

The Practice of Identity Politics in North Sumatra: Analysis of Siyasa and Islamic Law

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Abstract

The background to the problem in this dissertation is related to the practice of identity politics in the 2018 North Sumatra Governor Election with an objective study. The practice of identity politics that can be traced is related to the use of religious and tribal (regional) identities. The 2018 North Sumatra Governor election was attended by two couples, namely Eramas and Djoss. The Eramas couple is Muslim-Muslim while Djoss is Muslim-Christian, as well as in tribal (regional) identity the Eramas couple is identified as a native son while Djoss is perceived as an immigrant even though Sihor Sitorus is from the Batak tribe. Thus, the practice of identity politics in the 2018 North Sumatra Governor Election was analyzed based on the study and approach of Siyasa and Islamic Law. The aim is to find out the background to the emergence of identity politics as well as the views and analysis of Siyasa, Islamic Law, and political parties regarding identity politics. The results of this research are, firstly, the concept of Siyasa can be maximized by Siyasa playing an active role through ta'aruf so that it can minimize the practice of identity politics because ta'aruf leads to understanding and understanding the interests of society while the benefit in the form of the psychological power of goodness is responsibility in the form of unity and eternal and complete unity. Meanwhile, the Islamic Law aspect, emphasizes the ethical-legal concept in the form of the emergence of awareness by all elites and the interest in existing rules that must be obeyed and implemented. Meanwhile, in the political party aspect, more emphasis is placed on cadre education by each party to create militant and enthusiastic cadres. In Siyasa's view, identity politics is a product of siyasa wadh'iyah which shows failure in carrying out amar ma'ruf or evil in terms of social control in the nation and state.

1. Introduction

Islam as a rule of life came to bring political teachings in the frame of Islamic Law (*siyasah wadh'iyah*) solely to make humans happy both in the world and in the hereafter, namely politics that pays attention to human affairs, interests to achieve a sense of security for souls, property, and honor (Faris & Qadir, 2003).

Globally, Islamic law can be divided into two main parts, namely the law that regulates man's relationship to Allah and the relationship that governs other creatures among worldly matters. Thus, sharia is the standard law of shari'a which is absolute, universal, and still global. In explaining professionally, the scholars exert all their abilities in performing *ijtihad* so that the laws of Sharia can be implemented by Muslims. One of them, the Islamic world recognizes *fiqh* which is a product of thought that includes aspects of Muslim life. Among certain parts, in *fiqh*, there is a term about *siyasah syar'iyah* which confirms references related to politics in which it concerns aspects of Islamic Law (Muhammad, 2014).

In the development of a fast-moving society, the problems caused are increasingly complex and demand solutions. Moreover, Islamic law does not regulate in detail related to problems that arise today, including the issue of identity politics. The impression is that if the issue of identity politics is faced and answered only partially and *ad hoc*, it is likely that Islamic law will be *out of date* and not responsive to the development of time and circumstances. Therefore, formulations are really needed by the community, and the state so that policies can be accepted and provide benefits which is an important role of *siyasah tasyri'iyah syar'iah* (Islamic legal politics) (Al-Shiddieqy, 1998).

It is in the Indonesian context that the politics of Islamic law occupy a strategic position in escorting Islamic legal products to exist as part of the existence of developing law in the state. The growth and development of political forces is a phenomenon of national politics, identity politics, and so on since the national consciousness emerged pre-independence until the political development of the nation today. The discussion of politics in the history of national politics is a discussion that has captured a lot of public attention ranging from the academic community, politicians, and activists to the cloud community. The emergence of political forces is a manifestation of the various ideologies and interests that reside in society (Jurdi, 2016).

The practice of identity has a negative effect when used as a subject, while in its position as an object, it is only limited to giving, introducing, and giving information about itself. If it is limited to objects, in the observation of researchers it is still in the allowed corridor. When as an object only states for example, the religion of Islam, tribe A, area A, it means only as a medium to declare that the person concerned has similarities with the community in which it is located, not to impose it must be the same as it. However, if it is directed to the subject

identity becomes a tool to achieve something, for example, one must be Muslim, because of a certain tribe, and so on. For example, the expression "because I am Muslim, it must be Muslim too, if other than Muslims, infidels, apostates and so on". So in this case, it is not in line with the spirit of *siyasah syar'iyah* meaning egalitarian values, justice, benefit, humanism, ethical awareness, and collective collectivity.

For the researchers themselves, the issue that was most echoed during the 2018 North Sumatra Governor and Deputy Governor elections focused on two things, the subject of identity politics. *First*, regarding the religion of the two couples. The Edy Rahmayadi-Musa Rajekshah couple is Muslim, while the Djarot Hidayat-Sihar Sitorus couple is Muslim-non-Muslim. *Second*, related to regional issues, the regional son factor is still considered quite important by most North Sumatran people. The Edy Rahmayadi-Musa Rajekshah couple is predicted to be the son of the region, which refers to at least having lived and raised in North Sumatra - although he was not born in the province. While his opponent, Djarot Saiful Hidayat is considered a newcomer (Ayomi, 2018 t.t.). It is a glimpse of how identity politics works and works in society. And, this will be found in many identity political practices in districts/cities spread across North Sumatra since the last time the election was held in 2020. Of course, the issues that are breathed are not only related to religious issues but also to ethnicity, region, and so on.

That reality has been faced by the community and felt until now. Although the effect is relatively controllable, there is no guarantee that it will be normal in the future. For this reason, Islamic law is present not just explaining whether or not (halal-haram) can use identity politics in the development of democracy in North Sumatra. Specifically, the presence of Islamic law to realize the benefit and interests of mankind in general, not to a certain extent, nor for certain nations and places but is universal. Therefore, the rules of law are said to be general, the principles and points are only mentioned and given opportunities to scientists (ijtihad) in the field of law and further elaborated based on the challenges and dynamics faced respectively (Syah, 1992).

In Suara Merdeka's article, the most terrifying political ghost in Indonesia is *money politics* and SARA politics. Identity politics both openly (explicitly) and hidden (implicitly) are the most heated issues in political battles and competitions, as quoted by Samuel P Huntington the potential for civilization conflict (*clash of civilizations*), it seems that identity politics will still decorate even though political education is increasingly intensified. Identity politics is considered the easiest way to mobilize the masses to attack political opponents. Such a model has been regulated in the law and even expressly prohibited. Islamic legal politics has a strong spirit to make rules of the game in anticipation of the primordial politics of SARA, towards healthy politics and offering mutual benefits. The view the Nahdhatul Ulama mass organization since the 1948 conference in Situbondo rejected identity politics, even in the

statement of the chairman of PB NU in the *Religion of Twenty* forum said firqoh or identity is a matter forbidden in the Qur'an (Turmudi & Sihbudi, 2005).

It becomes a problem when choosing an identity and that identity is managed, politicized, and becomes the only identity and cornered the identity of others. The practice of identity politics is contrary to *siyasah tasr'iyyah* Syariah (Islamic legal politics), because the foundation of the establishment of *siyasah syar'iyah* includes, *al-'Adalah*, *al-'Adalah*, *al-Musawah* (equality), *Karomah insanity* (honor of mankind), *Tasamuh* (tolerance), *al-Huriyyah* (freedom/independence) and *al-Akhlak karma* (good manners and morals). That is the existence of Islamic law must prioritize the side of mash that, the phenomenon of identity politics is a challenge that must be able to prioritize ethically and morally and not go beyond limits to avoid estrangement in the unity and unity of the nation (Khamdan & Wiharyani, 2018). Therefore, managing the phenomenon of identity politics and its solutions must be based on the principles of *tasri'iyyah syar'iyah*.

Since the presence of identity politics in Indonesia has emerged; *First*, identity politics has the potential to downplay or even eliminate other identities that live in society. *Second*, identity politics masks the debate over quality work programs. *Third*, identity politics is more divisive than uniting society (Triantoro, 2019). It is emphasized that the birth of identity politics is caused by two factors, namely social inequality and deliberate cultural clashes. Meanwhile, in the Indonesian context, identity politics arises due to social inequality, weak literacy materials, poor political institutions, and even political polarization. So that it will cause damage to the joints of national and state life, and it is also contrary to human values, freedom, and justice.

Even referring to the Basic Manual for Cadres Understanding the Ideology of the Nasdem Party, the peak intolerance attitude incarnated identity politics based on SARA continues to grow in the course of political life. The emergence of identity politics was overshadowed by intolerance, then succeeded in influencing political constellations and led to shaping political behavior *and* policies smelling of SARA (*political identity*) (Sutrisno, 1985).

2. Literature Review

The study contains several theories including: The diyani-Qadhai Theory One of the basic foundations that can be used for the broad sorting of Islamic law is to use this *diyâni* and *Qadâ'i* theory. Concerning this theory, it can be distinguished from any Islamic Shari'a that must be implemented from state power and anything unnecessary. Therefore, what may be included in the state legislation program is Islamic law with a *qadâ'i* dimension only, while Islamic laws with a *diyâni* dimension are left entirely to the religious consciousness of the community individually, and do not need to be codified or formalized.

The Theory of Community Benefit develops rapidly in the world of its community or the state, this is influenced by the times so needs must be met according to the times. This enforceability directly has no relevance to legal certainty, because the law will be static without any adjustment between the law and the behavior of the current society or legal confusion. Accommodating social practices in society by being governed by legal norms. In this case, the government should make regulations on the boundaries of Identity Politics in Indonesia as a legal umbrella in society. Legal teachings can be applied, according to Johnson, to create a correlation between law and society, namely social laws that are stronger and more advanced than the teachings created by individual law. This articulation of law will create laws that conform to the ideals of society. Therefore, the estuary of law is not only justice and legal certainty but aspects of expediency must also be fulfilled (Johnson, 2004).

The theory of eclecticism Eclecticism should be understood as a way of choosing the best of all legal systems in Indonesia from three options, customary law, Western law, and Islamic law. a theory of interdependence that explains that each legal system cannot stand alone because between one legal system and another influence each other affects (Syaukani, 2006).

3. Metode

The research to be conducted by the author is qualitative research. This research will be carried out by *library* research method or collection of research data based on related literature (Darmalaksana, 2020). Meanwhile, the data collection techniques in this study are related to literature as well as national news about identity politics and the study of our book of interpretation to sharpen the author's analysis of verses related to identity politics.

The primary source of data in this case is to collect several news related to the issue of identity politics. The data is collected in physical form i.e. books, or *online* media, or election cases that use identity politics. Secondary data are sources that do not directly provide data to researchers, for example through other people or documents.

4. Results of Discussion

Identity Politics of the 2018 Gubernatorial Election and Minimizing through the Siyasa Concept

The image of the Islamic candidate couple can be seen from the frequent dawn community movements carried out by Eramas in all districts/cities in North Sumatra. This activity consisted of dawn prayers with hundreds of people, followed by *tausiyah* by local scholars, and ended with a speech by Eramas. Eramas appealed to the community to always unite, perform Fajr prayers in congregation at the mosque, strengthen the ties of Islamic brotherhood, and expect prayers and support from the community so that Eramas can achieve victory on June 27, 2018. While the Djoss couple, especially Cawagug in his visit to Dairi Regency and conducting a campaign at the Sopogodang HKBP Sidikalang yard, Sihar

Sitorus positioned himself as a more suitable person to lead North Sumatra because he represented Batak and Christians in the 2018 Pilgubsu. Dairi Regency itself is predominantly Christian (72%) and this makes Sihar confident that Djoss will win a landslide victory in this district.

Among the many identities of a person that will be displayed, ethnic and religious identities will always have a space or place in a person. Like it or not, identity politics in Indonesia is still widely used by political elites to win political competitions. Identity as their dividing boundary is one of them is religion. Playing identity politics by prioritizing religion must be addressed with rules that do not violate anyone, especially the voting public. For this reason, presenting an image based on religious identity politics as the main means for people to make their choices based on religious similarity is something that must be avoided and contrary to the freedom possessed by every human person.

Identity politics itself is very different from identity politics. Political identity is understood as a construct that determines the position of the subject's interests in a political bond. How the subject can present himself in everything that can make him seen as someone who is influential and beneficial to everyone (Parker, 2005). While identity politics itself is seen as a political practice based on group identity, not a political practice based on self-appearance. Identity politics is a way to mobilize the masses by using identity as a magnet for individuals to take in order to solve the interests of their group members. The automation of identity can attract individuals who share similarities from other religions, tribes, and cultures. The feeling of group ethnocentrism is increasingly becoming, where the organized community group will feel itself the best towards the group outside of itself, the situation will roll like a snowball until it grows. This identity politics usually arises not because of the existence of a particular political system, but because of the existence of loopholes to express freedom. In addition, the emergence of identity politics in Indonesia is caused by the territorialization of identity with the establishment of administrative regions in several regions (Purwanto, 2015). For this reason, presenting religious identity politics as if marginalizing other religions that do not share the same religion, of course, this will have effects that will later cause riots in the name of religion. For this reason, speaking in the context of the building of the State of Indonesia in which six (6) official religions are contained namely Islam, Christianity, Catholicism, Hinduism, Buddhism, and Confucianism, is a force that must be cared for and respected from momentary interests. Because, every believer will certainly admit that the religion he adheres to is the best religion.

Islamic Legal Approach in Minimizing the Practice of Religious-based Identity Politics

Ahmad Azhar Basyir who explained the purpose of Islamic law, which was detailed into three groups, *first*, for personal education. Islamic law will always educate and direct that every individual person becomes a source of inspiration for goodness for others. *Second*, strive to uphold justice which includes justice for oneself, legal justice, social justice and world justice. *Third*, to uphold goodness which includes primary interests (principal), secondary needs and tertiary needs (Basyir, 1984). Ibn Qayyim affirms that the purpose of Islamic law is to achieve happiness, welfare, and salvation of mankind in the world and hereafter (Manan & SH, 2017).

In discussing Islamic law both insider and outsider praise and explain its privilege and beauty. In conclusion Fyzee has three characteristics: truth *related to* logic-hypotetiko-verifiative, *beauty, which has flexibility* and adaptability *in law and* goodness, it is *related to* ethical-moral among human beings. So in this case, the concept that will be carried out in preventing the practice of identity politics is based on law (ethics). In this area it is about regulating human behavior in every action, where with the existence of individuals or communities can live with the lust of love. Therefore, every discussion of Imam al-Ghazali always emphasizes aspects of ethical-legal values (Sufistic) that encourage humans to be aware of the law (agreement) together (Bashori, 2020).

The Concept of Pancasila in Minimizing Identity Politics based on Religion

The multicultural nature of Pancasila National Politics conceptually has a meaning as the antithesis of the particularistic practice of identity politics. Identity politics is merged into national politics that no longer prioritizes sectoral egoism, group egoism, particularistic egoism. It is not too exaggerated if in the end there will be "suspensions" that the spread of the identity politics virus as a form of global strategy to paralyze the power of forces that are considered to threaten the existence of their social, political and economic dominance (Al-Farisi, 2020).

So in this case that religion has a role in shaping social relations, that religion in its formation of identity helps its adherents feel ownership in certain social groups. This ownership gives social stability, status, way of thinking, and ethos. In this context, personal disagreements can turn into religious conflicts. This is because religious identity as a self-representation cannot be separated from issues of self-esteem, dignity and pride. Religious emphasis on the role of ideology further strengthens self-representation, which, in turn, can be used to crystallize support for defending interests. Thus, H. Arendt warns: "We are tempted to turn religion into ideology, and tarnish the efforts we have fought against totalitarianism with fanaticism. Fanaticism is the great enemy of freedom." To win this political gamble in maintaining national unity and unity, much more strategic thinking and steps from the state are needed to manage national diversity, pluralism, and reorganize

the dynamic relationship between Islam and Pancasila through strengthening state ideology and rekindling the spirit and spirit of nationalism more creatively and effectively. Hence, the importance of the role of the state. Not only presenting the state, but must be able to carry out functions actively in safeguarding and protecting the entire Indonesian nation and all Indonesian bloodshed, advancing general welfare, educating the nation's life, implementing world order based on independence, lasting peace and social justice. The misuse of the practice of Identity Politics that tends to be left unchecked, is proof that the state is powerless and even almost "defeated" in carrying out its functions optimally to realize social justice for all Indonesian people. Hopefully our choice is right, namely by making Identity Politics as "honey" not as "poison" in building Pancasila democracy for the integrity and glory of this republic, namely the Republic of Indonesia.

5. Conclusion

Based on the descriptions contained in these chapters, related conclusions can be drawn from this study, including the following:

- a. The practice of identity politics in North Sumatra in the 2018 North Sumatra gubernatorial election led to religious and tribal identity. Narratives related to religious identity politics were echoed by every competing candidate, both the Eramas and Djoss couples. The Eramas couple is more likely to be close to the Muslim group, while the Djoss couple is closer to the non-Muslim group. This is because the Eramas couple is a Muslim-Muslim couple while the Djoss couple is Muslim-non-Muslim. The practice of religious identity politics was evident during the 2018 North Sumatra gubernatorial election process. The image of the Eramasa couple can be seen from the frequent dawn movements of congregations in mosques or mushalla, the implementation of grave pilgrimages, visiting ulama and pesantren figures, while the process of raising religious issues carried out by Sihar Sitorus is by visiting churches and Faith Tourism Park in Dairi Regency. While the identity politics of the Eramas couple tribe is identical to regional sons, while Djoss is perceived as a migrant, especially Djarot Hidayat. Therefore, religious and ethnic identity politics are colors that adorn the course of the North Sumatra Governor Election.
- b. In Siyasa's view that identity politics is a product of *siyasa wadh'iyah* which displays from the side of failure in doing *amar ma'ruf nahi mungkar* in terms of social control in the nation and state. *Siyasa syar'iyah and wadh'iyah are the breadth* of Siyasa, and both are products of *ijtihad* which are the results of human findings in the field of law (Islam) that have a high position and value. Both have similarities, and it is clear that the chart shows that both the Shar'iyah and *Wadh'iyah Siyasa* both aim to achieve *al-'is*, the politics of law that ushers in the culmination of justice in the

form of laws and regulations that are in accordance with religious values and regulations derived from human beings *and* the environment. whereas in view of Islamic law For that, it is necessary indeed directing to a perspective through Islamic legal noktahs on identity politics itself, so as not to be trapped in perspectives that lead to negative things, but what must be put forward are demands that can be adjusted to the development of society. Social development and change actually lead the way forward while creating democratic, cosmopolitic, and egalitarian attitudes with an inclusive culture. Sharia *wadh'iyah* is a rule and provision that purely comes from human thoughts, that this product of the human mind, has the nature of unlimited elasticity, which is easily changed, can be added, or decreased. As a result, in order to have legal security and certainty of certain legal rules. Meanwhile, in the view of political parties that identity politics is contrary to democratic values built in Indonesia.

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