

Indonesia: Freedom of religion or belief

September 2018 · For public use

Introduction

Indonesia, the world's largest Muslim-majority nation, has a long tradition of pluralism, freedom of religion or belief (FoRB) and inter-religious harmony, and is widely respected around the world for its successful transition from authoritarian rule to democracy.

Rising religious intolerance, however, threatens to destroy these achievements and poses a threat not only to the country's religious minorities, but to all Indonesians who value democracy, human rights, peace and stability. Christians, Ahmadiyya and Shi'a Muslims, other religious minorities and moderate Sunni defenders of pluralism are increasingly fearful of the rise of radical Islamism and its influence on politics and society in the country. Blasphemy laws, shari'a-inspired regulations and restrictions on church construction, as well as other laws, conflict with FoRB, and are used by radical Islamists to limit this right.

Indonesia has signed and ratified many international human rights treaties. During the country's previous Universal Periodic Review (UPR) cycle at the UN, Indonesia accepted at least 21 recommendations relevant to FoRB. However, recommendations to review existing laws and policies to ensure their compatibility with international protections for freedom of religion or belief, and to bring them in line with Indonesia's own constitution, do not appear to have been implemented fully.

Positive changes

Indonesia's former president, Susilo Bambang Yudhoyono, was partially responsible for giving the radical Islamists the green light and fuelling an erosion in the values of the 'Pancasila', Indonesia's state philosophy that protects FoRB for all six recognised religions.

The current president, Joko Widodo, is far more sympathetic to Indonesia's traditions of pluralism than many of his rivals or his predecessor. He has shown no desire to use the Islamist agenda for political advancement, he has given the Islamists much less political cover than his predecessor, and he has a track record – as former governor of Jakarta and mayor of Solo – of standing up to the Islamists when required. However, in August 2018 President Widodo chose as his vice-presidential candidate in next year's elections a 75-year-old ultra-conservative Islamic cleric, Ma'ruf Amin, who has until now been the head of the Indonesian Ulama Council. Ma'ruf Amin was the author of the fatwa (religious edict) which resulted in the imprisonment of the former governor of Jakarta, Basuki Tjahaja Purnama, on blasphemy charges; and has authored fatwas against the Ahmadiyya and the LGBT community, and other edicts which fuel intolerance. President Widodo's decision to choose him as his vice-presidential candidate was undoubtedly made for political reasons, to strengthen his own Islamic credentials, and is an alarming sign of the growth of religious identity politics.

During his presidency there have been some positive changes. In November 2017 the Constitutional Court made it legal for indigenous faith groups to identify their faith on identity cards. Previously, the only religious identification options on these ID cards was one of the six officially recognised religions or 'blank'. This decision has been hailed by activists as a 'new chapter for religious freedom'.

Continued violations

However, incidents of violence against religious minorities, particularly Christians, Ahmadiyyahs, Shi'as and adherents of religions or beliefs not recognised by the state, including indigenous traditional beliefs, continue periodically and within a climate of impunity.

Religiously-motivated violence is now a nationwide phenomenon, rather than being confined to particular parts of the archipelago, although the situation in Aceh Singkil is of particular concern.¹ On 13 May 2018 three churches in Surabaya, Indonesia's second largest city, were attacked within minutes of each other by a family of suicide bombers; other churches have periodically been attacked by terrorists. Religious intolerance affects everyone and all religions – Christian churches are closed down or attacked, Ahmadiyya Muslim mosques and homes burned, Shi'as displaced, Buddhist temples targeted and Confucianists made vulnerable, as well as pluralistic-minded Sunnis and atheists. This is exemplified by the case of Alexander Aan, jailed for two and a half years for declaring himself an atheist. Perpetrators of these crimes are seldom arrested or even pursued.

In some cases local mayors forcibly close churches and Ahmadi mosques due to pressure from radical Islamists, and refuse to reopen these places of worship despite rulings from the Supreme Court that their closure was illegal. This undermines the rule of law and leaves religious minorities vulnerable to discrimination and abuse. Attempts to continue holding religious services in the street outside are sometimes met with violence or intimidation.

Blasphemy laws

The blasphemy laws in Indonesia have long been a cause of injustice and division, as they contain a very low threshold of requirements for evidence or proof of intent. The laws are

¹ Christians in the Aceh Singkil regency have faced some of the worst persecution and discrimination, including violence, threats, and destruction and forced closure of churches, since October 2015.

misused for political reasons as well as religious intolerance to silence dissent, criticism or debate.

The United Nations Special Rapporteurs on freedom of religion or belief, freedom of opinion and expression, and the Independent Expert on the promotion of a democratic and equitable international order, recently described blasphemy laws as ‘an unlawful restriction on freedom of expression’ which ‘disproportionately target persons belonging to religious minorities, traditional religions, non-believers, and political dissidents.’

Jakarta’s former governor, Basuki Tjahaja Purnama (known by his nickname ‘Ahok’) was sentenced to two years in prison after being falsely accused of blasphemy, despite a lack of credible evidence, in a bid to derail his campaign for re-election as governor. Ahok, an ethnic Chinese and a Christian, is Indonesia’s most prominent ethnic minority politician. Many religious minorities and civil society activists see his high profile trial and prison sentence as symbolic of rising religious intolerance.

Ahmadiyya Muslim community

The Ahmadiyya Muslim community has existed in Indonesia since 1925, and claims a population of approximately 500,000, across 330 branches throughout the country. The Ahmadiyya consider themselves to be Muslims, but are regarded by some other Muslims as heretical.

Since 2005 they have experienced serious violations of freedom of religion or belief, including incidents of violence; and a Joint Ministerial Decree introduced in 2008 by the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs prohibited promulgation of Ahmadiyya teachings. In 2011 the then Minister of Religious Affairs repeatedly called for an outright ban on the Ahmadiyya, and in 2013 the governor of West Java said that there would be no violence against the Ahmadiyya if there were no Ahmadiyya teachings or practices, described Ahmadiyya Islam as ‘a deviant belief’. The ‘problem’, he added, ‘will disappear if the belief disappears.’

Although there has been, according to Ahmadi representatives, ‘some improvement’ under the government of President Joko Widodo, intimidation of the Ahmadiyya continues and Ahmadiyya activities continued to be restricted, with some gatherings prohibited, particularly for the birthday of the Prophet Mohammed.

Recommendations

- Encourage the Indonesian government to review existing laws and policies to ensure their compatibility with international protections for freedom of religion or belief, and to bring them in line with Indonesia’s own constitution.
- Urge the Indonesian government to ensure that crimes against religious minorities cannot be committed with impunity, that perpetrators are arrested, investigations properly carried out and that justice is done.
- Repeal or amend the blasphemy laws to ensure that they are not misused to settle personal scores or target religious minorities.
- Urge the government of Indonesia to immediately review the 2008 anti-Ahmadiyya decree and work towards its repeal.
- Encourage the government of Indonesia to extend human rights education, including principles of freedom of religion or belief, in the security forces.
- Invest further in initiatives to protect and promote the principles of freedom of religion or belief and to promote interfaith harmony and dialogue.
- Urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country with unhindered access.

As Christians, we stand with everyone facing injustice because of their religion or belief.