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Citation

Avonius, L. (2008). The Ahmadiyya & Freedom of Religion in Indonesia. *Isim Review*, 22(1), 48-49. Retrieved from <https://hdl.handle.net/1887/17263>

Version: Not Applicable (or Unknown)
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Downloaded from: <https://hdl.handle.net/1887/17263>

Note: To cite this publication please use the final published version (if applicable).

The Ahmadiyya & Freedom of Religion in Indonesia

LEENA AVONIUS

Since the change of regime in 1998, Indonesia has reformed its national legislation to better correspond with international human rights principles by introducing new laws, amending the Constitution, and ratifying the core international human rights covenants. Yet the ongoing struggle over the position of the Ahmadiyya community illustrates that no consensus has been achieved on some basic human rights principles – namely, freedom of religion. On the one hand, the Ahmadiyya case shows how both radical Islamic organizations and defenders of freedom of religion make use of public space in trying to influence the government. On the other hand, it suggests that the Indonesian government still hesitates to let go of state control over religion.

The Ahmadiyya case, spurred by demands to ban the sect by Muslim radicals and the rejection of this demand by the supporters of religious freedom, has been defined by two major series of events. The first, in July 2005, culminated with a fatwa by the Indonesian Ulama Council (MUI) demanding the government to ban Ahmadiyya. The second gathered momentum from late 2007, reaching its peak in early June 2008 when a joint ministerial decree was released concerning Ahmadiyya and its teachings. In both these situations, tension was built up by radical Islamic organizations through lobbying, inflammatory meetings, and violence that aimed at presenting Ahmadiyya as “a problem” to which MUI and government institutions were supposed to find a solution. In this process Islamic radicals have also had to deal with counter-lobbying from the supporters of religious freedom who are equally organized and vocal but non-violent in their efforts to have an impact on government policies.

The Ahmadiyya controversy

The Ahmadiyya came to the Indonesian archipelago since the 1920s, and the JAI was formally registered by the Indonesian state in 1953. The current controversy concerns the JAI, which is part of the London-based international Ahmadiyya Qadiyani Movement and claims to have up to seven hundred thousand members in Indonesia. Indonesia also has a smaller Gerakan Ahmadiyah Indonesia with approximately three thousand members, representing Ahmadiyya’s Lahore Movement. As early as 1980, MUI had issued a fatwa on Ahmadiyya. The decree had advised ulamas to inform people that the teachings of Ahmadiyya fell outside the bounds of Islam and to redirect the members of Jamaah Ahmadiyah Indonesia (JAI) to go back to the “correct form of Islam.” During that time MUI was strictly under government control, and the fatwa went largely unnoticed. By 2005, the MUI had become a more independent-minded actor, and its statements reflected the growing influence of Islamic hardliners in its body.¹ In its 2005 fatwa, the MUI

The recent controversy over the Ahmadiyya movement in Indonesia pitted supporters and critics of the movement against each other.

This article shows how both sides present their own definition of religious freedom and how they push forcefully their views on the Indonesian government. The author argues that what is at stake is not only the destiny of a religious orientation, but also the state’s power in religious matters.

aggressively pointed out Ahmadiyya’s deviancy and that its followers were to be treated as apostates. Most remarkably, in 2005 the MUI claimed that the Indonesian government was obliged to ban the Ahmadiyya movement and to close down its premises.

The MUI’s 2005 fatwa was preceded by MUI and government meetings on Ahmadiyya and some other religious groups. Parallel to these meetings radical

Islamic organizations arranged violent attacks against the JAI’s national headquarters in Bogor, forcing it to close down in July 2005. Ten days later, the MUI’s fatwa proposed the banning of the sect as a correct response to the anti-Ahmadiyya violence. However, during that time the government was not willing to act upon the demand. The MUI’s fatwa has been followed by repeated violence against the premises of JAI, Ahmadiyya mosques and the private houses of JAI members. In Lombok, for example, over two hundred Ahmadiyya members have lived in temporary shelters in the provincial capital Mataram for over two years due to violent attacks.

Violence and inflammatory public speeches by radical Muslim leaders were again used to step up pressure in early 2008 to force the government to ban the JAI. In February 2008, a series of public gatherings were organized; during one these gatherings Sobri Lubis, the Secretary-General of the Islamic Defenders Front (FPI), even urged FPI members to kill Ahmadiyya followers. These gatherings took place when the JAI and Bakorpakem, an ad hoc coordinating body consisting of the representatives of Attorney General’s Office, national intelligence body BIN, police, military, and the departments of religion and education, were in the middle of subtle negotiations over the acceptability of the movement’s beliefs and practices. As a result a list of recommendations was drafted on how to make Ahmadiyya “correctly Islamic” again.²

For three months Bakorpakem teams observed Ahmadi mosques and JAI premises, but in April 2008 the body concluded that JAI had not followed its twelve recommendations. A joint statement by the Ministry of Religion, the Ministry of Internal Affairs, and the Attorney General’s Office was considered necessary. According to the law on religious deviation and offence (No. 1/PNPS/1965), such a statement can recommend the President to ban a religious organization or sect. For a moment it appeared to be simply a matter of time until the demands of the radicals would be fulfilled, and the MUI “solution” – banning Ahmadiyya – would be taken to its final conclusion. Meanwhile, however, JAI and the supporters of religious freedom had also organized themselves. JAI members demanded the MUI to nullify its fatwa. The National Alliance for Freedom of Religion and Belief (AKKBB), a civil society network that was initiated after the 2005 attacks, published a petition for religious freedom in some major Indonesian newspapers that was signed by several notable members of the national elite.

Both sides organized street demonstrations. Finally, on the first of June violence took place again when radical Muslims attacked the AKKBB’s demonstration at the Monas Square in central Jakarta. After the incident it was evident that the government could not just ban Ahmadiyya, but it had to find a compromise that would please all parties. A week later a joint statement was announced, but it appeared to have left both sides displeased. The statement does not recommend the banning of the JAI, but forbids its members from spreading interpreta-

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tions and holding activities that deviate from the principal teachings of Islam. The statement does not clearly articulate a position on Ahmadiyya and whether continued worship would be also considered a form of "spreading its interpretations" of Islam.

Police complicity

The perpetrators of violence against Ahmadiyya and the AKKBB are identified as belonging to such radical Islamic organizations as the Islamic Defenders Front (FPI) and Hizb ut-Tahrir. Of the two, it is the former that is known to provide the muscle for street actions. The FPI's close association with the police again became apparent in the anti-Ahmadiyya attacks. According to eyewitnesses, during the 2005 attack against the Ahmadiyya premises in Bogor the police supported the mobs carrying out attacks.³ Police also failed to prevent the violence during the AKKBB demonstration in Jakarta, even though they were well aware of the possibility of a clash.

The history of the FPI's origins provides some explanation for police inaction if not collusion. It is no secret that the FPI was created in 1998 with the help of then Commander of Armed Forces General Wiranto and the Jakarta Police Chief Nugroho Jayusman.⁴ At first, a "voluntary security force" of thousands of petty gangsters and hooligans was a useful tool against the student-led pro-democracy demonstrations that heavily criticized the first post-Suharto government and demanded the perpetrators of human rights abuses, including Wiranto himself, to be taken to justice. While other such vigilante groups disappeared, the FPI continued its activities, and became famous for its raids on places of entertainment and prostitution. It coordinated its actions with the police, and despite some disagreement, the close relations between the two have been upheld throughout the post-Suharto years. In 2006, the police even sponsored FPI leader Habib Rizieq's speaking tour in Poso, a region hit by communal conflict.⁵

The raids conducted by the FPI in the name of its populist Islamic radicalism may have assisted the police in its efforts to keep criminality and murky businesses under some control. But the attack against the AKKBB, whose members include prominent Indonesian politicians and intellectuals, apparently exceeded the limits of tolerance of state authorities towards their actions. Four days after the Monas incident, the Indonesian police organized a spectacular arrest of Habib Rizieq and fifty-nine FPI members. It remains to be seen whether the FPI's warm relations with the country's security forces have now finally turned cold.

What is freedom of religion?

The Ahmadiyya case has led to discussions about the state's role in religious matters. The JAI and the AKKBB insist that the government has no right to ban any religious orientation, because it would assault the constitutional right of all Indonesian citizens to embrace the religion or system of belief of their choice. According to this view, freedom of religion must be respected at all times, and the substance of any particular belief has no relevance. The state should limit its actions to guaranteeing public safety and ensure that freedom of religion is respected by all. Because Ahmadiyya believers have never caused threat to public security, the state has no grounds for forbidding their activities.

Many AKKBB activists whom I recently interviewed stressed that they did not personally agree with the JAI's religious ideas. They regarded Ahmadiyya as a departure from mainstream Sunni Islam that they themselves practiced, but they also felt that they had no right or even need to interfere with Ahmadiyya's religious ideas. From their point of view, religiosity is creative like any other form of human activity. New interpretations of existing religions are acceptable and even welcome, but nobody should try to force his own beliefs on anyone else.

Those who support the ban disagree with this view and claim that Ahmadiyya's existence in Indonesia as well as its practices and preaching insults their rights as Indonesian citizens. According to them, the state has the obligation to protect religions that are formally recognized in Indonesia from deviant teachings and blasphemy. This view is backed with the national law on religious deviation, which prohibits anyone from deliberately making interpretations or participating in public activities that deviate from the formally recognized religions.



COURTESY OF AKKBB, 2008

This article has been repeated in the Indonesian Criminal Code article on religious offence, which has been used several times to prosecute religious orientations that the Bakorpakem has deemed deviant.

The AKKBB demonstration of 1 June 2008

Legal solutions

FPI leader Habib Rizieq and the former Minister of Justice and Human Rights Yusril Ihza Mahendra are among those who have stressed that the Ahmadiyya case has nothing to do with freedom of religion and merely concerns the besmirching of Islam. Both have suggested that the easiest solution to the problem would be that Ahmadiyya declares itself a new religion outside Islam, referring particularly to the example of Pakistan. But as Indonesia currently only recognizes six world religions, it is difficult to see how this would resolve the problem without leading to others.

According to the anti-Ahmadiyya group, freedom of religion means allowing individuals to choose one of the recognized religions or to establish a completely new religion. But it does not allow individuals to make new interpretations of any already existing religion. Religions are fixed, unchanging and have rigid boundaries. This view has been criticized by Harkristuti Harkrisnowo, the Director General of Human Rights Department at the Indonesian Ministry for Justice and Human Rights, who has questioned the very existence of an authority able to determine the correct form of Islam or any other religion.⁶

The AKKBB plans to take the current legislation to the Constitutional Court for judicial review. From their point of view, these laws contradict with the Indonesian Constitution that guarantees full freedom of religion. If Indonesia would indeed abolish the laws on religious offence it would follow the example of the United Kingdom in making a historic decision in May 2008 to abolish the law that criminalized blasphemy. Taking such a decision, Indonesia would leave behind countries such as Finland, the Netherlands, Italy, Pakistan, and Malaysia, countries that all have laws criminalizing religious offence and/or blasphemy.

Notes

1. "Indonesia: Implications of the Ahmadiyah Decree," *International Crisis Group Asia Briefing*, no. 78, (7 July 2008): 8–10.
2. For a complete list, see *The Wahid Institute's Monthly Report on Religious Issues*, no. 6 (January 2008), at <http://www.wahidinstitute.org/english/content/view/200/54/>.
3. Robert W. Hefner, "Muslim Democrats and Islamist Violence in Post-Soeharto Indonesia," in *Remaking Muslim Politics: Pluralism, Contestation, Democratization*, ed. Robert W. Hefner (Princeton and Oxford: Princeton University Press, 2005), 273–301.
4. *ICG*, 13–14.
5. Habib Rizieq, "Ahmadiyah Menipu (Lima Perkara Tolak Ahmadiyah)," at <http://bukuputihfpi.blogspot.com>; Yusril Ihza Mahendra, "Sekali Lagi SKB Tentang Ahmadiyah," at <http://yusril.ihzamahendra.com/2008/06/11/sekali-lagi-tentang-skb-ahmadiyah/>.
6. "Ahmadiyah can worship, Kalla says," *Jakarta Post*, 11 June 2008.

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