http://dx.doi.org/10.18623/rvd.v22.n5.3605

THE RELATIONSHIP BETWEEN THE DUTCH COLONIAL GOVERNMENT'S LEGAL POLICIES AND INTERPRETIVE THINKING IN INDONESIA

A RELAÇÃO ENTRE AS POLÍTICAS JURÍDICAS DO GOVERNO COLONIAL HOLANDÊS E O PENSAMENTO INTERPRETATIVO NA INDONÉSIA

Article received on: 8/25/2025
Article accepted on: 10/24/2025

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The authors declare that there is no conflict of interest

Abstract
This study examines the dominance of the Dutch colonial government's legal-political policies over interpretive thinking in Indonesia. This domination produced a relationship between Dutch colonial legal-political policies and interpretive thinking in Indonesia. Legal-political policies, as products of power and of interpretation, are also products of thought situated within the domain of knowledge. Therefore, to critique the relationship between Dutch colonial legal-political policies and Indonesian interpretation, Foucault's power and knowledge framework is used. The relationship is not one of equal bargaining power. Rather, Indonesian interpretation is positioned as the dominated party, socially, politically, legally, and culturally. Therefore, the five interpretations that are the object of the study will be analyzed through postcolonial theory to assess the extent of the relationship between colonial legal politics and Indonesian interpretation. This is a library-based study that uses five commentaries as primary sources, including "Tafsir al-Quran al-Hakim Beserta Tujuan dan Maksudnya" by Ilyas and Abdul Jalil (1920), "Tafsir al-Furqan" by Ahmad Hasan (1928), "Tafsir al-Quran al-Karim" by Abdul Halim, Arifin Abbas, and Abdurrahman Haitami (1930), "Tafsir al-Quran al-Karim" by Mahmud Yunus (1935), and "Tafsir al-Quran" by Zainuddin Hamidy and Fakhruddin (1959). This study is descriptive and analytical in nature, employing a historical approach. The study identifies three important

Resumo
Este estudo examina o domínio da política jurídica colonial holandesa sobre o pensamento interpretativo na Indonésia. Esse domínio desenvolveu-se em uma relação entre a política jurídica colonial holandesa e o pensamento interpretativo indonésio. A política jurídica é um produto do poder, e a interpretação é um produto do pensamento, abrangendo o domínio do conhecimento. Portanto, a teoria foucaultiana das relações de poder e conhecimento é utilizada para criticar a relação entre a política jurídica colonial holandesa e a interpretação indonésia. A relação que emergiu não foi de igual poder de barganha, mas sim da interpretação indonésia como parte dominante social, política, jurídica e culturalmente. Portanto, as cinco interpretações que constituem o estudo serão analisadas à luz da teoria pós-colonial para examinar a extensão da relação entre a política jurídica colonial e a interpretação indonésia. Este estudo é uma revisão da literatura de cinco comentários como fontes primárias de dados: "Tafsir al-Quran al-Hakim e seus objetivos e propósitos" de Ilyas e Abdul Jalil (1920); "Tafsir al-Furqan" de Ahmad Hasan (1928); "Tafsir al-Quran al-Karim" de Abdul Halim, Arifin Abbas e Abdurrahman Haitami (1930); "Tafsir al-Quran al-Karim" de Mahmud Yunus (1935); e "Tafsir al-Quran" de Zainuddin Hamidy e Fakhruddin (1959). Este estudo é de natureza descritiva e analítica, com abordagem histórica. Este estudo revelou três conclusões importantes: o conceito

findings, including the concept and construction of Indonesian interpretation, the values of Dutch colonial legal-political policies in Indonesian interpretation, and the implications of Dutch colonial legal-political policies in Indonesian interpretation. This study demonstrates the relationship between the legal policies of the Dutch colonial government and Indonesian interpretation, particularly in interpretations of legal verses in Indonesia.

Keywords: Power Relations. Legal Political Policy. Colonial Government. Indonesian Interpretation.

e a construção dos comentários indonésios; os valores da política jurídica colonial holandesa nos comentários indonésios; e as implicações das relações jurídico-políticas coloniais holandesas nos comentários indonésios. Este estudo demonstra a relação entre a política jurídica do governo colonial holandês e os comentários indonésios, particularmente no que diz respeito às interpretações relacionadas a versos jurídicos na Indonésia.

Palavras-chave: *Relações de Poder. Políticas Jurídicas. Governo Colonial. Interpretação Indonésia.*

1 INTRODUCTION

The development of Islamic interpretation in Indonesia demonstrates a strong relationship with the legal policies of the Dutch colonial government. Dutch colonial legal policies toward Islam in Indonesia can be divided into two periods. ***First,*** the period of the Dutch East India Company (VOC) from 1596 to the mid-nineteenth century, interrupted by British rule from 1811 to 1816. ***Second,*** the period from the mid-nineteenth century until the end of Dutch colonial rule in Indonesia (Iqbal, 2022; Syawqi, 2021; Danang, 2022). According to Hoadley (2009) and Benda (1958), Dutch colonial legal policy in these two periods influenced Islamic society. This influence can be seen in the following cases: (a) the implementation of Islamic law for the indigenous Muslim community as regulated in the provisions of Governor-General Daendels (1808–1811) of the Dutch colonial government and Governor-General Raffles (1811–1816) of the British government, as well as the *Receptie in Complexu* theory of Van den Berg (1845–1927); (b) regulations on Islamic inheritance and inter-Muslim marriage as contained in the VOC Batavia Statute of 1642 and the Compendium by Freijer dated May 25, 1760; (c) implementation of laws for the Muslim community as instructed in the *Regeeringsreglement* Staatsblad of 1855, and the establishment of religious courts in Java and Madura in 1882; (d) division of the duties of religious leaders as regulated in the *Regeeringsreglement* Staatsblad of 1855; (e) determination of provisions of Islamic law and customary law as explained in Snouck Hurgronje's *Receptie* theory (1993 and 1995); (f) trade regulations as set out in the Trade Code of 1841 compiled by a team chaired by Van Oud Haarlem (1794–1849); (g) regulations for the Hajj pilgrimage drawn up by the

Volksraad, as contained in the *Ordonnantie* of 1825, 1827, 1851, and 1859, later refined in the Pilgrim *Ordonnantie* Staatsblad 1922, which stipulated that native Muslims could arrange transportation for prospective Hajj pilgrims; and (h) further Volksraad ordinances, including those concerning Hajj pilgrimage travel passes, as set out in the Pilgrims *Ordonnantie* Staatsblad No. 698, Staatsblad 1927 No. 508, and Staatsblad 1931 No. 44 (Holleman, 1981: 2; Maram et al., 2024).

The literature on Indonesian *tafsir* can be grouped into three categories. ***First,*** *tafsir* studies that demonstrate the influence of Middle Eastern scholars. According to Masdar (2023: 1–12), *tafsir* that refers to anything other than the Qur'an, Sunnah, and the opinions of scholars is invalid and forbidden. According to Muchtar (2023: 1–16), as part of Islamic studies, Indonesian *tafsir* cannot be separated from developments in *tafsir* thought in the Middle East. According to Azra (2013), there is a strong network between Middle Eastern scholars and scholars in the Indonesian archipelago. According to Faqih (2024), the development of interpretation in Indonesia was influenced by the mind-set of Middle Eastern scholars, and according to Anwar and Muhyi (2022), the genealogy and transformation of interpretation in the archipelago in the nineteenth and twentieth centuries originated from the Middle East. ***Second,*** interpretation studies show a relationship between Islamic law in Indonesia and Dutch colonial legal politics. According to Iqbal (2022), there was an influence of Dutch East Indies legal politics on Islamic legal legislation in Indonesia. According to Fitriani et al. (2024), Dutch colonial legal politics influenced religious courts. According to Mustofa (2017), there are dynamics of post-colonial Indonesian Islamic law, and according to Zaelani (2020), Dutch colonial policies influenced Islamic law in Indonesia. ***Third,*** interpretation studies illustrate the existence of local culture in the construction of Indonesian interpretation. According to Saputra (2021), there is a dialectic of Islam and local culture in the *Batamat al-Qur'an* tradition of the Banjar people. According to Shifa (2020), local studies of the Qur'an—namely Sundanese interpretation—have been marginalized, and according to Umar (2020), there is a relationship between Javanese culture and Islam. From these three tendencies, it appears that no studies have analyzed the relationship between Dutch colonial legal politics and Indonesian interpretation, the associated values, and the implications of this relationship.

This study aims to address the shortcomings of existing studies that have focused solely on the influence of Indonesian Islamic culture or on Dutch colonial legal and

political values in a linear fashion, with insufficient attention to how these two sources of values complement each other, influence one another, and affect the broader community. Therefore, three questions are posed: (a) What are the concepts and constructions of interpretive thought in Indonesia? (b) How do Dutch colonial legal and political values influence the construction of Indonesian interpretation? (c) What are the implications of Dutch colonial legal and political relations for Indonesian interpretation? The answers to these three questions form the core of this study and constitute its findings.

This study is important for five reasons: (a) the debate on the conceptualization of Indonesian interpretation has not yet been resolved, especially with regard to the value bases that determine the construct of Indonesian interpretive thinking; (b) it corrects the view of scholars who treat Middle Eastern scholars as the sole reference for Indonesian interpretation; (c) it develops a critique and proposes solutions for those who believe that interpretations sourced from materials other than the Qur'an, Sunnah, and the opinions of scholars are *haram*; (d) it clarifies the relationship between the legal politics of the Dutch colonial government and Indonesian interpretation, especially how colonial legal politics became a source of values that enriched the concept of Indonesian interpretation; and (e) it highlights the need to study Indonesian interpretation from various perspectives in order to build a dynamic field of interpretation. To date, the debate has tended to treat the concept of Indonesian interpretation as narrow and less dynamic, owing to variations in perspective and culture.

2 LITERATURE REVIEW

2.1 Colonial construction

Colonial construction reinforces and preserves identities based on territorialization (Nayak, 2021). It produces a bipolar mind-set that divides society into strong and weak classes—superordinate and subordinate, oppressor and oppressed. Furthermore, Kurniawan (2020) states that the collective memory of life under colonization creates a subconscious impulse to imitate and identify with Western symbols, treating Western society as the central reference point. In line with this, Rakhmanita et al. (2021) argue that Indonesia's colonial past fosters a mind-set that views the colonizing country as superior, prompting indigenous peoples to imitate it.

Mutassaroh (2025) explains that colonial construction is closely linked to dominant attitudes and practices. It represents the power and politics concealed behind actions. Thus, colonial construction can be understood as an intellectual perspective oriented toward domination and power.

In practice, interpretive thinking often influences the thought patterns, actions, and policies of its adherents (Wach, 1994: 89–100). In this regard, the dominance of colonial legal politics over interpretive thinking gives rise to at least three functions of religion: ideological, identity, and legitimacy (Haryatmoko, 2020: 64–65). When interpretive thinking is dominated by these functions, a negative relationship develops between colonial legal politics and interpretive thinking in Indonesia. According to Haryatmoko (2020: 67), religion often becomes an ideology that leads to fanaticism and religious intolerance. In this case, interpreters tend to adopt one of five attitudes: radical, accommodative, synthetic, dualistic, or transformative (Wiryotenoyo, 2020: 73–74).

Colonial construction shapes people's mind-sets across various fields, such as: (a) tourism, particularly cuisine, where Khayat (2020) shows that Indonesian food occupies a paradoxical position—on the one hand depicted as local cultural heritage, on the other portrayed as second-class food—at odds with images of healthy, clean, and "classy" foreign cuisine; (b) racial identity, where the inferiority imposed by colonial constructions is evident in the production of racial categories, creating social segregation into groups based on geographic, sociopolitical, and contemporary identities (Reddy & Gleibs, 2019); and (c) public policy, where colonial constructions create problems in policy implementation and existing policies tend to be elitist. Therefore, Purba et al. (2024) argue that new policy design should promote development as a form of recovery from forced-cultivation policies and eliminate biased and paradoxical policies at both the public-policy and public-space levels. These findings indicate that colonial culture strongly influences the mind-set and culture of Indonesian society.

2.2 Local interpretation

Interpretation is a concept distinct from description. It denotes a perspective on something, but it is not the same as explanation, because interpretation involves in-depth study before arriving at a judgment (Weberman, 2021). This supports the view that local interpretation is one of the most common and accepted methods for achieving deeper

understanding. Local interpretation is usually conducted by local communities regarding events that occur within their milieu, with reference to both local and global contexts (Subando et al., 2025). What is interpreted in local communities is traced to teachings appropriate to local needs, thereby influencing various aspects of community life—for example, interpretations related to water infrastructure (Subando et al., 2025). Local interpretation refers to readings that diverge from modern perspectives. In other words, it draws on traditional local thought and shapes economic, social, political, and cultural dynamics (Ayuningtias, 2024). Local interpretations often differ from—or stand in tension with—modernity and reflect the views of vulnerable communities as a form of critique (Rakhmayanti & Bissalam, 2025).

ges. Examples appear in various forms. First, religious and culturally inflected writings, such as local interpretations of religious texts like the Qur'an (Fikri Ys, 2021). Because the Qur'an is in Arabic, local interpretation is necessary for community understanding. Second, beyond religious texts, local interpretation is applied to local symbols such as graphics (Taufiq & Maimunah, 2025), including three-dimensional forms. Third, it extends to songs in regional languages (Putra & Nurlizawati, 2022)—that is, songs using traditional languages. Fourth, it encompasses interpretations of local history aimed at regional development (Makhasi & Fakhrurrifqi, 2020). Fifth, it has been used in student performances during the pandemic through virtual learning models (Adnan et al., 2022). In short, local interpretations can be expressed through many media, including written texts, visual graphics, and even performative action.

2.3 Islamic teaching

Islam is a universal teaching actualized in the lives of individuals, society, and the nation-state, relating to the implementation of a person's rights and obligations to God, His Messenger, fellow humans, and the environment (Nugraha et al., 2025). As a religion, Islam has universal and comprehensive teachings comprising complex elements; in some parts there are exclusive principles (ʿaqīdah), while in others (social relations) they are inclusive (Hayati et al., 2025). The basic characteristics and qualities of Islamic teachings that embody universal values include matters related to monotheism, ethics and morals, forms and systems of government, socio-political and economic life, democratic participation (deliberation), social justice, peace, education and intellectualism, work

ethic, and the environment (Hariandi et al., 2025). This shows that one characteristic of Islamic teachings is *shāmil* (complete/encompassing), meaning that Islamic teachings organize and encompass the entire fabric of human life, providing guidance, direction, and solutions to humanity's problems. Accordingly, the values of Islamic teachings are believed to bring prosperity, happiness, and salvation to all humankind, both in this world and in the hereafter (Rahmayanti et al., 2025).

Islam is a religion that regulates all aspects of human life. The main mission of Islamic teachings is to free human beings from various forms of anarchy and injustice. The doctrine of enjoining good and forbidding evil has inspired the struggle to uphold the truth of Islamic teachings and to realize them on the foundations of Islamic law (Alasror et al., 2025). The sources of Islamic teachings are the Qur'an, the Sunnah, and *ijtihād*. Meanwhile, the scope of Islamic teachings includes monotheism/ʿaqīdah, *sharīʿah*, and morals (Iskandar, 2023). The value dimensions of Islamic teachings can be divided into three types: the value of faith, which teaches belief in the existence of Allah SWT; the value of worship, which teaches that every action should be grounded in sincerity to attain Allah's pleasure; and the value of morals, which teaches people to behave according to sound norms and manners (Hakim, 2022). These three values show that the core of Islamic teachings is a religion of *raḥmatan li-l-ʿālamīn* (a blessing for all creation), which logically entails continual care for those in need of help or assistance. In other words, Islamic teachings bring blessings to humanity (Apriliah et al., 2025).

3 METHOD

The selection of interpretations by Ilyas and Abdul Jalil (1920), Ahmad Hasan (1928), Abdul Halim, Arifin Abbas, and Abdurrahman Haitami (1930), Mahmud Yunus (1935), and Zainuddin Hamidy and Fakhruddin (1959) was based on their clear relationship to Dutch colonial legal politics, especially in the interpretation of legal verses (Hoadley, 2009). This study employs a library research design, namely a review of references and scientific literature related to the thoughts, culture, value systems, and norms developed in the social situation under study (Sugiyono, 2020). The approach is qualitative and processes data descriptively in the form of observable written language. The qualitative approach is used to explain and analyze social, political, cultural, and other policy phenomena (Arikunto, 2020).

The research data consist of primary and secondary sources. The primary data comprise five *tafsir* books and Dutch colonial legal and political documents. The secondary data include books, journals, newspapers, and social media relevant to the research object (Rukajat, 2018). Data were collected through documentation methods (Arikunto, 2020). The analysis used qualitative analysis (Soegiono, 2020) with interpretive techniques, namely an analytical step to obtain meaning for an object or document in depth and breadth (Fernandez, 2018). The documents analyzed were religious texts and official records concerning the relationship between Dutch colonial legal and political relations and Indonesian interpretation (Muhajir, 2015: 68).

4 RESULTS

4.1 Concepts and construction of interpretive thought in Indonesia

The view of scholars who claim that Indonesian interpretation merely follows Middle Eastern interpretation is not entirely correct. Although there are conceptual similarities in the idea of interpretation in the Middle East and in Indonesia (Fajri et al., 2023: 10–30), the construction of Indonesian interpretation differs from Middle Eastern interpretation. This difference can be seen in two respects, namely internal and external aspects. Internally, according to Sudariyah (2023: 93–103), Middle Eastern methods and techniques of interpretation tend to be exclusive and resistant to alternative methods from outside, whereas Indonesian interpretation is more inclusive and more readily accepts alternatives from beyond the Middle East. Externally, the socio-cultural conditions that shape interpretive thinking also differ between the Middle East and Indonesia (Said, 2017: 205–231). Sources of interpretation in the Middle East often include *isrā'īliyyāt* and *nasrāniyyāt* narratives—for example, Hajar and Zuhdi's conclusions (2023: 285–306)—and the influence of al-Dakhil in the form of *isrā'īliyyāt* and *nasrāniyyāt* stories has negatively affected Muslims' faith (Ride & Riyadi, 2022: 235–260). Al-Dhahabi strongly criticized *Tafsīr al-Jawāhir* by Thanṭāwī Jauharī for its extensive use of al-Dakhil, and, according to Rokhim (2022: 1409–1426), many Middle Eastern commentators adopt moderate attitudes toward *isrā'īliyyāt* and *nasrāniyyāt*. Indonesian interpretation, by contrast, draws heavily on the socio-cultural realities of the archipelago; as Darmawan (2022: 1–17) notes, the renewal of interpretation in Indonesia has significantly influenced

Indonesian interpretive thinking. Novita and Halimatusa'diyah (2023: 1–18) also highlight the strong influence of local Acehnese wisdom in the interpretation of *Tarjumān al-Mustafīd* by al-Sinkilī, and Latif (2020: 55–69) points to the strong spectrum of Nusantara socio-culture in the development of interpretation in Indonesia.

Structurally, Indonesian exegetical thought has undergone significant change. Whereas it was previously dominated by classical exegetical thought from the Middle East (al-Farwāwī, 2002), such as Nawawī's *Tafsīr Munīr* in Arabic (al-Zuhailī, 2016) and Bisri Musthofa's *Tafsīr al-Ibrīz* in Javanese, today it has developed rapidly. According to Mu'allifah (2022: 312–324), methodologically there has been a swift shift toward contextual exegesis with a hermeneutical nuance, emphasizing epistemological-methodological aspects and oriented toward the spirit of the Qur'an through an interdisciplinary perspective that employs modern sciences such as philosophy, semantics, sociology, anthropology, economics, psychology, and technology. Abdillah (2023: 53–66) notes that this type of interpretation includes, for example, *Tafsīr al-Miṣbāḥ* by Quraish Shihab (2012).

Likewise, Indonesia's former Dutch colonial rule has influenced many aspects relevant to Indonesian interpretation, including regional languages, indigenous Islamic culture, Islamic education, and Islamic legal thought. Regarding regional languages, Pastika (2012: 141–164) states that the influence of a foreign language (Dutch) on Indonesian and regional languages can be both an opportunity and a challenge. According to Lestari (2023: 114–129), the Dutch colonial government implemented discriminatory education policies and limited local culture-based education. Azmi (2023: 56–75) observes that Dutch colonial and Japanese occupation policies affected Indonesian Islamic education. Normannan (2023: 12–23) finds that Dutch colonial legal policy influenced Indonesian Islamic legal thought. Roifa, Anwar, and Darmawan (2022: 21–36) argue that the development of Indonesian interpretation during the pre-independence period of 1900–1945 was influenced by the political policies of the Dutch government.

4.2 The relationship between dutch colonial legal-political values and interpretation in Indonesia

Table 1

Dutch Colonial Legal-Political Values Interpretation in Indonesia

No.	The Political Construction of Colonial Law	Kitab Tafsir	Surat and Verse	Interpretation
1.	Implementation of Islamic and customary law for Muslims: (1) G.J. Daendels Regulation (1808–1811), Netherlands; (2) Sir Thomas S.B. Raffles Regulation (1811–1816), England	*Tafsīr al-Qur'ān al-Ḥakīm wa Maqāṣiduh* (Ilyas & Jalil, 1920); *Tafsīr al-Furqān* (Hasan, 1928); *Tafsīr al-Qur'ān al-Karīm* (Halim, Abbas, & Haitami, 1930); *Tafsīr al-Qur'ān al-Karīm* (Yunus, 1935); *Tafsīr al-Qur'ān* (Hamidy & Fakhruddin, 1959)	Q.S. al-Mā'idah (5): 44, 45, 47	Obligation to implement Islamic law for Muslim communities
2.	Regulations on the implementation of inheritance for Muslims: (1) VOC Batavia Statute of 1642; (2) Compendium of D.W. Freijer, 25 May 1760	*Tafsīr al-Qur'ān al-Ḥakīm wa Maqāṣiduh* (Ilyas & Jalil, 1920); *Tafsīr al-Furqān* (Hasan, 1928); *Tafsīr al-Qur'ān al-Karīm* (Halim, Abbas, & Haitami, 1930); *Tafsīr al-Qur'ān al-Karīm* (Yunus, 1935); *Tafsīr al-Qur'ān* (Hamidy & Fakhruddin, 1959)	Q.S. al-Nisā' (4): 11, 12, 176; Q.S. al-Anfāl (8): 75; Q.S. al-Aḥzāb (33): 6	Obligation to implement Islamic inheritance law for Muslim society
3.	Regulations on the implementation of marriage between Muslims: (1) VOC Batavia Statute of 1642; (2) Compendium of D.W. Freijer, 25 May 1760	*Tafsīr al-Qur'ān al-Ḥakīm wa Maqāṣiduh* (Ilyas & Jalil, 1920); *Tafsīr al-Furqān* (Hasan, 1928); *Tafsīr al-Qur'ān al-Karīm* (Halim, Abbas, & Haitami, 1930); *Tafsīr al-Qur'ān al-Karīm* (Yunus, 1935); *Tafsīr al-Qur'ān* (Hamidy & Fakhruddin, 1959)	Q.S. al-Baqarah (2): 221; Q.S. an-Nūr (24): 32; Q.S. al-Mumtaḥanah (60): 10	Recommendations governing marriage between Muslims
4.	Regulations for the implementation of religious courts: Staatsblad 1855 and 1882	*Tafsīr al-Qur'ān al-Ḥakīm wa Maqāṣiduh* (Ilyas & Jalil, 1920); *Tafsīr al-Furqān* (Hasan, 1928); *Tafsīr al-Qur'ān al-Karīm* (Halim, Abbas, & Haitami, 1930); *Tafsīr al-Qur'ān al-Karīm* (Yunus, 1935); *Tafsīr*	Q.S. an-Nisā' (4): 58; Q.S. al-Mā'idah (5): 11–12	Obligation to implement the law fairly and in accordance with established rules

No.	The Political Construction of Colonial Law	Kitab Tafsir	Surat and Verse	Interpretation
		al-Qur'ān (Hamidy & Fakhruddin, 1959)		
5.	Regulations for the implementation of the ḥajj pilgrimage: (1) Volksraad ordinances of 1825, 1827, 1851, 1859; (2) Pilgrim Ordinance Staatsblad 1922; Staatsblad 1927 No. 508; Staatsblad 1931 No. 44	*Tafsīr al-Qur'ān al-Ḥakīm wa Maqāṣiduh* (Ilyas & Jalil, 1920); *Tafsīr al-Furqān* (Hasan, 1928); *Tafsīr al-Qur'ān al-Karīm* (Halim, Abbas, & Haitami, 1930); *Tafsīr al-Qur'ān al-Karīm* (Yunus, 1935); *Tafsīr al-Qur'ān* (Hamidy & Fakhruddin, 1959)	Q.S. Āl ʿImrān (3): 97; Q.S. al-Ḥajj (22): 27	Obligation to perform the ḥajj for those who are able

Table 1 shows that the Islamic inheritance and inter-Muslim marriage regulations codified in the VOC Batavia Statute of 1642 and the D.W. Freijer Compendium of 25 May 1760 accord with the intent of Q.S. al-Nisā' (4): 11, 12, 176; Q.S. al-Anfāl (8): 75; Q.S. al-Aḥzāb (33): 6 on Islamic inheritance; and Q.S. an-Nūr (24): 32 on inter-Muslim marriage. The implementation of laws for indigenous communities as instructed in the *Regeeringsreglement* (Government Regulation) Staatsblad of 1855 and the establishment of religious courts in Java and Madura in 1882 align with the intent of Q.S. al-Mā'idah (5): 11–12. The division of duties of religious leaders regulated in the *Regeeringsreglement* Staatsblad 1855 is consistent with Q.S. an-Naḥl (16): 90. The determination of provisions of Islamic law and customary law, as explained by Snouck Hurgronje's *Receptie* theory (1993; 1995), accords with Q.S. an-Naḥl (16): 123. Trade regulations codified in the 1841 Trade Law Book compiled by the commission led by Scholten van Oud Haarlem (1794–1849) align with Q.S. al-Baqarah (2): 275.

The regulations for the ḥajj compiled by the Volksraad—ordinances of 1825, 1827, 1851, and 1859—were refined in the Pilgrim Ordinance of 1922, which enabled indigenous people to arrange transportation for prospective pilgrims. Subsequently, the Volksraad issued several further ordinances, including the Pilgrims Ordinance Staatsblad No. 698, Staatsblad 1927 No. 508, and Staatsblad 1931 No. 44 concerning the Hajj Travel

Pass; these are in line with Q.S. al-Ḥajj (22): 27 (Holleman, 1981: 2; Tholin, 1985: 5). The interpretations of these verses in a number of Indonesian tafsir works demonstrate a relationship with Dutch colonial legal politics.

Strong relationships also appear in other cases. *First*, the establishment of a religious-court institution is supported by the interpretation of Q.S. al-Mā'idah (5): 11–12, which emphasizes preventing or adjudicating criminal behavior among Muslims. This interpretation is relevant to the purpose of establishing Islamic courts as reflected in the *Compendium Freijer* and *Compendium Mugharrar*. The refined outputs of the *penghulu* and *ulama* were submitted to the VOC on 25 May 1760. The *Compendium Freijer* was used by courts to resolve disputes among Muslims in VOC-controlled areas; the *Compendium Mugharrar* applied in the Semarang area; the *Cironbosch Rechtboek* functioned as *pepaken* in Cirebon; and the *Indiasche Wetten bij Hoven van Bone en Goa* collected Dutch East Indies laws valid for Bone and Gowa (Sastrosatmojo & Aulawi, 1977: 11–12). *Second*, the division of the duties of religious leaders is explained by Q.S. an-Naḥl (16): 90, which enjoins rulers and judges to act justly and do good—usually by providing assistance and prohibiting cruelty, enmity, and indecency (Hasan, 1928; Halim et al., 1930; Yunus, 1935; Hamidy & Fakhruddin, 1959). This interpretation strongly aligns with the regulations of Governor-General H.W. Daendels during 1808–1811 on the implementation of Islamic law, customary law, and the duties and functions of religious leaders (Salomon, 1953; Keyzer, 1957; Bali, 1982).

Third, the establishment of customary law is supported by Q.S. an-Naḥl (16): 123, which commands the Prophet Muhammad and his community to follow the religious path of Prophet Abraham, an instruction that later became institutionalized. This corresponds to the *Regeeringsreglement* Staatsblad of 1855, which instructed courts to use the laws and customs of indigenous communities (Hoadley, 2009: 539). *Fourth*, trade regulations relate to Q.S. al-Baqarah (2): 275, which prohibits usury; this coheres with the creation of the Commercial Law Code completed in 1841 (Holleman, 1981: 1–17). *Fifth*, regulations on implementing the ḥajj correspond to Q.S. al-Ḥajj (22): 27, which stipulates the obligation to perform ḥajj; this interpretation aligns with Snouck Hurgronje's proposal to the Dutch colonial government to improve the administration and governance of the ḥajj (Hurgronje, 1995: 53–67).

4.3 Implications of dutch colonial legal-political relations in interpretive thought in Indonesia

Dutch colonial legal and political policies applied to the indigenous population of the archipelago hegemonized many aspects of life, including religion. This produced two broad responses: accommodative and non-accommodative. An accommodative attitude is exemplified by Sayid Usman in his works *Minhāj al-Istiqāmah* and *Al-Qawānin al-Syar'iyah* (Alim, 2023). By contrast, non-accommodative attitudes generated resistance among indigenous peoples. According to Siahaan (2021: 253–254) and Siri (2022), the outbreak of the Aceh War (1873–1913), the Padri War in West Sumatra (1803–1837), and the Java War led by Prince Diponegoro (1825–1830) are evidence of persistent resistance. Kurniawati (2023: 186–191) notes that this situation produced increasingly repressive colonial policies—particularly against *kyai* (Islamic boarding-school leaders) who drove much of the rebellion. Over time, mutual unwillingness to compromise softened, leading the colonial government to adopt more accommodating legal policies, which were later associated with Indonesian interpretive thought.

The relationship between Dutch colonial legal politics and Indonesian interpretive thinking has several fourth implications. **First**, scholars who claim that Indonesian interpretive sources derive primarily from Middle Eastern thought are not entirely correct, because Indonesian interpretation—especially in legal matters—relates closely to Dutch colonial legal policies. Evidence includes strong connections with the implementation of Islamic law for Muslim communities, marriage and inheritance rules for Muslims, the formation of religious courts, the division of religious leaders' duties, the establishment of customary law, trade regulations, and ḥajj regulations (Holleman, 1981: 2; Tholib, 1985: 5).

Second, Indonesian interpretive thought has developed in techniques, writing systems, and languages. Examples include collaborative methods used by Ilyas and Jalil in composing the commentary on *Alqoeranoel Hakim* with Toedjoen and Maksoednja (1920); Halim, Abbas, and Haitami's *Tafsīr al-Qur'ān al-Karīm* (1930); and Hamidy and Fakhruddin's *Tafsīr al-Qur'ān* (1959). Individual approaches also flourished: Hasan's *Tafsīr al-Furqān* (1928), Yunus's *Tafsīr al-Qur'ān al-Karīm* (1935), ash-Shiddieqy's *Tafsīr al-Bayān* (1966), Hamka's *Tafsīr al-Azhar* (1973), and Quraish Shihab's *Tafsīr al-Miṣbāḥ* (2003). Many commentaries were written in regional languages, such as the

Sundanese *Roudhatul al-Irfān* by A. Sanusi (1959) and the Javanese *al-Ibrīz* by Bisri Musthofa (1960).

Third, awareness has grown among Islamic legal practitioners and administrators of Religious Courts of the need to loosen the hegemony of Dutch colonial legal politics. Over time, Religious Courts have achieved parity with General Courts in Indonesia, and their legal sources have undergone significant change. Several statutes concerning Religious Courts, the *Compilation of Islamic Law*, and laws on *zakat*, *waqf*, and ḥajj indicate a positive trajectory (Santoso, 2014). Regarding the ḥajj, on October 20, 2025 the President established a ministry to manage the implementation of the ḥajj and *umrah* pilgrimages (State Secretariat of the Republic of Indonesia, 2025).

Fourth, many authors of *tafsīr* sought to break free from Dutch legal-political hegemony by reformulating interpretive thinking—reconsidering sources of reference, methods and styles of writing, and linking *tafsīr* to developments in science, technology, social media, and contemporary social issues (Taryudi & Setiawan, 2021). These liberation efforts focused on matters deemed crucial or contrary to Islamic teachings (Kerwanto et al., 2024: 452–470).

The relationship between Dutch colonial legal politics and Indonesian interpretive thought emerged for several reasons: (a) Dutch colonial legal policies were implemented earlier than the development of Indonesian interpretive thought; (b) Dutch colonial legal-political values became one source of interpretive values in Indonesia; (c) interaction between Dutch legal-political values and Indonesian interpretation occurred because both evolved to meet Muslim community needs; (d) dialogic encounters between religious figures and colonial rulers enabled transformations across colonial theology and interpretive scholarship; (e) understandings that emphasize values beyond religion developed, given religion's vulnerability to use as ideology and political justification; and (f) the Dutch colonial government and Muslim communities sometimes shared a practical goal—to promote social order for believers (Dardini, 2015: 72–90).

5 DISCUSSION

Interpretive thinking in Indonesia has a strong relationship with the legal-political values of the Dutch colonial government, as seen in the following aspects:

First, the regulations of G.J. Daendels (1808–1811) and Sir Thomas S.B. Raffles (1811–1816) implemented Islamic law and customary law for the indigenous Muslim community. These regulations drew sharp criticism from a number of Dutch government figures (Setyawan, 2020). According to Siregar et al. (2024: 185), both governors-general—especially Raffles—were known for liberal policies that restructured earlier regulations, such as changes in land ownership, and for implementing Islamic and customary law that favored indigenous communities and Muslims. In line with Hidayat et al. (2025), the implementation of Islamic and customary law fostered positive interactions among Muslims. Considering these policies beneficial, later interpreters treated the policies of Daendels and Raffles as sources for interpretation, connecting them to Q.S. al-Mā'idah (5): 44, 45, and 47 on the obligation to implement Islamic and customary law for Muslim communities (Ilyas & Jalil, 1920; Hasan, 1928; Halim et al., 1930). In Ira's view (2025), the Dutch colonial government of the time—and Muslims in several regions such as Aceh and West Sumatra—saw Islamic law as aligned with customary law (Fitriyani et al., 2024).

Second, the Batavia Statute of 1642 contained three important provisions: Islamic inheritance law applied to the indigenous Muslim population; it represented a compromise between the VOC, which recognized customary law; and it served as a basis for compiling Islamic family law in VOC territories. In 1766, the statute was revised into the Batavia Statute of 1766, which had more complete content (Saputra, 2025). According to Maimun (2024), this revision reflected a softening of the Dutch colonial government's stance toward indigenous Muslims. The first revised point relates to interpretations of Q.S. al-Nisā' (4): 11, 12, and 176; Q.S. al-Anfāl (8): 75; and Q.S. al-Aḥzāb (33): 6, which state that inheritance distribution for heirs must use Islamic inheritance law (*farā'iḍ*) (Hasan, 1928; Yunus, 1935).

Third, the D.W. Freijer Compendium of 25 May 1760 addressed two issues: regulations for the implementation of marriage between Muslims and regulations concerning distribution of inheritance according to Islam within the territory of Indonesia. Because the regulation was unclear, its implementation often sparked debate (Zaelani, 2019). In 2022 the Supreme Court improved matters, especially regarding inheritance rights for wives and children after divorce (Fauzi, 2025). The first part of the Compendium contains rules of Islamic marriage related to Q.S. al-Baqarah (2): 221; Q.S.

an-Nūr (24): 32; and Q.S. al-Mumtaḥanah (60): 10, which state that a Muslim bride and groom must marry within the faith (Halim et al., 1930; Hamidy & Fakhruddin, 1959).

Fourth, the *Regeeringsreglement* Staatsblad of 1855 and 1882 contained regulations for the implementation of religious courts. In 2015 the National Legal Development Agency of the Ministry of Law and Human Rights analyzed and evaluated a number of colonial-era laws that remained in force. Even after seventy years of independence, Indonesia's positive legal system has not fully become a purely national legal system; it still mixes customary law, Dutch colonial law, amended statutes, subordinate regulations, Islamic law, international agreements, and elements of common law—drifting from the ideals of the nation's founders (Hartono, 2015). Even so, the *Regeeringsreglement* of 1855 and 1882 functioned as a corrective for indigenous Muslims at the time and became a basis for commentators linking Q.S. an-Nisā' (4): 58 and Q.S. al-Mā'idah (5): 11–12 on the obligation to administer justice fairly and in accordance with Islamic rules (Yunus, 1935; Hamidy & Fakhruddin, 1959).

Fifth, the Volksraad *Ordonnantie* of 1825, 1827, 1851, and 1859 and the Pilgrim *Ordonnantie* (Staatsblad 1922; 1927 No. 508; 1931 No. 44) regulated the implementation of the ḥajj. These regulations were intended to limit and control the unregulated conduct of the pilgrimage (Aini, 2025: 1–9). Viewing the ḥajj as politically sensitive—and as a potential catalyst for independence leaders—the colonial government used regulation and control to manage it (Hasanah, 2023). Nevertheless, participation did not decline; on the contrary, it increased (Hana, 2021). The ḥajj became a magnet for Muslims worldwide to meet, seek knowledge and global experience, improve social status, and fulfill a pillar of Islam—consistent with Q.S. Āl ʿImrān (3): 97 and Q.S. al-Ḥajj (22): 27 on the obligation of ḥajj for those who are able (Ilyas & Jalil, 1920; Hasan, 1928; Yunus, 1935).

6 CONCLUSION

From the overall discussion above, it is evident that Dutch colonial legal-political values were related to Indonesian interpretive thinking. This occurred because: (1) Dutch colonial legal-political thought emerged earlier than Indonesian interpretation, as shown by the many Dutch legal-political values linked to Indonesian interpretation; (2) dialogic encounters between the Dutch government and Islamic figures (interpreters) enabled the transfer and transformation of Dutch legal-political thought into Indonesian

interpretation; (3) understandings that prioritized values beyond religion developed, given the vulnerability of Indonesian legal politics and interpretation to use as political justification; and (4) similarities in vision and function between Dutch legal-political values and Indonesian interpretation promoted empowerment of indigenous Muslim communities in social and cultural domains.

The results of this study indicate a relationship between Dutch colonial legal policy and Indonesian interpretation, especially in interpretations of legal verses in Indonesia, including: the obligation to implement Islamic law for Muslim communities; the obligation to implement Islamic inheritance law for Muslim communities; recommendations governing marriage between Muslims; the obligation to implement the law fairly and in accordance with established rules; and the obligation to perform the Hajj for Muslims who are able. Studies of this kind should be followed up by other reviewers and researchers through more parametric, multi-perspective designs so that Indonesian interpretive thinking becomes more productive and functional for Muslims worldwide.

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Authors' Contribution

Both authors contributed equally to the development of this article.

Data availability

All datasets relevant to this study's findings are fully available within the article.

How to cite this article (APA)

Mu'min, M., & Mufid, F. THE RELATIONSHIP BETWEEN THE DUTCH COLONIAL GOVERNMENT'S LEGAL POLICIES AND INTERPRETIVE THINKING IN INDONESIA. Veredas Do Direito, e223605. https://doi.org/10.18623/rvd.v22.n5.3605