government, namely the government that is responsible for the people and the constitution.

After the amendments to the 1945 Constitution, the president and vice president were elected directly by the people. While the MPR has reduced its authority which is no longer the highest institution and the president is no longer subject to the MPR.

Furthermore, on the basis of the 1945 Constitution changes in legislative power are given to the Dewan Perwakilan Rakyat (DPR) in Article 20 paragraph (1) of the 1945 Constitution. Thus the president no longer holds the power to form a law with the approval of the DPR but is only given the right of initiative to submit a bill to the DPR. In this regard, the transfer of power is right. That the limitation of the President and Vice-President is the holder of executive<sup>68</sup> power and has been arranged in such a way in the 1945 Constitution.

Although in the 1945 Constitution it is not directly explained about limited government, but in essence that Indonesia is a state based on law (*rechtsstaat*) and not based only on power (*matchtstaat*), which Indonesia is a legal state, as contained in Article 1 of the 1945 Constitution paragraph (3) which reads: "Indonesia is a legal state". So, the power of government is limited.

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<sup>68</sup> Soenobo Wiryoegoito dan Noer Indriati, *Pembatasan-Pembatasan Konstitusional Kekuasaan Presiden Sesudah Perubahan UUD 1945*, Jurnal Idea Hukum, Vol. 1 No. 2, (Oktober, 2015), h. 78

2. The idea of democracy according to Afghani was about tolerance, equality, justice, and emphasizing the need for democratic governance based on equality, justice and public participation.

Regarding tolerance, one example is found in Article 28E paragraph (1) and (2), which reads:

*(1) Each person is free to worship and to practice the religion of his choice, to choose education and schooling, his occupation, his nationality, his residency in the territory of the country that he shall be able to leave and to which he shall have the right to return. \*\**

*(2) Each person has the right to be free in his convictions, to assert his thoughts and tenets, in accordance with his conscience. \*\**

Whereas equality and justice are contained in the 1945 Constitution Article 28D paragraph (1), which reads: *(1) Each person has the right to recognition, security, protection and certainty under the law that shall be just and treat everybody as equal before the law. \*\**

Whereas democracy, the 1945 Constitution, explains that Indonesia is a democratic country. The President in carrying out his duties must be responsible to the DPR and MPR as people's representatives. Therefore, hierarchically, the people are the highest holders of power through a representative system through the government. The concept of democracy in the Republic of Indonesia can be seen as a mechanism and aspiration to create a group life in accordance with what is contained in the 1945

Constitution called popularism.<sup>69</sup> It can be concluded that the concept of democracy or people's government is applied in Indonesia, based on three things, namely:

- a. The values of the philosophy of Pancasila or the government itself, from, by and for the people based on the principles of Pancasila;
- b. Transformation of values in the form of the government system;
- c. Is a consequence and commitment to the values of Pancasila and the 1945 Constitution.<sup>70</sup>

The main idea of democracy in Indonesian government is the recognition of human rights, the nature of human beings, namely basically citizens have the same dignity and dignity in their fellow citizens' social relations. In order to ensure the establishment of a democratic system and upholding justice, and human rights, the existence of a rule of law is absolute. The new constitution is ideal if there are guarantees of freedom of human rights, formulation and restrictions on government power, and strong control over the implementation of the power of the government itself.

3. The existence of shura is carried out by *ahl hall al 'aqd* or *ahl syawkah* who are representatives of the community and the constitutional council.

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<sup>69</sup> Jailani, *Sistem Demokrasi di Indonesia Ditinjau dari Sudut Hukum Ketatanegaraan*, Jurnal Inovatif Volume VIII Nomor I, (Januari, 2015), h. 140

<sup>70</sup> Jailani, *Sistem Demokrasi di Indonesia Ditinjau dari Sudut Hukum Ketatanegaraan*,



Apart from the debate about the shura, in modern times in line with the influence of Afghani, the idea of *Ahl hall al aqd* and *ahl syawkah* also developed, in this case the DPR/MPR. The Siyasa Ulama expressed the importance of this institution as a representation of the will of the people.<sup>71</sup>

*Ahl hall al aqd* or DPR/MPR is found in SECTION VII of the DEWAN PERWAKILAN RAKYAT. But in this case what needs to be emphasized is in Article 19 paragraph (1) which reads: 'members of the People's Legislative Assembly are elected through general elections.' In connection with the article, of course it is in line with the understanding of *ahl hall al aqd*.

From the description above, first about *ahl al-hall wa al-aqd* that the position of this institution is on par with the government, its role in the main government system is to choose and support leaders and deliberate to resolve the problems of the people. Secondly, the DPR which has a position as a high state institution equal to the President, its role in the government system is to oversee the administration of government, form laws, give approval and considerations about something that concerns the people. Thus the position between *ahl al-hall wa al-aqd* and the DPR has an equal similarity with the head of state, while his role *ahl al-hall wa al-aqd* is slightly different from the DPR regarding the matter of electing and inaugurating the head of state, this is like the DPR the New Order period but after the amendment to the

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<sup>71</sup> Muhammad Iqbal, *Fiqh Siyasa Kontekstualisasi Doktrin Politik Islam*, h. 165

1945 Constitution, the election of head of state was directly elected by the people through general elections.

4. The people's representatives or members of the *ahl hall al-'aqd* must be experienced and have good morals.

In the 1945 Constitution, it is not explained in detail about the requirements of DPR members to be experienced and with good morals. However, in other words, the regulations regarding the requirements of DPR members are contained in Article 240 letter a up to letter k of Law No. 7 of 2017 concerning Elections, which reads:

Candidates for the DPR, provincial Dewan Perwakilan Daerah (DPRD) and regency / city DPRD members are Indonesian citizens and must meet the following requirements:

- a. *has been 21 (twenty one) years or more;*
- b. *fear God Almighty;*
- c. *residing in the territory of the Unitary State of the Republic of Indonesia;*
- d. *can speak, read, and / or write in Indonesian;*
- e. *educated at least graduating from high school, madrasah aliyah, vocational high school, vocational madrasah aliyah, or other equivalent schools;*
- f. *loyal to Pancasila, the 1945 Constitution of the Republic of Indonesia, the Unitary State of the Republic of Indonesia, and Bhinneka Tunggal Ika;*
- g. *never been sentenced to prison based on a court decision that has obtained permanent legal force for committing a criminal act that is threatened with imprisonment of 5 (five) years or more, except openly and honestly telling the public that the concerned former ex-convict;*
- h. *physically, mentally, and free from narcotics abuse;*
- i. *registered as a voter;*
- j. *willing to work full time;*

*k. resign as regional head, deputy regional head, state civil apparatus, members of the Indonesian Armed Forces, members of the Republic of Indonesia National Police, directors, commissioners, supervisory boards and employees of state-owned enterprises and / or regional-owned enterprises, or other bodies the budget is sourced from state finances, which is stated by an irrevocable resignation letter;*

**b) The involvement of the people in the implementation of the State**

a. Every community participates through syuro and elections chosen through full community participation.

As is known that Indonesia uses elections in the election of the President and Vice President and the House of Representatives. Every citizen has things by him. As explained in Article 22E of the 1945 Constitution, which reads:

- (1) General elections are carried out directly, publicly, freely, secretly, honestly and fairly every five years.*
- (2) General elections are held to elect members of the People's Legislative Assembly, Regional Representative Council, President and Deputy President and Regional Representative Council.*
- (3) Participants in the General Election to elect members of the House of Representatives and the Regional People's Representative Council are political parties.*
- (4) Participants in the General Election to elect members of the Regional Representative Council are individuals.*
- (5) General elections are held by an electoral commission that is national, permanent and independent.*

Next is the explanation:

- (1) Direct national election means that in giving choices or votes, voters can give them directly without an intermediary.

- (2) General public election means that all Indonesian citizens who have fulfilled the requirements, such as those aged 17 and above and Indonesian citizens, have the right to vote in elections.
- (3) Free elections means that each voter can be free in giving agency without pressure from any party.
- (4) Secret election means the choice chosen by the voters is confidential and guaranteed to be confidential so that the choice is not known by any party unless he has left the election place and then tells it, then it is no secret.
- (5) Honest elections means parties related to the conduct of elections such as organizers / government, political parties participating in elections, supervisors and observers of elections, voters and parties involved indirectly, then must comply with applicable laws and regulations, there should be no fraud, bribery and other violations.
- (6) Elections are fair, meaning that every voter and political party must be treated equally and free from any element of cheating by any party.

b. Doing political movements by taking concrete steps by establishing the National Party (*Hizb al-Wathan*)

According to Ramlan Surbakti stated that "political parties are a group of neatly organized people who are united by ideological equality which aims to seek and maintain power in general elections to carry out the alternative policies that they

have compiled". Therefore, political parties are considered as concrete steps in carrying out political movements.<sup>72</sup>

In the reform era, the democratic system in Indonesia entered a new era, especially with the emergence of multi-party systems in general elections in Indonesia. This multi-party system is intended to ensure that all political parties can participate in democracy. For a number of countries that implement or claim to be democratic states (people's sovereignty), elections are indeed considered as a symbol as well as the main and first benchmarks of democracy. A good party system greatly determines the operation of the constitutional system based on the principle of checks and balances in the broadest sense. On the contrary, the effective functioning of the State's institutional functions in accordance with the principle of checks and balances based on the constitution greatly determines the quality of the party system and the mechanism of democracy developed by a State.

c. There is press freedom

Freedom of the press in Indonesia was born after the New Order<sup>73</sup> collapsed in 1998 and the emergence of article 28 F of the 1945 Constitution, through the second amendment, reads, "everyone has the right to communicate and obtain information to develop their personal and social environment, and the right to seek,

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<sup>72</sup> Zuhdi Arman, *Tinjauan Terhadap Sistem Multi Partai Dalam Sistem Pemerintahan Presidensial di Indonesia Pada Era Reformasi*, 1 JOM Fakultas Hukum Volume II No.1, (Februari, 2015), h. 12

<sup>73</sup> Lestantya R. Baskoro, *Kebebasan Pers di Indonesia*, <https://hukum.tempo.co/read/1059485/kebebasan-pers-di-indonesia/full&view=ok> diakses pada 18 Juni 2019



obtain, possess, store, process, and convey information by revealing all types of available channels. "

Although Indonesia declared a democratic state, in fact during the New Order regime, press freedom as a feature of democracy actually experienced restraints. Media that is considered breaking the rules and criticizing the authorities can be banned. The mechanism for publishing mass media is controlled through the "SIUPP regime" (Press Issuance Business License).

d. The existence of a revolution based on the power of the people, if necessary with bloodshed.

Indonesia is indeed a people's sovereignty. But that does not mean that everything is in the hands of the people. The revolution delivered by Jamal al Din al Afghani at this point refers to the term people power. In general, people power means the power of society. Whereas by definition, People power is the overthrow of the president's power by force through popular demonstrations. This effort was carried out by way of all the people taking to the streets so that the President lifted his position because it was considered to have violated the constitution or committed irregularities.

In Indonesia in carrying out the overthrow of the government there is its own mechanism in Article 7A of the 1945 Constitution, which reads:

Article 7A of the 1945 Constitution regulates as follows:

*The President and/or Vice President may be dismissed from office by the MPR based on a proposal from the DPR, either when proven guilty of violating the law by betrayal of the state, of corruption, of*

*bribery, of any other felony, or because of disgraceful behavior, as well as when proven no longer to fulfill the conditions as President and/or Vice President. \*\*\**

While the mechanism in impeachment

- a. The proposal for the dismissal of the President and / or Vice President can be submitted by the House of Representatives (DPR) to the People's Consultative Assembly ("MPR") only by first submitting a request to the Constitutional Court ("MK") to examine, hear and decide opinions DPR that the President and / or Deputy President have committed violations of law in the form of treason against the state, corruption, bribery, other serious crimes, or despicable acts; and / or the opinion that the President and / or Vice President no longer fulfill the requirements as President and / or Vice President.<sup>74</sup>
- b. Submitting the DPR's request to the Constitutional Court can only be done with the support of at least 2/3 of the number of DPR members present at the plenary session attended by at least 2/3 of the total members of the DPR.<sup>75</sup>
- c. The Constitutional Court is obliged to examine, hear, and decide fairly as possible on the opinion of the DPR regarding the alleged violations by the President and / or Vice President no later than 90

<sup>74</sup> Pasal 7B ayat (1) UUD 1945

<sup>75</sup> Pasal 7B ayat (3) UUD 1945

days after the DPR's request was received by the Constitutional Court.<sup>76</sup>

- d. If the Constitutional Court decides that the President and / or Vice President has been proven to have violated the law, the DPR will hold a plenary session to continue the proposal for the dismissal of the President and / or Vice President to the MPR.<sup>77</sup>
- e. The MPR must hold a hearing to decide on the proposal of the DPR no later than 30 days after the MPR accepted the proposal.<sup>78</sup>
- f. The MPR decision on the proposal to terminate the President and / or Vice-President must be taken at the MPR plenary meeting attended by at least 3/4 of the total members and approved by at least 2/3 of the total members present, after the President and / or Deputy The President is given the opportunity to deliver an explanation at the MPR plenary meeting.<sup>79</sup>

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<sup>76</sup> Pasal 7B ayat (4) jo. 24C ayat (2) UUD 1945

<sup>77</sup> Pasal 7B ayat (6) UUD 1945

<sup>78</sup> Pasal 7B ayat (7) UUD 1945

<sup>79</sup> Pasal 7B ayat (7) UUD 1945

Table A.2

**Relevance of Jamal al Din al Afghani's Political Thought to the Form of  
Government of Indonesian Republic**

No	Afghani's thought	Histories background		Implementation in Indonesia
		Jamal al Din al Afghani's	Indonesia	
1	Limited government	There is absolutism and despotism in the Islamic Kingdom at that moment. The West penetration not only affected in the economic and cultural activity, but also in the political activity. So there are so many regulation which got intervention and ruin Islamic values.	there were two important points of post-1998 change, namely 1998-1999, the opening of democratic spaces, after 1999-2002 the amendments to the 1945 Constitution. The opening of the 1998-1999 democratic space, namely, new political actors replacing Suharto gave room for	In the 1945 Constitution it is not directly explained about limited government, but in essence that Indonesia is a state based on law ( <i>rechtsstaat</i> ) and not based only on power ( <i>matchtstaat</i> ), as contained in Article 1 of the 1945 Constitution paragraph (3): " <i>Indonesia is a legal state</i> ".
2	The idea of democracy according to Afghani was about tolerance, equality, justice, and emphasizing the need for democratic governance based on	The statement here is almost the same as the above statement, that the strongest background in Afghani's thoughts was British influence which had interfered in	democratization by canceling a set of laws that limit democracy and make MPR provisions that raise demands for reform as political policy. Meanwhile the Amendments to	The main idea of democracy in Indonesian government is recognition of human rights, the nature of human beings, basically citizens have the same dignity in their fellow

	equality, justice and public participation.	the politics of the Islamic state. So as to make Muslims have fatalism.	the 1999-2002 Constitution constitute an important milestone for the rule of law because of the inclusion of articles to implement the rule of law.	citizens' social relations. Such as Article 28E paragraph (1) and (2) and in the 1945 Constitution Article 28D paragraph (1)
3	The existence of shura is carried out by ahl hall al 'aqd or ahl sawkah who are representatives of the community and the constitutional council.	Muslim rulers have a stubborn attitude and the backwardness of Muslims in science and civilization, the spread of corrupt thoughts and damaging Muslim ways of thinking such as superstition, bid'ah, and khufarat, and the existence of colonialism and Western imperialism.	During the Dutch colonial period, there was a parliamentary institution formed by the Dutch colonizers called Volksraad. On March 8, 1942 the Dutch ended the 350-year occupation in Indonesia. The relocation of colonization from the Netherlands to Japan resulted in the existence of the Volksraad automatically not being recognized anymore, and the Indonesian nation entering the struggle for	<i>Ahl hall al aqd</i> or DPR/MPR is found in SECTION VII of the DEWAN PERWAKILAN RAKYAT. But in this case what needs to be emphasized is in Article 19 paragraph (1) which reads: 'members of DPR are elected through general elections.'



			independence.	
4	ahl hall al-‘aqd must be experienced and have good morals.			the regulations regarding the requirements of DPR members are contained in Article 240 letter a up to letter k of Law No. 7 of 2017 concerning Elections
5	Every community participates through syuro and elections chosen through full community participation.	the current government made the community increasingly foster a fatalism attitude in which people only accepted their fate. As for Afghani, the situation can be changed by returning to the teachings of Islam. For this reason, he began to make changes through people's thought first.	In 1955 elections were held twice to elect members of the DPR and the constituent assembly. Then in 1971 there began to take sides with one party until 1977 - 1997, the election was only followed by two parties. Until finally, the election was carried out by many parties and was determined by the most votes. this continues to this day	As is known that Indonesia uses elections in the election of the President and Vice President and DPR. Every citizen has things by him. As explained in Article 22E of the 1945 Constitution
6	Doing political movements by taking concrete steps by establishing the National Party	Britain too far interfered in political affairs in Egypt. For this reason he founded a		the democratic system in Indonesia entered a new era, especially with the

	(Hizb al-Wathan)	national party and developed the slogan "Egypt for Egyptians"		emergence of multi-party systems in general elections in Indonesia. It different with Afghani'
7	There is press freedom	Increasing the rise of Muslims and rejection of Western imperialism in Muslim countries.	Although Indonesia declared a democratic state, in fact during the New Order regime, press freedom as a feature of democracy actually experienced restraints. Media that is considered breaking the rules and criticizing the authorities can be banned. The mechanism for publishing mass media is controlled through the Press Issuance Business License.	article 28 F of the 1945 Constitution, through the second amendment
8	The existence of a revolution based on the power of the people, if necessary with	Muslim governments at that time accepted Western, especially	Soekarno was also gradually withdrawn from his post-G30 S power, after more than	In Indonesia in carrying out the overthrow of the government there is its own mechanism in

	bloodshed.	Britain intervention thought as such that made people become supported in fatalism.	20 years as President, but only since the Presidential Decree of 5 July 1959 was truly effective as head of government. while People Power in the Soeharto era, finally also stated that he quit his position after taking power for more than 30 years due to the monetary crisis and all its implications which began in late 1997.	Article 7A of the 1945 Constitution and there are also a regulation in Article 7B of the 1945 Constitution about impeachment.
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According to the author, that the thinking of Jamal al Din al Afghani is relevant to the form of the republic government. Because basically both of them refer to constitutional forms of government republic, where the state is limited by the power of the constitution and the people. It's just that there is one-two point of Afghani that is very backward with the republic principle adopted by Indonesia, namely the existence of people's power or currently known as super power. Because, in Article 1 paragraph (3) about impeachment. it has been explained that the State of Indonesia is a legal state.

For this reason, in carrying out their true state of life, all Indonesian people are based on law. The second difference is that there is a difference in the party system between Afghani's time and the one in Indonesia which adheres to a multi-party system, whereas in Afghani, there was only a single party system, Hizb al Wathan. But it not that problem because both of them have party to held a republic state.





## CHAPTER IV

### CONCLUSION

#### A. Conclusion

1. Jamal al Din al Afghani's thinking about republic, among them: the existence of 'limited government', the existence of Islamic principles, such as justice (*adl*) and consultation (*shura*), the idea of democracy, the existence of shura run by *ahl hall al 'aqd* or *ahl alaihi wa sallam*, *ahl hall al-'aqd* must be experienced and morally good, Every community participates through syuro and elections, by means of the establishment of parties, freedom of the press, and revolutions based on the power of the people.



2. The thinking of Jamal al Din al Afghani when viewed from the discussion above, it can be concluded that, his thinking is very relevant to the form of republic government in Indonesia. But unfortunately, one point of Afghani that is very backward with 7B Article of 1945 Constitution, namely the existence of people's power or currently known as super power. For him, to oppose absolutism must be through rebellion or bloodshed. Whereas it has been explained that the State of Indonesia is a legal state. For this reason, in carrying out their true state of life, all Indonesian people are based on law.

#### **B. Recommendation**

1. The implementation of the Indonesian and world governments should be based on republic principles as discussed above to achieve balance. Where each state administration is limited by the existence of a constitution, both for the government and the people.
2. Sharia Faculty students especially Constitutional Law students should be more exploring and doing more research about the concept of a republic, so it can open the eyes of the world that the state in Islam is not a country old-fashioned and miss the concept of today's modern state. Inner country Islam is a modern country that aims to prosperhis community.

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No	Date and Time	Subject of Consultation	Signature
1.	12 April 2019	Proposal	
2.	16 May 2019	Review of CHAPTER I II	
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4.	14 June 2019	Explanation of BAB III	
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9.	21 June 2019	CHAPTER IV accepted	
10.	24 June 2019	CHAPTER I-IV accepted	

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