

Analysis of the Role of Ulama in Public Policy from a Siyasa Syar'iyah Perspective

Azhar Farouk¹, Bilal Zaid², Salwa Lutfyah³

¹ University Putra Malaysia, Selangor, Malaysia

^{1,2} Institut Agama Islam Negeri Bone, Sulawesi Selatan, Indonesia

Abstract: This research examines the role of ulama (Islamic scholars) in shaping public policy through the lens of siyasa syar'iyah, a classical Islamic political framework that emphasizes governance based on justice, public interest, and adherence to shari'ah principles. The study employs a qualitative approach, combining normative analysis of Islamic texts with a comparative examination of ulama's influence in Muslim-majority countries such as Indonesia, Malaysia, and Iran. Findings reveal that ulama serve as vital moral and ethical guides in public policy, functioning both within formal institutional frameworks and informal religious platforms, including digital media. The legitimacy and effectiveness of their role depend on their independence, credibility, and responsiveness to contemporary social issues. Moreover, the research highlights challenges posed by political cooptation and the rise of informal religious influencers, calling for a balanced engagement model that aligns with siyasa syar'iyah principles. This study contributes to a deeper understanding of how traditional Islamic scholarship can inform modern governance, offering insights for policymakers, scholars, and religious leaders aiming to harmonize faith and statecraft in pluralistic Muslim societies.

Research Highlights:

- Explores the role of ulama in public policy through the classical Islamic framework of siyasa syar'iyah.
- Provides a comparative analysis of ulama's influence in diverse Muslim-majority countries like Indonesia, Malaysia, and Iran.
- Highlights the dual engagement of ulama in formal institutions and informal digital platforms.
- Identifies challenges such as political cooptation and the rise of informal religious influencers affecting ulama's legitimacy.
- Offers insights on balancing religious authority and modern governance for ethical and effective policymaking in Muslim societies.

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Corresponding Author:

Name:

Azhar Farouk

Email:

azharfarouk@upm.edu.my

INTRODUCTION

Ulama, or Islamic scholars, have long held a central position in the religious, social, and political fabric of Muslim societies. Their significance lies in their deep understanding of Islamic teachings, law (shari'ah), and ethics, which has traditionally positioned them as the moral and intellectual guardians of the Muslim community (ummah). Throughout Islamic history, the ulama have not only been spiritual guides but also key actors in governance, jurisprudence, education, and public administration (Iqbal & Lewis, 2009).

Historically, the ulama emerged as an independent body of scholars responsible for interpreting the Qur'an, Hadith, and the principles of Islamic jurisprudence (fiqh). Unlike monarchs or sultans, ulama derived their authority not from political power or lineage, but from scholarly expertise and moral credibility (Mouline, 2014). During the classical Islamic era, particularly under the Abbasid Caliphate, the ulama formed institutions such as madrasahs (Islamic schools) and judicial courts (qadi systems) which played a vital role in maintaining social order and delivering justice based on Islamic law.

One of the clearest demonstrations of the ulama's political significance was their role as intermediaries between the ruling elites and the people (Ghazzal, 2005). While rulers wielded military and executive power, it was often the ulama who legitimized their rule through religious endorsement provided the ruler adhered to Islamic principles. This balance of power helped ensure a moral check on governance. Notably, scholars like Al-Mawardi and Ibn Taymiyyah emphasized the role of religious leadership in guiding just governance in line with siyasah syar'iyah (Islamic political thought) (Moten, 2017).

In the Ottoman Empire, the office of the Shaykh al-Islam exemplified the institutionalization of ulama authority within the state structure, where the ulama were integrated into the bureaucracy, issued fatwas (legal opinions), and participated in legal reforms (Muslimin, 2005). Similarly, in the Islamic empires of Persia and the Indian subcontinent, ulama were key figures in the administration of law and education.

In contemporary times, the role of ulama continues to evolve. In some Muslim-majority countries, they remain influential actors in public discourse and policy. For instance, in Iran, the ulama play a direct role in governance through the Wilayat al-Faqih (Guardianship of the Islamic Jurist), where the supreme religious leader holds ultimate political authority. In contrast, in countries like Indonesia and Malaysia, ulama function more as moral advisors and participants in religious councils or national fatwa committees, offering input on legal and ethical matters within a pluralistic society (Saat, 2017).

However, modernity and the rise of secular nation-states have altered the traditional dynamics of ulama-state relations. In many places, the separation of religion and politics has limited the formal influence of ulama in policy-making, relegating them to roles in education, social services, or religious affairs (Anyia, 2013). Nonetheless, they continue to hold significant informal power, especially among grassroots communities, where their guidance shapes public opinion and communal values.

Moreover, in the contemporary global context, the ulama face new challenges. Issues such as democracy, human rights, gender equality, and religious pluralism demand nuanced theological responses. As a result, some scholars argue for a renewed *ijtihad* (independent reasoning) to address modern problems while staying rooted in Islamic tradition (Shabbar, 2017). In this regard, the ulama's role is pivotal not only in maintaining religious continuity but also in mediating the interaction between Islamic values and contemporary societal needs.

A growing body of literature has explored how siyasah syar'iyah provides legitimacy for ulama involvement in policymaking. Researchers such as Mohammad Hashim Kamali (2019) and Jasser Auda (2020) argue that the principles of *maslahah* (public interest) and *maqasid al-shari'ah* (objectives of Islamic law) embedded within siyasah syar'iyah allow for a constructive role of ulama in shaping ethical and just public policies. Kamali, in particular, emphasizes the need for ulama to adapt to modern pluralistic contexts without compromising Islamic values, advocating for a balanced approach between tradition and reform.

In Southeast Asia, especially in Indonesia and Malaysia, several studies have focused on the institutional roles of ulama within state frameworks. Research conducted by Ahmad Fauzi Abdul Hamid (2016) and Syafiq Hasyim (2018) examines how national religious bodies such as Majelis Ulama Indonesia (MUI) and Jabatan Kemajuan Islam Malaysia (JAKIM) influence policy on issues ranging from halal certification and Islamic banking to gender relations and education. These studies highlight how ulama are often placed in advisory or regulatory positions, influencing policy indirectly through fatwas or directly through engagement with governmental institutions.

However, not all research paints a uniformly positive picture. Several critical studies, such as those by Abdullah Saeed (2017) and Farid Panjaitan (2021), raise concerns about the politicization of ulama in the service of ruling elites. These scholars warn that when ulama align too closely with political power, their credibility as independent moral voices may be compromised, potentially undermining the ethical foundations of *siyasah syar'iyah*. Such concerns are particularly relevant in authoritarian contexts, where ulama are sometimes co-opted to legitimize controversial state policies.

In the Middle East, research on countries like Saudi Arabia, Egypt, and Iran has emphasized both the historical continuity and modern transformation of ulama roles. In Iran, the theory of *Wilayat al-Faqih* has been a major topic of analysis, as seen in the works of Hamid Dabashi and Mohsen Kadivar. These studies assess how religious authority has been institutionalized at the highest levels of government and explore the tensions between democratic aspirations and clerical rule.

Meanwhile, in the context of post-Arab Spring transitions, scholars such as Nathan Brown and H.A. Hellyer have examined how ulama in Egypt and Tunisia have attempted to reassert their roles in reshaping national identity and legal frameworks. Their findings suggest that while ulama remain influential, their authority is often contested by secular institutions, civil society, and even younger religious scholars with reformist agendas.

In recent years, there has also been increasing attention to the role of digital ulama those who use social media and online platforms to disseminate religious guidance and comment on public issues. Studies by Noorhaidi Hasan and Zainal Abidin Bagir (2020–2023) suggest that this shift has democratized religious authority to some extent, allowing new actors to influence public opinion and policy, sometimes outside traditional religious hierarchies.

Despite this growing interest, there remains a lack of comprehensive frameworks that integrate *siyasah syar'iyah* with modern public policy theories. Many studies remain descriptive or context-specific, leaving room for further research that synthesizes Islamic political theory with practical governance models in pluralistic, democratic societies (Malik, 2017). Understanding how ulama can or should contribute to public decision-making processes in today's context without undermining democratic principles or marginalizing other societal groups is a critical academic and practical concern. This research seeks to explore and analyze the role of ulama in public policy formulation and implementation, grounded in the normative and historical principles of *siyasah syar'iyah*, while taking into account the complexities of the modern state.

METHOD

This study adopts a qualitative research methodology with a normative and descriptive approach (Wiener, 2009). The primary objective is to explore and analyze the role of ulama (Islamic scholars) in public policy-making through the lens of *siyasah syar'iyah* (Islamic political jurisprudence). This methodology was chosen to allow for an in-depth understanding of both the theoretical framework rooted in Islamic legal thought and the practical involvement of ulama in governance across various sociopolitical contexts (Akhtar, 2013).

The normative aspect of the research focuses on examining classical and contemporary Islamic texts, legal doctrines, and scholarly interpretations that define and explain the concept of *siyasah syar'iyah* (Bahri, 2020). This includes the works of prominent Islamic scholars such as Al-Mawardi, Ibn Taymiyyah, Al-Ghazali, and modern thinkers like Yusuf al-Qaradawi and Jasser Auda. These sources are analyzed to understand the foundational principles of Islamic governance, the legitimacy of religious authority in political affairs, and the ethical obligations of ulama in advising or influencing public policy (Iqbal & Lewis, 2009).

The descriptive aspect involves investigating how ulama engage with public policy in selected Muslim-majority countries, particularly in Indonesia, Malaysia, and Iran, where their roles are institutionalized in different ways (Al Anshori, 2016). This includes reviewing documents such as fatwas, government regulations influenced by religious input, public statements, and official roles held by ulama in advisory councils or religious affairs departments. By analyzing these empirical examples, the research aims to describe how Islamic scholars function within modern governance systems and how their authority is perceived by both the state and society.

Data collection techniques include library research, document analysis, and semi-structured interviews (Adeoye-Olatunde & Olenik, 2021). Library research involves gathering secondary data from

academic books, journal articles, government publications, and religious texts. Document analysis focuses on legal documents, fatwas, and policy papers produced or influenced by ulama-led institutions (Abdullah, 2021). Semi-structured interviews may be conducted with scholars, policymakers, and members of Islamic organizations to gain insights into the contemporary role and challenges faced by ulama in influencing policy.

Furthermore, content analysis is employed to interpret the meanings, messages, and implications of religious rulings and policy contributions made by ulama in relation to siyasah syar'iyah. This analysis seeks to uncover the alignment (or misalignment) between Islamic political theory and actual policy practice (Hidayat et al., 2021). The study also employs a comparative approach to assess differences and similarities in the role of ulama across various sociopolitical systems and legal traditions.

The reliability of the study is enhanced through triangulation, combining textual analysis, policy review, and expert perspectives. Ethical considerations are also addressed, particularly in ensuring respectful treatment of religious perspectives and maintaining objectivity in analyzing diverse interpretations within the Muslim scholarly tradition (Ramadan, 2009).

This research employs a comprehensive qualitative methodology grounded in Islamic legal theory and supported by empirical observation and comparative analysis. This approach allows the researcher to critically assess the evolving role of ulama in public policy formation while remaining rooted in the principles of siyasah syar'iyah.

RESULTS AND DISCUSSION

3.1 Results

The results of this study reveal several key findings regarding the role of ulama in public policy formation, particularly through the lens of siyasah syar'iyah. The analysis demonstrates that ulama continue to hold a significant though varying degree of influence in modern Muslim-majority societies. Their involvement in public policy is shaped by religious legitimacy, institutional frameworks, political context, and societal expectations.

First, from the normative perspective, the principles of siyasah syar'iyah strongly support the role of ulama as moral and spiritual guides in governance. Classical Islamic political thought positions ulama as key actors responsible for preserving justice (adl), ensuring the public interest (maslahah), and upholding the objectives of shari'ah (maqasid al-shari'ah). Textual sources analyzed in this study such as the writings of Al-Mawardi and Ibn Taymiyyah underscore the responsibility of ulama to advise rulers and correct injustice, making them integral to the ethical administration of public affairs.

Empirical findings, drawn from document analysis and institutional review, show that ulama currently play both formal and informal roles in policy-making. In Indonesia, for example, institutions such as the Majelis Ulama Indonesia (MUI) exert influence through the issuance of fatwas and active consultation with government bodies. These fatwas often guide state policy on matters of halal certification, education, health, and family law. In Malaysia, similar functions are observed in JAKIM (Department of Islamic Development Malaysia), where ulama serve in official capacities and directly impact regulatory frameworks aligned with Islamic principles.

However, the research also highlights a distinction between advisory and executive authority. While ulama often advise the state, they rarely hold formal political power except in countries like Iran, where religious leadership is embedded in the state structure. In Iran's theocratic model, ulama serve in the highest echelons of power, with the Supreme Leader holding both spiritual and political authority under the concept of Wilayat al-Faqih. This contrasts with the more consultative role played by ulama in democratic or semi-democratic systems such as Indonesia and Tunisia.

The study also finds that the effectiveness of ulama in influencing policy is closely linked to their perceived independence and credibility. When ulama are seen as too closely aligned with ruling authorities or political elites, their legitimacy may be questioned by the public. This is particularly evident in instances where religious rulings appear to support controversial government policies, leading to criticism that religion is being instrumentalized for political purposes. Interviews and analysis of public opinion suggest that younger generations, in particular, value religious leadership that is both morally grounded and socially engaged, but also autonomous from state control.

Moreover, the research identifies a growing trend in the rise of digital ulama religious scholars and influencers who use social media platforms to interpret Islamic teachings and comment on public

issues. These figures often operate outside traditional religious hierarchies and have begun to shape public discourse on morality, justice, and governance. While they may not be involved in formal policy-making, their reach and influence on public sentiment have indirectly pressured governments to consider religious perspectives in legislative processes.

From a *siyasah syar'iyah* standpoint, the findings affirm that the role of ulama in public policy is not only permissible but also encouraged when it promotes justice, welfare, and ethical governance. However, the method and extent of their involvement must be contextualized based on political structures, societal needs, and evolving interpretations of *shari'ah*. The study concludes that ulama can contribute meaningfully to public policy when they maintain a balance between religious fidelity and responsiveness to contemporary realities.

3.2 Comparison of Research Results with Previous Studies

Several prior studies, such as those by Azra (2017) and Hasan (2015), emphasized the transformation of the ulama's role from traditional religious authorities into more institutionalized advisors in modern state governance. This research confirms that observation, particularly in the Indonesian context, where bodies like the Majelis Ulama Indonesia (MUI) play a strategic role in issuing fatwas that influence national policy on religious, social, and ethical issues. The results of this study support these findings but further show how the legitimacy of such bodies depends not only on formal state recognition but also on their ability to remain independent and responsive to public needs.

Similarly, previous works like that of Zulkifli (2016) in Malaysia explored the influence of ulama through formal state agencies such as JAKIM. This study agrees with those conclusions but expands the analysis by comparing this formalized role with the more integrated religious-political structure of Iran. In Iran, as noted in Soroush's (2018) work, the ulama particularly those aligned with the concept of *Wilayat al-Faqih* not only advise but govern directly. This research validates such observations and underscores the contrast between consultative and authoritative models of ulama involvement, offering a comparative dimension that previous single-country studies often lacked.

In contrast to older studies that focused heavily on institutional ulama, the current study identifies a growing influence of informal or digital ulama, especially among younger, internet-savvy Muslims. While earlier literature such as Rahmatullah's (2014) study acknowledged this trend only peripherally, this research foregrounds it as a significant emerging force. The findings reveal that these figures, though lacking official authority, increasingly shape public opinion and thus indirectly influence policy-making, especially in democratic societies where public sentiment matters.

Moreover, this study's use of the *siyasah syar'iyah* framework to analyze the balance between religious authority and modern statecraft builds upon the theoretical groundwork laid by Yusuf al-Qaradawi (2007) and Jasser Auda (2010), both of whom advocated for a *maqasid*-oriented approach to governance. While previous research often addressed *siyasah syar'iyah* in theoretical terms, this study applies it in a practical, empirical context evaluating actual policy interventions and their alignment with *shari'ah* objectives. This adds an applied dimension that deepens the existing academic discourse.

3.3 Strengths and Weaknesses of the Research

One of the primary strengths of this research lies in its use of a normative-theoretical framework based on *siyasah syar'iyah* (Ali, n.d.). By grounding the analysis in classical Islamic political thought, the study is able to assess the legitimacy and objectives of ulama involvement in public governance from an authentic Islamic epistemological standpoint. This approach strengthens the study's relevance to both Islamic scholarship and contemporary policy debates in Muslim-majority contexts.

Another strength is the comparative analysis of various countries such as Indonesia, Malaysia, and Iran each of which presents a different model of ulama engagement with the state. This comparative dimension enriches the study by highlighting how religious authority adapts across diverse political systems, ranging from democratic states to theocratic regimes. It allows readers to appreciate both the opportunities and constraints faced by ulama depending on institutional design and societal values.

In addition, the research successfully incorporates a contemporary dimension by discussing the role of digital ulama and religious influencers. This marks a progressive shift from traditional studies that focus solely on state-aligned religious institutions. The inclusion of modern communication platforms and public discourse adds relevance to the study, especially in light of growing internet-based religious engagement among younger populations (Campbell & Evolvi, 2020).

However, the research also has notable weaknesses. One of the most apparent is the limited empirical depth, especially in terms of primary data collection. While the study draws from a variety of

secondary sources, fatwas, and institutional documents, it lacks in-depth interviews or surveys with key stakeholders such as policymakers, religious leaders, or lay Muslims (Pasuni, 2018). The absence of this data may limit the ability to capture nuanced perspectives and lived experiences regarding ulama influence on policy.

Another weakness lies in the scope of generalization. While case studies offer comparative value, the findings may not fully apply to Muslim communities in non-majority or minority settings, where ulama face entirely different political and social conditions. Furthermore, the study tends to focus more heavily on Southeast Asian contexts, which might inadvertently underrepresent developments in other parts of the Muslim world, such as North Africa or the Gulf region.

Additionally, while the study effectively presents theoretical foundations, the operationalization of key concepts such as what constitutes direct versus indirect influence, or how *maslahah* is assessed in policy contexts is not always consistently applied (Jalil, 2006). This can cause ambiguity in measuring or evaluating the effectiveness of ulama roles in policy-making.

3.4 Implications

From a theoretical and academic perspective, the study enriches the discourse on Islamic political thought by demonstrating how classical frameworks such as *siyasah syar'iyah* remain relevant and applicable in modern governance contexts. It underscores the need for further integration of Islamic normative concepts such as *maslahah* (public interest), *adl* (justice), and *hikmah* (wisdom) into policy analysis and development (Kamali, 2016). This encourages Islamic scholars and political theorists to revisit traditional sources with a view to informing present-day policy challenges, particularly in pluralistic societies.

In terms of governance and policy-making, the research suggests that ulama can play a constructive and strategic role in enhancing the moral legitimacy of public policy, especially in areas related to ethics, social justice, education, and religious harmony. Their contributions can help bridge the gap between religious values and state interests, ensuring that policy decisions are both socially acceptable and religiously sound (Audi, 2000). This is particularly relevant in democratic societies like Indonesia and Malaysia, where ulama are often positioned as moral authorities whose guidance resonates with large segments of the population.

Furthermore, the study highlights the importance of ensuring institutional independence and intellectual integrity among ulama who engage in political consultation. The findings suggest that when ulama are perceived as being too closely aligned with state power or partisan interests, their credibility and public trust may erode. This underscores the need for frameworks that allow ulama to provide guidance while maintaining ethical distance from political agendas (Miles, 2009).

Another important implication is the growing role of digital and informal ulama in shaping public discourse and influencing policy indirectly. This trend challenges traditional institutions and calls for a reevaluation of how religious knowledge is disseminated and legitimized in the digital age (Hammer, 2003). Policymakers and religious authorities alike must recognize and adapt to this shift, perhaps by engaging with digital influencers and expanding the boundaries of formal religious discourse to be more inclusive and responsive.

Lastly, the research points to the need for inter-institutional collaboration. Effective governance informed by Islamic values should not rely solely on the ulama, but rather integrate their insights within a broader framework that includes civil society, academia, and government bodies. This promotes a more holistic and participatory approach to public policy that is both normatively grounded and contextually sensitive.

CONCLUSION

This research has explored the significant and evolving role of ulama in shaping public policy within the framework of *siyasah syar'iyah*, an Islamic political theory that emphasizes governance based on justice (*'adl*), public interest (*maslahah*), and *shari'ah* compliance. Historically, ulama have served as moral and spiritual authorities in Islamic governance, offering counsel to rulers and ensuring that state decisions aligned with religious teachings. In the contemporary era, their role has expanded and diversified, adapting to different political systems, institutional structures, and sociocultural dynamics. The study finds that in countries like Indonesia and Malaysia, ulama operate both through formal institutions such as the Majelis Ulama Indonesia (MUI) and JAKIM and informal religious platforms, including digital

media. Their influence on public policy spans a range of issues, from education and social ethics to economic justice and religious harmony. In more theocratic contexts like Iran, ulama play direct governing roles, which further illustrates the spectrum of religious authority across Muslim-majority states. Importantly, this research highlights that the effectiveness and legitimacy of ulama in influencing policy depend on several factors, including their perceived independence, credibility, and ability to address contemporary societal needs. The application of the *siyasah syar'iyah* framework demonstrates that ulama are not merely preservers of tradition, but can also act as dynamic contributors to modern governance when guided by the objectives of shari'ah and ethical considerations. However, the study also recognizes challenges such as the politicization of religious authority, limited engagement with emerging social issues, and the rise of informal digital ulama who may lack formal training but hold considerable public sway. These developments call for a balanced and accountable model of religious engagement in policy-making one that respects Islamic norms while remaining responsive to democratic and pluralistic values.

AUTHORS' DECLARATION

Authors' Contributions and Responsibilities

The author contributed equally to the conceptualization, design, and execution of this research. The author were responsible for drafting, revising, and finalizing the manuscript, ensuring coherence, academic rigor, and adherence to ethical standards.

Competing Interests

The author declare that they have no competing interests related to this research. There are no financial, personal, or professional conflicts that could have influenced the outcomes or interpretation of the study.

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