Implementation of The Concept of State According to Abu Al-A'la Al-Maududi in Indonesia

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ABSTRACT: The relationship between religion and politics cannot be separated, both are related to each other. Because in politics requires religious values so that a person can find the essence of politics and can be responsible for his mandate to society and God. Therefore, Abu al-A'la al-Maududi offers a concept in the state in accordance with Islamic provisions, when sovereignty in the state is in the hands of God (theodemocracy). The concept is different from the West when the sovereignty of the state is in the hands of the people (democracy). Both concepts have pros and cons in their application, so there are countries like Indonesia that are predominantly Muslim but use western concepts. Whether the concept will be relevant in Indonesia or not? This discussion will use a qualitative method by processing discussions from primary and secondary sources and then analyzing between the concept of the state owned by Abu al-A'la al-Maududi and the western concept and its implementation in Indonesia. The researcher's findings show that although there are challenges in the application of Maududi's concept of theodemocracy, it is important to explore how Islamic values can be integrated into the existing system of government, in order to achieve a balance between Islamic principles and modern democratic practices. Therefore, the purpose of this discussion is to examine the concept of the state according to Abu al-A'la al-Maududi in Indonesia.

KEYWORDS: Al-Maududi, Theodemocracy, Democracy, Concept of State.

A. INTRODUCTION

Islam is not a collection of scattered ideas and notions and various methods of doing things which are not related to each other, but it is a comprehensive system based on sound principles of wisdom consisting of its great pillars down to its smallest parts which are related to each other.[1]

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[1] Abu al-A'la al-Maududi, *Nadzariyah Al-Islam al-Siyasiyyah* (Damaskus: Dar al-Fikr, 1967), 7.

Just as religion and politics cannot be separated because both are interrelated, giving teachings about values and ethics in the state.[2] Politics requires religious morality values so that it can find its essence as a reflection of human responsibility *(amanah)*, both humanly and divinely.[3]

Therefore, it is necessary to integrate Islamic values into the government system that has been influenced by the western dichotomy. One way to do this is through the application of Islamic law in the national legal system by integrating the principles of Islamic law into legislation that reflects these values.[4] In addition, fair and transparent law enforcement in accordance with Islamic values will strengthen public trust in the government. As for the political aspect, the application of the concept of good governance, which includes transparency, accountability and public participation, is in line with Islamic teachings.[5] The active involvement of the public in the political process is essential to create a responsive and responsible government. Synergy between ulama and the government is also needed to ensure that public policies reflect Islamic moral and ethical values.[6] With such an approach, it can be more effective to integrate Islamic values into the existing governance system.

However, integrating Islamic values into the existing governance system comes with its own challenges. One of the main challenges is the mismatch between religious values and public policy, where government systems are often based on secular principles that are not in line with

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[2] Chindi Ayu Shonia and Lia Hermawati, "Pemikiran Politik Abu A'la Almaududi," *Journal Istighna* 3, no. 1 (2020).

[3] Tobroni and Syamsul Arifin, *Islam Pluralisme Budaya Dan Politik, Refleksi Teologi Untuk Aksi Dalam Keberagamaan Dan Pendidikan* (Yogyakarta: Sipress, 1994), 42.

[4] Yohana Oktaviani Lavan et al., "Implementasi Nilai-Nilai Islam dalam Dinamika Politik Indonesia," *Intelegensia : Jurnal Pendidikan Islam* 9, no. 1 (June 14, 2021): 53–66, https://doi.org/10.34001/intelegensia.v9i1.2042.

[5] Adinda Dewi Asmara et al., "Penerapan Nilai-Nilai Islam dalam Good Governance di Indonesia," *Jurnal Mediasosian : Jurnal Ilmu Sosial dan Administrasi Negara* 6, no. 2 (September 12, 2022): 259, https://doi.org/10.30737/mediasosian.v6i2.3163.

[6] Jamaluddin Jamaluddin, "Proyeksi Penerapan Sistem Pemerintahan Islam Di Negara Republik Indonesia," *Al-Bayyinah* 1, no. 1 (June 1, 2017): 17–30, https://doi.org/10.35673/al-bayyinah.v1i1.5.

Islamic teachings, creating tensions in decision-making.[7] In addition, the lack of understanding and awareness among government officials and the public about the importance of integrating Islamic values is also an obstacle, as without adequate understanding, the integration process will be hampered. Not only that, another challenge arises from the dominant Western culture, which can erode traditional values and requires effective strategies to maintain the relevance of Islamic values.[8] In a pluralistic society, the diversity of religious interpretations can also lead to social tensions, so the integration of Islamic values must be done by considering this diversity so as not to cause conflict.

In line with the above problems Abu al-A'la al-Maududi offered the concept of state sovereignty in the hands of God *(al-Hakimiyah al-Ilahiyah)* because the right to rule in human affairs belongs to God and there is no power other than His[9]. However, the concept offered by al-Maududi was contrary to the Western concept of sovereignty in the hands of the people. According to him, this statement is just nonsense because the control of the government is only in a small part of the people and the participation of all the people is only in elections held every four or five years.[10]

There is some literature related to this discussion such as: Barsihannor, Pemikiran Abu Al-A'la Al-Maududi, (2013),[11] Inong Satriadi dan Khairina, Pemikiran Abul A'la Al-Maududi Tentang Politik Islam, (2018),[12] Chindi Ayu Shonia dan Lia Hermawati, Pemikiran Politik Abu A'la

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[7] Dini Astuti, "Tantangan Dan Peluang Integrasi Pendidikan Agama Islam Dalam Konteks Kurikulum Merdeka Di Sekolah Dasar," *Jurnal Pendidikan Profesi Guru Agama Islam* 3, no. 7 (2023).

[8] Lusiana and Mohamad Saefudin, "Tantangan Sosial Dalam Pendidikan Islam," *Jurnal Ilmiah Multidisiplin* 2, no. 2 (2024).

[9] Abu al-A'la al-Maududi, *Al-Khilafah Wa al-Mulk* (Kuwait: Dar al-Qalam, 1978), 13.

[10] Ikrima Amira Ahadiya and Widinda Arum Rahmaningtiaas, "Implementasi Pemikiran Politik Al-Maududi dalam Dinamika Politik Kontemporer," *Politea : Jurnal Politik Islam* 5, no. 1 (2022): 18.

[11] Barsihannor, "Pemikiran Abu Al-A'la Al-Maududi," *Jurnal Adabiyah* 13, no. 2 (2013).

[12] Inong Satriadi and Khairina, "Pemikiran Abul A'la Al-Maududi Tentang Politik Islam," in *Reconstruction on Sharia Sciences in Facing Contemporary Law Problematics*, 2018.

Al-Maududi, (2020),[13] *Zulham, Sistem Pemerintahan Islam Menurut al-Ghazali dan Abu al-A'la al-Maududi,* (2014),[14] Agustina Damanik, Konsep Negara Menurut Abu A'la Al-Maududi, (2019),[15] Ikram Amira Ahadiya dan WInda Arum Rahmaningtias, Implementasi Pemikiran Politik Al-Maududi Dalam Dinamika Politik Kontemporer, (2022).[16] The journal explains al-maududi's thought more specifically in the context of politics, government and the state which are all interrelated. but the implementation of al-maududi's thought is still a little discussed, especially if applied in indonesia, which is predominantly Muslim but the state system still takes from the western concept. therefore, this discussion is to test the concept given by al-maududi if applied in indonesia.

As we know, Based on the 1945 Constitution in Indonesia in chapter 1 article 1: "Bentuk dan Kedaulatan: (1) Negara Indonesia ialah Negara kesatuan yang berbentuk republik. (2) Kedaulatan adalah di tangan rakyat, dan dilakukan sepenuhnya oleh Majelis Permusyawaratan Rakyat." This is what makes researchers interested in this discussion. Because In this discussion the researcher wants to analyze the concept of al-Maududi's state if applied in Indonesia, which is predominantly Muslim but uses the concept of state from the West.

B. METHODS

This research will focuses on library research and use a qualitative research method which is a literature study or literature as a series of activities related to the method of collecting and literature, reading and writing then processing material for research.[17] By describing the concept of the state according to Abu A'la al-Maududi and then analysing it with the concept of the western state and its implementation in Indonesia. By using

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[13] Shonia and Hermawati, "Pemikiran Politik Abu A'la Almaududi."

[14] Zulham, "Sistem Pemerintahan Islam Menurut Al-Ghazali Dan Abu al-A'la al-Maududi," *Al-Muqaranah: Jurnal Perbandingan Hukum Dan Mazhab* 2, no. 2 (2014).

[15] Agustina Damanik, "Konsep Negara menurut Abu A'la Al-Maududi," *Jurnal Al-Maqasid: Jurnal Kesyariahan dan Keperdataan Fakultas Syariah dan Ilmu Hukum IAIN Padangsidimpuan* 5, no. 1 (2019).

[16] Ahadiya and Rahmaningtiaas, "Implementasi Pemikiran Politik Al-Maududi dalam Dinamika Politik Kontemporer."

[17] Mestika Zed, *Metode Penelitian Kepustakaan* (Jakarta: Yayasan Obor Indonesia, 2004).

primary sources, namely the works of Abu A'la al-Maududi reinforced with secondary sources in the form of books, journals and articles related to this discussion.

So that, this research is descriptive-analytical in nature, aiming to provide a detailed and structured description of the concept of the state according to Abu A'la al-Maududi, along with a critical analysis when compared to Western state theories and their application in Indonesia. The data analysis technique applied in this research is a comparative analysis, which allows for an in-depth examination of differences and similarities between the Islamic and Western conceptions of the state. This approach will facilitate the understanding of how Maududi's ideas align or diverge from Western political thought and explore their potential influence or application within the Indonesian context.

C. RESULTS AND DISCUSSIONS

Biography of Abu al-A'la al-Maududi

Sayyid Abu al-A'la Maududi was born on September 25, 1903 which coincided with the 3rd of Rajab 1321 in Aurangabad, India. The youngest of Sayyid Ahmad Hasan Maududi's five children, he claimed to be a proud successor because he was a descendant of one of the leading branches of the Chishti Sufi order, a lineage that later became an important aspect of Maududi's claim to authority.[18] He is also known as a Pakistani Sunni journalist, theologian, political philosopher and major 20th century Islamic thinker as well as the initiator of the *Islamic Jama'ah* which was inspired by Sayyid Qutub's struggle in Egypt, the *Jama'ah al-Ikhwan al-Muslimun* as a worldwide Islamic struggle figure.[19]

During his childhood al-Maududi was home-schooled, taught and educated by his own father, a Sufi follower who had left his profession as a lawyer because in the course of his practice he had to do things that were contrary to his conscience as a Muslim who wanted to uphold the purity of

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[18] Sayyed Vali Reza Nasr, *Mawdudi and the Making of Islamic Revivalism* (New York: Oxford University Press, 1996), 9.

[19] Abu al-A'la al-Maududi, *Hukum Dan Konstitusi*, Terjemahan Asep Hikmat (Bandung: Mizan, 1990), 6.

Islamic morals and morals, and also because he was disgusted with the lifestyle of his colleagues who he considered westernized and un-Islamic. Thus he had sufficient time to teach and educate his children including al-Maududi.[20]

Since 1918 at the age of 15 al-Maududi began his career in journalism. He began by helping his brother with the Islamic magazine al-Madinah until he was appointed editor of the Urdu newspaper Taj, which was published in Jabalpore in 1920. When his achievements peaked he was appointed chief editor of two newspapers: Muslim in 1921-1923 and *al-Jami'ah al-Ulama al-Hindi* in 1921-1928. His talent for writing and oratory was a huge contribution to the caliphate movement in India, in support of the Islamic caliphate of the Ottoman dynasty based in Istanbul.[21]

Despite his old age, Al-Maududi was still active in activities to realize the state of Pakistan based on the Qur'an and al-Hadith. But when his father passed away after being hospitalized in a New York hospital on September 23, 1979 his 60-year struggle stopped.[22]

Abu al-A'la al-Maududi's Political Track Record

It was two important events in India in 1925 and 1930 that prompted al-Maududi to take on the role of leader, Islamic thinker and spokesman for the idea of Islam as an alternative conception of society and the state. The first incident was in 1925 when a leader of the Hindu revival movement, Swami Shradhanand was assassinated by an Islamic extremist who believed that one of the religious duties of every Muslim was to kill infidels. Thus Islam was regarded as a religion that preached violence, until al-Maududi was called upon to defend his religion after one of the Indian Islamic leaders Maulana Mohammad Ali Jauhar made a tearful speech appealing to whether none of the Islamic leaders could answer the charge. Later al-

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[20] Munawir Sjadzali, *Islam Dan Tata Negara: Ajaran, Sejarah Dan Pemikiran* (Jakarta: Universitas Indonesia Press, 1993), 158.

[21] Damanik, "Konsep Negara menurut Abu A'la Al-Maududi," 97–98.

[22] Anwar Sanusi, "Pemikiran Politik Abu A'la Al-Maududi," *Jurnal Inspirasi: Fakultas Adab, Dakwah Dan Ushuluddin, IAIN Syekh Nur Jati Cirebon* 8, no. 2 (2011): 20.

Maududi wrote a number of articles in 1927 which were published in one book under the title "War in Islam".

The second incident concerning the relationship between Hindus and Muslims occurred during the independence movement in India after India was freed from British colonialism. In 1930 when the people of India were pressing for independence from British rule, al-Maududi strongly opposed the options offered to Muslims in India by the Congress party under Mahatma Gandhi and the Muslim league led by Ali Jinnah. This was due to the strong perception that Mahatma Gandhi showed a tendency to lean towards Hindu support. In line with Ali Jinnah's "Two Nation Theory", al-Maududi stated that the Muslims in India were a separate society with a distinct moral code and a special pattern of life.[23]

In 1937 al-Maududi went to Lahore and met with Mohammad Iqbal, the two exchanged ideas about the condition of Muslims and the steps to be taken in the future resulting in two things: *first* the need for scientific endeavors to overcome the Islamic way of life which was considered incomplete, *secondly* to prepare top personnel to lead the Islamic faith. Until 1941 al-Maududi along with 75 followers established a movement to develop his thoughts through the organization Jama'ah Islami, when the establishment of Pakistan and India Jama'ah also divided into two *Jama'ah Islam* India and *Jama'ah* Islam Pakistan. Then al-Maududi migrated to Pakistan to express his thoughts on establishing an Islamic state and a truly Islamic society.[24] Now known as the *Four Point Demand* which reads in full as follows:

> "Bearing in mind that the majority of the people of Pakistan believe in the principles of Islam and bearing in mind that the purpose of all their struggles and sacrifices in establishing (the state of) Pakistan is so that they can live a way of life in accordance with the principles they believe in, every Muslim in Pakistan demands from the Constituent Assembly to base the constitution (of Pakistan) on the following principles: a) Indeed, sovereignty in Pakistan is in the hands of Allah, and therefore the government of Pakistan, as the executor of that sovereignty, must not exceed the limits set by the

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[23] Sjadzali, *Islam Dan Tata Negara: Ajaran, Sejarah Dan Pemikiran*, 160.

[24] Mukti Ali, *Alam Pikir Modern Di India Dan Pakistan* (Bandung: Mizan, 1998), 241.

sovereign (Allah). b) Islamic law is the basic law of Pakistan. c) Revoke all existing laws that contradict Islamic law, and then suspend all laws that do not comply with Islamic law. d) The government of Pakistan (must) exercise its power in accordance with the limits set by Islamic law."[25]

When Pakistan became an independent state in 1947 al-Maududi always endeavored to make Islam the guideline of life and constitution for the country, the guidance was also supported by other Pakistani scholars. For al-Maududi thought that the founders of Pakistan were inconsistent in applying Islam to the life of the state, since most of them were educated in the West. In fact, al-Maududi was considered a threat to the rulers until he went to prison because of his opposition to the rulers in Pakistan.[26]

The Concept of the State According to Abu al-A'la al-Maududi

The basic principles of politics found in Islam are the spirit of the system whose structure was built by the Prophets and is the basis for all orders of the concept of politics in Islam. That all orders of power and regulation are not from an individual human being or a group and also not allowed anyone to carry out his orders, because it is only the right of Allah alone no one can oppose Him. As found in the holy Qur'an; Q.S Yusuf [12]: 40 dan Ali Imran [3]: 154

From the two verses above, it states that sovereignty belongs only to Allah and it is in the hands of Allah that all rules are. Whereas the Prophets only command and forbid to their people without having power from God. The Prophet also does not follow a teaching except what has been revealed to him. Whereas people are obliged to obey the Prophet only because he gives them divine rules. (Q.S. al-Nisa [4]: 64)

The special characteristics of the Islamic State are as follows: 1. No individual, family, group, party or other citizen has any say in the government, because the real ruler is Allah with all the authority that He has. 2. No one but Allah has anything to do with the rules and all Muslims, even if they support each other, will not be able to make or change the rules

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[25] Sjadzali, *Islam Dan Tata Negara: Ajaran, Sejarah Dan Pemikiran*, 164.

[26] Ainur Ropik, "Studi Komparasi Pemikiran Abul A'la Maududi Dengan Muhammad Natsir Tentang Konsep Negara Islam," *Jurnal Wardah: UIN Raden Fatah Palembang* 13, no. 2 (2012): 175.

that Allah has set for them. 3. The Islamic state does not establish its structure except on the basis of the legitimate laws that the Prophet revealed from his Lord, despite changing situations and circumstances. The government in control of a state does not deserve the obedience of its people except to the extent that it rules according to what God has revealed and carries out the orders of the Almighty.[27]

When one is drafting an Islamic constitution, one must understand and know it before discussing it in detail. Something that is being requested at the moment and is being pursued is an Islamic constitution that can be implemented in a country, but there is no intention that an Islamic constitution is a codified constitution that has been implemented due to the fact that there is a desire to turn an uncodified constitution into a written one. The Islamic constitution is something that has not been codified, an unwritten constitution has several sources that must be utilized when organizing a country according to the conditions at that time. The sources of the Islamic constitution are as follows:

Qur'an. As the main source of the Islamic constitution, it contains the laws and rules of sharia that Allah has explained in it completely and thoroughly for human life. It also describes for Muslims the principles on which they should build a state.

Sunnah al-Rasul. explains how the Prophet Muhammad applied the laws of the Qur'an and its principles in the land of Arabia and conveyed the idea of Islam into a work that contains the form of an Islamic group in accordance with the idea of Islam.

The story of al-Khulafa al-Rashidin. They were the successors of the Prophet Muhammad after his death in the leadership of Islam whose actions were a model and example for Muslims. Everything that the al-Khulafa alRashideen decided about the constitution and the law after consulting the Companions is evidence for Muslims after them and must be accepted.[28]

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[27] al-Maududi, *Nadzariyah Al-Islam al-Siyasiyyah*, 28–29.
[28] Abu al-A'la al-Maududi, *Tadwin Al-Dustur al-Islami* (Beirut: Muasasah al-Risalah, 1981), 7–9.

*Madzahib al-*Mujtahidin. The fourth source of the constitution is the doctrine of the mujtahids in accordance with their knowledge of religion and their observation of the laws when constitutional issues arise. Although it is not a proposition in religion, it will help a lot in understanding the rules of Islamic law.

The existence of a constitution in a country so that the objectives of the country can be achieved which are assigned to the government at that time. When viewed from the perspective of the Qur'an, the purpose of government is to uphold God's rules fairly and spread goodness to the people, as found in the Qur'an letter al-Hajj verse 41 regarding the characteristics that must be possessed by those in government in order to get help, help and victory from God. Or in Surah al-Baqarah verse 143 which conveys a message to the people and leadership of the Prophet Muhammad's Uamt, namely, *first* guidance and hidayah from Allah to leaders who know the right path. *Second*, the movement of the Qibla from the *bait al-maqdis* to the ka'bah as a symbol of the release of the Children of Israel as the *imamah* and handed it over to the people of the Prophet Muhammad.[29]

While the correct form of government for humans according to the view of the Qur'an is a state of faith in the sovereignty of the law of Allah and His Messenger, and make as *al-Hakimiyah* and believe the caliphate will be a substitute for the ruler (Q.S. al-Maidah: 48). That way everything that man gets on this earth such as labor and ability is nothing but a gift from God who has put man in a position that suits his position, and use the grace and gifts given by God to him on earth in accordance with the pleasure of God.[30]

Thus the form of the Islamic state can be examined from the above characteristics and principles. Unlike the western form of democracy, which is a way of government in which power is vested in the people and laws are not changed except by the opinion of the people and are not made except by the advice of their minds. Because no law will be changed except by the

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[29] Abu al-A'la al-Maududi, *Al-Hukumah al-Islamiyah* (Kairo: al-Mukhtar al-Islami, 1976), 85.
[30] al-Maududi, *Al-Khilafah Wa al-Mulk*, 18.

consent of the people and anything that is not justified by their thoughts will be discarded and removed from the constitution.

As for democracy according to al-Maududi can not be applied in Islamic countries because it comes from the West, but according to him the right is *al-Hukumah al-Ilahiyah* or *al-Tsiqrathiyah* (Theo-cracy) but the theo-cracy is different from Europe which is not known about anything in it except a special group of rulers (priest class) who create laws for the people at their own will in accordance with their wishes and goals by using their power to the people in the country.

In contrast to Islam which is not led by a group of rulers but is in the hands of Muslims in general then they are the ones who organize and run their affairs in accordance with the Qur'an and al-Hadith. Therefore al-Maududi offered the concept of *al-Tsiqrathiyah al-Demokratsiyah* (Theo-democraacy) or *al-Hukumah al-Ilahiyah al-Demokratsiyah* with this system of government Muslims are given limited power.[31]

From the concept of al-Maududi that has been explained describes the state as an instrument of reform based on the constitution that has been given by God to man through the Prophets sent by Him to this earth. Kektika government must be obeyed as the holder of power but according to his capacity as caliph who enforce the laws of God.

Although the concept of the Islamic state offered by al-Maududi, he still gave his attention to the minority or called the *dzimmi*.[32] Al-Maududi classified the *dzimmi* into three types: *First*, those who entered the Islamic State by making a reconciliation or treaty. *Second*, those who lost the war. *Third*, those who joined the Islamic State by means other than peace or war.[33]

The *dzimmi* also get the general rights that the Islamic state gives them such as: self-preservation, criminal law, civil law, preservation from

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[31] al-Maududi, *Nadzariyah Al-Islam al-Siyasiyyah*, 29. Lihat juga Muhammad Iqbal and Amin Husein Nasution, *Pemikiran Politik Islam Dari Masa Klasik Hingga Indonesia Kontemporer* (Jakarta: Kencana, 2003), 220.

[32] Mahmud Yunus, *Kamus Yunus* (Jakarta: Hidakarya Agung, 1989), 135.

[33] Abu al-A'la al-Maududi, *Huquq Ahli Al-Dzimah* (Pakistan: Tarjaman al-Qur'an, 1948), 11.

conflict, providing protection, protection of privacy, religious rituals, places of worship, tolerance in getting tribute and taxes, commercial taxes, exemption from military service, protection by Islamic jurists. The additional rights allowed to them are prosecution and the right to vote, independence in culture, freedom in lecturing and writing, teaching, working, producing jobs and professions, safety for non-Muslims. With the rights given to them by the Islamic state, it is one proof that the concept of the Islamic state given by al-Maududi is feasible to be applied even though there are non-Muslims in it.[34]

From the concept of al-Maududi based on Islam the author takes the criteria of the characteristics possessed by the Islamic state, namely: First, sourced from God, not man. Second, it is universal, because in its teachings aimed at all mankind not just a group. Third, it is complete and comprehensive for all aspects of human life. Therefore, the difference between an Islamic state and a non-Islamic one can be seen from these characteristics.[35]

Concept of the Indonesian State

Indonesia's unitary state model can be seen in the UUD 1945 Article 1 Paragraph (1), which states that Indonesia is a unitary state in the form of a Republic. The principle of a unitary state is that the highest power holder is the central government without any delegation or granting of power to local governments.[36]

The principle of unity that Indonesia has is needed because it has a diversity of ethnicities, religions and cultures inherited by their ancestors requires Indonesia to be united with this diversity. This diversity is a wealth that must be united, but not unified or uniformed. Therefore, Indonesia is a unitary state built on the motto Bhineka Tunggal Ika (Unity in Diversity).[37]

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[34] al-Maududi, 15.

[35] Muhammad Fajar Pramono, "Politik Islam Sebagai Ilmu Dan Gerakan; Studi Deskriptif Dunia Islam," *Dauliyah* 3, no. 2 (2018): 173.

[36] Solly Lubis, *Pergeseran Garis Politik Dan Perundang-Undangan Mengenai Pemerintah Daerah* (Bandung: Alumni, 1983), 8.

[37] Delfi Suganda, "Pancasila, Keragaman Dan Negara Kesatuan," *Al-Ijtima: International Journal of Government and Social Science* 1, no. 2 (2016): 46.

Thus, our country is a unitary state, while unity is the basic principle of unity, not unity.[38]

According to C. F. Strong, the characteristics of a unitary state are:

"The essence of a unitary state is that the sovereignty of is undivided, or in other words, that the powers of the central government are unrestricted for the constitution of a unitary state does not admit of any other law making body than the central one."[39]

That the unitary state is not divided, which means that the powers of the central government are not limited but have the widest possible nature, while local governments only have powers granted by the decentralization and deconcentration system.

In addition to the unitary state, Indonesia has the principle of popular sovereignty, which is often called the principle of democracy, and is well known in the constitutions of many countries. However, each country has its own mechanism in implementing this principle. For example, in Indonesia, which has provisions in the UUD 1945, the principle of democracy is implemented in two stages: *first*, directly by the people. *Second*, indirectly implemented by representative institutions.[40]

All constitutions that have been enacted in Indonesia such as the UUD 1945, the RIS Constitution and the UUDS 1950, all embrace Pancasila democracy, because Pancasila is the basis of the state or the basic formulation of the state's ideals and at the same time the basis of Indonesia's legal ideals.[41]

The implementation of democracy in Indonesia must be based on the basis of the State which then emerged a term namely Pancasila Democracy, which is a state activity in Indonesia, and elections as one of the manifestations of Pancasila democracy. However, with the existence of

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[38] Jimly Asshiddiqie, *Konstritusi Dan Konstitualisme Indonesia* (Jakarta: Diterbitkan atas Kerja Sama Mahkamah Konstitusi dengan Pusat Studi HTN FH Universitas Indonesia, 2004), 63.

[39] C. F. Strong, *Modern Political Constitutions* (London: Sidswick and Jackson Limited, 1960), 80.

[40] Harjono, *Transformasi Demokrasi* (Jakarta: Sekertariat Jendral dan Kepaniteraan Mahkamah Konstitusi, 2009), 5.

[41] Yusril Ihza Mahendra, *Dinamika Tata Negara Indonesia* (Jakarta: Gema Insani Press, 1996), 27.

Pancasila democracy, the people do not directly exercise sovereignty but through representative institutions such as the DPR and MPR.[42]

Implementation of the Islamic State Concept in Indonesia

The basis of al-Maududi's political thought is the concept of Godhead. Not only on his political thought but his concept of God became the guide of life, all the provisions that differ from God's rules should be shunned. Because if we do the rules prohibited by Him then we are the same as rejecting the sovereignty of God.[43] Different from Indonesia which makes Pancasila as the basis of the state, although in it there is the first principle which reads "divinity Almighty" but the meaning in it is different from Tawheed. The existence of the basis of divinity means that Indonesia recognizes the existence of God, and Indonesian people are allowed to embrace the religion they believe in, and worship according to their own religion, this is also stated in article 29 of the UUD 1945. That way, religions recognized by the Indonesian state can move and develop freely.[44]

From the basis of Tawhid above al-Maududi also offered a different form of democracy from the West, namely Theodemocracy which makes God the supreme sovereignty. It is at first glance similar to the theocracy owned by Europeans when a special group dominates the enforcement of existing laws based on the name of God, in contrast to Islam which is not only controlled by a particular group but owned by all Muslims. Regarding the concept of theodemocracy offered by al-Maududi as a rejection of the concept of western democracy which states that the highest sovereignty is the people, has its own reasons, namely, the participation of the people who should be the highest is just nonsense, because the people only participate in politics every four to five years at the time of elections. While the real government is only in a handful of people, even though they are in the name of the people, often the regulations made are burdensome for the people. Hence, the Islamic state proposed by al-Maududi was not about political

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[42] Sri Soemantri, *Sistem-Sistem Pemerintah Negara-Negara ASEAN* (Bandung: Tarsito, 1976), 37.

[43] Ali, *Alam Pikir Modern Di India Dan Pakistan*, 244.

[44] Subandi al-Marsudi, *Pancasila Dan UUD 45 Dalam Paradigma Reformasi* (Jakarta: Raja Grafindo Persada, 2004), 10.

administration alone, nor was it about fulfilling the wishes of a particular group of people.[45]

That way, perhaps no one can deny al-Maududi's opinion that the supreme power is God, but it is also undeniable that the sovereignty of the people has never been interpreted to deny the sovereignty of God, because Muslims will always obey and obey the rules that God has given even though the system of government in a country is not Islamic. According to history, the existence of popular sovereignty is a resistance to the sovereignty of the king as the absolute supreme ruler.

In contrast to al-Farabi who has the concept of *al-Madinah al-Fadhilah* as a form of state. As for one of its characteristics is to have a leader who is not led by others and he is a leader for a virtuous country. Conditions like this of course can only be owned by a leader who has the following traits: having power that facilitates all the work of the people, accepting criticism from the people, having a good memory of what he understands, sees, hears and feels, having a good intelligence, having a good attitude in explaining a matter, attention to education, not greedy for food and drink, having a large soul, having enough property, having a just nature, and having good power.[46]

The organization of community roles runs efficiently according to individual abilities. The equitable distribution of tasks within the society will result in justice. Then the state is considered to have reached the ideal and perfect standard when it has several criteria including the existence of a fair work distribution system, clear common goals, and leadership that comes from individuals who have integrity and wisdom. The ultimate goal of this virtuous state or *al-Madinah al-Fadhilah* is to achieve happiness both in this world and in the hereafter which is considered the highest achievement for humans.[47]

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[45] al-Maududi, *Nadzariyah Al-Islam al-Siyasiyyah*, 42.

[46] Abi al-Nashr al-Farabi, *Ara Ahli Al-Madinah al-Fadhilah* (Mesir: Matba'ah al-Sa'adah, 1906), 106.

[47] Nur Alisa, Siradjuddin, and Misbahuddin, "Konsep Negara Dan Masyarakat Ideal Menurut Al-Farabi Dalam Sudut Pandang Ekonomi," *Syarikat: Jurnal Rumpun Ekonomi Syariah* 6, no. 2 (Desember 2023): 495.

Then Ibn Khaldun in his view of politics is something noble, not something dirty or accepted by force. Because politics and state life is something that only humans have.[48] So that the formation of a state is the result of shared aspirations accompanied by the awareness that humans must optimize all diverse potentials in a group or functional framework. That way, the basis for the running of a state is the common aspirations of its people, with the main goal of the state being to achieve physical and mental happiness in accordance with the common will that has been determined.[49]

While the concept of the state he offers arises when the framework of social interaction among citizens who have a shared vision of seeing their community as an important part of the state system, it is termed *ashabiyah*. With a sense of love for their community, feelings of solidarity, self-esteem, loyalty, and mutual cooperation will emerge between individuals. This relationship will create unity and harmonious interaction between the various communities. So that from *ashabiyah*, a common lineage is formed among the people.[50]

In addition, there are contemporary Islamic thinkers such as Jamal al-Bana who have the concept of Islam as a religion and people, not religion and state. This is based on the Qur'an and the Medina charter. Because both explain about Islam as an ummah which is addressed to all Muslims without seeing the differences that exist, such as language, ethnicity, culture and country. That way Islam becomes a unifying religion for its adherents.[51] Jamal al-Bana's rejection of the formulation of Islam as a religion and state,

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[48] Rahman Zainuddin, *Kekuasaan Dan Negara Pemikiran Politik Ibnu Khaldun* (Jakarta: PT Gramedia, 1992), 15.

[49] Iqbal Muhammad Rodli, Amalia Ulfa, and Heru Iskandar Muda, "Konsep Negara Dan Kekuasaan Dalam Pandangan Politik Ibnu Khaldun," *Jurnal Review Politik* 11, no. 2 (Desember 2021): 102.

[50] Ibn Khaldun, *Muqaddimah Ibn Khaldun*, Terjemahan Ahmadie Thaha (Jakarta: Pustaka Firdaus, 1986), 128.

[51] Muhammad Hamid, *Majmu'ah al-Wahaiq al-Siyasah* (Beirut: Dar al-Irsyad, 1969), 41.

because the characteristics of a state are the symbols of power in the government system.[52]

However, Jamal al-Bana's thinking is different from al-Maududi who made the ideal state as in the time of the Prophet Muhammad. According to him, the concept of the state at that time will not be repeated, because of differences in the modern state system today. This is stated in his book *al-Islamu Din wa Ummah Laisa Dinan wa Daulatan* which means:

> "The state of Medina at the time of the Prophet Muhammad SAW and khulafa al-Rashidin cannot be repeated because in the state of Medina the main elements that are prerequisites in a modern state have not been fulfilled such as not having a professional army, prison, compulsory taxation and more significant than all of them is that the leader is a Prophet who was sent, guided and justified all his ijtihad by revelation. He does not own anything at all, but everything is decided by the laws revealed by Allah SWT. This for Jamal al-Bana cannot be found in other countries"[53]

According to the author, the statement about the state of Medina at the time of the Prophet Muhammad cannot be implemented in a modern state is not correct. Because most of today's modern countries have abandoned religion as a result of westernization and the state of Medina at that time can be emulated as an ideal state as said by al-Maududi above.

The running of the state conducted by three institutions, namely the legislative, executive and judiciary. It has similarities and differences in the running of the Indonesian state.

1) Legislative Institution. The legislative body whose members are elected is in charge of deliberating with the head of state regarding the rules that will be decided on this institution is commonly called *Majlis Shura*.[54] This institution must be based on fiqh because it will provide fatwas to the public as a result of deliberations, this institution also has limits that cannot be opposed, namely the limits that Allah and the Rasullah have given, this

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[52] Mohamad Latief, Amir Reza Kusuma, and Raden Adityawarman, *Islam Dan Kritik Negara Sekuler* (Ponorogo: UNIDA Gontor Press, 2022), 149.

[53] Jamal al-Bana, *Al-Islam Din Wa Ummah Laisa Dinan Wa Daulatan* (Kairo: Dar al-Fikr al-Islami, 2003), 5.

[54] Sjadzali, *Islam Dan Tata Negara: Ajaran, Sejarah Dan Pemikiran*, 167.

is stated in the Qur'an and al-Hadith. Thus the rules reflect the spirit of Islam, because they are based on the Qur'an and al-Hadith.[55]

That way this institution is the same as *ahlul halli wa al- 'aqdi* which is an intermediary and fatwa giver, but all the laws issued are not from the will of the majority but are taken from the Qur'an, and the laws issued are not laws that have clear legal status in Islam. Therefore, deliberation is needed in making every decision in this institution.[56]

As for what happens in Indonesia, not all decisions issued by the legislature are based on fiqh, because not all members are Muslim. Then those who issue fatwas in Indonesia are the Indonesian Ulema Council (MUI), not the legislature.

2) Executive Institution. The executive institution, which includes the head of state, is the highest leader who is responsible to Allah and the people. The existence of this institution aims to enforce the laws of an Islamic state based on the Qur'an and al-hadith, and apply these laws to the community in their daily lives, so that people's lives are prosperous because the laws are guided by the Qur'an and al-Hadith.

The role of this institution is therefore to enforce divine law as well as to encourage people to follow Islamic law in their daily lives.[57] The supreme leader in this institution is the caliph who decides all issues and is entitled to receive loyalty from his people. Unlike Indonesia, which has the highest power is not the president but the People's Consultative Assembly (MPR) as a supervisor for the executive in carrying out its duties.

3) Judiciary Institution. The judiciary is an independent institution and is outside of the executive, because the task of judges in this institution is to enforce the laws of God. Therefore, a law enforcer must have the following characteristics: believe in the laws of Allah, master the Arabic language, explore the Qur'an and al-Sunnah, master the existing problems and have a good personality and morals.[58]

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[55] Abu al-A'la al-Maududi, *The Islamic Law and Constitution*, Terjemahan Asek Hikmah (Bandung: Mizan, 1993), 245.

[56] al-Maududi, *Al-Hukumah al-Islamiyah*.

[57] al-Maududi.

[58] al-Maududi, 119.

These three institutions are commonly referred to as the *trias politica* which is a product of the West, contrary to al-Maududi's offer which promises a complete Islamic political system without having to look at the Western political system. As for political systems such as *al-Khulafa al-Rasyidin*, no one made such a trias politika, but the caliphs became the supreme rulers who were accompanied by the companions of the Prophet as advisors and were not institutionalized.

That way if someone who becomes a leader in an area has good and true Islam, it is obligatory for him to create a society that has a good relationship with God through religious activities, as well as good social life *(al-Ukhwah al-Islamiyyah)* by maintaining social order.[59] This shows that as a leader must have the responsibility of fostering tawhid values in society. The goal is to improve the quality and practice of religion, so that an orderly social order can be formed (Q.S Nisa [4]: 135).

D. CONCLUSIONS

The basic principles of politics found in Islam are the spirit of the system whose structure was built by the Prophets and is the basis for all orders of the concept of politics in Islam. That all orders of power and regulation are not from an individual human being or a group and also not allowed anyone to carry out his orders, because it is only the right of Allah alone no one can oppose Him. This is in line with the concept offered by al-Maududi, namely theodemocracy when the supreme sovereignty is in the hands of God, so that Muslims have limits in running the government. In Indonesia it is already contained in the first Pancasila that is "God Almighty". However, in the application of the concept of the state al-Maududi also took some of the western thought, as in the implementation of the government which is divided into three namely: legislative, executive and judiciary of the three institutions as well as those applied in Indonesia although it has some differences. It is according to the author is good as long as in running it must have Islamic values and based on the Qur'an and al-Hadith.

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[59] Muhtar Solihin, "Kepemimpinan Politik Dalam Perspektif Islam," *Jurnal Riview Politik* 06, no. 02 (2016).

The research findings show that the application of the concept of theodemocracy can strengthen the integration of religious values in politics, provide a stronger moral foundation in public decision-making, and increase public participation in the governance process. The novelty resulting from this research is a deeper understanding of how al-Maududi's principles can be applied in the Indonesian social and cultural context, as well as a contribution to the development of religious and social sciences by offering a new perspective on the relationship between religion and politics. The research also highlights the importance of creating synergies between religious values and modern governance practices to achieve social justice and community welfare.

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