



INDONESIA: PLURALISM IN PERIL

The rise of religious intolerance across the archipelago

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Cover photo: Members of the congregation of Batak Christian Protestant Church (HKBP) sit near ruins of their church after an excavator demolished it in Taman Sari of Bekasi, in the outskirts of Jakarta March 21, 2013. Local district government demolished a church on Thursday because the church has no building permit, a local media reported on Thursday. © REUTERS/Enny Nuraheni

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ABOUT CHRISTIAN SOLIDARITY WORLDWIDE & STEFANUS ALLIANCE INTERNATIONAL

CSW works for religious freedom through advocacy and human rights, in the pursuit of justice. We work for freedom of religion or belief for all, and conduct regular fact-finding visits to our countries of focus. We have research and advocacy staff based in London, Brussels and Washington DC, and we work with partner organisations all around the world.

CSW has been working on issues of freedom of religion or belief and related human rights concerns in Indonesia since 1999. In the following years we played a particularly active role in advocacy and post-conflict reconciliation in the Moluccas and Central Sulawesi, and have subsequently made many fact-finding visits to different religious communities in Indonesia, including in Jakarta, West Java, East Java, South Sulawesi, North Sumatra, West Sumatra, Lombok and West Papua.

CSW regularly briefs senior policymakers and legislators around the world, and has testified at hearings in the UK Parliament, the European Parliament, the Japanese Diet, the United States Congress and the United Nations. We also regularly work with international media, and contribute comment and analysis to publications such as the *Wall Street Journal*, the *International Herald Tribune* and the *New York Times*, as well as to broadcasters such as the BBC, CNN, Al Jazeera and Sky. **For further information please visit www.csw.org.uk**

Stefanus Alliance International is a Christian human rights organisation focused on promoting freedom of religion or belief for all. **For further information please visit www.stefanus.no**

GLOSSARY

AKKBB	Aliansi Kebangsaan untuk Kebebasan Beragama dan Berkeyakinan, or National Alliance for Freedom of Religion or Belief
ASEAN	Association of Southeast Asian Nations
Bahasa Indonesia	official language of Indonesia
<i>da'wah</i>	Islamic preaching or proselytising
DDII	Dewan Dakwah Islamiyah Indonesia, or Indonesian Council for Islamic Preaching
ELSAM	Institute for Policy Research and Advocacy
<i>fatwa</i>	Islamic religious ruling or decision
FKUB	Forum Kerukunan Umat Beragama, or Forum for Religious Harmony
FPI	Front Pembela Islam, or Islamic Defenders Front
FUI	Forum Umat Islam, or Islamic People's Forum
GKI	Gereja Kristen Indonesia, or Indonesian Christian Church
GPDI	Gereja Pantekosta Di Indonesia, or Pentecostal Church in Indonesia
HKBP	Huriah Kristen Batak Protestan, or Lutheran Batak Christian Protestant Church, the largest Protestant denomination in Indonesia
HTI	Hizb ut-Tahrir Indonesia, the Indonesian branch of an international pan-Islamic political organisation
ICCPR	International Covenant on Civil and Political Rights
ICRP	Indonesian Conference on Religion and Peace
JAT	Jamaah Anshorut Tauhid, or Partisans of the Oneness of God, a jihadist organisation
Komnas HAM	Komisi Nasional Hak Asasi Manusia, or National Commission on Human Rights
LIPIA	Lembaga Ilmu Pengetahuan Islam dan Arab, or Indonesian Institute for Islamic and Arabic Studies
LPI	Laskar Pembela Islam, or Islamic Defenders Army
LPPI	Lembaga Penelitian dan Pengkajian Islam, or Islamic Research and Study Institute
madrassa	Islamic school

MMI	Majelis Mujahidin Indonesia, or Indonesian Council of Jihad Warriors
Muhammadiyah	one of the two major Indonesian Muslim organisations, along with Nahdlatul Ulama
MUI	Majelis Ulama Indonesia, or Indonesian Ulama Council [Note: 'Ulama' is sometimes spelled 'Ulema'.]
NGO	Non-Governmental Organisation
NU	Nahdlatul Ulama, one of the two major Indonesian Muslim organisations, along with Muhammadiyah
OIC	Organization of the Islamic Conference, an international association of Muslim countries
PAN	Partai Amanat Nasional, or National Mandate Party
PDIP	Partai Demokrasi Indonesia Perjuangan, or Indonesian Democratic Party of Struggle
PGI	Persekutuan Gereja-gereja di Indonesia, or Communion of Churches in Indonesia
PKB	Partai Kebangkitan Bangsa, or National Awakening Party
PKS	Partai Keadilan Sejahtera, or Prosperous Justice Party, sometimes translated as Justice and Welfare Party
PPP	Partai Persatuan Pembangunan, or United Development Party
<i>pesantren</i>	Islamic boarding school
Salafism	literalist, puritanical, ultra-conservative interpretation of Islam, based on the example of the <i>salaf</i> , the first companions of the Prophet Mohammed; often distinct from political Islam or 'Islamism', but sometimes influencing Islamist ideas; intolerant but usually non-violent, distinct from 'Salafi jihadism', which is violent.
UDHR	Universal Declaration of Human Rights
UPR	Universal Periodic Review
USCIRF	United States Commission on International Religious Freedom
Wahhabism	strand of Salafism based on the teachings of Muhammad Ibn Abdul Wahhab, and associated with Saudi Arabia



EXECUTIVE SUMMARY



» **“We must all take strict measures against deviant beliefs.”**

President Susilo Bambang Yudhoyono, 2007

» **“I hope you are not only here to hear our stories, but to do something, to make something change. The government is ignorant about our situation. There is no religious freedom here any more. The government does not want to hear our cries...We need to give a message to the president. We must remind him that our situation is very critical and we should do something for the future of Indonesia. Support from outside Indonesia is very important, to pressure the president to do something.”**

Reverend Luspida, former church leader of HKBP Ciketing, Bekasi, West Java

» **“Please let the outside world know that we are not safe any longer in our own homes, in our own place. It is not free any more for us to believe in something, to live a normal life, because there are always people who want to force us not to believe what we want to believe...All we want is to live in peace and to freely believe in what we want. That is all.”**

an Ahmadi villager in Tasikmalaya, West Java

» **“The government is inconsistent. It proclaims pluralism and inter-faith dialogue, and so receives international acclaim, but it is very indecisive and reluctant to act. If the government is more confident, then I am more confident we can overcome these challenges. The culture and nature of Indonesia is not extreme. The majority want harmony, tolerance, peace.”**

a representative of Muhammadiyah, one of the two largest Indonesian Muslim organisations

Indonesia, the world's largest Muslim-majority nation, has a long tradition of pluralism, freedom of religion or belief, 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.¹

Indonesia's pluralism is in peril, and almost all of Indonesia's different religious communities are affected: Ahmadiyah,² Shi'a and Sufi Muslims, Christians – both Protestant and Catholic – as well as Buddhists, Hindus, Confucians, Baha'is, adherents of traditional indigenous beliefs, and those of no religion, as illustrated by the case of Alexander Aan, jailed for two and a half years for declaring himself an atheist. Progressive, pluralistic-minded Muslims are also under threat, as shown by the experience of groups such as the Liberal Islam Network, and the attack by radical Islamists on Canadian Muslim feminist author Irshad Manji on 9 May 2012, at a lecture she was giving in Yogyakarta to promote a new book.³ For those unconcerned by attacks on specific beliefs, the

1 *International Herald Tribune*, 'Indonesia's rising religious intolerance', 21 May 2012 <http://www.nytimes.com/2012/05/22/opinion/indonesias-rising-religious-intolerance.html>

2 Note: In Indonesia, the spelling 'Ahmadiyah' is used, and for this reason CSW uses this spelling. In other parts of the world the same community's name is most often spelled 'Ahmadiyya'. The word 'Ahmadi' is used as the adjective.

3 *Jakarta Post*, 'Irshad Manji injured in mob attack in Yogya', 10 May 2012 <http://www.thejakartapost.com/news/2012/05/10/irshad-manji-injured-mob-attack-yogya.html>

cancellation of a concert in Jakarta by the pop singer Lady Gaga after threats from radical Islamists⁴ illustrates how wide is the impact of growing extremism in Indonesia. Religious intolerance, once thought to be confined to specific regions, now appears to be spreading nationwide.

With an estimated population of 251 million and a land mass of over 17,000 islands (6,000 inhabited),⁵ Indonesia's tradition of pluralism is enshrined in the nation's motto, 'Unity in diversity', and its guiding philosophy, 'Pancasila', promulgated by former President Sukarno on 1 June 1945 in preparation for the establishment of the independent nation. Without reference to Islam or any other specific religion, it consists of five points:

1. Belief in the one and only God;
2. Just and civilised humanity;
3. The unity of Indonesia;
4. Democracy led by the wisdom of deliberations among representatives;
5. Social justice for the whole of the people of Indonesia.

While this philosophy does have limitations which should be addressed, including the lack of protection for adherents of religions outside the six religions recognised by the constitution (Islam, Catholicism, Protestantism, Buddhism, Hinduism and Confucianism), and for those of no religion, it is in essence a philosophy which was designed to protect pluralism in a Muslim-majority nation. An estimated 86.1% of the population is Muslim, while 5.7% is Protestant, 3% Catholic, 1.8% Hindu and 3.4% belong to 'other' or 'unspecified' religions, which include Buddhism, Confucianism and unrecognised traditional indigenous beliefs.⁶

In recent years, however, a variety of radical Islamist organisations have emerged and gained a disproportionate influence over policymaking and implementation.⁷ "Pancasila has come to face sustained challenges and attacks from the Islamists," argues Masdar Hilmy, a lecturer at the State Institute for Islamic Studies Sunan Ampel, in Surabaya. While Indonesian Islam "has enjoyed the reputation of being a distinctive and tolerant variant of Islam compatible with democracy," Hilmy adds, "this rosy assumption is being challenged by the upsurge of Islamist activism in Indonesia."⁸ These elements range from Islamist political parties such as the Prosperous Justice Party (PKS), sometimes known as the Justice and Welfare Party, which along with two other Islamist parties is now in the governing coalition, holding cabinet-level ministerial positions; to Hizb ut-Tahrir Indonesia (HTI) and other similar organisations disseminating the intellectual narrative that is poisoning Indonesia's traditional pluralistic philosophy; to the violent, vigilante Islamic Defenders Front (FPI), spreading intolerance, advocating discriminatory legislation and regulations impeding the freedom of religious minorities, and leading to a growing atmosphere of intimidation and violence. Of these, the vast majority of incidents of violence and harassment are perpetrated by the FPI, making this group the main actor – but the other groups contribute significantly to shaping the discourse. In addition, secular political parties such as Golkar have pandered to the Islamist narrative, perceiving a need to appeal to religiously conservative constituencies at a local level.

On 6 February 2011 a mob of 1,500 people attacked 21 Ahmadis in Cikeusik, Banten Province, West Java, killing three and injuring at least five others. In November 2011 an estimated 600 people burned down a Hindu centre in Sukabumi, West Java. Between 1 and 3 May 2012 the local authorities forced 17 churches to close in Aceh.⁹ On 14 June 2012 an atheist, Alexander Aan, was sentenced to two and a half years in prison, initially charged with blasphemy and finally sentenced under the Electronic Information and Transaction Law for "disseminating information aimed at inciting religious hatred and hostility", because he posted his views about religion on Facebook. In August 2012 the Shi'a community in Sampang, East Java was attacked, displacing hundreds and resulting in at least two deaths. A Shi'a cleric from the community, Tajul Muluk, is in prison on charges of blasphemy. In 2013 a low-intensity bomb attack at a Buddhist temple in Jakarta,¹⁰ and threats of further

4 *Guardian*, 'Lady Gaga cancels Indonesia show after threat from Muslim extremists', 27 May 2012 <http://www.guardian.co.uk/music/2012/may/27/lady-gaga-indonesia-cancel-muslim>

5 CIA World Factbook, Indonesia <https://www.cia.gov/library/publications/the-world-factbook/geos/id.html>

6 *ibid.*

7 Setara Institute, 2010

8 Hilmy, 2010:1

9 World Watch Monitor, 'Harsh Era Looms in Aceh, Indonesia', 16 May 2012 http://www.worldwatchmonitor.org/2012/05-May/article_1541045.html/

10 *Jakarta Globe*, 'Explosion at Indonesian Buddhist Temple Injures Three: Police', 5 August 2013 <http://www.thejakartaglobe.com/news/jakarta/explosion-at-indonesian-buddhist-temple-injures-one-police/>

attacks against other Buddhist sites, occurred.¹¹ In May 2013 one of Indonesia's last remaining synagogues, Beth Shalom in Surabaya, was destroyed.¹² Adherents of traditional indigenous beliefs are not able to state their religion on their identity cards, so they must either adopt one of the six recognised religions or leave the column blank. Either option results in a violation of freedom of thought, conscience and religion, and severe discrimination. These are just a few examples of a long catalogue of incidents. There is a widespread belief among many in Indonesia, including secular human rights NGOs, Muslim counter-extremist organisations, Protestant and Catholic churches, the Ahmadiyah Muslim community, foreign diplomats and others, that the situation is worsening. Some activists and commentators have expressed concern that the rise of religious intolerance in Indonesia will endanger the nation's founding principles of tolerance and pluralism, in a similar way to the situation in Pakistan. As Fajar Riza Ul Haq, the executive director of the Maarif Institute, an organisation using Islamic values to promote inter-faith dialogue, told CSW, "Indonesia is not the same as Pakistan, but it is not impossible for Indonesia to become like Pakistan if the government does not develop strong policies to protect human rights, religious freedom and minorities."

There appear to be five factors contributing to the rise of religious intolerance:

1. The spread of extremist ideology, fuelled and funded by sources outside Indonesia (notably Saudi Arabia, Yemen and other parts of the Middle East, and Pakistan) as well as domestic organisations, through education, preaching and the dissemination of literature through publishing pamphlets and books, DVDs and CDs, and via the internet;
2. The inaction and at times complicity of the local, provincial and national authorities, including active complicity by senior government ministers who have made statements which contribute to intolerance;
3. The implementation of discriminatory laws and regulations;
4. Weakness in terms of law enforcement on the part of the police and the judiciary, in cases where religious minorities are victims in need of protection and justice;
5. The unwillingness on the part of the majority of Indonesian Muslims, who make up over 86% of the population,¹³ to speak out against intolerance.

Several sources told CSW that there is a 'silent majority' who do not approve of the rising extremism and intolerance, but do not do anything to challenge it. Mr Ul Haq told CSW that the majority of Indonesians are still tolerant but they hold to a 'passive tolerance'. The Catholic Archbishop of Jakarta, however, believes extremism is having an increasing influence on societal attitudes, referring to a 'passive intolerance'. Ahmad Suaedy, coordinator of the Abdurrahman Wahid Centre for Inter-Faith Dialogue and Peace at the University of Indonesia, and senior researcher at the Wahid Institute, describes it as 'the mainstreaming of intolerance'. Indonesia does appear to have moved away from the dramatic, large-scale inter-religious conflicts of the kind witnessed in the Moluccas and Central Sulawesi over a decade ago, involving a significant movement of violent jihadis, and from the campaign of terrorist bombings. However, intolerance has now become more ingrained and more mainstream, taking the form of low-intensity but more widespread and accepted discrimination and persecution, sometimes including violence but often involving discriminatory laws and hate speech.

With regard to the role of the government, it is clear that at times ministers, including the president himself, have not simply been guilty of gross negligence, but have in fact been proactively complicit. While President Susilo Bambang Yudhoyono has been regarded by the international community as a force of moderation, he has in fact been neither a force, nor particularly moderate. He has made many statements which contain rhetoric that opposes intolerance and promotes pluralism and harmony; but it should be noted that early in his presidency, in 2005, he made a speech to the National Congress of the Indonesian Ulama Council (MUI), the highest body of Islamic clerics in Indonesia, funded by the government, promising them "a central role in matters regarding the Islamic faith" and pledging an openness to the MUI's *fatwas* (religious rulings) "at any time". Such remarks offered conservatives and Islamists a green light, and within days a series of *fatwas* was issued which served to undermine completely the notions of pluralism on which Indonesia was founded, and the principles of freedom

11 Al Jazeera, 'Indonesia temple attacks prompt concern', 8 August 2013 <http://www.aljazeera.com/news/asia-pacific/2013/08/20138873330947299.html>

12 Jakarta Globe, 'Java's Last Synagogue Torn Down', 15 June 2013 <http://www.thejakartaglobe.com/news/javas-last-synagogue-torn-down/>

13 US State Department, International Religious Freedom Report 2012 <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

of religion or belief as set out in Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Indonesia is a party. Two years later, the president went even further, telling the MUI that after a *fatwa* is issued, “the tools of the state can do their duty...We must all take strict measures against deviant beliefs.”

The government has not only been complicit by making remarks that give encouragement to intolerance; it has actively implemented a series of regulations and laws (particularly the 2006 Joint Regulation on Houses of Worship and the 2008 anti-Ahmadiyah Joint Decree, and shari’a-inspired local regulations¹⁴) which are inherently discriminatory and which violate the principles of Article 18 of the UDHR and the ICCPR as well as Indonesia’s own constitution; and it has repeatedly refused to amend or repeal previous discriminatory laws, notably the 1965 blasphemy law and the regulations regarding the religion column on the identity card.

In addition to active complicity, the authorities, including the government, the judiciary and the security forces at a national, provincial and local level, are accused by many of weakness and a failure to uphold the rule of law and principles of justice. As Reverend Gomar Gultom, general secretary of the Communion of Churches in Indonesia (PGI), told CSW, “[T]he most worrying...development is the absence of the state. In various acts of violence...it looked as if the police were helpless and even tended to let the violence occur in front of them.” This view is widely shared. A representative of Muhammadiyah, one of the largest Indonesian Muslim organisations, told CSW, “[T]he absence of the government is a trigger for increasing violence.” The *Economist*, in an article in June 2012, concluded that the weakness of the government has “appeared only to embolden extremist groups, which now feel that they can act with impunity.”¹⁵

“THE ABSENCE OF THE GOVERNMENT IS A TRIGGER FOR INCREASING VIOLENCE.”

This ‘absence of the state’ is illustrated most starkly by the high profile cases of the closure of two churches, GKI Yasmin in Bogor and HKBP Filadelfia in Bekasi, West Java. CSW has visited both churches and their cases are detailed in this report (see section ‘Violence, harassment and intimidation’). In both cases the churches have been approved by the courts, but the local authorities are refusing to allow them to open. In the case of GKI Yasmin, the Supreme Court ruled on 14 January 2011 that the church was legal and should be allowed to open, but the local mayor continues to defy the Supreme Court and no action has been taken to enforce the court ruling.

Perpetrators of violence against minorities behave with impunity, with disproportionately small penalties imposed in some cases. For example, 17 people responsible for the destruction of churches in Temanggung, Central Java were sentenced to only four to five months in jail, and the murderers of three Ahmadis in Cikeusik were jailed for only three to five months.¹⁶

A new phenomenon is now emerging of ‘criminalisation’ of the victims of persecution, whereby a growing number of Christian church leaders, Ahmadis and Shi’a have been arrested, charged and in some cases jailed on fabricated charges - even after they themselves have been attacked and the perpetrators of the attacks have not been brought to justice. In May 2013 the Human Rights Working Group, an Indonesian NGO, published an open letter to the United Nations special rapporteurs on freedom of religion or belief; extrajudicial, summary or arbitrary executions; and peaceful assembly and association, detailing these concerns.¹⁷

The only positive signs of interest in addressing these issues are from the media, particularly the English language newspapers the *Jakarta Post* and the *Jakarta Globe*, which give extensive coverage; and from some legislators. It was reported in May 2012 that the House of Representatives Commission overseeing legal affairs and human rights summoned the National Police chief General Timur Pradopo to answer questions about police

14 Gatestone Institute, ‘Sharia Law Swallowing Indonesia’, 7 February 2013 <http://www.gatestoneinstitute.org/3579/indonesia-sharia>

15 *Economist*, ‘Islam in Indonesia: Tolerating intolerance’, 9 June 2012 <http://www.economist.com/node/21556618>

16 *Jakarta Post*, ‘Religious intolerance in Indonesia’s reform era’, 18 May 2012 <http://www.thejakartapost.com/news/2012/05/18/religious-intolerance-indonesia-s-reform-era.html>

17 *Jakarta Globe*, ‘Human Rights Group Calls Out Persecution of Bekasi Church Leader’, 2 May 2013 <http://www.thejakartaglobe.com/news/human-rights-group-calls-out-persecution-of-bekasi-church-leader/>

failures to prevent violence against religious minorities.¹⁸ There is widespread criticism, however, of President Susilo Bambang Yudhoyono in particular, who is accused of weakness.

Even though it may be the case that the majority of Indonesians disapprove of extremism and intolerance, a growing number of Indonesian Muslims are being radicalised, according to recent studies by organisations such as the Wahid Institute¹⁹ and the Setara Institute.²⁰ The intolerant minority is increasing in influence and in number. A report published by the *International Journal of Press/Politics* in 2011, based on research carried out by the Pantau Foundation, claims that 63% of Indonesian journalists surveyed approved a series of conservative *fatwas* criticising secularism, pluralism and liberalism, issued by the Indonesian Ulama Council (MUI) - the principal umbrella organisation for clerics which advises the Indonesian government on religious affairs; and 64% backed the banning of the Ahmadiyah. At least 20% agree with the use of violence.²¹ Of further concern is the finding of a survey conducted by Indonesia's Islamic State University, which found that 40% of students in non-religious schools approve of violence as a way of resolving religious or moral arguments.²²

Several Muslim organisations are carrying out important counter-extremism programmes, and are speaking out against intolerance on behalf of religious minorities. These include the Wahid Institute, the Maarif Institute, the International Center for Islam and Pluralism, and the Liberal Islam Network. There is, however, a need for a more fully integrated counter-extremism strategy, to be supported by both the government of Indonesia and the international community. As Fajar Riza Ul Haq told CSW, "[S]lowly but surely our public space is getting smaller."

In 2014 Indonesia will hold elections, both to the parliament and for the presidency. Susilo Bambang Yudhoyono will leave office after a decade as president, and the country will elect a new leader. It is essential that these issues of freedom of thought, conscience and religion, as set out in Article 18 of the UDHR, are placed before the presidential candidates and the incoming government. It is crucial that the new president and government take concrete steps to change course, moving Indonesia away from the path of spiralling intolerance and back to its roots and founding values as a pluralistic nation. It is vital that the international community prioritises these concerns in its interactions with Indonesia, and offers all means of support to those in Indonesia who wish to counter rising religious intolerance. The new president and government could base much of their approach on the non-legislative principles of the new Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, drafted and adopted by three United Nations special rapporteurs, covering freedom of expression and opinion; freedom of religion or belief; and racism, racial discrimination, xenophobia and related intolerance, in Rabat, Morocco, on 5 October 2012.²³ As the UN Special Adviser on the Prevention of Genocide said, "National and local authorities can exacerbate the severity of the speech, but they have also the potential to counter hate speech through positive speech and messages of tolerance and restraint."²⁴ Indonesia is at a crossroads, and if responsible actors both within the country and in the international community do not respond to these challenges effectively, Indonesia's pluralism will be in peril.

18 *Jakarta Post*, 'House to summon police chief on violence', 19 May 2012 <http://www.thejakartapost.com/news/2012/05/19/house-summon-police-chief-violence.html>

19 See www.wahidinstitute.org

20 See www.setara-institute.org/en

21 Pintak & Sediyo, 2010

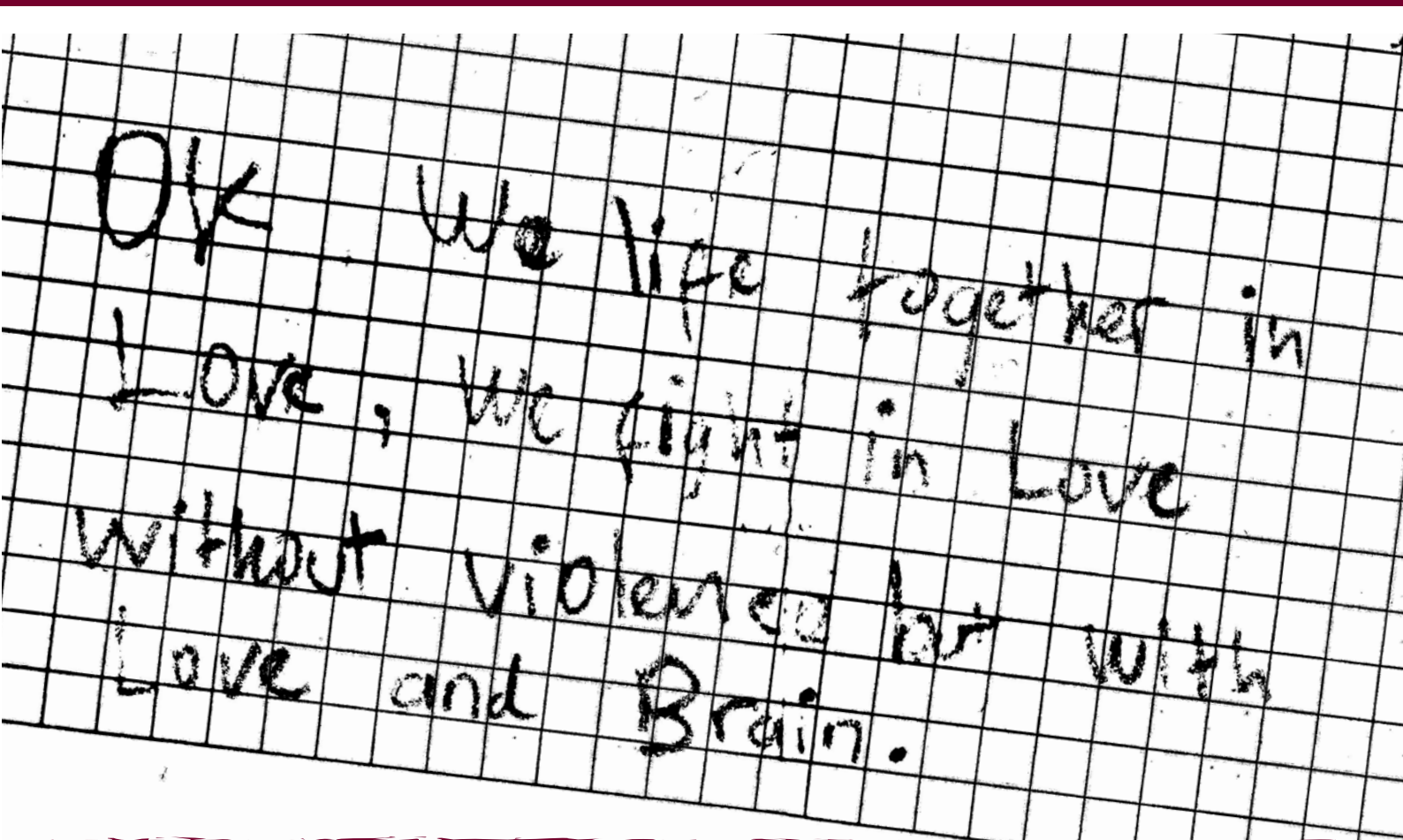
22 Radio Australia, 'High approval of violence among Indonesian students', 28 April 2011 <http://www.radioaustralia.net.au/connectasia/stories/201104/s3202439.htm>

23 UN Office of the High Commissioner for Human Rights, Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence http://www.un.org/en/preventgenocide/adviser/pdf/Rabat_draft_outcome.pdf

24 UN Office of the High Commissioner for Human Rights, 'Between Free Speech and Hate Speech: The Rabat Plan of Action, a practical tool to combat incitement to hatred', 21 February 2013 <http://www.ohchr.org/EN/NewsEvents/Pages/TheRabatPlanofAction.aspx>



RECOMMENDATIONS



To the government of Indonesia:

1. To promote and protect Indonesia's tradition of religious pluralism as set out in Pancasila and the constitution;
2. To investigate fully violations of religious freedom, including violent attacks and continuous intimidation campaigns against religious minorities, and to bring perpetrators to justice;
3. To ensure that the rule of law is upheld, and that judicial rulings are respected, implemented and enforced;
4. To repeal or amend all laws, including shari'a-inspired regulations, which contravene the constitution and Pancasila;
5. To act immediately to protect Christian churches and communities from violent attacks, intimidation and harassment, and to permit the construction of churches which have received licences through the approved process;
6. To act immediately to protect Ahmadiyah Muslim communities, and to ensure that perpetrators of violence are brought to justice;
7. To act immediately to protect Shi'a Muslim communities, and to ensure that perpetrators of violence are brought to justice;
8. To act immediately to protect Sufi Muslim communities, and to ensure that perpetrators of violence are brought to justice;
9. To act immediately to protect all other religious communities, including adherents of unrecognised traditional indigenous beliefs, and individuals who hold no particular belief or atheistic beliefs;
10. To consider ways of amending or repealing the blasphemy and heresy laws, including clarifying the definitions, and strengthening the requirements for proof of intent and evidence;
11. To ensure recognition, protection and equal rights for all forms of religion or belief, theistic, atheistic and non-theistic, as set out in Article 18 of the Universal Declaration of Human Rights, including for those outside the six officially recognised religions;
12. To abolish the religion column on identity cards, as recommended by the UN Committee on the Elimination of Racial Discrimination in its review of Indonesia under the International Convention on the Elimination of All Forms of Racial Discrimination, on 15 August 2007 (CERD/C/IDN/CO/3);²⁵
13. To support the efforts of Muslim and other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and counter radicalism and extremism;
14. To revise the curriculum for religious education in schools, ensuring both that adherents of religions or beliefs not recognised officially by the state are free to practise their own beliefs and are not compelled or coerced to practise other religions, and that adherents of religions are taught the basic tenets of the different religions practised in Indonesia, in a balanced and accurate way, thus enhancing mutual understanding;
15. To investigate and publish information concerning the influence regarding funding and other resources, of external intolerant or Islamist elements, particularly from Saudi Arabia, Yemen, Egypt, Iran and Pakistan, and to take steps to ensure transparency regarding the number of students travelling abroad to study, the provision of scholarships, and foreign funding of mosques, *pesantren* and other religious institutions in Indonesia;

25 For the full recommendations, see <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.IDN.CO.3.pdf>

16. To appoint a chief of the Indonesian National Police with a clear commitment to a policy of zero tolerance for incitement to violence or acts of violence;
17. To adopt a policy across government ensuring that no one with a known record of intolerant or extremist speech or actions would receive government funding or be permitted to be employed in or given a platform by any government institution, or to participate together with government officials in any official operations or duties;
18. To consider implementing the recommendations of the UN Special Rapporteur on freedom of religion or belief's report of December 2013 on manifestations of collective religious hatred;²⁶
19. To consider implementing the non-legislative measures proposed by the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted by the UN Special Rapporteurs on freedom of opinion and expression; freedom of religion or belief; and racism, racial discrimination, xenophobia and related intolerance; in Rabat, Morocco, on 5 October 2012;²⁷
20. To consider withdrawing candidates who promote hatred and intolerance during election campaigns, and to remove officials who promote hatred and intolerance;
21. To review the role of the Ministry of Religious Affairs, and the influence of the Indonesian Ulama Council (MUI) in policymaking, to ensure that their functions are discharged consistent with the constitution and Pancasila;
22. To extend an official invitation to the UN Special Rapporteur on freedom of religion or belief to visit Indonesia;²⁸
23. To implement the recommendations of the UN High Commissioner for Human Rights in respect to freedom of religion or belief;²⁹
24. To implement the recommendations of the Human Rights Committee of the United Nations with respect to Indonesia's compliance with the International Covenant on Civil and Political Rights;³⁰
25. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review by the United Nations in 2012 are implemented, including but not limited to the following: the establishment of a fully implementable national action plan which guarantees full protection of vulnerable groups; a review of existing laws and policies, and their repeal or amendment where necessary to ensure their compatibility with the right to freedom of religion or belief, in line with Indonesia's constitution and its international obligations; steps to ensure that all ministerial decrees regulating religious life, as well as all local regulations relating to religion, are in conformity with international human rights law; the establishment of training courses and awareness campaigns for provincial and municipal officials in respect for the rule of law and with regard to protecting the freedom of religion and other rights of members of religious groups; legislative action including effective prosecution of the incitement of hatred and acts of violence against all religious minorities; intensification of efforts to take all necessary measures to stop violence and discrimination against religious groups.

26 UN General Assembly, Human Rights Council 25th Session, Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, 26 December 2013 http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-58_en.doc

27 UN Office of the High Commissioner for Human Rights, Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence http://www.un.org/en/preventgenocide/adviser/pdf/Rabat_draft_outcome.pdf

28 As recommended by the UN High Commissioner for Human Rights in a letter to the Minister of Foreign Affairs on 26 April 2011

29 UN Office of the High Commissioner for Human Rights, 'Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Indonesia', 13 November 2012 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12781&LangID=E>

30 Centre for Civil and Political Rights, Overview of the 108th session of the Human Rights Committee <http://www.ccprcentre.org/publication/overview-of-the-sessions/108-session-overview/>

To the European Union and all member states:

1. To raise concerns about rising levels of violent attacks on religious minorities, and campaigns of intimidation and harassment, and to urge the Indonesian authorities to provide proper protection for religious minorities vulnerable to attack and intimidation;
2. To urge the Indonesian authorities to respect and protect freedom of religion or belief and to permit the construction of places of worship which have received licences through the approved process;
3. To provide financial support for human rights, civil society, inter-faith dialogue and cooperation initiatives, and counter-extremism work, and to engage proactively with the efforts of Muslim, other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and counter radicalism and extremism;
4. To urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country;
5. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review by the United Nations in 2012 are implemented;
6. To urge the government of Indonesia to take the actions called for and recommended in a resolution by the European Parliament in 2011;³¹
7. To implement fully the European Union Guidelines on promotion and protection of freedom of religion or belief,³² and the Guidelines on human rights defenders;³³
8. To ensure that freedom of religion or belief is a priority concern in the European Union's human rights dialogue with Indonesia;³⁴
9. To prioritise freedom of religion or belief and efforts to counter religious intolerance as part of the EU-Indonesia Partnership and Cooperation Agreement and progress towards the establishment of a Comprehensive Economic Partnership Agreement.³⁵

To the government of the United States:

1. To raise concerns about rising levels of violent attacks on religious minorities, and campaigns of intimidation and harassment, and to urge the Indonesian authorities to provide proper protection for religious minorities vulnerable to attack and intimidation;
2. To urge the Indonesian authorities to respect and protect freedom of religion or belief and to permit the construction of places of worship which have received licences through the approved process;
3. To provide financial support for human rights, civil society, inter-faith dialogue and cooperation initiatives and counter-extremism work, and to engage proactively with the efforts of Muslim, other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and counter radicalism and extremism;

31 European Parliament resolution of 7 July 2011 on Indonesia, including attacks on minorities <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0341+0+DOC+XML+V0//EN>

32 Council of the European Union, EU Guidelines on the promotion and protection of freedom of religion or belief, 24 June 2013 http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/137585.pdf

33 European External Action Service, 'Ensuring protection – European Union Guidelines on Human Rights Defenders' http://eeas.europa.eu/human_rights/guidelines/defenders/docs/16332-re02_08_en.pdf

34 European External Action Service, 'EU guidelines on human rights dialogues with third countries – Update' http://eeas.europa.eu/human_rights/guidelines/dialogues/docs/16526_08_en.pdf

35 Delegation to Indonesia, Brunei Darussalam and ASEAN, 'Political and Economic Relations' http://eeas.europa.eu/delegations/indonesia/eu_indonesia/political_relations/index_en.htm

4. To continue to monitor the situation in Indonesia, noting the recommendation of the US Commission on International Religious Freedom to categorise Indonesia as a country on the 'Watch List';³⁶
5. To press the government of Indonesia to invite the US Ambassador-at-Large for International Religious Freedom to visit the country;
6. To urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country;
7. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review by the United Nations in 2012 are implemented.

To the government of Canada:

1. To raise concerns about rising levels of violent attacks on religious minorities, and campaigns of intimidation and harassment, and to urge the Indonesian authorities to provide proper protection for religious minorities vulnerable to attack and intimidation;
2. To urge the Indonesian authorities to respect and protect freedom of religion or belief and to permit the construction of places of worship which have received licences through the approved process;
3. To provide financial support for human rights, civil society, inter-faith dialogue and cooperation initiatives and counter-extremism work, and to engage proactively with the efforts of Muslim, other faith-based and secular civil society organisations working to promote pluralism, harmony and religious freedom, and counter radicalism and extremism;
4. To continue to monitor and report on the situation in Indonesia;
5. To press the government of Indonesia to invite the Canadian Ambassador of Religious Freedom to visit the country;³⁷
6. To urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country;
7. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review by the United Nations in 2012 are implemented.

To the Association of Southeast Asian Nations (ASEAN):

1. To raise concerns about rising levels of violent attacks on religious minorities, and campaigns of intimidation and harassment, and to urge the Indonesian authorities to provide proper protection for religious minorities vulnerable to attack and intimidation;
2. To urge the Indonesian authorities to respect and protect freedom of religion or belief and to permit the construction of places of worship which have received licences through the approved process;
3. To consider ways in which the ASEAN Intergovernmental Commission on Human Rights could assist Indonesia in addressing these concerns;

³⁶ United States Commission on International Religious Freedom, Indonesia <http://www.uscifr.gov/countries/1384.html?task=view>

³⁷ Foreign Affairs, Trade and Development Canada, Canada's Office of Religious Freedom http://www.international.gc.ca/religious_freedom-liberte_de_religion/index.aspx?lang=eng

4. To urge Indonesia to ensure that its legislation and policies are in accordance both with the Universal Declaration of Human Rights and with the principles of the ASEAN Charter;³⁸
5. To urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country;
6. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review by the United Nations in 2012 are implemented.

To the United Nations and the international community:

1. To ensure that all the recommendations which were accepted by the government of Indonesia during the Universal Periodic Review in 2012 are implemented, and to monitor progress;
2. To press the government of Indonesia for progress on implementing the recommendations of the UN High Commissioner for Human Rights, in respect to freedom of religion or belief;³⁹
3. To urge the government of Indonesia to implement the recommendations of the Human Rights Committee of the United Nations with respect to Indonesia's compliance with the International Covenant on Civil and Political Rights;⁴⁰
4. To urge the government of Indonesia to invite the UN Special Rapporteur on freedom of religion or belief to visit the country.

38 Charter of the Association of Southeast Asian Nations <http://www.asean.org/asean/asean-charter/asean-charter>

39 UN Office of the High Commissioner for Human Rights, 'Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Indonesia', 13 November 2012 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12781&LangID=E>

40 Centre for Civil and Political Rights, Overview of the 108th session of the Human Rights Committee <http://www.ccprcentre.org/publication/overview-of-the-sessions/108-session-overview/>



INTRODUCTION



» "We are seeing the mainstreaming of intolerance"

Ahmad Suaedy, the Wahid Institute

On 30 May 2013 Indonesia's President Susilo Bambang Yudhoyono received the World Statesman Award for religious freedom, from the Appeal of Conscience Foundation in New York – almost exactly five years after a violent attack on campaigners from the National Alliance for Freedom of Religion or Belief (AKKBB) who were demonstrating at the National Monument (Monas); and just a week before the fifth anniversary of the introduction of one of Indonesia's most discriminatory laws, a joint ministerial decree severely restricting the activities of the Ahmadiyah Muslim sect.

In the five years since the attack on religious freedom activists at the National Monument, religious intolerance has risen consistently and violations of freedom of religion or belief have increased year on year. The presentation of the World Statesman Award to President Susilo Bambang Yudhoyono was greeted with a chorus of outrage and incredulity across Indonesia. A petition was launched, signed by over 8,000 people, protesting against the award.⁴¹ Demonstrations were held outside the presidential palace. Letters were sent to Rabbi Arthur Schneier, founder and president of the Appeal of Conscience Foundation, by a number of Indonesian organisations including the Institute for Interfaith Dialogue in Indonesia (Interfidei).⁴² Perhaps most significantly, an open letter to the Appeal of Conscience Foundation was published by the well-respected Catholic priest and professor of philosophy at the Driyarkara School for Philosophy in Jakarta, Franz Magnis-Suseno, SJ. In his open letter he writes:

"In Indonesia we learnt that you are going to bestow this year's World Statesman Award to our President Susilo Bambang Yudhoyono because of his merits regarding religious tolerance. This is a shame, a shame for you. It discredits any claim you might make as an institution with moral intentions. How can you take such a decision without asking concerned people in Indonesia?...Do you not know about the growing difficulties of Christians to get permits for opening places of prayer, about the growing number of forced closures of churches, about the growth of regulations that make worshipping for minorities more difficult, thus about growing intolerance on the grassroot level? And particularly, have you never heard about the shameful and quite dangerous attitudes of hardline religious groups towards so-called deviant teachings, meaning members of the Achmadiyah [sic] and the Shia [sic] communities?...Hundreds of their people have under Susilo Bambang Yudhoyono's presidentship been driven out of their houses...You are playing into the hands of those – still few – radicals that want to purify Indonesia of all what they regard as heresies and heathen."⁴³

In his speech accepting the award, the president made some reassuring remarks. "From day one of our independence, we have always aspired to be a nation united in diversity. A nation where citizens of various race, faith and creed live together in harmony. A nation based on the rule of law," he said. "All these core principles are enshrined in our Constitution, and in our state ideology: Pancasila. And our ability to live by these ideals would determine not just our progress but also our survival as a nation."⁴⁴ He is correct – the problem is, these foundations are increasingly under threat.

"We are still facing a number of problems on the ground," President Yudhoyono continued. "Pockets of intolerance persist. Communal conflicts occasionally flare up. Religious sensitivities sometimes give rise to disputes, with groups taking matters into their own hands. Radicalism still exists on the fringe." The words illustrate part of the problem that this report will attempt to detail. What is unfolding in Indonesia now is not simply a few 'problems', or 'pockets of intolerance'. Radicalism is no longer simply 'on the fringe'. As one leading Muslim scholar, Ahmad Suaedy of the Abdurrahman Wahid Centre for Inter-Faith Dialogue and Peace and the Wahid Institute, told CSW, "[R]eligious intolerance is not only because of political balances – it is because of actual policy. We are seeing the mainstreaming of intolerance." It used to be thought that President Yudhoyono's government was simply weak, naive, and negligent in tackling rising religious intolerance. Now it is clear that

41 'No World Statesman 2013 for Susilo Bambang Yudhoyono' petition <http://www.change.org/natoSBY>

42 'A Letter of Protest for the World Statesman Award to President SBY' <http://interfidei.or.id/index.php?page=news&id=151&lang=en>

43 *Progressive News*, 'Open Letter of Franz Magnis Suseno', 17 May 2013 <http://progresivenews.com/2013/05/17/open-letter-of-franz-magnis-suseno-to-the-acffiled-under-public-awareness/>

44 Acceptance speech by H.E. Susilo Bambang Yudhoyono, President of the Republic of Indonesia, upon accepting the World Statesman Award 2013, 30 May 2013 <http://www.presidentri.go.id/index.php/pidato/2013/05/30/2122.html>

his own policies and actions have contributed significantly to the undermining of religious pluralism.

In his speech, the president went on to say, "As we move forward, we will not tolerate any act of senseless violence committed by any group in the name of religion. We will not allow any desecration of places of worship of any religion for whatever reason." The problem is, he has – too often. "We will always protect our minorities and ensure that no one suffers from discrimination. We will make sure that those who violate the rights of others will face the arms of justice." The problem is, he has manifestly and consistently failed to do this.

His uplifting rhetoric is good. "We will do all we can to preserve a nation where hundreds of ethnic groups, and all God's children – Muslims, Christians, Hindus, Buddhists and Confucianists and other faiths – live as one in freedom and brotherhood," he said. "Building a tolerant society is a matter of good statecraft. It requires a good mix of persuasion and law enforcement. When violence occurs, justice must prevail. However, based on our experiences in Indonesia, enforcing the law alone is not enough. Hearts and minds have to be won. Old stereotypes have to be broken. A culture of tolerance and an inclusive approach have to be constantly promoted." In that effort to win 'hearts and minds' and to govern with 'good statecraft' President Yudhoyono has manifestly failed. Indeed, arguably he has hardly tried.

**"RELIGIOUS
INTOLERANCE IS
NOT ONLY BECAUSE
OF POLITICAL
BALANCES – IT
IS BECAUSE OF
ACTUAL POLICY"**



In stark contrast to the words he delivered in New York, President Yudhoyono's actions in Indonesia have had precisely the opposite effect. There has been a systematic failure during his presidency to protect minorities, prevent violence or deliver justice. According to the Setara Institute, a Jakarta-based NGO monitoring human rights, violations of freedom of religion or belief have increased year on year, from a documented 200 incidents in 2009, 216 in 2010, and 244 in 2011 to 264 in 2012.⁴⁵ Religious intolerance is no longer confined to areas such as West Java and Aceh, known to be particularly conservative, nor is it confined to Christians and Ahmadis. Shi'a Muslims, Sufi Muslims, Confucians, Buddhists, Hindus, Baha'is, Jews, traditional indigenous believers and atheists are all under attack.

CSW has been reporting on Indonesia for almost 15 years. During the conflict between Muslims and Christians in the Moluccas and Poso more than a decade ago, CSW became involved in documenting the grave violations of human rights, as well as promoting inter-religious dialogue, peace and reconciliation. In more recent years, CSW has travelled regularly to Indonesia to document incidents of violations of freedom of thought, conscience, and religion, as set out in Article 18 of the UDHR. CSW has visited Jakarta, several towns and villages in West Java, East Java, North Sumatra, West Sumatra, South Sulawesi, Lombok and West Papua, and met victims of persecution, violence and discrimination among Protestant, Catholic, Ahmadiyah, Shi'a, Confucian and traditional indigenous belief communities. CSW has also twice visited Alexander Aan, an atheist imprisoned because he declared his atheism on Facebook, and once visited Tajul Muluk, a Shi'a cleric imprisoned on charges of blasphemy. Article 18 of the UDHR guarantees freedom for all theistic, non-theistic and atheistic beliefs, and CSW seeks to uphold this freedom for all.

⁴⁵ Setara Institute, 2012 <http://www.setara-institute.org/en/content/report-freedom-religion-and-belief-2012-0>

This report draws on many interviews⁴⁶ with victims of violations of freedom of religion or belief conducted during an extensive research period in 2013, as well as previous research conducted between 2009 and 2012. First-hand testimonial evidence is the heart of this report. However, it also draws on analysis by a range of academics and experts to provide context and background to the unfolding situation.

In this introduction, the focus has been on President Yudhoyono's record. However, it is important to remember that the seeds of the current rising religious intolerance in Indonesia go back much further than the past ten years of his presidency. Equally importantly, this report is forward-looking, published at the beginning of Indonesia's presidential election year when a new president and government will take office and assume responsibility for addressing these challenges. In order to look to the future it is essential to understand the past and the present, but the aim of this report is to ring a warning bell for the incoming president, and offer some practical recommendations for steps that the new government can and should take to curb religious intolerance before it is too late. Indonesia has an impressive tradition of religious pluralism, which forms the foundations of the country. It has made a remarkable transition from authoritarianism to democracy. It is rightly praised around the world for these achievements, and as the world's largest Muslim-majority nation and the third largest democracy, it has been held up as a role model for religious harmony and freedom. If Indonesia's achievements are to be protected and maintained, growing religious intolerance and sectarian conflict must be addressed, and the values which President Yudhoyono outlined in his New York speech must be turned into action.

46 A PDF of this report and additional interviews can be downloaded from www.csw.org.uk/2014-indonesia-report



THE FOUNDATIONS OF INDONESIA



» *Bhinneka Tunggal Ika – Unity in Diversity*

Indonesia's national motto

With an estimated 17,508 islands stretching across the Indian Ocean and the Pacific Ocean, Indonesia is the world's largest archipelago and south-east Asia's largest economy.⁴⁷ With 251 million people, it is the world's fourth most populous nation, and the world's largest Muslim-majority population. A demographic study by the Pew Research Religion and Public Life Project concludes that 13% of the world's Muslims live in Indonesia.⁴⁸

Indonesia is also the third largest democracy in the world, the sixteenth largest economy,⁴⁹ predicted to be the seventh largest in the next 20 years, and the world's biggest producer of palm oil.⁵⁰ It is a leading founding member of the Association of Southeast Asian Nations (ASEAN), headquartered in Jakarta, and most recently held the chairmanship of the body in 2011. It is a member of the G20 and the Organization of the Islamic Conference.

Until the fall of Suharto in 1998, Indonesia was the leading member of the Non-Aligned Movement, and is now a prominent advocate of democracy and civil society through the annual Bali Democracy Forum. Its term as a member of the United Nations Human Rights Council ends in 2014. In 2009 Indonesia signed a Partnership and Cooperation Agreement with the European Union, and plans are underway to sign a Comprehensive Economic Partnership Agreement.⁵¹ It is, however, ranked 114 out of 175 in Transparency International's Corruption Perceptions Index,⁵² with bribery rates of the police as high as 75%.⁵³

"As a country joined by water, Indonesia covers an area as wide as Europe or the United States," writes Adrian Vickers.⁵⁴ The area was once informally known as 'Nusantara', meaning 'the archipelago in between' - an apt name for a country that not only sits between the continents of Asia and Australia, but shares two of the world's largest islands, Borneo (Kalimantan) and New Guinea (Papua) with Malaysia and Papua New Guinea respectively,⁵⁵ and brings together a diverse range of at least five hundred ethnicities, two hundred major cultural and language groups, and many of the world's religions. While approximately 86% of Indonesians are Muslim, the country has sizeable Christian, Buddhist and Hindu populations, as well as Confucians, Baha'is and other, smaller, traditional religions and belief systems.

Colonial history

At 10am on Friday 17 August 1945, the Proclamation of Indonesian Independence was read out, marking the start of a four-year political and armed struggle against Dutch colonial rule. On 27 December 1949 the Netherlands officially recognised Indonesia's independence, and sovereignty was formally transferred, ending over four centuries of European occupation.

Until the Dutch incorporated the archipelago into one nation under colonial rule in the twentieth century, Indonesia as it is known today did not exist as a unified nation, but was a collection of separate kingdoms. The first Europeans to reach the shores of the archipelago were the Portuguese, who reached the Moluccas Islands in 1512 and engaged in the spice trade. In 1602 Dutch traders formed the Dutch East India Company,⁵⁶ "the world's first great multinational",⁵⁷ whose business expanded around the region from its base in what is now Jakarta.⁵⁸ Trade led to exploitative colonial rule by the Dutch government, only to be disrupted by the Japanese

47 Friends of Europe, 'Indonesia matters: The role and ambitions of a rising power', June 2013 http://www.friendsofeurope.org/Portals/13/Documents/Policy_Briefings/FoE_Indonesia_PolicyBriefing_2013.pdf

48 Pew Research, *The Global Religious Landscape: Muslim*, 18 December 2012 <http://www.pewforum.org/2012/12/18/global-religious-landscape-muslim/>

49 Its exports include coal, natural gas, rubber, gold, wood and cocoa. Friends of Europe, 2013

50 *ibid.*

51 *ibid.*

52 Transparency International, Corruption Perceptions Index 2013 <http://cpi.transparency.org/cpi2013/results/>

53 Asia Foundation, 'Combating Pervasive Corruption Must Take a Multipronged Approach', 24 July 2013 <http://asiafoundation.org/in-asia/2013/07/24/combating-pervasive-corruption-must-take-a-multipronged-approach/>

54 Vickers, 2013:1

55 *ibid.*, p.1

56 'The Dutch East Indies Company – The first 100 years', lecture at Gresham College, 1 March 2006 <http://www.gresham.ac.uk/lectures-and-events/the-dutch-east-indies-company-the-first-100-years>

57 *ibid.*, p.10

58 *Economist*, 'A taste of adventure', 17 December 1998 <http://www.economist.com/node/179810>

invasion of Indonesia in 1942. The Japanese co-opted Indonesian independence leaders such as Sukarno and Mohammad Hatta, strengthening nationalist sentiments so much that after the Second World War, these leaders declared independence.

Religious history

Although Indonesia has the largest population of Muslims in the world, Islam came to the archipelago comparatively recently. Most scholars believe its presence was really only identified by the end of the 13th century, in North Sumatra, although inscriptions on a tomb found in Leran, East Java, may indicate some presence in 1082.⁵⁹

Until the fifth century AD, according to Robert Pringle, “most Indonesians were animists and ancestor worshipers”. Indian traders and ‘holy men’ introduced Hinduism and Buddhism, which “gave birth to the long-lived kingdom of Srivijaya in the seventh century and Majapahit in the late 13th century as well as some of the world’s greatest ‘Indian’ art, such as the monumental Borobudur Buddhist temple in central Java.”⁶⁰

When Islam arrived, it was brought by Arab traders – as well as Indian, Persian and even Chinese Muslims. A key distinguishing feature of Indonesian Islam is that it was brought peacefully, through trade, and not through military conquest. In addition, because when they came to the archipelago Muslim traders found “societies that were in part politically well structured and culturally coherent,” Islam “was obliged to make considerable adaptations”.⁶¹ As a result, the Islam that spread across what is now Indonesia has traditionally, and until recently, been both peaceful and moderate – even in parts syncretistic – and somewhat distinct from Middle Eastern forms of Islam. “In the Indonesian context, there is no clear line between orthodoxy and heresy in Islam,” notes Vickers. “It is a religion that has been adapted and maintained in a variety of ways...The early teachers of Islam in Indonesia were mystics who travelled around passing on knowledge from teacher to pupil...Some forms of Indonesian Islam incorporated pre-existing indigenous forms.”⁶² As Pringle notes, “the archipelago was never completely Islamized. Hinduism survived on the island of Bali, and important pockets of animism remained elsewhere.”⁶³

As with Hinduism, Buddhism and Islam, Christianity was brought by traders. The Portuguese and Spanish introduced Catholicism, although they did not stay long in Indonesia. St Francis Xavier, a student of St Ignatius of Loyola and one of the seven founding members of the Jesuits, came to the Moluccas in 1546 and spent several months on Ambon and other neighbouring islands. With the Dutch traders came Protestant missionaries, who travelled to places where there were existing Christian populations, on Ambon, in Manado (North Sulawesi) and Flores, but also to other areas such as the Toraja highlands of South Sulawesi, the Batak highlands of Sumatra, and West Papua. Unlike some other colonialists, the Dutch government did not, however, encourage missionary activity. Colonial advisers “saw such moves as an unhelpful provocation to Islam” and “succeeded in curbing the missions and banning them entirely from some areas”.⁶⁴ Indeed, according to Robert Pringle, the Dutch focused more on restricting Catholic activity and encouraging or compelling Catholics to become Protestants.⁶⁵ However, Dutch policy was not always consistent, and at times missionary activity was favoured – although largely targeted at non-Muslim communities. At times the Dutch imposed restrictions on Islamic practice, such as prohibiting the *haji* (Islamic pilgrimage) following the Padri war in Sumatra in the mid-nineteenth century. The ban was lifted after the 1873 Aceh war and in the context of a more tolerant policy in the early 20th century.

The founding of the new nation

Despite its moderate, peaceful tradition, in the 19th and 20th centuries more fundamentalist, conservative and intolerant interpretations of Islam began to influence thinking among some Indonesian Muslims. As Pringle puts it, “debate about precisely where the line between tradition and Islam should be drawn began early and has continued. By the 19th century, an uneven polarization had developed between those favouring doctrinal

59 Feillard & Madinier, 2011:4

60 Pringle, 2011

61 Feillard & Madinier, 2011:5

62 Vickers, 2013:56

63 Pringle, 2010

64 Vickers, 2013:23

65 Pringle, 2010:41

strictness – fundamentalism, if you will - and those leaning toward tolerance. During the Japanese occupation of Indonesia in World War II, an enduring division emerged between those who wanted an Islamic state that required adherence to sharia law by all Muslims, and nationalists led by Sukarno (most of them also Muslims)."⁶⁶ The nationalists were mindful of Indonesia's religious diversity, and "bent on national unity above all else, preferred a pluralistic state, requiring only belief in One God."⁶⁷

As Indonesians prepared for independence, the debate about what sort of state the country should be deepened. Some of those who had fought for freedom from colonial rule promoted the formation of an Islamic State of Indonesia (*Negara Islam Indonesia*), with Islamic law (shari'a) in the constitution. This culminated in what became known as the Jakarta Charter, which in essence involved a sentence inserted into one of the early drafts of the proposed Pancasila, or national ideology. These words would have changed the course of history and the nature of Indonesia irrevocably. They were: "[The Indonesian state is based on] Belief in the one supreme God with the obligation to live according to Islamic law for Muslims." [emphasis added]

Sukarno, Indonesia's founding father, rejected this vision and maintained that religious minorities must have a stake in the nation's future. If Indonesia had been formed as an Islamic state, the predominantly Christian and Hindu provinces to the east and west of the archipelago would have been disinclined to join. Sukarno therefore proposed Pancasila (five principles), without the Jakarta Charter or any reference to Islam. Pancasila is as follows:

Pancasila: Five principles that define the Indonesian nation⁶⁸

1. Belief in the one and only God;
2. Just and civilised humanity;
3. The unity of Indonesia;
4. Democracy led by the wisdom of deliberations among representatives;
5. Social justice for the whole of the people of Indonesia.

In other words: belief in a deity, humanity, nationalism, democracy and social justice. The first principle was a compromise – a recognition that religion has a central place in Indonesian society, but a rejection of an explicitly Islamic state. It was an attempt to satisfy both religious conservatives and secularists. While in some respects it is restrictive, prescribing a belief in a theistic religion and thereby inherently discriminatory towards non-theistic or atheistic beliefs, its intention was to resist the imposition of Islamic law and protect religious pluralism. It is important for Indonesia to consider ways in which the spirit of Pancasila can be expanded to ensure protection for all citizens, of whatever religion or belief, including those currently adhering to religions or beliefs outside the six officially recognised faiths. As the government of Indonesia explains, 'belief in the one and only God' means that "every Indonesian citizen, no matter which religious denomination or faith they follow, should respect each other's belief for the sake of the harmony and peace of mankind. This Principle contains the precepts of religious tolerance and freedom of all to adhere to the religion or faith of his or her choice".⁶⁹ In an attempt to placate the Islamists, while defending the Pancasila Sukarno told them, "If we really are an Islamic people let us then work as hard as we can, to see that the greatest number of seats in parliament which we shall form, will be held by Islamic representatives...Then the laws which parliament promulgates will naturally be Islamic laws. Yes, I am even convinced that only when something like this happens, only then can it be said that Islam really lives in the soul of the people."⁷⁰

Pancasila formed the basis of the 1945 constitution, which enshrines freedom of religion in Article 28(e):

1. Each person is free to worship and to practice the religion of his choice, to choose education and schooling, his occupation, his nationality, his residency in the territory of the country that he shall be able to leave and to which he shall have the right to return .

⁶⁶ Pringle, 2011

⁶⁷ *ibid.*

⁶⁸ Embassy of the Republic of Indonesia in London, 'The Philosophical Basis of Human Rights in Indonesia', http://www.indonesianembassy.org.uk/human_right-2.htm

⁶⁹ *ibid.*

⁷⁰ Quoted in Platzdasch, 2009:109

2. Each person has the right to be free in his convictions, to assert his thoughts and tenets, in accordance with his conscience.
3. Each person has the right to freely associate, assemble, and express his opinions.⁷¹

Pancasila is also one of the 'Four Pillars of National Life', along with the motto 'Unity in Diversity', the principle of the united state (*Negara Kesatuan Republik Indonesia*), and the constitution.

Principles of unity are also built in to the national anthem, *Indonesia Raya*, which was written by an Ahmadi, Wage Rudolf Supratman.⁷²

Instrumental in defending Pancasila and the principles of pluralism, and resisting political Islam or 'Islamism', are Indonesia's two Muslim organisations, Nahdlatul Ulama (NU) and Muhammadiyah; although their record is mixed, their theological foundations are different, and neither is monolithic. NU, established in 1926, claims a membership of 40 million people, and is a more traditionalist movement accepting of pluralism, while Muhammadiyah, established in 1912, claims 25 million members, and is more closely associated with 'modernist' Islam. According to Robin Bush and Budhy Munawar Rachman, these two organisations "represent the majority of mainstream Muslim thought and practice in the world's largest Muslim-majority nation", and their influence in relation to the treatment of religious minorities "is vast".⁷³ Leaders of both organisations occupy key positions throughout the Ministry of Religious Affairs, and as Bush and Rachman argue, their leadership "sets the discourse on Islam" in Indonesia. In recent years, there has been increasing influence within NU and Muhammadiyah of more conservative, intolerant and even Islamist voices, although both organisations have tried to maintain their tradition of defending pluralism and "individuals within NU and Muhammadiyah have both made very progressive contributions to the discourse on religious freedom."⁷⁴ On the issue of the Ahmadiyah, however, both organisations have taken a conservative theological position and branded the Ahmadiyah 'deviant'. It is impossible to understand religion and religious freedom in Indonesia without understanding the importance of these two organisations. In terms of their size, scope, structure and influence, NU and Muhammadiyah are unparalleled anywhere in the Islamic world.⁷⁵

Not everyone accepted the pluralistic spirit of the constitution, however, and Islamist groups of one form or another have struggled for their vision of an Islamic state ever since. These include militant uprisings in the period following independence, from the Darul Islam (House of Islam) movement, the Masyumi political party and more contemporary expressions in the forms of Hizb ut-Tahrir Indonesia, the Islamic Defenders Front (FPI) and the political party, the Prosperous Justice Party (PKS). In different ways, these varied groups have contributed to the climate of religious intolerance – through intellectual, theological and political discourse, through violence and intimidation, and through legislation.

Suharto era

In 1965 a military coup led to the establishment of General Suharto's regime which ruled Indonesia for over three decades, and was known as the 'New Order' to distinguish his rule from that of Sukarno. Initially, Suharto marginalised the Islamic and Islamist parties, and vigorously promoted a pluralistic, secular society. Although he relied on Islamic organisations to assist with the suppression of the Communist Party at the beginning of his rule, according to Michael Buehler from North Illinois University, Suharto then "banned religion from party platforms and also upheld the multi-faith *Pancasila* constitution."⁷⁶ He co-opted the military-established group Golkar, developed it into a secular political party, and suppressed Islamist movements.

In his final years, however, in the 1990s, Suharto began to nurture relationships with some Islamic organisations to counterbalance growing opposition within the army and among the population. "Suharto began to incorporate Muslim [sic] with modernist Islamic educational backgrounds and affiliations into the circuits of power and

71 Asian Human Rights Commission, The Constitution of the Republic of Indonesia of 1945 http://www.humanrights.asia/countries/indonesia/countries/indonesia/laws/uud1945_en

72 Wikipedia, 'Indonesia Raya' http://en.wikipedia.org/wiki/Indonesia_Raya

73 Bush and Rachman, 'NU and Muhammadiyah – Majority Views on Religious Minorities in Indonesia'

74 ibid.

75 van Bruinessen, 2012

76 Buehler, 2013

patronage, and began to accord Islam a more visible and prominent place in the public sphere," writes Buehler.⁷⁷ He went on a pilgrimage to Mecca in 1991, and most significantly established the Association of Indonesian Muslim Intellectuals (ICMI), a body which included some Islamist parties within its leadership. The ICMI and the MUI worked closely together, and established Indonesia's first Islamic bank.

Post-New Order

Following the Asian financial crisis, Suharto's regime fell in 1998. Forced to resign after widespread demonstrations and discontent over corruption, he was succeeded by his former vice-president, Bacharuddin Jusuf (B.J.) Habibie. He served for just a year, but introduced a process of political and economic reform which paved the way for the establishment of Indonesia as a multi-party democracy. He also initiated a process of decentralisation, granting significant autonomy to the different regions of the country, leaving the central government responsible only for security and defence, foreign policy, justice, fiscal policy and religious affairs.

Habibie's successors, Abdurrahman Wahid and then Sukarno's daughter, Megawati Sukarnoputri, were both defenders of Indonesia's pluralism. Wahid was a widely respected and much loved Islamic scholar and head of NU, which has long championed Indonesia's pluralism and peaceful interpretation of Islam (see above). Popularly known as 'Gus Dur', he had refused to join the ICMI, warning it could lead to 'sectarianism'. Instead he joined forces with non-Muslim critics of Suharto and established the political dissident discussion group *Forum Demokrasi* (Democracy Forum). Although he defended the place of Islam within the cultural make up of Indonesian society, he was also a strong defender of the rights of religious minorities and an opponent of political Islam. He revoked the ban on the Baha'is introduced by Suharto, and ended the prohibitions on Chinese culture, giving official recognition to Confucianism as a religion.⁷⁸ In 2000, the Fourth Caliph of the Ahmadiyah Muslim community, Hazrat Mirza Masroor Ahmad, visited Indonesia and met the president and the chairman of the National Assembly. Wahid is known to have said to his critics, "Those who say I am not Islamic enough should re-read their Qur'an. Islam is about inclusion, tolerance, and community."⁷⁹ An obituary published in the *Guardian* concluded, "His legacy of a human rights-based Islam is critical to Indonesia and the world at a time of dire challenge from religious bigotry and narrow-minded fundamentalism."⁸⁰ His vision lives on in the work of the Wahid Institute, led by his widow and daughters, and the organisation's commitment to achieving "the intellectual vision of H.E. Abdurrahman Wahid for the development of Indonesia, the welfare of the nation, and the social justice of humankind based on Islamic values that upholds pluralism, multiculturalism, democracy, and human rights". The Wahid Institute "strives for a just and peaceful world by espousing a moderate and tolerant view of Islam and working towards welfare for all."⁸¹ However, Martin van Bruinessen argues that Wahid's legacy and family, and even the positive influence of NU and Muhammadiyah, no longer have the ability to "define the terms of debate", which is increasingly being shaped by "conservatives and fundamentalists".⁸²

In 2004, Susilo Bambang Yudhoyono was elected as Indonesia's sixth president. The rest of this report will focus primarily on how the tradition of pluralism which his predecessors, particularly Abdurrahman Wahid, promoted, has become increasingly threatened during his ten-year presidency.

77 ibid.

78 Martin van Bruinessen, 'Abdurrahman Wahid', *The Encyclopaedia of Islam*, Third Edition, 2013 http://www.academia.edu/3167991/Abdurrahman_Wahid

79 *Guardian*, 'Abdurrahman Wahid obituary', 3 January 2010 <http://www.theguardian.com/theguardian/2010/jan/03/abdurrahman-wahid-obituary>

80 ibid.

81 Wahid Institute <http://wahidinstitute.org/wahid-eng/about-us/about-the-wahid-institute.html>

82 van Bruinessen, *Contemporary Developments in Indonesian Islam*, 2013:4



THE ROLE OF THE GOVERNMENT



»» “We open our hearts and minds to receiving the thoughts, recommendations and *fatwas* [religious rulings] from the MUI at any time...After a *fatwa* is issued, the tools of the state can do their duty...We must all take strict measures against deviant beliefs.”

President Susilo Bambang Yudhoyono

»» “The role of the Ministry of Religious Affairs is two-fold: to enhance the religious life of Indonesian people, and to enrich and enhance inter-religious relations among Indonesian citizens.”

Dr Mohamad Nur Kholis Setiawan, Head of the Centre for Research and Development of Religious Life, Ministry of Religious Affairs

Indonesia is widely celebrated around the world as a role model of religious pluralism and harmony in a Muslim-majority society. Moreover, when concerns about rising religious intolerance do receive international attention, the assumption has generally been that the forces of intolerance are non-state actors, and that the government shares the concerns about intolerance but is constrained by political factors, or is at worst weak, in addressing the situation. This report contends that the reality is much worse, and that the government itself has actively contributed to rising religious intolerance in three ways: the public remarks of senior officials, the introduction of discriminatory legislation, and a continuous failure to uphold the rule of law and bring perpetrators of violence to justice.

Inflammatory language by the government

Although President Yudhoyono has made speeches and remarks condemning violence and promising to promote pluralism and tolerance, he has also made speeches which have given licence to the forces of intolerance, and has allowed some of his ministers to make extremely inflammatory remarks with no reprimand.

A key turning point for Indonesia was a speech made by the president less than a year after he was first elected. On 26 July 2005, he addressed the National Congress of the Indonesian Ulama Council (MUI), the highest body of Islamic clerics and legal scholars in the country, which is funded by the government, promising them “a central role in matters regarding the Islamic faith”.⁸³ He told the conservative MUI, “We open our hearts and minds to receiving the thoughts, recommendations and *fatwas* [religious rulings] from the MUI at any time.” Within days, at the same National Congress, the MUI issued a series of *fatwas* which have underpinned the ensuing deterioration in religious freedom. These included a *fatwa* calling for the banning of the Ahmadiyah, and *fatwas* against pluralism, secularism and liberalism.⁸⁴ Two years later, the president went further in another address to the MUI, saying, “After a *fatwa* is issued, the tools of the state can do their duty... We must all take strict measures against deviant beliefs.” A year later, a government decree placed a ban on Ahmadiyah propagation.

In addition to these speeches by the president, Ahmad Suaedy, coordinator of the Abdurrahman Wahid Centre for Inter-faith Dialogue and Peace at the University of Indonesia and senior researcher at the Wahid Institute, argues that another factor contributing to intolerance is the appointment of key people in the government. The chairman of the MUI, Ma'ruf Amin, was appointed as a member of the Presidential Advisory Council with responsibility for inter-religious relations; yet he was largely responsible for the MUI *fatwas* as chairman of the MUI's Fatwa Commission in 2005, and has called for the banning of the Ahmadiyah. He also served as chairman of the National Shari'a Council.

Sudi Silalahi, a former three-star lieutenant general, was appointed as cabinet secretary in 2004 and state secretary in 2009. According to Suaedy, “Sudi is known as someone with a very conservative view of Islam in the political sense and is close to intolerant groups.” These ‘intolerant groups’ include the Qur'an Interpretation

83 For Bahasa Indonesia original version, see <http://presidenri.go.id/index.php/pidato/2005/07/26/370.html>

84 Majelis Ulama Indonesia http://mui.or.id/?option=com_docman&task=cat_view&qid=65&Itemid=73

Council (MTA), which supported President Yudhoyono's re-election. "This group has a view that is very close to Wahhabism and was often involved in conflict with local community groups as the members often accused other groups of being deviant," writes Suaedy.⁸⁵ In March 2009 President Yudhoyono officially opened the MTA's building, and the group has received protection from senior government officials despite its outspoken expressions of hatred towards tolerant groups, including NU.

In his second term, President Yudhoyono appointed as Minister of Home Affairs Gamawan Fauzi who, according to Suaedy, was "one of the first officials who introduced religious-related regional regulations, also known as shari'a regional regulations, in Solok, namely the regional regulation on the obligation to be able to read the Qur'an for school students from elementary to high school and for prospective brides and grooms."⁸⁶ In 2012, the Home Minister announced he would issue a regulation defining 'human rights' in accordance with religious values, saying, "We must regulate the definition of human rights so that the implementation will not violate religious and cultural values embraced in certain parts of the country, which have their own traits."⁸⁷ As Michael Buehler notes, Gamawan Fauzi has been popular with foreign donors, who have been misled into believing that he is a democratic 'reformer'.⁸⁸

The Minister of Religious Affairs, Suryadharma Ali, who is chairman of the Muslim-based United Development Party, is one of the most consistently outspoken and inflammatory members of the government. On several occasions he has called for the complete banning of the Ahmadiyah,⁸⁹ provoking outcry from civil society,⁹⁰ and is reported to have supported efforts to convert Shi'as to Sunni Islam.⁹¹ In July 2013, he described inter-faith conflict as "a normal part of human nature"⁹² while claiming that Indonesia is "the best...in the world" for religious tolerance. In November 2013 he repeated those remarks, saying that "conflict is normal", adding that "As long as God created humans with anger, then the potential of conflict arising is still there...God gives us anger, but God also guides our anger."⁹³ Earlier in 2013, he blamed Christians for politicising the issue of permits to construct places of worship, and claimed they brought persecution upon themselves.⁹⁴ The chairman of the Setara Institute, Hendaridi, said the minister's description of Shi'as as heretical meant that he "doesn't deserve the post because he has encouraged discrimination". Muslim intellectual Azyumardi Azra similarly said that the minister "has encouraged radicalism".⁹⁵

In addition to these national government officials, a number of regional governors have made equally inflammatory remarks. The governor of West Java, Ahmad Heryawan, speaking just days after an attack on Ahmadi homes in Sukamaju Village, Singaparna District, West Java by a mob of 400, said that "the problem will disappear if the belief disappears," blaming the Ahmadis for committing "a violation" by "spreading a deviant belief".⁹⁶

There is little evidence that the president has distanced himself from or condemned such remarks, and he has kept these ministers and officials in post, thus giving them licence to continue to use government positions to stoke the fires of intolerance, and giving a green light to radical organisations to continue their campaigns of intimidation and violence against religious minorities.

85 Ahmad Suaedy, 'The Inter-Religious Harmony (KUB) Bill vs Guaranteeing Religious Freedom in Indonesian Public Debate', not yet published at the time of writing.

86 *ibid.*

87 *Jakarta Post*, 'Human rights must bow to religious values: Home Minister', 24 September 2012 <http://www.thejakartapost.com/news/2012/09/24/human-rights-must-bow-religious-values-home-minister.html>

88 *Inside Indonesia*, 'Angels and Demons', April-June 2012 <http://www.insideindonesia.org/feature-editions/angels-and-demons-4>

89 *Jakarta Globe*, 'Best to Disband Ahmadiyah, Religious Minister Says', 28 February 2011 <http://www.thejakartaglobe.com/archive/best-to-disband-ahmadiyah-religious-minister-says/>

90 *Jakarta Globe*, 'Minister's Call to Outlaw Ahmadiyah Angers Non-Governmental Organizations', 2 September 2010 <http://www.thejakartaglobe.com/archive/ministers-call-to-outlaw-ahmadiyah-angers-non-governmental-organizations/394109/>

91 *Jakarta Post*, 'Minister backs "Shi'a conversion"', 12 August 2013 <http://www.thejakartapost.com/news/2013/08/12/minister-backs-Shi'a-conversion.html>

92 *Jakarta Globe*, 'Religious Conflict Not a Problem in "Tolerant" Indonesia: Minister', 17 July 2013 <http://www.thejakartaglobe.com/news/religious-conflicts-not-a-problem-in-tolerant-indonesia-minister/>

93 *Jakarta Globe*, 'Religious Conflict is Normal, Religious Affairs Minister Says', 16 November 2013 <http://www.thejakartaglobe.com/news/religious-conflict-is-normal-religious-affairs-minister-says/>

94 *Jakarta Post*, 'Minister: Christians bring discrimination on themselves', 2 April 2013 <http://www.thejakartapost.com/news/2013/04/02/minister-christians-bring-discrimination-themselves.html>

95 *Jakarta Post*, 'Controversial religious affairs minister must go', 28 January 2012 <http://www.thejakartapost.com/news/2012/01/28/controversial-religious-affairs-minister-must-go.html>

96 *Jakarta Globe*, 'Problems Will Disappear if Ahmadiyah Disappear, Says West Java Governor', 7 May 2013 <http://www.thejakartaglobe.com/news/problems-will-disappear-if-ahmadiyah-disappear-says-west-java-governor/>

Legislation

In recent years, the Pew Forum has consistently rated Indonesia as a country with one of the highest levels of restrictions on religion among the world's 25 most populous nations, taking into account both government regulations and social hostilities.⁹⁷ According to Andreas Harsono, Indonesia researcher at Human Rights Watch, Susilo Bambang Yudhoyono is "the president who laid down the most sectarian regulatory infrastructure in Indonesia". Dr Musdah Mulia, chairperson of the Indonesian Conference on Religion and Peace claims there

"THE PRESIDENT LAID DOWN THE MOST SECTARIAN REGULATORY INFRASTRUCTURE IN INDONESIA"

are at least 147 "discriminative laws and public policies in regards to religion," and believes that "as long as those laws are permitted to prevail, there is always a strong potential for violence in society. There need to be efforts for reforms and also to create new laws that are more accommodative towards the principles of human rights, the principles of democracy, tolerance and pluralism."⁹⁸

In particular, two decrees which have been introduced in the past decade have fuelled the rising intolerance – the 2006 Joint Decree on Houses of Worship, issued by the Ministry of Home Affairs and the Ministry of Religious Affairs; and the 2008 Joint Decree on 'Admonition and Instruction to the Disciples, Members and/or Members of the Organising Board of the Jemaat Ahmadiyah Indonesia (JAI) and the Members of the Public'. As Hakimul Ikhwan, a lecturer at the School of Sociology at Gadjah Mada University, argues, these laws "have allowed the hard-liners to capitalize on majority support to attack Ahmadiyah members and prevent the

construction of houses of worship for non-Muslims. Those decrees, in many instances, have legitimized the majority oppression over the minorities."⁹⁹

In addition, the government's opposition to proposals to revise or repeal the existing blasphemy law, current regulations regarding the religion column on identity cards, failure to recognise traditional indigenous beliefs outside the six officially recognised religions, and proposals for other regulations and laws, such as the Inter-Religious Harmony Bill, together with local and regional shari'a-inspired regulations and bylaws, have further contributed to growing religious intolerance.

2006 Joint Regulation on Houses of Worship

In 1969, a Joint Ministerial Decree was issued by the Ministry of Religious Affairs and the Ministry of Home Affairs, detailing the procedures required for permission to construct buildings for worship. In 2004, President Yudhoyono instructed the Minister of Religious Affairs to review the 1969 decree, following a meeting with a delegation of Christian leaders. The Minister appointed Ma'ruf Amin, the head of the MUI's Fatwa Committee, to establish a committee to draft a new decree.¹⁰⁰

In March 2006, the Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 8 and 9/2006, 'Guidelines for Regional Heads and Deputies in Maintaining Religious Harmony, Empowering Religious Harmony Forums and Constructing Houses of Worship' was issued. The new regulation, replacing the 1969 decree, provides that the construction of houses of worship must be founded on "real and factual needs based on the composition of the population" in the area.¹⁰¹ Furthermore, the regulation sets out a number of requirements for obtaining a permit to construct a house of worship. These include:

97 Pew Forum on Religion & Public Life, 2012

98 Musdah Mulia, 'The Problem of Implementation of the Rights of Religious Freedom in Indonesia', EU-Indonesia Conference: Human Rights and Faith in Focus, 24-25 October 2011

99 *Jakarta Post*, 'Why are hard-liners unbeatable?', 16 May 2012 <http://www.thejakartapost.com/news/2012/05/16/why-are-hard-liners-unbeatable.html>

100 Human Rights Watch, 2013:34

101 Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 8 and 9/2006, 'Guidelines for Regional Heads and Deputies in Maintaining Religious Harmony, Empowering Religious Harmony Forums and Constructing Houses of Worship', paragraph 13 (1)

- The names and identity cards of at least 90 members of the congregation who will use the new house of worship, approved by the local authority;¹⁰²
- Support from at least 60 other members of the local community, endorsed by the village head;¹⁰³
- Written recommendation from the district Ministry of Religious Affairs;¹⁰⁴
- Written recommendation from the district or city Religious Harmony Forum (FKUB).¹⁰⁵

The proposal for the construction of a place of worship must be submitted to the local mayor, who must issue a decision within 90 days of receiving the application.¹⁰⁶ If the names of 90 or more members of the congregation are provided, but the house of worship is not able to provide the names of 60 other local residents who support the proposed building, or secure recommendations from the relevant bodies, the local authority has a duty to provide a temporary venue for the congregation to worship.¹⁰⁷

Local governments in each area are required by the regulation to establish a Religious Harmony Forum (FKUB), which should consist of local religious leaders in proportion to the religious composition of the local population.¹⁰⁸ This means that in a Muslim-majority area, the FKUB will be dominated by Muslims, and similarly in Christian-majority areas, Christians would dominate the body. As Human Rights Watch notes, this puts "the minority religion at a distinct disadvantage in obtaining a permit".¹⁰⁹ At a provincial level, the FKUB should consist of no more than 21 members, while at a district level it should not exceed 17 members.¹¹⁰

In addition, this regulation makes it impossible for congregations with fewer than 90 members to meet legally. In respect to Christians, there are concerns expressed by Muslims about the number of churches built; but it is important to take account of the fact that churches function on denominational and often ethnic lines, and while in some instances different denominations have shared a church building, the reason there are so many small congregations is that they belong to different denominations - often with ethnic, linguistic and cultural, as well as theological, differences.

Furthermore, in an increasing number of cases, not only are churches finding it increasingly difficult to secure a permit for construction, but even churches which fulfil all the requirements and in some cases have already had their permits approved are now finding their permits withdrawn and are forced to close. This will be examined in detail later in the report.

2008 anti-Ahmadiyah Joint Decree

The Ahmadiyah Muslim community was founded in India in 1889 by Mirza Ghulam Ahmad, who was born in 1835 and died in 1908. Ahmadis identify themselves as Muslim and accept Islam as the 'final religion', but they also believe that Mirza Ghulam Ahmad was the Messiah prophesied in Islam and that he was a prophet who came to revive Islam rather than bring any new revealed laws. Other Muslims do not accept him either as the promised messiah or as a prophet of God, and Ahmadis are therefore regarded as heretical by many mainstream Muslims who believe that the Prophet Mohammed was the final prophet. The Ahmadis' motto is 'love for all, hatred for none'.¹¹¹

The Ahmadiyah community was established in Indonesia in 1925, and although precise figures are unavailable, the community claims to have approximately 500,000 members in 330 branches around the country, with the majority residing in Jakarta and West Java.

102 *ibid.*, paragraph 14 (2)a

103 *ibid.*, paragraph 14 (2)b

104 *ibid.*, paragraph 14 (2)c

105 *ibid.*, paragraph 14 (2)d

106 *ibid.*, paragraph 16

107 *ibid.*, paragraph 14 (3)

108 *ibid.*, paragraph 10 (3)

109 Human Rights Watch, 2013:35

110 Joint Regulation, paragraph 10 (2)

111 Al Islam <http://www.alislam.org/>

Until 2005 the Ahmadiyah community in Indonesia reported very little persecution, with the exception of sporadic attacks in Lombok and some other areas, despite the fact that the MUI issued its first *fatwa* describing Ahmadiyah beliefs as 'heretical' in 1980. Violent attacks against Ahmadis began in 2005, and have grown significantly. It is interesting to note that it was in 2005 that President Yudhoyono, in the speech to the MUI National Congress referred to earlier, declared that the government would "open our hearts and minds to receiving the thoughts, recommendations and *fatwas* from the MUI at any time," and that the MUI would have "a central role in matters regarding the Islamic faith." This gave the MUI a green light, and within days a *fatwa* calling for the banning of the Ahmadiyah was issued. Anti-Ahmadiyah violence increased significantly, and in 2008, pressure on the government grew after a shocking attack against the Ahmadiyah and other religious freedom campaigners at the National Monument.

On 9 June 2008, just eight days after that incident, the government announced the Joint Decree of the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs regarding 'Admonition and Instruction to the Disciples, Members and/or Members of the Organising Board of the Jemaat Ahmadiyah Indonesia (JAI) and the Members of the Public'. The Joint Decree stopped short of an outright ban, but it orders all Ahmadis "to discontinue the promulgation of interpretations and activities that are deviant from the principle teachings of Islam, that is the promulgation of beliefs that recognise a prophet with all the teachings who comes after the Prophet Mohammad." In its opening paragraphs, the decree states as its purpose "to admonish and instruct all members of the public not to preach, advocate, or gather public support, in order to interpret a religion adhered to in Indonesia, or to perform religious activities resembling the activities of that religion, where those interpretations and activities deviate from the principles of that religion". It further instructs Ahmadis specifically "as long as they claim themselves to be Muslims, to stop disseminating interpretations and activities that deviate from the principles of the Islamic doctrine, namely the dissemination of the teaching that there is a prophet, with all his doctrines, after the Prophet Mohammad."¹¹²

Two months later, the Secretary General of the Ministry of Religious Affairs, the Deputy Attorney General for Intelligence and the Director General for National Unity and Political Affairs of the Ministry of Home Affairs issued a Joint Circular regarding the 'Implementation Guideline of the Joint Decree'. This specifically stated that the Joint Decree applies only to Ahmadis who "claim themselves to be Muslims", and that "those who do not claim themselves as Muslims are exempted from the target of this admonition and order". It set out the activities which are to be prohibited, including "speeches, lecturing, preaching, religious discussion, taking an oath of allegiance, seminars, workshops, and other activities either oral or written, in the form of books, organisation documents, printed media, and electronic media, containing and aimed at disseminating belief to acknowledge that there is a prophet with all his teachings after Prophet Mohammad." Violations of the decree would be deemed a criminal act, defined as abuse of religion and religious defamation as set out in Article 1 (prohibiting "deviant interpretation" of religion and "deviant" teachings) and Article 3 of Presidential Decree No.1/PNPS/1965 on the Prevention of Blasphemy and Abuse of Religions, and Article 156(a) of Indonesia's criminal code, and would carry a maximum of five years' imprisonment.¹¹³

Since the introduction of the 2008 Joint Decree, provincial and local level authorities across Indonesia have published their own anti-Ahmadiyah regulations based on the Joint Decree, creating an atmosphere of increased religious intolerance towards Ahmadis and creating the conditions for further violence, harassment and discrimination. For example, in March 2011 the governor of West Java issued 'Regulation of the Governor of West Java No. 12/2011 concerning Prohibition of Activities of the Indonesian Ahmadiyah Congregation in West Java', which in Article 3 "prohibits followers of the Ahmadiyah community from carrying out activities... related to the spreading of interpretation and activities that deviate from the fundamental teachings of Islam." Such regional regulations contravene the principles of the autonomy law, Law. No. 32/2004 on Regional Autonomy, which states that powers to make regulations on matters of religion belong exclusively to the central government.

112 Joint Decree of the Minister of Religious Affairs, the Attorney General and the Minister of Home Affairs regarding 'Admonition and Instruction to the Disciples, Members and/or Members of the Organising Board of the Jemaat Ahmadiyah Indonesia (JAI) and the Members of the Public'

113 The Secretary General of the Ministry of Religious Affairs, the Deputy Attorney General for Intelligence and the Director General for National Unity and Political Affairs of the Ministry of Home Affairs issued a Joint Circular regarding the 'Implementation Guideline of the Joint Decree'.

The blasphemy law

"The real root of the country's religious intolerance is the 1965 Blasphemy Law," wrote Armando Siahaan.¹¹⁴ Laws prohibiting blasphemy, heresy and religious defamation are set out in Articles 156 and 156(a) of Indonesia's criminal code, criminalising acts "expressing feelings of hostility, hatred or contempt against religions" and "insulting or offending a religion", and imposing a maximum five year prison term. In addition to the criminal code, in 1965 President Sukarno introduced Presidential Decree No. 1/PNPS/1965 on the Prevention of Blasphemy and Abuse of Religions, known as the 'blasphemy law'. Article 1 of this Decree, which was subsequently implemented by President Suharto, prohibits the "deviant interpretation" of religious teachings and mandates the president to dissolve any organisation practising such 'deviant' teachings.

These laws apply to all six officially recognised religions in Indonesia—Islam, Buddhism, Hinduism, Confucianism, Catholicism and Protestantism – but not to any beliefs outside the officially recognised religions, leaving adherents of unrecognised religions, or those of no religion, particularly vulnerable. In practice, with some exceptions, the laws have tended to be used mostly by Muslims against fellow Muslims, adherents of other recognised religions, or adherents of unrecognised beliefs. According to the US Commission on International Religious Freedom, since 2003 over 150 individuals have been arrested or detained under Article 156 and 156(a).¹¹⁵ The majority of cases affect sects which derive some of their beliefs from Islam or Christianity but are regarded as outside the six officially recognised religions, but an increasing number of cases affect adherents of the major religions whose beliefs or practices are deemed by some to diverge from orthodoxy. For example, Muhammad Yusman Roy, an imam, was jailed for two years in Malang, East Java in 2005 for reciting prayers in Bahasa Indonesia instead of in Arabic. In 2006, a Muslim high school religious teacher was imprisoned in Sulawesi for six months, charged with heresy for allegedly whistling during prayers.¹¹⁶ In 1994 a newspaper editor was charged with blasphemy after publishing a poll of the most influential people in the world, in which he ranked himself second after President Suharto and ahead of the Prophet Mohammed.

In 2006 Lia Eden, leader of a Muslim sect called Jamaah Alamulla (Kingdom of Eden), was jailed for two years for distributing her sect's brochures, books and VCDs. The material was deemed to be in breach of Indonesia's established and recognised religions, particularly because she claimed to be "the Holy Spirit that manifests itself in the form of God's messenger Gabriel", and a reincarnation of the Virgin Mary.¹¹⁷ The following year, her deputy, Abdul Rachman, was jailed for three years for 'denigrating religion'.¹¹⁸ In 2008 she was arrested again, with her colleague Wahyu Anindito, for distributing literature calling for the abolition of established religions and their replacement with her teachings.¹¹⁹

More recently, in January 2012 police arrested Tajul Muluk, a Shi'a cleric, after a local MUI fatwa declared his teachings to be 'deviant'. In July 2012 Muluk was sentenced to two years' imprisonment for blasphemy, which was later increased to four years.

In February 2012 Alexander Aan, a civil servant in West Sumatra, was arrested on charges of blasphemy for posts on Facebook about atheism, after he renounced his Islamic faith and declared himself an atheist. The district court in Sijunjung, West Sumatra gave him a two-and-a-half year sentence for 'incitement'. This was allegedly because a local Islamic Defenders Front (FPI) group had attacked and beaten Aan for his Facebook posts; although he was initially charged under the blasphemy law and Law No. 11/2008 on Electronic Information and Transaction for 'disseminating information aimed at inciting religious hatred or hostility'.

In March 2012 Andreas Guntur, the leader of the spiritual group Amanat Keagungan Ilahi, was sentenced to four years' imprisonment for blasphemy, allegedly because of his heterodox Islamic teachings.

114 *Jakarta Globe*, 'Jakarta Jouno: SBY's Legacy Soiled On Freedom of Faith', 20 March 2011 <http://www.thejakartaglobe.com/archive/jakarta-jouno-sbys-legacy-soiled-on-freedom-of-faith/>

115 US Commission on International Religious Freedom, Annual Report 2013, p.239 [http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20\(2\).pdf](http://www.uscirf.gov/images/2013%20USCIRF%20Annual%20Report%20(2).pdf)

116 *ibid.*

117 *Jakarta Post*, 'Two named suspects for "religious blasphemy"', 17 December 2008 <http://www.thejakartapost.com/news/2008/12/17/two-named-suspects-039religious-blasphemy039.html>

118 US Commission on International Religious Freedom

119 *Jakarta Post*, 'Two named suspects for "religious blasphemy"', 17 December 2008 <http://www.thejakartapost.com/news/2008/12/17/two-named-suspects-039religious-blasphemy039.html>

Blasphemy charges have sometimes led to serious outbreaks of sectarian violence. On 8 February 2011 a large mob gathered outside a court in Temanggung, Central Java, shouting "Kill, kill!" after a Catholic, Antonius Richmond Bawengan, was sentenced to five years in jail for blasphemy. That night, at least 1,000 people "rampaged through the town burning vehicles, two churches and a church-run school, injuring nine people in the process," according to a news report.¹²⁰

On 28 October 2009 four prominent Islamic scholars, together with at least seven Indonesian civil society and human rights organisations, submitted a 59-page appeal to the Constitutional Court proposing the repeal of the blasphemy and heresy laws. One source claims that at least forty organisations formed an alliance for the repeal of the laws. Former Indonesian president Abdurrahman Wahid, a respected Islamic scholar, cleric and leader of NU, led the initiative until his death on 30 December 2009. On 19 April 2010 the Constitutional Court ruled by a majority of eight to one to uphold the blasphemy and heresy laws and reject the request for repeal.

Opposition to repealing the laws was extremely strong and well organised. The Ministry of Religious Affairs and the two major Indonesian Muslim organisations, NU and Muhammadiyah, opposed repeal despite the prominent leadership given to the campaign for repeal by former President Wahid. According to Tobias Basuki,

...THE IMPLEMENTATION OF THIS LAW "FREQUENTLY CAUSES PROBLEMS"

a researcher at the Centre for Strategic and International Studies in Jakarta, the Minister for Religious Affairs met leaders of the FPI and HTI to discuss the judicial review – a move described by Basuki as "unbelievably disappointing" for a government minister to take.¹²¹

Only one political party, the Indonesian Democratic Party of Struggle, led by former president Megawati Sukarnoputri, supported the case for repeal. Islamist organisations mobilised opposition to repeal, and engaged in intimidation, harassment and physical assault of the proponents of change. Outside the Constitutional Court, several members of the FPI and the Islamic Defenders Army assaulted two of the lawyers leading the case for repeal. "The mob kicked my legs while talking me into doing what they wanted," said Nurkholis Hidayat. His colleague, Uli Parulian Sihombing, was also attacked, as was the Assistant General Secretary of the Communion of Churches in Indonesia (PGI), Novel Mantindas. "I was subjected to several slaps, kicks and punches to the stomach when a huge crowd chased me up the ramp leading to the first floor, where one of them tried to strangle me."¹²² CSW met Novel Mantindas in June 2010 and heard his account of the attack first-hand.

In correspondence with CSW, Constitutional Justice Maria Farida Indrati, the one judge who supported repeal of the blasphemy and heresy laws, concluded that the implementation of this law "frequently causes problems", particularly because the laws offer no protection to religions outside the six officially recognised religions. However, the court ruling concluded that the law "does not restrict a person's faith (*forum internum*); rather, it merely restricts the expression of his mind and attitude of his conscience before the public (*forum externum*) which are deviant from the religious principles adhered in Indonesia and the expression of a feeling or conduct of an action which principally has the nature of hostility, abuse or blasphemy against a religion provided for in Indonesia." The ruling continues: "The Prevention of Blasphemy of Religions Law does not prevent a person to make an interpretation of religious teachings or to conduct religious activities that resemble a religion adhered in Indonesia individually. The law instead prohibits deliberate actions to tell, persuade or solicit public support before the public to make an interpretation of a religion adhered in Indonesia or to conduct a religious activity which resembles a religious activity of the aforementioned religion which is deviant from the fundamental religious teachings. If such matters are not regulated, it is feared that such condition would lead to horizontal dispute and conflict and unrest, disunity and hostility in the society."¹²³

120 *Christian Today*, 'Indonesian "blasphemy" law a weapon for radical Islam', 13 May 2011 <http://au.christiantoday.com/article/indonesian-blasphemy-law-a-weapon-for-radical-islam/11029.htm>

121 *Jakarta Post*, 'Blasphemy law, a shackle to the Indonesian people', 11 February 2010 <http://www.thejakartapost.com/news/2010/02/11/blasphemy-law-a-shackle-indonesian-people.html>

122 *Jakarta Post*, 'Chaos marks hearing on blasphemy law judicial review request', 24 March 2010 <http://www.thejakartapost.com/news/2010/03/24/chaos-marks-hearing-blasphemy-law-judicial-review-request.html>

123 The Constitutional Court of the Republic of Indonesia, Summary of Decision Case Number 140/PUU-VII/2009 Concerning the Constitutionality of the Roles of the State in the Prevention of Blasphemy of Religions

Critics argue that the blasphemy laws have no definition, and no proper standards of evidence. A significant amount of power is in the hands of the MUI to determine what beliefs and practices are heretical or deviant, and according to lawyers, the police can base their case on a *fatwa* issued by the MUI and the recommendation of the attorney general.

According to many critics, blasphemy charges are often accompanied by mass mobilisation by radicals. When someone is accused of blasphemy, the Islamist radicals mobilise and stir up crowds, causing riots and attacks on religious sites. The independence of courts is often compromised, as judges are intimidated, harassed and influenced by extremists.

Shari'a-inspired regulations

In August 2002 a number of Islamist political parties demanded that the principles of the Jakarta Charter, namely those requiring Indonesian Muslims to follow shari'a law, be implemented in the constitution. Their demands failed to gain majority support in the legislature, and so they changed tactics. In 2004, a new law on regional autonomy gave them, according to Imam Shofwan, chairman of the Pantau Foundation, "the opportunity they had been hoping for". They began implementing "Shari'a from below", introducing piecemeal measures with shari'a-inspired content across the country.¹²⁴

While several laws which discriminate on religious grounds are applicable nationwide and have been initiated by President Yudhoyono's government, a wide range of laws and regulations governing religion - in some cases going further than the national laws - have been introduced at a local and regional level. Given that religion is one of the few competencies that has not been devolved by the central government, we must ask why this has happened. Buehler notes: "While religious affairs have remained under the national government's authority, decentralization gave provinces, districts, and municipalities the authority to draft and implement local regulations in order to amend higher level legislative instruments. That has allowed local parliaments and government heads to implement numerous regulations that are reminiscent of shari'a law. To avoid interference with the national government on religious matters, however, local governments usually refer to these as public order regulations and try to avoid using Islamic references in both titles and texts."¹²⁵

Over the past decade, a variety of shari'a-inspired regulations have been introduced. According to Robin Bush, while there is no "comprehensive database cataloguing all of these regional regulations", it is estimated that at least 52 of Indonesia's 470 districts and municipalities¹²⁶ have introduced a total of 78 shari'a-inspired regulations.¹²⁷ Imam Shofwan puts the figure at more than double that number, claiming there are at least 151 local shari'a bylaws across Java, Sulawesi, Sumatra and West Nusa Tenggara.¹²⁸ Michael Buehler, at North Illinois University, has identified 169 shari'a regulations, noting that at least seven out of Indonesia's 33 provinces and at least 51 out of 497 districts and municipalities adopted at least one shari'a regulation between 1999 and 2009.¹²⁹ The striking fact in Buehler's research is that while Islamist parties may have initially set the agenda, the vast majority of shari'a-inspired regulations have been introduced by secular political parties. "Public support for Islamist parties reached an all-time low in opinion polls in October 2012," he notes. "A careful unpacking of the dynamics behind the adoption of these regulations shows that state elites who are affiliated with secular parties have adopted almost all shari'a regulations. Only two shari'a regulations were adopted in a locality where the PKS has won power."¹³⁰ Secular political parties have used shari'a, in Buehler's analysis, to "accumulate and spend" economic, cultural, social and political capital.¹³¹ In short, an unholy alliance between radical Islamist pressure groups and secular politicians has emerged and grown, a partnership based not on ideology or conviction but on short term convenience and mutual benefit.

124 *Jakarta Globe*, 'Shari'ah Advocates Must Put Into Practice Its History of Tolerance', 28 May 2012 <http://www.thejakartaglobe.com/archive/shari'ah-advocates-must-put-into-practice-its-history-of-tolerance/>

125 Buehler, 2013

126 Dozens of new districts and provinces have been created over a period of a few years, and exact numbers are difficult to obtain.

127 Bush, 2008:176

128 *Jakarta Globe*, 'Shari'ah Advocates Must Put Into Practice Its History of Tolerance', 28 May 2012 <http://www.thejakartaglobe.com/archive/shari'ah-advocates-must-put-into-practice-its-history-of-tolerance/>

129 Buehler, 2013

130 *ibid.*

131 *ibid.*



The province of Aceh introduced full shari'a law in 2002, establishing its first shari'a court in 2003 and carrying out its first public caning in 2005.¹³² A religious police known as the *Wilayatul Hisbah* was established. The laws govern a wide range of behaviours including dress, gambling, drinking and the activities of non-Muslim religious minorities. Other provinces such as West Java, South Sulawesi and Western Sumatra have introduced parts of shari'a. In South Sulawesi, the major areas where shari'a has been implemented are Maros and Bulukumba, and in West Java it is Cianjur, West Java, 60km from Bandung. These shari'a regulations cover a variety of issues, principally falling into three categories:

1. Public order and social issues, including prostitution, gambling and alcohol consumption;
2. Religious practices such as reading the Qur'an and paying religious tax (*zakat*);
3. Religious symbolism, primarily concerning Islamic dress.¹³³

Of the 78 regulations noted by Robin Bush, 35 fall into the first category, sometimes referred to as 'anti-vice regulations'; 14 require civil servants, students and sometimes other Muslims to wear Muslim clothing, particularly the head covering or *jilbab* for women; 17 require school children, university applicants, couples seeking to get married, and civil servants to demonstrate their ability to read the Qur'an; and 12 relate to the management of the *zakat*. The requirements for dress vary depending on the local area; but in Bulukumba, which has some of the strictest regulations, all women, whether Muslim or not, are required to wear the *jilbab* in order to access local government services. In Sawahlunto, West Sumatra, for example, students and civil servants are obliged to read the Qur'an regularly, and wedding couples even in a civil marriage must read the Qur'an.¹³⁴

One women's group in South Sulawesi told CSW that shari'a laws were introduced in Bulukumba in 2004, in a 'pilot project'. The laws particularly apply to four issues: women's dress, alcohol, religious practice and *zakat*. Adultery, consumption of alcohol and stealing are punishable by whipping, and if a woman leaves home after 7pm with a man who is not a family member, she can be whipped. For alcohol or stealing, the punishment is 100 lashes. Women who do not wear the veil are fined. It is worth noting that South Sulawesi has been a stronghold of Islamists for some decades, and in 1953 an Islamist rebellion broke out, demanding the establishment of South Sulawesi as an Islamic state.

In addition to the 78 shari'a-inspired regulations reported by Robin Bush, women's organisations told CSW that from 1999 until now, at least 151 laws affecting women have been passed, many of which were implemented with no public consultation. There is low public awareness of these laws, as they are often introduced quietly as part of health and safety legislation, but more and more have been passed over the years. Three laws which discriminate against women were introduced in 1999, a further seven in 2000 and then 20 more between 2001 and 2003. Many of these regulations appear, superficially, relatively trivial, but cumulatively create a climate of discrimination. For example, one law applies to swimming pools, and requires men and women to be separated into different pools and women to wear a very long, high-neck swimming costume. However, the separation into different pools poses a difficulty for mothers if they have both a son and a daughter swimming.

Women suffer abuse and discrimination as a result of wider conservative cultural and religious attitudes which go beyond shari'a-inspired regulations. "Government schools do not empower women," one women's rights activist in South Sulawesi told CSW. "Women are not encouraged to take responsibility in public life. Instead, women are taught only three things – cooking, washing and bed-making. Religion does not help empower women. Women reach heaven at the feet of men. Man is always number one. We have to change the culture." However, activists are optimistic that this will change. "Women's groups working at the grassroots level are trying to empower women through non-formal education," said one activist.

Women have experienced considerable problems as a result of a so-called 'anti-prostitution' law, which affects their ability to go out at night.¹³⁵ In West Sumatra, for example, there was a case of a woman whose child was ill, and she went out after dark to try to get some medicine. She was arrested by the police, who refused to

132 *Jakarta Globe*, 'Shari'ah in Aceh: Eroding Indonesia's Secular Freedoms', 18 August 2010 <http://www.thejakartaglobe.com/archive/shari'ah-in-aceh-eroding-indonesias-secular-freedoms/>

133 Buehler, 2013

134 Bush, 2008:178

135 BBC, 'Islamic law by the back door', 11 May 2007 <http://news.bbc.co.uk/1/hi/world/asia-pacific/6632239.stm>

listen to her explanation. Another case in Tangerang, West Java, involved a waitress, the wife of a civil servant, who was waiting by the roadside for a bus to take her home after work.¹³⁶ She was charged with prostitution and lewd behaviour and detained in prison for three days.¹³⁷ Despite pressure for a judicial review of these laws, they have been upheld by the courts.

In 2005 the Indonesian national parliament established a committee to examine a draft bill on pornography, first drafted by the Ministry of Religious Affairs under Suharto.¹³⁸ The bill was controversial because of fears that it could affect local ethnic and cultural customs, including dancing.¹³⁹ President Yudhoyono signed the bill into law in 2008.¹⁴⁰

Recognition of religions and the religion column on identity cards

The Indonesian identity card contains a column in which the bearer is required to state their religion. However, only six religions are officially recognised and accepted – Islam, Hinduism, Buddhism, Confucianism, Catholicism and Protestantism. Adherents to religions outside these six must either identify themselves as belonging to one of the six, or leave the column blank;¹⁴¹ and are vulnerable to discrimination, particularly in employment, education, inheritance and burial rights. Some of these are followers of syncretistic sects loosely related to Islam and Christianity, while others are adherents of local traditional indigenous beliefs known in Bahasa Indonesia as *aliran kepercayaan*. It is estimated that the adherents of perhaps as many as 400 religious organisations are unable to state their religion on the identity card, affecting up to 20 million people.¹⁴² Non-Muslims among the six approved religions also experience discrimination as a result of the religion column in the identity card.

On 15 August 2007, the UN Committee on the Elimination of Racial Discrimination in its review of Indonesia under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/IDN/CO/3) recommended that the religion column on identity cards be abolished.¹⁴³

Dr Mohamad Nur Kholis Setiawan, Head of the Centre for Research and Development of Religious Life at the Ministry of Religious Affairs, told CSW that the official recognition of six religions “does not mean other religions are abolished”. He acknowledged the existence of other religions, including “Sikhs, Baha’is, local beliefs”, but he disregarded the question of the resulting discrimination relating to identity. “My answer is a question for them: are you prevented by the government from having your own belief and practice in your private room? No.” Such a response is illustrative of the problem, because freedom of religion or belief must include freedom to practise a religion publicly as well as privately. Article 18 of the ICCPR does include some limitations to public expression of religion or belief, but only such as are prescribed by law and necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.¹⁴⁴

In December 2013 the Indonesian legislature formally re-endorsed Article 64 of the 2004 Civil Administration Law, limiting official state recognised religions to the current six, and requiring that religious affiliation be stated on identity cards.¹⁴⁵ Later the same month, the Deputy Governor of Jakarta, Basuki ‘Ahok’ Purnama, called for the abolition of the religion column on identity cards.¹⁴⁶

136 *New York Times*, ‘Spread of Islamic Law in Indonesia Takes Toll on Women’, 27 June 2006 http://www.nytimes.com/2006/06/27/world/asia/27indo.html?pagewanted=all&_r=0

137 Bush, 2008

138 *ibid.*

139 *ibid.*

140 *Jakarta Post*, ‘SBY signs porn law, protestors despair’, 9 December 2008 <http://www.thejakartapost.com/news/2008/12/09/sby-signs-porn-law-protesters-despair.html>

141 Sometimes Jews list themselves as ‘Christian’ and Sikhs as ‘Hindu’, rather than leaving the column blank.

142 US State Department, International Religious Freedom Report 2012 <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

143 For the full recommendations, see <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.IDN.CO.3.pdf>

144 UN Office of the High Commissioner for Human Rights, International Covenant on Civil and Political Rights <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

145 *Jakarta Post*, ‘Commentary: Religious intolerance in Indonesia officially goes up a notch’, 2 December 2013 <http://www.thejakartapost.com/news/2013/12/02/commentary-religious-intolerance-indonesia-officially-goes-a-notch.html>

146 *Jakarta Post*, ‘Remove religion from ID cards: Ahok’, 14 December 2013 <http://www.thejakartapost.com/news/2013/12/14/remove-religion-id-cards-ahok.html-0>

Religious harmony bill

In October 2011 the government proposed a bill on religious harmony, prepared by the Coordinating Minister for People's Welfare, the Minister of Religious Affairs and the Minister of Home Affairs.

While the title sounds appealing, the proposed legislation would introduce further codified regulations prohibiting proselytism, the construction of houses of worship, religious education, funerals and the celebration of religious holidays.

The proposed bill draws many of the laws outlined in this section together, and legitimises discriminatory legislation, including:

- The 1965 blasphemy law;
- The 2006 Joint Ministerial Decree on construction of houses of worship;
- The 2008 anti-Ahmadiyah decree.

Other laws affecting freedom of religion or belief

A number of other laws at national, regional and local level restrict freedom of religion or belief. In particular, the Joint Ministerial Decree of the Minister of Religious Affairs and the Minister of Home Affairs No. 1 of 1979, and several accompanying regulations, prohibit:

- Proselytising of people who belong to a recognised religion;
- Offering gifts in order to invite someone to embrace a particular religion;
- Receiving assistance for religious activities from abroad without informing the government.

While it is important to be respectful of different religious and cultural sensitivities, and the use of gifts or inducements to entice people into a particular religion could be considered ethically and socially problematic, these prohibitions are open to misinterpretation. For example, religious organisations offering humanitarian assistance, educational services or medical care, unconditionally and without any explicit or implicit attempt to invite someone to convert, might still be in breach of the law. Furthermore, restricting the freedom of adherents of one religion to share their beliefs with adherents of another religion, without coercion, violates both Article 18 and Article 19 of the Universal Declaration of Human Rights, which protect freedom of thought, conscience, and religion, and freedom of expression.

Another law which restricts religious freedom is Law No. 1 of 1974, effectively banning inter-religious marriage. Under this law, inter-religious marriages are unconstitutional and are not recorded. A formal letter of approval from the government can only be obtained by bribing bureaucrats.

The erosion of Pancasila

A growing number of public figures in Indonesia have expressed concerns about some of the underlying themes related to rising intolerance. On 24 May 2011 a joint statement was issued following a meeting between the president, the Speaker of the House of Representatives, the Speaker of the Regional Representatives Council, the Speaker of the People's Consultative Assembly, the Supreme Court Chief Justice, the Constitutional Court Chief Justice and other senior officials, stating that "Pancasila has been sidelined from people's way of life, so a collective awareness from all national elements is needed to revive the state ideology."¹⁴⁷

A few days later two former presidents of Indonesia, Bacharuddin Jusuf Habibie and Megawati Sukarnoputri, echoed these sentiments in speeches to mark the anniversary of Pancasila.¹⁴⁸ Habibie stated, "Pancasila should not simply be a political slogan without any real implementation."¹⁴⁹

147 *Jakarta Post*, 'Leaders call for a return to Pancasila', 25 May 2011 <http://www.thejakartapost.com/news/2011/05/25/leaders-call-a-return-pancasila.html>

148 *Jakarta Post*, 'Leaders seek to revive state ideology', 3 June 2011 <http://www.thejakartapost.com/news/2011/06/03/leaders-seek-revive-state-ideology.html>

149 *Jakarta Globe*, 'Vibrant Habibie, Weeping Megawati and Plain Yudhoyono on Pancasila', 3 June 2011 <http://www.thejakartaglobe.com/archive/vibrant-habibie-weeping-megawati-and-plain-yudhoyono-on-pancasila/>

The Speaker of the People's Consultative Assembly, Sidarto Danusubroto, who is the third most senior political leader in the country after the president and vice-president, spoke out against religious intolerance several times in 2013, saying that "only God has the right to determine what faiths are deviant, not the government,"¹⁵⁰ and that the state has an obligation to protect every citizen regardless of religion.

Yet as a wide range of sources have told CSW, there is a continuous pattern of inaction by the government to protect minorities and defend pluralism, even when it affects law and order and the rule of law. In part, this is perhaps due to uneven capacity building for the police force, with a focus on resources and training for counter-terrorist and forensic units at the expense of the rest of the police; as well as pressure on Muslim police officers by their co-religionists, and fear of ostracism on the part of lower-ranking Christian police officers. Most significantly, however, it is a sense within the police force that they do not have the government's backing in dealing with incidents of violence against religious minorities. As Franz Magnis-Suseno concludes, "The government seems to let religiously-motivated violence go by. Local politicians seem to calculate opportunistically that a hard attitude towards minorities will pay a dividend at the next elections. The national leadership, while occasionally condemning violence, close their eyes. They have never spoken out in favour of minorities...The one that does not do its duty is the state. It is the state that does not take action when minorities are threatened. Both the executive, the legislative and the judicial branches of state power do not show courage and character. We notice an unpleasant mix of cowardice, opportunism and narrow-mindedness. If the state surrenders its mandate to carry out the rule of law, to make the constitution and Pancasila effective, this will not only have bad consequences for minorities, but also for state and society in general."¹⁵¹

In a meeting with CSW, the senior adviser to the vice-president of Indonesia, Dr Dewi Fortuna Anwar, elaborated further, describing religious intolerance as an "attack against Indonesian-ness" and "a stab at the heart of Indonesia itself and what the founding fathers intended". It is essential, she said, that "no one should feel unwelcome in the Indonesia house," and she acknowledged "a failure of law enforcement". But as this section has illustrated, it is not simply a failure of law enforcement that is the problem, but in fact the enacting of unjust and discriminatory laws and the active complicity of some government officials in hate speech and religious discrimination. There has been little sign in the past two years of any proactive or concrete steps by the government to revive the principles of Pancasila, and every sign of a continuing descent into further intolerance.

150 *Jakarta Post*, 'RI in state of human rights "emergency"', 13 December 2013 <http://www.thejakartapost.com/news/2013/12/13/ri-state-human-rights-emergency.html>

151 Franz Magnis-Suseno, SJ, 'Protecting the Rights of Minorities in Law and Practice', EU-Indonesia Conference, Human Rights and Faith in Focus, Jakarta, 24-25 October 2011



PEMERINTAH KOTA BEKASI MENGHENTIKAN AKTIFITAS JEMAAT AHMADIYAH DI KOTA BEKASI

Berdasarkan :

1. Surat Keputusan Bersama Menteri Agama RI, Jaksa Agung RI, dan Menteri Dalam Negeri RI Nomor 3 Tahun 2008, Kep-033/A/JA/6/2008
2. Fatwa Majelis Ulama Indonesia Nomor 11/MUNAS VII/MUI/15/2005.
3. Peraturan Gubernur Jawa Barat Nomor 12 Tahun 2011
4. Peraturan Walikota Bekasi Nomor 40 Tahun 2011 (Bab. IV Psl. 4)

SOURCES OF INTOLERANCE



» **“Any moderate community can be very quickly radicalised given the right circumstances. They are presented with a choice: if you are Muslims, you are either with us or against us. Jihad is prescribed for you. So there is an element of self-interest in radicalisation. If they don’t become part of the jihad force, they would become victims, and their villages would be burned down.”**

Dr Raymond Schultz, writer and Indonesia expert

According to scholar Martin van Bruinessen, “in sheer volume and impact, Islamist discourse now dwarf[s] the liberal, pluralist discourse that had been almost hegemonic during the [Suharto era].”¹⁵² The question of what, and who, is driving this rise in extremism and intolerance in Indonesia, and how they operate, is therefore the most crucial question. This section aims to provide a basic summary of the main Indonesian extremist organisations, a brief analysis of the key influences behind them, and an assessment of how they disseminate their propaganda.

In essence, the forces of intolerance in Indonesia fall into four main categories: terrorist organisations, violent vigilante groups, non-violent ideological organisations, and political parties. In recent years, the government and security forces have been reasonably successful in tackling terrorism, by capturing and imprisoning many terrorist leaders, and disbanding or weakening terrorist groups. While the threat has not been eliminated, the frequency and scale of terrorist attacks has decreased significantly since the wave of bombings between 2002 and 2005. On Christmas Eve 2000, 18 bombs exploded at churches and homes of Christian clergy throughout the country, killing 19 people and injuring almost 100.¹⁵³ In 2002 and 2005 major bombings occurred in Bali; in 2003 and 2009 major hotels in Jakarta were bombed; in 2004 the Australian Embassy in Jakarta was bombed; and on 21 April 2011, police discovered a bomb which was designed to explode the following day, Good Friday, near Christ Cathedral Church, a Protestant church in Serpong, Tangerang.¹⁵⁴ However, with the comparative decline of terrorist activity, the other three main categories of forces of intolerance have become more influential and dangerous, and therefore this section will focus primarily on these. As Robert Pringle notes, “While terrorism is in retreat, Islamic vigilantism is a serious problem.”¹⁵⁵

Increasingly, there is some convergence between the different categories of intolerant or extremist groups. As Sidney Jones observes, “[T]he blurring of lines between Islamist civil society and violent jihadism in Indonesia has been gathering pace in recent years. More cases are emerging of members of non-jihadi groups making the transition to the use of deadly violence, while jihadi groups like JAT [Jamaah Anshorut Tauhid] are increasingly taking part in advocacy coalitions against deviance, apostasy and vice led by civil society groups. At both the local and national levels, violent and non-violent extremists are sharing some of the same mentors, reading the same websites and increasingly seeing the same enemies – above all, the police.”¹⁵⁶ All these groups have grown in influence on public policy in the post-Suharto era. “Particularly since the advent of direct local elections in 2005, groups such as the Islamic Peoples’ Forum (FUI), the Islamic Defenders Front (FPI) and Hizb ut-Tahrir Indonesia (HTI) have shown themselves to be increasingly effective in influencing public policy, often using local election campaigns to press their advantage in ways detrimental to religious tolerance,” writes Jones. In the election for governor of West Java in February 2013, for example, the winning candidate secured support from the FPI who then, according to Jones, “used the platform he gave them to lobby for banning the Ahmadiyah sect”. In the process, a major problem has emerged: “the reluctance of the state to punish religiously-inspired incitement or crime, except when it rises to the level of terrorism.”

152 van Bruinessen, ‘*Ghazwul fikri* or Arabisation?’, 2013:47-70 http://www.academia.edu/2839951/Ghazwul_fikri_or_Arabisation_Indonesian_Muslim_responses_to_globalisation

153 Riddell, 2005 http://books.google.co.uk/books?id=LBxdn4gl9X0C&printsec=frontcover&source=gbp_ge_summary_r&cad=0#v=onepage&q&f=false

154 *Jakarta Post*, ‘Police defuse bomb package near Christ Cathedral Church’, 21 April 2011 <http://www.thejakartapost.com/news/2011/04/21/police-defuse-bomb-package-near-christ-cathedral-church.html>

155 Pringle, 2011

156 Sidney Jones, ‘Islamist Civil Society and Violent Extremism in Indonesia: A Tactical Merger?’, unpublished conference paper, November 2013

The violent, vigilante groups

The most influential organisation in this category, and the one most often responsible for acts of violence against religious minorities and others, is the Islamic Defenders Front (FPI). Led until August 2013 by Habib Rizieq Syihab, it claims to have at least four million members and branches in 28 provinces.¹⁵⁷ Founded only three months after the fall of Suharto in 1998, it presents itself as an organisation dedicated to moral reform and to fighting 'vice'. Much of the violence carried out by the FPI has been targeted at bars, night clubs, brothels and other places of 'immorality', with a focus on combating alcohol, gambling and prostitution. However, it is also well known that the FPI functions as a protection racket, accepting bribes from bar owners and others in order to buy protection from raids and attacks. In recent years, the FPI has turned its attention increasingly towards Muslim groups which it considers 'heretical', such as the Ahmadiyah, or to religious minorities, particularly Christians.

Links between the FPI and senior figures in the Indonesian military and police are well known. In 2011 the website WikiLeaks released US diplomatic cables alleging collusion between the security forces and the FPI. Allegations included the suggestion that the police have funded the FPI, and regarded the group as a useful 'attack dog'.¹⁵⁸ In 2013, calls for the group to be disbanded increased after a series of violent incidents. Islamic clerics in Central Java spoke out against the group, and an online campaign using Facebook and Twitter was launched.¹⁵⁹ Nurul Arifin, a deputy secretary-general of the Golkar Party, said, "If they continue these kinds of law-breaking activities, they should be immediately disbanded."¹⁶⁰ The chairman of NU, Aqil Siradj, denounced the FPI, saying "Their attitude does not reflect the teachings of Islam. We called on the government to disband the group that did this vandalizing". He expressed regret that the government has remained silent in the face of attacks on Christian churches, Ahmadi and Shi'a mosques and other minorities.¹⁶¹

The president promised zero tolerance against vigilante groups, but the FPI leader's response was to call the president "a loser who spread slanderous statements and stayed tight-lipped about *maksiat* [immoral practices]".¹⁶² The government has in fact not only been reluctant to tackle the FPI, but has sometimes indicated support. The Home Affairs Minister Gamawan Fauzi said that the actions of individual FPI members or branches should not be held against the group as a whole. In October 2013 he went further, describing the FPI as a potential "national asset" that should be "empowered", calling on local officials to foster a constructive relationship with the group.¹⁶³

The senior adviser to the vice-president, Dr Dewi Fortuna Anwar, confirmed to CSW the government's involvement in creating and supporting the FPI during Suharto's 'New Order' era. "The idea was to try to co-opt radical groups, through giving them funding, freedom to organise, but to control them, to establish a standard practice, to domesticate them," she told CSW. However, she acknowledged the problems that have resulted. "The balance of power has changed. The police and military no longer have so much power. It is no longer up to the police and the military to play around with the FPI. So who is controlling who is problematic."

In June 2013 CSW interviewed Syaifal Abdullah, the former leader of the FPI in Bandung, West Java. In December 2011 he resigned after six years in the organisation, and now works to counter extremism and intolerance. His change of heart came after a personal encounter with Ahmadis:

"I realised that at every demonstration, we always use violence, and I felt bored. I asked, why do we always do this? Finally, I started talking with others. At the time I was the FPI leader, I started a dialogue with Ahmadis. I read all their references, books, and realised I could make a conversation with them. It

157 Setara Institute, 2010 <http://www.setara-institute.org/sites/setara-institute.org/files/Reports/110613-110613-islamdefenders2011.pdf>

158 *Jakarta Globe*, 'Indonesian Police Used FPI as "Attack Dog", Leaked US Cable Alleges', 3 September 2011 <http://www.thejakartaglobe.com/archive/indonesian-police-used-fpi-as-attack-dog-leaked-us-cable-alleges/>

159 *Jakarta Post*, 'Deriding calls for ban, FPI calls SBY "loser"', 23 July 2013 <http://www.thejakartapost.com/news/2013/07/23/deriding-calls-ban-fpi-calls-sby-loser.html>

160 *Jakarta Globe*, 'Govt on Disbanding FPI: Can't Touch This', 13 August 2013 <http://www.thejakartaglobe.com/news/govt-on-disbanding-fpi-cant-touch-this/>

161 *Irrawaddy*, 'Indonesians Angered over Hard-line Ramadan Raids', 30 July 2013 <http://www.irrawaddy.org/asia/indonesians-angered-over-hard-line-ramadan-raids.html>

162 *Jakarta Post*, 'Deriding calls for ban, FPI calls SBY "loser"', 23 July 2013 <http://www.thejakartapost.com/news/2013/07/23/deriding-calls-ban-fpi-calls-sby-loser.html>

163 *Jakarta Globe*, 'Home Minister Clarifies Comments, Calls for FPI To Be "Empowered"', 29 October 2013 <http://www.thejakartaglobe.com/news/home-minister-clarifies-comments-calls-for-fpi-to-be-empowered/>



became a science to me. I realised we still have differences, but despite that, we can become brothers and live side by side. I very much like the Ahmadi motto, 'Love for all, hatred for none'. In the Qur'an we are told that God loves us. If that is so, how can we hate each other? It makes no sense. It does not make sense to demolish churches. It is a shame to see Christians worship in front of the presidential palace [because they cannot worship in their churches]."

He calls for the FPI to be banned, and believes it is only a question of will:

"In my opinion, we can stop it. It is all about control – the control of gangsters. It depends on the willingness of the government. If they want to stop it, if the president and the generals agree, it will stop immediately. I hope international human rights organisations will pressure the government, because the government has put its hands up, it does not know what to do any more, so civil society needs to unite the inter-faith community to work together. My last hope is for the international community. Please do something. Make pressure, to guarantee protection. Pressure the government to stop the FPI movement."

Fear lies at the heart of the question, but he believes that if enough people speak up, the FPI can be reined in. He also believes there are many FPI members who want to leave the organisation, as he did:

"If we conduct demonstrations, the government is not afraid, but when only a hundred FPI members demonstrate, the government is afraid. We should start a mass movement on the scale of FPI, to promote harmony and inter-faith cooperation. We need to establish peace and brotherhood. Many in the FPI are willing not to use violence. Many of them are in it just for economic benefit, because they come from poorer classes. Give them a cup of coffee and they will drink coffee! We must open communication with FPI members. The international community cannot communicate with them directly, but organisations such as the Wahid Institute, the Maarif Institute, could set up a dialogue, and contribute support, in terms of workshops, seminars, offering social services for those from poorer backgrounds, funding scholarships perhaps for them to gain education. Learn from the Ahmadi approach, and confront the FPI with kindness and love."

Although the FPI is perhaps the largest, most influential and most active of these vigilante groups, others with similar objectives include the Islamic People's Forum which, according to the Setara Institute, is often regarded as "the parent organization of [Islamic] radical organization[s]";¹⁶⁴ the Islamic Reformist Movement, headquartered in Cianjur, West Java; and a variety of local and regional groups.

The intellectual, ideological underpinnings

As has been described, the FPI and other similar vigilante groups are, in the short term, the most visibly dangerous because they are perpetrating violence and creating a climate of fear. However, in the long term it is arguably the non-violent ideological organisations which are more dangerous, because they are creating the mindsets and the discourse that has led to rising intolerance. They are principally Salafist (literalist, puritanical Muslims, sometimes associated with political Islam) organisations, disseminating their ideas on university campuses and in mosques and *pesantren* (Islamic boarding schools) around the country. Some are home-grown while others are part of a global movement.

Perhaps the most significant of these groups is Hizb ut-Tahrir Indonesia (HTI), part of the transnational movement whose vision is the creation of a global 'caliphate' uniting Muslims around the world. While in principle non-violent, HTI can be held responsible for preaching an ideology that is extreme and intolerant, and contributing towards the creation of an intellectual and ideological narrative that has begun to change Indonesian mindsets. It has been described by Mohammad Iqbal Ahnaf, of the Center for Religious and Crosscultural Studies at Gadjah Mada University in Yogyakarta, as "the largest organization in Indonesia openly calling for the overthrow of democracy and its replacement with a caliphate."¹⁶⁵

¹⁶⁴ Setara Institute, 2010

¹⁶⁵ *Jakarta Post*, 'Antidemocratic messages on state TV', 14 June 2013 <http://www.thejakartapost.com/news/2013/06/14/antidemocratic-messages-state-tv.html>

As with its handling of the vigilante groups, the government has been noticeably reticent about taking any steps to counter HTI's propaganda. Indeed, the state-owned television station TVRI broadcast HTI's national gathering, known as 'Muktamar Khilafah', which brought together over 100,000 people in Jakarta in June 2013.¹⁶⁶ As Mohammad Iqbal Ahnaf argues, HTI's mission is not only replacing democracy with a caliphate, but "also undermining the sense of national identity and turning it into Islamic identity". In a democracy, he continued, "the state has no right to persecute legal political dissent from the likes of HTI. However, the question should be raised when state bodies like TVRI play a role in the mobilization of a movement that harms democracy and nationalism." In addition to state television broadcasting an HTI conference, it is also reported that some local authorities, notably in Kalimantan, have worked with HTI to provide training for high school teachers. "Such training clearly helps HTI deliver its narratives to a wider audience," he concludes. "HTI's role in polarizing Indonesian society could create a challenging environment for the consolidation of democracy in Indonesia. Such an environment is reflected by inter- and intra-religious tensions that seem to be increasing...Intolerance and feelings of religious insecurity have made the life of minority groups difficult under the current administration."¹⁶⁷

According to Greg Fealy, HTI has in some respects succeeded in co-opting former senior government and military officials. "The former army commander, Tyasno Sudarto, appeared at several HTI rallies in early 2006 and retired general Wiranto has also accepted invitations to speak at functions. The former leader of Muhammadiyah and chairman of the People's Consultative Assembly, Amien Rais, has also been meeting with senior HTI leaders and attended several events."¹⁶⁸

Other organisations which are more engaged in *da'wah* or proselytising and preaching of Islam, as well as public policy advocacy, include the Indonesian Institute for Islamic and Arabic Sciences (LIPIA), a branch of Al-Imam Muhammad bin Saud University in Riyadh, Saudi Arabia established in Indonesia in 1981; the Indonesian Council for Islamic Preaching, established in 1967 as the major channel for disseminating literature and ideas of the Muslim Brotherhood; and the Islamic Research and Study Institute, which focuses on countering 'deviant sects'. These and other similar organisations have strong ties to Saudi Arabia, and in some cases Yemen - influences which will be explored later in this section. One former student of LIPIA who subsequently became a leading progressive Muslim promoting pluralism and the founder of the Liberal Islam Network, Ulil Abshar Abdalla, said that when he studied at LIPIA from 1998 to 2003 the curriculum was that of the Saudi institution, with a strong Salafi influence. According to a report by the Lowy Institute, *Joining the Caravan? The Middle East, Islamism and Indonesia*, Ulil Abshar Abdalla "characterised the teaching at LIPIA as hostile to the local Indonesian culture and Muslim practices". Other former students noted a "Wahabist-salafist orientation", although alongside this there have been throughout its history "strong Muslim Brotherhood influences".¹⁶⁹

Islamist political parties

The most significant Islamist actor directly engaged in the democratic political process is the Prosperous Justice Party (PKS), founded in 1998 by a movement known as the Tarbiyah and inspired by the ideas of the Egyptian imam Hassan al-Banna and the Muslim Brotherhood. Since its founding, the PKS has consistently seen its share of the vote increase, and now averages around 8%, although this is expected to decline in the wake of recent corruption scandals in the party. It currently holds 57 out of 560 seats in the House of Representatives (or People's Representative Council) in parliament, having won an extra 12 seats in the 2009 elections to make it the fourth largest party. It has particularly strong support in Jakarta and West Java, and since 2009 it has been one of the parties in the government coalition, alongside President Susilo Bambang Yudhoyono's Democratic Party and Golkar (both secular parties), the moderately Islamic National Awakening Party, and two other Islamist parties, the United Development Party and the National Mandate Party. The PKS holds three ministerial positions in the cabinet, which, together with the two other Islamist parties, mean an Islamist influence at the national level.

At the regional and local level, PKS influence is also significant. The party holds power in three provinces - West Java, West Sumatra and North Sumatra - and is in coalition in government in West Sulawesi, as well as winning

166 *Khabar Southeast Asia*, 'Indonesians reject public broadcast of hardline views', 12 July 2013 http://khabarsoutheastasia.com/en_GB/articles/apwi/articles/features/2013/07/12/feature-02

167 *ibid.*

168 Fealy, 2010

169 Lowy Institute, 2005

mayoral elections in many cities and districts. Even in those regions which are not directly controlled by the PKS or other Islamist parties, their influence is felt, and many shari'a bylaws and other discriminatory and repressive religion-based regulations have been introduced by secular parties, most likely under indirect pressure from the PKS and, separately, the vigilante and jihadi organisations.

Furthermore, student organisations such as KAMMI (Indonesian Muslim Student Action Union) and Rohis (or 'Rohani Islam', meaning 'Islamic spirituality'), with branches on all major university campuses, are loosely affiliated with PKS and provide a nationwide network for promoting sectarian policies.

Martin van Bruinessen describes PKS as "an Indonesian version of the Muslim Brotherhood, that transformed itself into a political party," which, together with HTI and the wider "more diffuse Salafi movement" represents "the most significant" of the movements "that moved into the limelight". According to van Bruinessen, "all three are the Indonesian branches of well-established transnational movements and owe allegiance to a leadership abroad". The PKS "not only maintains connections with the Middle East but has also been careful to cultivate relations with Indonesian students abroad, in the West as well as the Arab world."¹⁷⁰

The international influence

While Indonesia has had a home-grown Islamist movement, going back to organisations such as Darul Islam and Masyumi around the time of independence, the rise in Salafi and Wahhabi influence and the resulting religious intolerance has come in large part as a result of external influences. In part, these include some links to the Egyptian Muslim Brotherhood, as described above, and some connections with Pakistan, where some of Indonesia's Islamists have studied. It also includes influences from Afghanistan, particularly among the jihadis who fought in Afghanistan against the Soviets in the 1980s and then moved to Malaysia to establish organisations such as Jemaah Islamiyah and Laskar Jihad, before returning to Indonesia. Such groups also have close direct links to the former Darul Islam. Developments in Malaysia are causing increasing concern, not only for the impact on Malaysian society, but for the influence on neighbouring Indonesia. In addition, surprisingly, given Indonesia's overwhelming Sunni population, according to the Lowy Institute Iranian organisations have also sponsored students to study at religious institutions in Iran, and "the writings of Khomeini and other revolutionary thinkers are still found on sale in Jakarta".¹⁷¹ However, the major sources of influence on the Salafi/Wahhabi movement in Indonesia today are Saudi Arabia and Yemen.

The establishment of the Indonesian Council for Islamic Preaching in 1967 by Masyumi leader Mohammad Natsir, with the objective, according to van Bruinessen, of "Islamising society from below by a concerted effort of *da'wa* [sic]" ,¹⁷² was a pivotal moment in opening the door to Saudi influence. Relationships were established, and as van Bruinessen notes, "funds for building mosques and training preachers" followed.

This report will not examine Saudi and Yemeni influence in detail, because several other reports have done so - notably studies by the Lowy Institute in Australia, which will be cited here, as well as the work of scholars such as van Bruinessen. However, it is important to highlight this issue and in so doing, refer to expert research for further information. In brief, however, the main channels of Saudi and Yemeni influence have been scholarships, literature, and funding for mosques and *pesantren*. This section will examine the first two, in the form of education and literature.

As the Lowy Institute notes, "the transmission of ideas runs largely in one direction: from the Middle East to Indonesia. Much as Indonesians seek an audience for their work in the Middle East, in reality most Arabs regard Southeast Asia as the intellectual periphery of the Islamic world from which little can be gained". The transmission of Islamism to Indonesia has, according to the Lowy Institute, "both pull and push factors". Many Indonesian

**"THE TRANSMISSION
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¹⁷⁰ van Bruinessen, 'Ghazwul fikri or Arabisation?', 2013:47-70

¹⁷¹ Lowy Institute, 2005:22

¹⁷² van Bruinessen, 'Ghazwul fikri or Arabisation?', 2013:47-70

Muslims actively seek knowledge from the Middle East, either as students on overseas scholarships, or through reading publications and websites. However, it is also the case that "Middle Eastern governments, charitable organisations and private donors keenly promote their interpretations of Islam within the region, funding Islamic infrastructure such as mosques, schools and colleges, sponsoring visits by preachers and the publication of books and journals, and providing scholarships for study in Arab countries. Thus, Indonesian Muslims who have a Middle Eastern orientation have abundant opportunities to further their interest."¹⁷³

Dissemination of ideas through education

"The Middle Eastern influence has been strongest on the level of ideas and public discourse," observes van Bruinessen.¹⁷⁴ It is important to state at this point that not only are scholarships and financial assistance offered by Middle Eastern governments and private donors to Indonesian students to study in the region, but the Indonesian government, through the Ministry of Religious Affairs, also reportedly provides scholarships for such study.

Egypt remains a major destination for Indonesian students. They go to study at al-Azhar University in Cairo, where, according to the Lowy Institute's report, "Indonesian students often circulated in Muslim Brotherhood circles". In 2005, it was reported that the Egyptian government was granting 120 scholarships a year for Indonesian students, and a year earlier, the Ministry of Religious Affairs' figure for the total number of Indonesian students in Egypt was 3,528.¹⁷⁵

Saudi Arabia is a significant destination, and while reliable figures are difficult to obtain, it is believed that at least 170 scholarships are provided per year. Indonesian students primarily study at the Islamic University in Madinah, Umm al-Qura University in Mecca, and Al-Imam Mohammed bin Saud University in Riyadh. Some students also study with individual religious scholars in Saudi Arabia.¹⁷⁶ Furthermore, according to the Lowy Institute, Saudi Arabia has a variety of official and non-governmental agencies active in Indonesia and focusing on education and the propagation of religious teachings; these include religious attachés at the Saudi Embassy in Jakarta, branches of the Muslim World League, and private donors such as the charity al-Haramain, listed in Indonesia by the United States and the UN as a terrorist-supporting organisation. "Saudi sponsored educational and *da'wa* [sic] activities in Indonesia expanded dramatically in the 1980s, probably as a part of Saudi Arabia's broader ideological conflict at that time with Iranian Islamism," the Lowy Institute report notes.¹⁷⁷ The key Saudi-sponsored institution in Indonesia is perhaps LIPIA, described earlier in this report.¹⁷⁸ "No single institution seems to have done more than LIPIA to propagate contemporary forms of *salafi* in Indonesia," claims the Lowy Institute. "Graduates of LIPIA have become leading figures in the Indonesian *salafi* movement and are particularly prominent as publishers, preachers, teachers and *Ulama*. In particular, LIPIA graduates have gone on to establish *salafi pesantren* often with Saudi funding. These have grown from a handful in the 1980s to hundreds today, providing a mechanism for spreading *salafi* ideas."¹⁷⁹

In addition to Saudi funding for LIPIA, there are several other Indonesian organisations with close Saudi relations, notably DDII, as previously mentioned, which together with LIPIA has played a major role in disbursing Saudi funding for scholarships and in propagating *Salafism*.

The influence of Saudi Arabia is significant. However, less well known but equally significant is the influence of Yemen and, to a certain extent, Pakistan. In 2011, the Lowy Institute published a new report, *Talib or Taliban? Indonesian students in Pakistan and Yemen*, in which it concluded that there were then an estimated 300 Indonesian students studying in Islamic institutions in Pakistan and between 1,500 and 2,200 Indonesians studying in Yemen. For the purposes of this report, Yemen is of particular concern given that, as the Lowy Institute claims, "in little more than a decade Indonesian student numbers in Yemen have grown from perhaps a few hundred to some two thousand", and while the majority may be attending well established mainstream institutions in Yemen, "about a quarter of the total Indonesian student body in the country" is studying at

173 Lowy Institute, 2005:49

174 van Bruinessen, 2004

175 Lowy Institute, 2005:54

176 *ibid.*, p.52

177 *ibid.*, p.55

178 *ibid.*, p.57

179 *ibid.*, p.58

Salafi institutions.¹⁸⁰ A key destination for Indonesian students of Salafi thought is Al-Iman University in Sana'a, an institution with a reputation as "a some-time home for a number of high-profile terrorists and terrorist suspects".¹⁸¹ The university's founder, Abdul Majid al-Zindani, was said to be a confidant of Osama bin Laden and is listed by the United States as a 'specially designated global terrorist'.¹⁸² Even if the number of Indonesian students actually studying in Salafi institutions in Egypt, Pakistan, Saudi Arabia or Yemen is still comparatively few, they are in a position, upon return to Indonesia, to disseminate ideas through preaching, establishment of *pesantren* and distribution of literature. Furthermore, even those who are studying in mainstream institutions could still be exposed to Salafi, Wahhabi, jihadi and other Islamist interpretations, or to build connections with Islamist organisations such as the Muslim Brotherhood; all of which contributes to the erosion of Indonesia's own traditionally peaceful and pluralistic expression of Islam, and fuels the climate of religious intolerance.

Dissemination of ideas through literature, CDs, DVDs, the internet and other media

The intellectual 'godfathers' of Islamism in its various forms are widely acknowledged to include the Egyptians Sayyid Qutb and the founder of the Muslim Brotherhood Hassan al-Banna, the Pakistani founder of Jama'at-i Islami, Maulana Abu'l'A'la Maududi, and the contemporary Egyptian cleric Yusuf al-Qaradawi. According to several sources, the texts of these and other Islamist writers are widely available in Indonesia, published particularly by the DDII. Translations of these and other works into Bahasa Indonesia have been available since the 1970s. The Lowy Institute claims that translations of al-Qaradawi's writings and sermons "are among the most popular Islamic texts, in no small part because they provide guidance on the 'correct' Islamic approach to a range of everyday tasks and concerns confronting Indonesian Muslims".¹⁸³ Much of the translation of such texts has been done by LIPIA graduates.¹⁸⁴ Since the 1980s, Saudi-inspired texts specifically containing teachings against Shi'a, Ahmadiyah, Baha'i and Jewish faiths have appeared in Indonesia.¹⁸⁵

The number of Islamist or Salafi publishing houses has risen considerably in recent years, and although no reliable sales figures have been documented, the wide spread of such literature, including through large bookshop chains such as Gunung Agung and Gramedia, suggests there is rising consumer demand.¹⁸⁶

In addition to books, religious pamphlets are widely distributed in Indonesia, often with Islamist ideas or anti-Western and anti-Semitic ideas, conspiracy theories regarding global issues, and teachings against 'deviant' groups such as the Shi'a, Ahmadiyah and others.

As is true throughout the world today, the internet is of course a major source of information and ideas in Indonesia, enabling easy and cheap access to material which can be downloaded and distributed to communities without internet access. It also enables activists in Indonesia to access information and contacts from around the world, thereby strengthening transnational Islamist relationships.

Much of these materials are Saudi-funded, but Yemen's influence can be seen in this context as well, not least with the increasing popularity of the American-Yemeni Sheikh Anwar al-Awlaki, whose sermons are readily available in Indonesia.¹⁸⁷

Conclusions

This section has attempted to summarise the major sources of intolerance in Indonesia, both in terms of the key actors and in relation to the original roots of the ideas being disseminated. While it is important to remember that some of these movements are home-grown and have been in existence for decades, external influences have been a very significant factor in fuelling religious intolerance in Indonesia. As the Lowy Institute concludes, even with the home-grown Indonesian Islamist movement which has existed for decades, the ideas

180 Lowy Institute 2011:6,7

181 *ibid.*, p.39

182 *ibid.*, p.39

183 Lowy Institute, 2005:62

184 *ibid.*, p.62

185 van Bruinessen, 'Ghazwul fikri or Arabisation?', 2013:47-70

186 Lowy Institute, 2005:62-63

187 Lowy Institute, 2011:49

of Islamism, Salafism and resulting intolerance of pluralism have been “exported to Indonesia”, and Saudi support in particular, both financially and in terms of teachings and ideas, “has been critical to the emergence of a *salafi* current within the Indonesian Muslim community.” While much of Salafi thought is focused on religious behaviour and morality, and is limited to preaching and education, some of these ideas have led to “acts of vigilantism and sectarian violence”.¹⁸⁸

Within the government of Indonesia, there appear to be a variety of views. Dr Mohamad Nur Kholis Setiawan from the Ministry of Religious Affairs told CSW that they are not concerned about the potentially negative influence of Saudi Arabia, Yemen, Pakistan or Egypt. “We don’t fear any other country’s influence,” he said. “We are living in a global world, with positive mutual cooperation. Whether it is Saudi Arabia or the Vatican, we don’t care.” Those dismissive remarks, indicating a naive willingness to disregard, or perhaps a deliberate complicity with, an ideology which has poisoned Indonesia’s proud tradition of pluralism, were contradicted in a refreshingly honest and direct way by the vice-president’s senior adviser, Dr Dewi Fortuna Anwar, who recognised the problem. “The government has not paid too much attention to this question of external influences, but it should,” she told CSW. “Indonesian citizens have gone to Yemen, for example, to fight on the side of jihadis. Indonesia is a free country and we encourage people to travel abroad to study. Major religious leaders study in Saudi Arabia. By itself this is not an issue. But with the emergence of radicalism and Salafism, the government needs to pay more attention to the suppliers of scholarships and to the young people who are going overseas. Indonesia should be in a position to give public information to parents. We do need to scrutinise more the sources of money coming from the Middle East.” She concluded by highlighting one of the problems at the very heart of the system. “The Minister of Religious Affairs is himself an Islamist,” she said. “This is a problem.”

“THE MINISTER OF RELIGIOUS AFFAIRS IS HIMSELF AN ISLAMIST. THIS IS A PROBLEM.”

188 Lowy Institute, 2005:94-95



VIOLENCE, HARASSMENT AND INTIMIDATION



» **“This is my right to worship, my basic human right. Why can’t I have this right? I feel like a guest in this nation. Please give attention to this and support our government to manage our diversity here... This country was colonised by the Dutch, with tanks and bombs. Now, my brothers are the colonisers, coming with equipment to kill my rights by destroying the church.”**

Mega Eenta Sihite, a member of the HKBP Setu church congregation, 2013

» **“They stripped me naked on the road, dragged me through a river, beat me with sticks and machetes and tried to cut off my penis. About 20 to 30 people attacked me, and bashed stones on my head. They called the rest of the mob to beat me, and then about 20 to 30 people dragged me between 200 and 500m around the village. One man used a bamboo spear to hit my eye. They shouted that I was an ‘infidel’ and should be killed. I lost consciousness.”**

an Ahmadi survivor of an attack in Cikeusik, 2011

A combination of factors has contributed to creating an atmosphere in which incidents of intimidation, harassment and violence, in some instances severe, have increased significantly in recent years. Among these factors are the legislative and regulatory framework outlined in an earlier section, combined with inflammatory statements by government officials and the failure of the state to take action to stop the violent, criminal activities of non-state radical Islamist organisations, as well as the spread of Salafi, Wahhabi and other extremist ideas. The incidents include the forcible closure of places of worship; harassment and violent assaults on congregations; physical attacks on religious minorities in their villages, including the burning and destruction of homes; and the ‘criminalisation’ of religious minority leaders, clerics and activists. These have affected all religious communities, particularly Christians, Ahmadis and Shi’as but also Buddhists and others. According to the Setara Institute, the number of incidents of violations of religious freedom rose to 264 in 2012,¹⁸⁹ compared with 244 in 2011.¹⁹⁰ The number of incidents has increased steadily over the past five years.¹⁹¹ Other human rights organisations have recorded similar increases. The Wahid Institute recorded 110 violations of freedom of religion or belief perpetrated by state actors in 2012, and 197 incidents perpetrated by non-state actors.¹⁹² The Institute for Policy Research and Advocacy (ELSAM) reports at least 63 cases of violations of freedom of religion or belief in 2011, and the existence of at least 11 local regulations conflicting with the right to freedom of religion or belief.¹⁹³

The interviews in this section illustrate this phenomenon; further interviews are available online from www.csw.org.uk/2014-indonesia-report

Violations of the rights of Christians

According to the Jakarta Christian Communication Forum, the number of attacks against Christian churches reached a total of 75 in 2012.¹⁹⁴ This marks a steady increase of anti-Christian incidents, rising from just ten in 2009 to 47 in 2010, and 64 in 2011.¹⁹⁵ According to the Communion of Churches in Indonesia, at least 430 churches have been attacked, closed down or burned down since 2004.

189 Setara Institute, 2012

190 Setara Institute, 2011

191 Setara Institute, 2012

192 Wahid Institute Annual Report 2012

193 ELSAM, 2012 http://elsam.or.id/downloads/1334573106_Human_Rights_Report_2011-Final.pdf

194 Report received by CSW from Theophilus Bela, Jakarta Christian Communication Forum, 14 January 2013

195 World Watch Monitor, ‘Uptick in Church Closures, Attacks in Indonesia’, 5 June 2012 http://www.worldwatchmonitor.org/2012/06-June/article_1590219.html/

In some instances, attacks have been severe. In 2000, several churches were bombed in Medan, North Sumatra. Occasional bombings of churches have continued, such as the attack on a church in Solo, Central Java, on 25 September 2011, in which more than 20 people were injured. The 31-year-old suicide bomber, Pino Damayanto, otherwise known as Ahmad Yosepa Hayat, reportedly claimed he believed it was his religious duty to kill "the enemies of Islam". Police believe he was associated with the Partisans of the Oneness of God, a terrorist organisation believed to be founded by Abu Bakar Ba'asyir, currently serving a prison sentence for terrorism.¹⁹⁶ Other serious incidents include:

- 14 February 2013, Makassar, South Sulawesi: two churches attacked with Molotov cocktails;¹⁹⁷
- 5 September 2011, Tangerang, Java: two churches attacked, resulting in injuries sustained by the church leader Reverend Will;¹⁹⁸
- 1 August 2011, Kuantan Singingi, Riau: two churches burned;
- 2 June 2011, Klaten, Central Java: church attacked and Molotov cocktails thrown;
- 2 June 2011, East Luwu, South Sulawesi: buildings belonging to two churches burned;
- 8 March 2007, east Jakarta: the Arastamar Evangelical School of Theology, one of the largest evangelical seminaries, attacked;¹⁹⁹ and evacuated in 2008 after a further attack involving acid and sharpened bamboo;²⁰⁰
- 16 October 2006, Central Sulawesi: Reverend Irianto Kongkoli, the acting head of the Protestant Church, assassinated during the conflict in Poso;²⁰¹
- October 2005, Poso, Central Sulawesi: three Christian schoolgirls beheaded during the conflict in Poso;²⁰²
- September 2005, West Java: three Christian women imprisoned on charges of 'Christianization'.²⁰³

Government officials have been increasingly outspoken against Christians, making discriminatory remarks. In April 2013 the Minister for Religious Affairs, Suryadharma Ali, blamed Christians for the closure of churches, accusing them of politicising the issue through publicity and advocacy.²⁰⁴ In September 2013, the Home Affairs Minister Gamawan Fauzi called on the governor of Jakarta to remove a Christian subdistrict head, following protests by Islamic radicals.²⁰⁵ The previous month, a petition from some residents of Lenteng Agung subdistrict in south Jakarta demanded that their newly installed subdistrict head be dismissed because he was not a Muslim.²⁰⁶

Accusations of 'Christianisation' have been made against churches by radical Islamists, and used to justify church closures. In addition to radical Islamists and violent groups, Indonesian local politicians have sometimes used 'Christianisation' for political purposes, pledging to prevent it and thereby garnering electoral and sometimes financial support. An online campaign called 'Save Maryam' was launched by a UK-based Muslim organisation

196 *Christian Post*, 'Why is Islamic Extremism Growing in Indonesia?', 4 October 2011 <http://www.christianpost.com/news/why-is-islamic-extremism-growing-in-indonesia-57170/>

197 *Jakarta Globe*, 'Two More Churches Hit in Makassar Molotov Cocktail Attacks', 14 February 2013 <http://www.thejakartaglobe.com/archive/two-more-churches-hit-in-makassar-molotov-cocktail-attacks/>

198 Cases of Religious Freedom 2010-2011, information provided by the Communion of Churches in Indonesia

199 CSW, 'Christian theological institute besieged by militants', 13 March 2007 <http://dynamic.csw.org.uk/article.asp?t=press&id=604>

200 World Watch Monitor, 'Theology Students Move to Abandoned Office', 27 October 2008 http://www.worldwatchmonitor.org/2008/10-October/newsarticle_5660.html/

201 CSW, 'Protestant Leader assassinated in Central Sulawesi', 1 January 2007 http://dynamic.csw.org.uk/article.asp?t=response_article&id=133

202 CSW, 'Three Christian schoolgirls beheaded in Indonesia', 31 October 2005 <http://dynamic.csw.org.uk/article.asp?t=press&id=445>

203 CSW, 'More church closures feared in Indonesia as three Christian women are convicted of "Christianization"', 8 September 2005 <http://dynamic.csw.org.uk/article.asp?t=news&id=1941&rnd=0.8286249>

204 *Jakarta Post*, 'Minister: Christians bring discrimination on themselves', 2 April 2013 <http://www.thejakartapost.com/news/2013/04/02/minister-christians-bring-discrimination-themselves.html>

205 *Jakarta Globe*, 'Minister Concerned About Christian Ward Chief', 27 September 2013 <http://www.thejakartaglobe.com/news/jakarta/minister-concerned-about-christian-ward-chief/>

206 *Jakarta Post*, 'Residents demand ouster of Christian subdistrict head', 20 August 2013 <http://www.thejakartapost.com/news/2013/08/20/residents-demand-ouster-christian-subdistrict-head.html>

using social media, television broadcasts and fundraising appeals, to raise awareness among Muslims worldwide about the alleged conversion of Muslims to Christianity in Indonesia. A YouTube video claims that 2 million Muslims in Indonesia every year are converting to Christianity, a figure that appears wildly exaggerated.²⁰⁷ Even more alarmist and unsupported by evidence is the video's claim that if these statistics continue, by 2035 Indonesia would cease to be a Muslim-majority nation.

Mujiburrahman, an Indonesian scholar, claimed in 2006 that the Christian population had increased from 8.74 million in 1971 to 17.95 million in 2000, with an average growth rate of 2.4% annually, higher than the Indonesian population growth rate as a whole, which is 1.83%.²⁰⁸ However, he concludes that "if the statistics are reliable, then we can say that Christianisation of those who already adhered to Islam did not widely happen because the Muslim population was generally stable." He adds that "the increase of the Christian population was probably due to the success of Christian missions directed to the people living in several remote areas of the country, that is, to those who did not belong to one of the recognised religions."²⁰⁹ In many of these cases, it may not be a matter of actual conversion, but rather a decision by adherents of traditional but unrecognised religions to identify themselves as Christians on their identity cards (see section 'The role of the government'). Moreover, Reverend Gomar Gultom, General Secretary of the Communion of Churches in Indonesia says the statistics are very difficult to verify because Christians often move from one church to another. It should also be noted that according to Ministry of Religious Affairs statistics in 2010, Indonesia has more than 243,000 mosques and just 59,000 churches.

While the conduct of some evangelical Christian groups may have contributed to tensions, as documented in a report published by International Crisis Group (ICG), *Indonesia: "Christianisation" and Intolerance*, in November 2010, the majority of churches cannot be accused of 'Christianisation'. Muslim civil society organisations working to counter extremism believe this is simply an excuse used by Islamists, and is not a real issue. In the case of some churches interviewed by CSW, the church leaders and congregation have developed very positive relationships with the local Muslim community, helping to build mosques, maintaining the roads, joining in religious festivals and providing medical services to the neighbourhood. Tensions have only arisen when outside Islamist groups have come in and stirred up anti-Christian sentiment. Nevertheless, the findings of ICG's report should be taken into consideration, and Christian organisations involved in proselytism should consider how to be more sensitive to Islamic culture and attitudes. Furthermore, many ordinary Muslims do not understand the denominational structures of Christian churches, and therefore wonder why Christians cannot have just one church in a neighbourhood, instead of multiple church buildings, as the Muslims have only one mosque. These sentiments are used by radical Islamists to stir up hostilities.

In some cases there is also an ethnic dimension, often closely related to an economic dimension, although these are not primary factors. The largest Protestant denomination in Indonesia is the Lutheran Batak Christian Protestant Church (HKBP), founded in the 1880s by German missionaries. HKBP consists principally of ethnic Batak members, originally from Sumatra. Many Bataks have moved to Java in search of jobs, and have established churches to serve their communities after relocating.

While Catholic churches have suffered fewer problems, they have not by any means been exempt. It took Saint Bernadet's Church in Tangerang, West Java, 23 years to obtain a permit to build the church, and they are now facing severe harassment from extremists protesting the construction of the church building. The congregation, numbering approximately 11,000, currently meets in six different locations and has no permanent place of worship. The majority of the protesters are believed to come from outside the local area, and the church reportedly has good relationships with the immediate local community.²¹⁰

Similarly, the *Damai Kristus* (Peace of Christ) Catholic church in Kampung Duri, a suburb of Jakarta, has been facing demonstrations calling for its closure. The church, which has 3,000 members and three Masses every Sunday, one on Saturday and an early morning Mass every weekday, was built in 1967 and officially approved in 1987, so it has been licenced for 26 years. Demonstrations outside the church have occurred sporadically since 2006, but in this particular case the local authorities, under instruction from the governor of Jakarta, have

207 'Save Maryam' video <http://www.youtube.com/watch?v=3DrskbDaw3A>

208 Mujiburrahman, 2006

209 ibid.

210 *Jakarta Globe*, 'Tangerang Church Site Shuttered by Protesters', 23 September 2013 <http://www.thejakartaglobe.com/news/tangerang-church-site-shuttered-by-protesters/>

provided protection. According to church leaders, the governor of Jakarta visited the church before Palm Sunday in March 2013, and promised protection to enable the church's Holy Week and Easter Masses to continue. He visited again on Good Friday. "The police provide protection near the church every day," one spokesman told CSW during a visit to the church in May 2013. "We have received threats, telling us 'something will happen if we do not close,' but only verbal, not physical threats." He said that the governor and vice governor of Jakarta have been particularly sympathetic, and are 'role models' for other provinces. "Indonesia has difficulties in terms of religious intolerance, especially in West Java, but Jakarta itself has more diversity. We need to push the government to work harder to protect religious freedom."

With some exceptions, almost all the attacks are targeted against comparatively small, poor, often rural or suburban churches, not the large, wealthy 'mega churches' that exist in Jakarta and other major cities. There are several reasons for this. "Smaller churches are easier to attack," notes one foreign missionary working in Jakarta. "Bigger churches often have within their congregation people in high positions of influence. I know a church which has among its members a director of a national Indonesian bank (BNI), the director-general of a major government department, a businessman with thousands of employees, a prominent government official in the Jakarta administration, and another church whose members include some of the inner core of police intelligence, including an influential general who sits on the National Security Board of the armed forces, and the owner of one of the largest computer companies. In the confines of a big city, the FPI are not going to attack big churches because it would cause them too much trouble. They have to support an agenda that appeals to their followers – they need successes."

Secondly, although mega churches tend to be more enthusiastically and overtly evangelistic and engaged in proselytising, it is generally acknowledged that they largely confine their recruitment of new members to existing Christians, persuading Christians to move from the mainstream churches to the mega churches; rather than converting Muslims or those of other faiths. For this reason, perhaps the extremists, even though they complain of a campaign of 'Christianisation', do not perceive the mega churches as a threat. It is a peculiar dichotomy that in a country where many churches are coming under increasing pressure to close, international revivalist preachers and evangelists such as Benny Hinn and the Egyptian-American church leader Dr Michael Youssef are able to visit Indonesia regularly to conduct huge open air preaching and revivalist meetings in venues such as the Istora stadium in Jakarta.²¹¹

There is a third, more sinister explanation for why smaller, poorer churches are attacked and the mega churches, meeting in hotel ballrooms and shopping malls, are not; and that is that the FPI functions not only as a vigilante group with an ideological agenda, but also as a protection racket. If churches have the money to pay off the FPI, the police, or other people of influence, they can buy protection. The evidence for this is largely anecdotal and unproven, but is widely expressed. Reverend Gomar Gultom, general secretary of the PGI, says, "The question is whether we tolerate the Church getting freedom to worship by paying bribes? And how about churches who have no money? Yes, we offer hospitality to our neighbours, we live together with our neighbours, we give our neighbours gifts at religious festivals – but should we really pay for security every Sunday?"

The situation in Aceh

In Aceh the situation is particularly severe. Aceh is believed to be the place where Islam was first introduced to Indonesia, and while it has not always been as intolerant as it is today, it has typically been a more conservative region than some other parts of the country. The situation there has worsened significantly, however, since the tsunami in 2004 and the end of a 29-year conflict over Aceh's self-determination in 2005.²¹² In the post-tsunami period, some Islamic clerics in Aceh preached that the reason so many women drowned was because they were not modest;²¹³ and the presence of foreign aid workers drew a negative reaction from some hardliners.

In 2002, a process began to implement shar'ia law formally in the province, a decision which has had a very serious impact on the lives of women and religious minorities in Aceh. In 2007, the governor of Aceh issued

211 *Christian Post*, 'Egyptian-American Pastor Michael Youssef Preaches to 15,000 in Largest Muslim Country', 23 May 2013 <http://www.christianpost.com/news/egyptian-american-pastor-michael-youssef-preaches-to-15000-in-largest-muslim-country-96561/>

212 *Guardian*, 'Human rights are under attack in post-tsunami Indonesia', 27 December 2013 <http://www.theguardian.com/commentisfree/2013/dec/27/human-rights-are-under-attack-in-post-tsunami-indonesia>

213 *The Times*, 'Tsunami was God's revenge for your wicked ways, women told', 22 December 2005 <http://www.thetimes.co.uk/tto/news/world/asia/article2612378.ece>

Decree No.25 regarding the construction of places of worship. This regulation goes further than the national 2006 Joint Regulation, requiring places of worship to have at least 120 members and signatures of support from at least 200 local residents before a church or other place of worship can be built.

Seventeen churches were closed in Aceh in May 2012.²¹⁴ On 30 May 2012 two Christian evangelists, Roy Kalbulan and Ribur Manulang, were arrested and beaten. They were released two months later. On 17 June 2012 another church, GBI Peunayong in Banda Aceh, was attacked.

On 15 October 2012 the Aceh authorities invited all the churches in the area to a meeting, and asked them to sign a letter agreeing to the closure of all churches.²¹⁵ As a result, a further nine churches and five Buddhist temples were closed.²¹⁶ Only one church in Singkil is permitted now, along with four chapels, but they are prohibited from displaying a cross. In Banda Aceh there are now only three Protestant churches, from the HKBP, Methodist and Calvinist denominations, and one Catholic church remaining open. Many Christian non-governmental organisations have been expelled from Aceh. Christians in Aceh live in fear.²¹⁷ "People worship in secret," one church leader told CSW in an interview in June 2013. Another church leader from Singkil showed CSW video footage of the violent closure of some churches. For example, in June 2011 several churches in Gunung Menyan were burned down. The church leader told CSW, "When the church was sealed, some women from the church tried to prevent the closure, and some of them were hit. The impact of these church closures has been significant. One young man, aged 23, became crazy because he did not know what had happened to his hometown. He feels very intimidated whenever cars or motorcycles come. We have tried to bring him medical help, but with no success." Church leaders in Aceh say they have "tried everything", including asking the police for protection, petitioning parliament, lobbying foreign embassies, and even securing the support of the widow of former president Abdurrahman Wahid. In response, the governor of Aceh has written a letter to them warning them that they have damaged Aceh's reputation by internationalising the problem. "Be careful. If you make too much movement, we will catch you," the governor reportedly warned.

In December 2013, Muslims in Banda Aceh protested against Christmas and New Year celebrations, after the Ulama Consultative Assembly issued a *fatwa* prohibiting Muslims from offering Christmas greetings or celebrating New Year.²¹⁸

A nationwide problem

While West Java and Aceh are regarded as the most serious situations, religious intolerance is now a nationwide phenomenon, as illustrated by the fact that in Malang, East Java, at least 17 churches have been forced to close in recent years. In April 2010 for example, a church in Ubalan Village in Dampit, Malang, East Java was destroyed just before its completion. "In the past four years, there has been a pattern," explained a representative of the Centre for Marginalised Communities Studies in Surabaya. "Hate speech, followed by mass mobilisation, then violent attack, and then criminalisation of the victims."

In Lombok in 2000, there were several incidents targeting churches, and at least seven churches were destroyed. According to one source in Lombok, "mobs burned down churches in Mataram [a city in western Lombok]". In October 2012 text messages were circulating warning of a potential attack on churches and Christian homes in Mataram. "We were afraid of a repeat of the incidents in 2000, and

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214 *Jakarta Globe*, 'Church Row a "Dark Time" for Aceh', 11 May 2012 <http://www.thejakartaglobe.com/archive/church-row-a-dark-time-for-aceh/>

215 Morning Star News, 'Authorities Close Down Churches in Aceh, Indonesia', 18 October 2012 <http://morningstarnews.org/2012/10/authorities-close-down-churches-in-aceh-indonesia/>

216 *Jakarta Post*, 'Home minister defends closure of Aceh churches', 27 October 2012 <http://www.thejakartapost.com/news/2012/10/27/home-minister-defends-closure-aceh-churches.html>

217 *Jakarta Post*, 'Christians in Aceh live in fear after church closures', 23 October 2012 <http://www.thejakartapost.com/news/2012/10/23/christians-aceh-live-fear-after-church-closures.html>

218 *Washington Post*, 'Indonesian Muslims protest Christmas in Aceh', 20 December 2013 http://www.washingtonpost.com/world/asia_pacific/indonesian-muslims-protest-christmas-in-aceh/2013/12/20/a01848b6-698b-11e3-997b-9213b17dac97_story.html

so we took steps to protect the churches. Some people from Flores and other islands were afraid, so they went back to their hometowns," he said. "Today, we can pray safely but we have problems with securing building permission. We have two places right now where we want to build – we want to build a church in Praya, central Lombok, and a Holy Mary grotto in west Lombok. The Holy Mary grotto was destroyed in 2000 and we tried to restore it, but people came just before it was rebuilt, and refused permission. We stopped building it in December 2012."

Perhaps most concerning is the fact that the problem for churches is not simply difficulty obtaining a permit to build a church. In some cases, churches have obtained permission and then the authorities, under pressure from radical groups, withdraw the permit and force the church to close. Even in cases where the Supreme Court has ruled in favour of the church, the authorities continue to ban the church from opening. A number of recent cases of church closures and related violence have drawn some national and international attention, particularly the case of the Gereja Kristen Indonesia (GKI) Yasmin Church in Bogor, West Java, which was re-sealed by the Bogor city administration the day after police had removed the seal and permitted the church to open.²¹⁹ On Christmas Day 2010, authorities attempted to prohibit the church from holding its Christmas service, but the church set up a tent in front of the sealed church building and continued their service. In 2006 the mayor of Bogor issued a decree granting GKI Yasmin a building permit, but the authorities ordered construction to stop and the church to move to another location three months later. The church has been targeted by Muslims in a series of demonstrations, but GKI Yasmin leaders have continued to press their case. On 14 January 2011, the Supreme Court ordered the church to be re-opened and ruled against the revocation of its permit, but the city authorities have refused to comply with the ruling. On 11 March 2011, the mayor revoked the permit, and police locked the church gates again and used force to keep the congregation away.²²⁰ Since then, GKI Yasmin's congregation has held its Sunday services in the street outside the church building. CSW visited GKI Yasmin in October 2011.²²¹

The other most high profile case, alongside that of GKI Yasmin, is HKBP Filadelfia in Bekasi, a suburb of Jakarta. CSW has visited this church several times. Since January 2012, HKBP Filadelfia and GKI Yasmin churches, together with inter-faith organisations, human rights NGOs and civil society organisations, and the PGI, hold a Sunday service outside the presidential palace in Jakarta every fortnight. This open air service, accompanied by a demonstration, is part of a strategy by the churches and civil society to urge the president to resolve the issues and protect religious freedom. CSW has attended services outside the presidential palace on two occasions.

CASE STUDY: HKBP Filadelfia Church, Bekasi, West Java

CSW visited Bekasi, a suburb of Jakarta where several churches have been forcibly closed and church leaders and congregations harassed and threatened, and obtained first-hand testimonial evidence. On Sunday 13 May 2012 CSW joined HKBP Filadelfia Church's attempt to hold a Sunday service, and witnessed the congregation being prevented from holding a worship service by a radical Islamist mob and local police. The atmosphere grew increasingly tense, with the mob shouting "Christians get out!" and "Catch anyone not wearing a *jilbab* [headscarf] and if necessary hunt them down!" Four days later, the congregation was prevented from holding an Ascension Day service, and an Islamist mob threw urine, sewage and frogs at them, according to news reports.²²² This harassment continues, despite a ruling by a local court that upheld the church's right to open and function.²²³ On Christmas Eve 2012, the church wished to hold its worship service, but the police blocked access to the road outside the church, and refused to give a guarantee of protection to the congregation. The congregation then gathered in another nearby location, and a mob surrounded them and pelted them with stones. The church leader, Reverend Palti Panjaitan, was pursued after the crowd dispersed, threatened, and then charged with assault. CSW interviewed Reverend Panjaitan four times between 2010 and 2013, and details his story in his own words here:

219 Compass Direct, 'Church Building in Bogor, Indonesia Re-Opens – for a Day', 8 September 2011 <http://www.compassdirect.org/english/country/indonesia/25340>

220 Compass Direct, Indonesia <http://www.compassdirect.org/english/country/indonesia/>

221 CSW, visit to Indonesia, October 2011

222 *Jakarta Post*, 'Religious intolerance grows', 18 May 2012 <http://www.thejakartapost.com/news/2012/05/18/religious-intolerance-grows.html>

223 For background on HKBP Filadelfia, see CSW report, *Indonesia: Visit 10–23 June 2010*, and CSW report, *Visit to Indonesia, 18 May–3 June 2011*, available from CSW upon request.

Interview with Reverend Palti Panjaitan, June 2010

The government won't allow us to build our church, even though we have already fulfilled the requirements. For six months, we have had to worship in the street. Local people gave their agreement for the construction of the church, but Muslim hardliners forced them to cancel their agreement, and forced the village leader to cancel the licence for the church building. Then they threatened the construction workers, telling them that if they continued to work on the church building there would be no jobs for local poor people. They also used direct intimidation. I received phone calls, SMS messages, and people came to my house. This has happened so many times since 2007 – I can't count how many times. Sometimes they threatened to kill me. They would sit outside my house. They did not physically attack me, but they made verbal threats many times. I do not feel safe. They also organised demonstrations, using religious symbols, with people dressed in conservative Muslim dress. Children were part of these demonstrations. I feel sad about this – they bring children, and therefore plant hatred in their children.

I have to conclude that the government does not allow pluralism. This is especially true of the local government in Bekasi, but also the national government. It is easier to build a nightclub than a church. I have asked for help from the government. I went to Komnas HAM [the National Commission on Human Rights], and to the legislative office of the Indonesian parliament, to the Third Committee for Law and Human Rights, and to the vice-president, to ask for help. I approached moderate Muslim organisations which fight for pluralism. But all of these steps have led to no result.

I have also tried to make good relations with the local people. If Muslims build mosques, we help them. We help Muslim activities, and attend Muslim ceremonies. We have tried to make good relations with Muslims. But we are still not allowed to build our church. Village leaders have been forced by radical groups to cancel our licence, even though many local people agree to the church building.

The district leaders are from the PKS, which has one purpose: to establish shari'a law in the district. The HKBP is the largest church organisation in Indonesia, so they want to intimidate HKBP. In Bekasi we have 500 people in the church. If they succeed with HKBP, it will be easier for them to force smaller churches to close.

The main leaders of the harassment and the demonstrations are from the Forum Komunikasi Umat Islam, a new organisation which came into Bekasi after we started to build the church. They are followers of the FPI. They have written the word 'Banned' on the wall of the church.

We want to bring this to international attention. We want religious freedom. We have a guard to protect the church property, and have asked for police help. We are still pursuing a legal process. But we are financing all this from our own money; we need financial help.

**“SOMETIMES THEY
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Interview with Reverend Palti Panjaitan, June 2011

In the past year, we have won our appeal at the district court, which gave us permission to use the church. However, the mayor did not agree, and so we took the case to the central provincial court. Again the law said we had the right to use the church. The mayor made another approach, and the case is still going on. It seems that the mayor does not want it to finish. So even though the court said we can use the church, we are not able to. The high court ruled that the local government should remove the seal on the church, take off the sign prohibiting it, and allow us to use it, but the seal is still there. The local government does not want to follow the rules.

So we continue to worship outside, on the road. Some parents have baptised their children in the road. We have communion in the road. This is not safe and not suitable. Sometimes people, probably the radicals, put animal excrement on the road, and cars that pass by beep their horns to disturb our worship. The radicals want to push us to the limit, they want to see how long we will be prepared to worship outside before we surrender. It might be a long time.

The intimidation is not limited to the Christian community. Local Muslims who have seen our struggle and supported us are being intimidated directly, threatened with economic and social reprisals. For example, some landlords have told their workers, who support us, that if they want to keep their jobs they should stop supporting the Christians. Some religious leaders have told the local Muslims that if they are still supporting the Christians when they die, they will be denied a proper Muslim funeral service. So a few of the local Muslims changed their minds and stopped supporting us, but some have continued.

The local Muslims who have supported us have done so in two concrete ways. Firstly, by making statements in our support, clearly stating that they support the right of the church to worship. Secondly, they join our Sunday worship to protect us. At least ten local Muslims have helped with parking for the congregation, and some well-respected and feared martial arts experts among the Muslim community have helped provide protection. Before the court case, 266 local people, including many Muslims, signed a statement in support, and some Muslims went house to house gathering signatures and telling people who reject it that there is nothing wrong with having a Christian church in the neighbourhood.

The church has worked hard to develop good relationships with the local Muslim community, and that is why local Muslims have been supportive. For example, members of the church helped the Muslim community build their mosque, helped to fix the road, and regularly join in Islamic festivals and celebrations. We see Muslims as brothers.

There is hope that this can be resolved, but we recognise it will need more time. The GKI Yasmin struggle has gone on longer than ours. The problem is not so much the local government but the national government in Jakarta: they don't want to solve this problem of church closures. It is not that they are weak – it is that they just don't care, and in fact they take advantage of the situation. The central government has devolved some autonomy to local government, but two policy areas remain national government responsibilities: finance and religion. For that reason, when the local governments issue shari'a bylaws, they never categorise this as 'religious affairs' – they say that these are laws in the interests of stability and security. They see 'Christianisation' as a threat to stability. The central government says it cannot intervene because of autonomy, but religious affairs are not part of the autonomy arrangement.

We need support from the international community. It is not merely a matter of law and human rights. The solution is not merely a matter of how many laws are issued – the problem is political. President Susilo Bambang Yudhoyono needs pressure to remind him to protect religious freedom, and to uphold the constitution which guarantees religious freedom in Article 29. There must be religious freedom for all. The four pillars of the nation – the motto, 'Unity in Diversity'; Pancasila; the constitution; and the Republic of Indonesia, the sense of nationhood – must be protected. The rise of radicalism and the violations of religious freedom are not only a problem between Indonesians. There is an international agenda. Wahhabi influence from Saudi Arabia, and from Iran, is growing. Wahhabis are taking up positions in local government, even at the lowest levels. Mosques are increasingly controlled by Wahhabis and no longer by Nahdlatul Ulama and Muhammadiyah.²²⁴ NU and Muhammadiyah have already asked the government to take action. The Wahhabis and others have a clear influence in our society now. The Prosperous Justice Party is related to the Muslim Brotherhood in Egypt. Its constitution is very similar to the Muslim Brotherhood's, and they are gaining influence. Hizb ut-Tahrir Indonesia came in from outside. There is an international agenda and so we need more international pressure, to remind the Indonesian government that what happens here is seen by the international community. We need the international community to be a watchdog.

224 Nahdlatul Ulama and Muhammadiyah are the two major Muslim organisations in Indonesia, and both have a long tradition of moderation and respect for pluralism. See section 'The foundations of Indonesia'.

There is also the question of the rule of law. If a case goes all the way through the system, up to the Supreme Court, and the mayor does not follow the Supreme Court's decision, what is the meaning of the government and the court system any more? Is the mayor above the law? There is a lack of goodwill on the part of bureaucrats to implement the law equally. The international community must push the president and the government on this.

I hope that the Christian community can survive, and does not become radicalised itself. I have seen some brothers react badly to the situation, treat Muslims badly, in Papua and Maluku in the past, and I hope that does not happen more. We understand there is a limit, though, to what people can take. We hope the international community will be more active in protecting minority rights. If there is no help from the international community, we are hopeless here. If there is no help, we will be destroyed. We still love our country, but one day Christians and Ahmadis will decide we want to separate from Indonesia, if the situation does not change. It is only a matter of time before there is 'Sudanisation' – a separation of Indonesia between Muslims and minorities, like the separation of north and south Sudan. We don't want that.

Interview with Reverend Palti Panjaitan, May 2012

For the past seven weeks, since 25 March, we have been unable to hold our Sunday services. Every Sunday, FPI and other radicals organise a mob to block the road, to stop us going to the place where we have our worship. This morning, we decided to withdraw after attempting to hold our service, because the police did not give us permission and could not protect us. We receive no security from the police.

One of the mayor's campaign promises during the election was 'No church in Bekasi'. Our legal position is strong, the Supreme Court has confirmed our status, and we have filed a complaint to the mayor, but the mayor does not want to implement the law.

Relations with our local Muslim neighbours have been good. They are relatively tolerant. But the problem is the masterminds behind this, the radical groups, who are provoking local people, and as a result intolerance is increasing. This neighbourhood used to be tolerant. The majority of Indonesians are tolerant – but they are passive, they don't do anything. And the government is afraid of the radicals. The radicals are a minority, but they are very loud, and the government does not do anything.

We received a letter from the government offering us an alternative location, but we have declined this offer because if we accept, it will strengthen the radicals, and they will do this in other places.

The radicals are now turning this into an ethnic as well as religious issue. They are attacking us for being Batak. They threaten us, telling people, "It is 'halal' to kill Bataks". But not all Bataks are Christian – there are also Batak Muslims.

Interview with Reverend Palti Panjaitan, June 2013

On 24 December 2012 – Christmas Eve – we wanted to conduct a worship service. On the way to the church, the church members and myself found our way blocked by the police. We requested the police to protect us, but they would not give that guarantee. So we went to another location nearby. We were surrounded by a mob, who threw stones at us. They threw many stones. Many church members ran away, because they were afraid. There were only seven church members left with me. Before realising that the majority of the congregation had run away, we were trying to negotiate with the police, but once we realised that most of our congregation had fled, we agreed to go home.

I went home on a motorbike. In the street in front of me, on my way home, a group of people was gathered, blocking my way. They tried to attack me. I was surrounded. The police offered some protection from the right, the left and from behind, but not in front.

I stopped the motorbike. The leader of the mob, Ustad Abdul Aziz, came towards me. I put my hands out, in a gesture to hold him off. Not to push, just to hold him off. Then the police came and escorted me to the gate of my house. Church members were waiting for me there.

Ustad Abdul Aziz then filed a complaint with the police, accusing me of beating him severely. He even managed to produce a doctor's report confirming his alleged injuries. He complained of a chest injury. But interestingly, the doctor's report detailed a stomach injury.

There were hundreds of police there at the time, and the mob was about 500 strong. There were only seven Christians with me. Realistically, if I had really beaten him, I would have been beaten by them, because there were a lot of them. And the police would have intervened.

Ustad made the complaint the same day, at night. The police station is not very far, and he could not have gone there alone, so I assume people provoked him and helped him to go. He made the report on the night of 24 December. The police directly registered the case on 25 December. But 25 December is a holiday, so why were they so quick to register it?

On 8 January 2013 the police asked me to come in as a suspect. They sent a letter, inviting me to come. The letter stated I was a 'suspect'. The letter demanded that I come that same day, 8 January – but I was not able to because it was too short notice.

On 15 January, I received a second letter, but I was in hospital due to a sickness at the time.

On 22 January, I received a third letter, this time informing me that I was now the 'accused', not just a 'suspect'. They told me if I did not answer the charges, I would be brought to the police by force.

In March, I was charged by the police under Article 352 of the criminal law [relating to minor assault]. The maximum sentence for this is two years and six months.

After the police completed the procedures, the case was then referred to the prosecutor. I said that if it comes to court, it is fine with me, because it will be an opportunity to make everything clear. I will exercise my right to invite witnesses from the district and subdistrict police and ask them what they really saw at the time. It is not a problem if they bring me to court. I will ask them the truth.

The way the whole case was made was very systematic, and so I assume it was designed to weaken the movement of HKBP Filadelfia. Now the church no longer meets together publicly for Sunday worship. Church members are afraid.

I hope the international community can take an important role to strengthen the movement and give a clear message to the state. After the president received his award [see 'Introduction'], the pressure will be on him to live up to the award, and so it is important to maintain a message from the international community.

Since this most recent interview by CSW with Reverend Palti, the prosecutor decided not to proceed with the case due to lack of evidence. The police, however, deployed a legal mechanism for minor offences, which does not require the involvement of a public prosecutor for a trial to be held, and the court hearing occurred on 26 July 2013 in Bekasi District Court. However, the judge, Justice I Wayan Kasiwada, decided not to continue the case and returned it to the police to determine the outcome.²²⁵ At the time of writing this report, it is unclear whether the police intend to pursue the case further, but this has created uncertainty for Reverend Palti and his congregation. It is a prime example of a growing new phenomenon in such cases, referred to as the 'criminalisation' of the victim – using criminal law to harass and intimidate religious minorities, who are the victims, not the perpetrators, of violence and harassment.²²⁶ As Reverend Gomar Gultom says, the allegations against Reverend Palti were "fabricated". He expressed concern that there is a pattern developing in which the state is being used by extremists "to criminalize people who want to perform religious worship".²²⁷

225 Asian Human Rights Commission, 'Indonesia: Police should stop wasting energy and resources in pursuing fabricated case against a religious minority leader: An Open Letter from the Asian Human Rights Commission to the Chief of the Indonesian Police, Gen. Timur Pradopo', 22 August 2013 <http://www.humanrights.asia/news/ahrc-news/AHRC-OLT-012-2013>

226 *Jakarta Globe*, posts tagged Palti Panjaitan <http://www.thejakartaglobe.com/tag/palti-panjaitan/>

227 *Jakarta Globe*, 'Bekasi Pastor Charged With Assaulting Member of Intolerant Group', 13 March 2013 <http://www.thejakartaglobe.com/news/bekasi-pastor-charged-with-assaulting-member-of-intolerant-group/>

Bona Sigalingging, a spokesman for GKI Yasmin church in Bogor, which faced a similar case in October 2011 when one of its church members was falsely charged with assaulting a public official, said, "What happened with Pastor Palti is a pattern of state terror against the victims by the police."²²⁸

Furthermore, it has been reported that a local Islamic leader, Abdul Aziz Bin Naimum, threatened Reverend Palti, telling him "I'm going to cut your throat" and making a gesture across his neck. He has now been charged, and prosecutors are reportedly demanding a three-month prison sentence.²²⁹

CASE STUDY: GKI Yasmin Church, Bogor, West Java

CSW visited GKI Yasmin Church in October 2011 and attended a Sunday service in the street, surrounded by police, who were present to protect the congregation from a small mob of extremists. The congregation is prohibited by the local mayor from entering their church building, so they hold a short Sunday service in the street. On this particular day, a small mob of protestors was present on the other side of the police lines, but on Sunday 16 October, a larger crowd, perhaps as many as one hundred, had held a demonstration against the church, armed with rattan and bamboo sticks. Two weeks later, on Sunday 30 October, members of the radical group Forkami (Forum Komunikasi Muslim Indonesia, or Indonesia Muslim Communication Forum) threatened to attack, "hurling verbal abuse at the Christians."²³⁰ It was reported, although CSW was not able to verify this, that most of the demonstrators were from outside West Bogor subdistrict where the church is located, and were paid 200,000 rupiah (£10) each. They typically did not even know what they were protesting against; they simply took the money and staged a protest.

Church representatives told CSW that in the Yasmin area of Bogor there are approximately 300 Christian families, and at least 1,000 individual Christians, so there is a sizeable local Christian population to justify the presence of the church. In addition, the majority of local Muslims support the GKI Yasmin Church and have no objection to it functioning. A *kyai* (Islamic cleric), who is a member of the National Commission on Violence Against Women, attended the Sunday service to demonstrate his support. Opposition has been stirred up by radical groups, in particular HTI and Forkami.

One church member explained the sequence of events which led to GKI Yasmin's current plight:

In 2001, when we were first looking to build a church, there were two potential locations. The developers then told us that one of them, a social facility, was no longer available as it was being used by Muslims to construct a mosque, so they suggested we purchase some land ourselves. We agreed, and purchased the land where the church building now stands, completing the purchase in 2002 after paying the full amount. The local government agreed for us to construct a church, saying it was a good idea because there are a lot of Christians in the area who were meeting in a mixed-use (residential/commercial) building, which is not suitable. So the local government said go ahead and build a local church. In 2006, the church received a licence from the local government after fulfilling all the administrative requirements. The local government then sent a representative of the mayor to celebrate the laying of the foundation stone, and deliver a speech on behalf of the mayor.

Then in 2008 there was an anti-Ahmadiyah demonstration, and at the same time an anti-church issue arose as a side agenda. Four days later, the local government withdrew the licence. GKI Yasmin representatives went to the local government to ask why, and the mayor told them it was a 'political game' and said later on they should seek an alternative.

The mayor agreed for the church to bring the case to the administrative court in Bandung, in March 2008. The court ruled that withdrawing the licence was unlawful, and the church should be permitted to continue construction. The mayor appealed to the Court of Appeal, which upheld the administrative

228 *ibid.*

229 *Jakarta Globe*, 'Man Faces Three Months in HKBP Filadelfia Death Threat Case', 25 July 2013 <http://www.thejakartaglobe.com/news/man-faces-3-months-in-hkbp-filadelfia-death-threat-case/>

230 *Jakarta Post*, 'GKI Yasmin members in Bogor harassed, again', 31 October 2011 <http://www.thejakartapost.com/news/2011/10/31/gki-yasmin-members-bogor-harassed-again.html>

court ruling and concluded that the church's licence was legal. The mayor refused to accept the decision and took it to the Supreme Court, which also ruled that withdrawing the licence was wrong and that the church should continue its construction. Finally, the local government sought 'extraordinary legal action' to review the decision again. At the end of 2010, the mayor told GKI Yasmin that if the Supreme Court ruled that the licence was valid, they could continue the construction. The Supreme Court ruled in favour of the church, and yet the local mayor refused to accept the decision.

Almost all the local Muslims support GKI Yasmin's right to build a church. Local Muslim leaders support us. The new police chief says that the right of religion is non-negotiable, and provides police to protect our right to have a peaceful Sunday service in the street and prevent conflict. The problem is the mayor. The reasons are political. He is seeking re-election. In his first term, from 2003 to 2008, he was supported by Golkar and the Indonesian Democratic Party of Struggle, which are moderate parties. For his second term, since 2008, he has been backed by the Islamist party Prosperous Justice Party [PKS] and the deputy mayor is from PKS. The mayor and his deputy have an agreement for a 'zero-growth policy' for the church.

CSW obtained a copy of the letter sent by the Ombudsman (Number 475/ORI-SRT/X/2011), dated 12 October 2011, to the president of Indonesia, in which the Ombudsman reiterates that his recommendations issued on 8 July 2011 have not been implemented by the mayor of Bogor or the governor of West Java, and therefore the president himself should intervene. He concludes: "This report is submitted to the President of the Republic of Indonesia to bring to his attention that the actions of the Mayor of Bogor and the Governor of West Java is [sic] not in accordance to the principles of good governance and the ongoing bureaucratic reformation conducted by the Government. This case requires the attention, follow up and steps from the President of Indonesia in the form of supervision and [character] building."

These two cases are, however, just the most high profile; and there are numerous other cases of churches experiencing similar legal pressures, closure, destruction, and campaigns of harassment and violence. In 2012 the Paramadina Foundation published a study entitled *Disputed Churches in Jakarta*, which provides excellent historical analysis demonstrating that many of the underlying problems have existed for several decades; but it also illustrates the emerging phenomenon of previously undisputed churches now facing disputes. In assessing 13 case examples, the authors of the report conclude that there are ten key factors in the disputes over churches:

1. Concerns over perceived 'Christianisation';
2. Related misunderstandings about the differences between Protestantism and Catholicism and the different denominations within Protestantism;
3. Socio-economic factors such as objections based on the belief that the local population will gain no benefit from the presence of a church;
4. Ideological resistance;
5. The influence of radical Islamist organisations;
6. Changes in relationships between churches and the wider community;
7. Obstacles from the local bureaucracy;
8. Unwillingness by the government to uphold the rule of law and ensure judicial and official decisions are implemented;
9. The failure of the police to protect minorities and uphold the rule of law;
10. Rising levels of intolerance in society more broadly.²³¹

231 Paramadina Foundation, 2012

A pattern of persecution

The following examples illustrate many of these particular factors and others which are creating a climate of rising intolerance affecting Christians in Indonesia. They range from church leaders who have been jailed or physically assaulted and injured, to churches which have been forcibly closed and in some instances destroyed, desecrated and damaged.

*Interview with Pastor Bernhard Maukar, GPDI Church in Rancaekek, Jatinangor, West Java*²³²

Pastor Bernhard Maukar's church was attacked by the FPI several times between 2011 and 2012, most seriously on 5 July 2012. On 27 January 2013 FPI members physically assaulted and threatened him. Two days later he was imprisoned for three months. He described his experiences in his own words in an interview with CSW in June 2013:

Our church had 1,000 members, including children. We had two services every Sunday, morning and evening. Now we have only 100 members. The others have all spread out, because they are afraid. They worship in the homes of church members. The remaining 100 are very brave. They are ready to die.

We have been attacked three times, twice in 2011 and once in 2012. Three of the attacks were recorded on video.²³³ On 5 July 2012 the FPI mob came to destroy the property. The gate was closed, but they climbed over it and came in, during a Sunday service. They met my wife. She did not give them a positive response to their demands, so they asked for me. They pulled me by my tie, taking me to the gate. They took other church members, pulling them by their clothes. Then they destroyed our property, taking chairs and other equipment, putting it all into trucks. They were shouting, "Go out, Reverend, we will kill you. You are a devil church." They destroyed the gate. Our church members ran away. Some of them were teenagers and children, and they were traumatised by the experience.

One hundred police officers came, but they just watched. They helped take the property away, claiming they were making it safe otherwise the FPI would destroy it. They were from the local government police, the Satuan Polisi Pamong Praja [Satpol PP]. Later, we managed to get the property back. The police gave it back, after they received a letter from Komnas HAM [the National Commission on Human Rights].

**"GO OUT, REVEREND,
WE WILL KILL YOU.
YOU ARE A DEVIL
CHURCH."**

On 27 January 2013 we were also attacked, and again they pulled me by my tie, trying to provoke me to hit them. Then they beat me. But I was not afraid. I tried to avoid responding to their provocation. Another time we were attacked, and my wife and I were persuaded before the attack happened to go to a hotel, otherwise we may have been badly attacked. We had received information from the subdistrict local government and local police, informing us that the following Sunday there would be 2,000 people making a demonstration at the church, and they were worried for our safety. They said, "Please go, we are preparing a hotel for you, we will pay for everything, we don't want a service between 9am and 2pm." We agreed to go, but not to stay in the hotel. Instead we stayed in the rented house of a subdistrict leader. The mob that came to the church was about one hundred, not 2,000, and they had a banner: "Go out from this place".

In the first and second attacks, our church members stood firm. But after the third, fourth, fifth attacks, church members fled to other places. In the first attack, early in 2011, it happened during our youth worship. We had 70 youth gathered. The local police chief telephoned and said, "Please close the gate because the FPI are coming." We closed the gate but did not lock it. The FPI came, and threatened the youth. About 20 young people hid in the toilets, and the rest ran away to the rice fields. The FPI destroyed everything, took cell phones, opened the refrigerator, destroyed everything in it.

²³² *Jakarta Globe*, 'Indonesia Church Officials Face Violence, Jail Time for Conducting Services', 14 February 2013 <http://www.thejakartaglobe.com/archive/indonesia-church-officials-face-violence-jail-time-for-conducting-services/>

²³³ A video recording is available from CSW.

After five attacks, we received a complaint sent by the Satpol PP to the court, alleging that I had built this church without a permit and therefore I was breaking the law. Based on the Joint Regulation on the construction of places of worship, there is no jail sentence, but based on local laws, there was a trial. Member of the FPI gathered at the court and intimidated the judge. The ruling was that I should pay a fine, or go to jail. The judge found me guilty. At first I was told the fine would be only 3 million rupiah (£150). Then I was told 25 million (£1,240). I told my wife and son that I would pay this fine, I would sign a letter agreeing to it, because I was worried for our safety. But they sent me to jail anyway. They tried to manipulate the case, and they used the local planning law against me.

On 29 January 2013 I went to jail for three months. It was the first case of its kind in Indonesia [where a church leader was jailed for having an unregistered church]. At first I was put in a special room, which was very dirty with no light. The next day the prosecutor came and said I should be moved. I was then held in one room with eight other people, all Muslims, mostly imprisoned for drugs, theft and rape. They were very polite though.

The first time my wife heard about my imprisonment, she was shocked, and collapsed unconscious. My sons got angry, and tried to meet the prosecutor to ask why [I had been imprisoned]. They said we are willing to pay the fine. But I said that three months is not too long. It is like a 'study in the desert', a retreat. There were four other Christians in prison, and I was able to minister to them. Komnas HAM visited, and I was well treated.

After my release, the FPI came back to the church on 25 May to demand money. At the time we did not have the money they asked for, we only had 100,000 rupiah (£5). They accepted that. They proposed that if the church wants, they could guarantee our safety so we can re-open, if we pay 150,000 rupiah (£7.45). We said we would pay if they provided a document signed by local leaders, but they brought a document signed only by the FPI head.

The church has been here 27 years, and we had no problems until 2011. We had good relations with our neighbours and they accepted us. Now, 27 churches have been closed in our area, Sumedang District, next to Bandung. Most Christians do not want to come to church here now, because they are too afraid.

Interview with Dr Rebekka Zakaria

Dr Rebekka Zakaria is a medical doctor by profession, and a church leader and Sunday school teacher. In 1993, she was sent by the government's health department to work as a doctor in a village of 50,000 people near Indramayu, West Java. In 2002 she established a church congregation that came to worship in her home. However, under Indonesian law a private home cannot be a church, and in December 2004 the authorities forced her to cease holding worship services in her home. The congregation hired a building 40km away, and travelled there every Sunday for services. In addition, however, Dr Rebekka and two other Sunday school teachers, Ratna Bangun and Eti Pangesti, ran a 'Sunday school', which met on Wednesdays, in her home. CSW met Dr Rebekka in Bandung in 2009 and again in 2010, and heard her story:

In 1960, 90% of the people in my area were Christian. Today only 10% are Christians, because many Christians married Muslims and became Muslims. Many children from mixed Muslim-Christian marriages joined the Sunday school. We called it 'Happy Wednesday'.

In May 2005, one mother did not like her son coming to the Sunday school. Her son was just visiting, he was not a member. He had a problem – he had epilepsy. He had no friends, so he was very happy when he came to the Sunday school because everyone welcomed him. His mother reported us to a Muslim organisation, and they came to question the children who came from mixed marriages – about ten children. They asked why they came to the Sunday school. The children answered, "Because Dr Rebekka gives us food, presents, and brings us to places." The Muslim organisation filmed this, and showed the film in government offices. Many people, 200 or more, came to watch the film. They claimed that "Dr Rebekka cheated the children with food, presents etc", and so the villagers became angry. They accused me of doing this in order to make them Christians. An Indonesian law issued in 2002 says that every child under the age of 18 must have the same religion as their parents.

The reality is, we always ate together after Sunday school because the children were very poor. We taught them how to read, and helped them with their school work. We gave them gifts for Christmas. We took them on trips to Jakarta and other places once a year, because we live in a small village, and many people are very poor, so otherwise they would never have a chance to see other places.

The three of us were reported to the police by the Muslim organisation. We were jailed on 14 May 2005 and put on trial. We had nine court hearings. At every court hearing, radical Islamist demonstrators, between 200 and 600 people, gathered outside the court, shouting "Kill Rebekka, burn Rebekka!" I was a well-known doctor, so they singled me out. In September 2005 we were sentenced to three years in prison. Ordinarily we would only have been sentenced to three months, but because of the demonstrations the court gave three years. The judges feared the demonstrators would burn the court and there would be riots if they only gave three months. At the final court hearing, the demonstrators brought a coffin. They shouted, "Three years or kill Rebekka!" Mosques in the village preached every Friday about me. But not all the demonstrators were radicals. In Indonesia, you can pay crowds to shout in demonstrations. People are poor, so they will willingly go to a demonstration and shout slogans, if they are paid. Someone even asked my daughter whether we wanted to pay to organise a counter-demonstration in our support.

**"...PEOPLE GATHERED
OUTSIDE THE COURT,
SHOUTING 'KILL REBEKKA,
BURN REBEKKA!'"**

In prison, the Muslim chief guard asked me, "How about your faith? Are you stronger in your faith?" I asked him if I could hold a Sunday service in the prison with my congregation. He asked who the church leader is, and I told him it was me. He said it could not be done, because the church leader should come from outside. But then he smiled and said "OK."

As a doctor, I helped the warden and the guards often. I brought medicines from home to give to those who needed them. My daughter came every day to prison to visit me, by motorcycle, even though it was 60km from the village. Many Christians came to visit us, and brought gifts for all the prisoners – soap, toothpaste, cake etc. The Muslims asked why. They said, "You are in here because of us, and now you are giving us gifts. Why?" I received many letters from abroad, from the US, Australia, Canada, Thailand, Japan, Cambodia, Israel, Germany, the UK, Holland. I received 23,000 letters in total. Some people sent chocolate and candy. The Muslims asked why Christians do this. They said it is never done in Islam – friends visiting, people sending letters, gifts. It surprised them. The prison guards told me to open the letters myself, because they could not read them. Even now, letters are still sent to me in the prison, and the post office forwards them to my village.

A month before my release, many people told me I should move from my village, for safety. But I did not. In my village, there is the largest Muslim school in East Asia, the Al-Zaytun school, with 30,000 students, 800 teachers, a hospital, a bank and a farm. Their purpose is to make all Indonesia Muslim by 2015.

I was released on probation on 8 June 2007, and had to report to the judge every month. Since my release, I have not been allowed to work as a doctor any more. My licence has been revoked. I have tried several times to get it back, but the process is very difficult. But our church is still meeting, 40km from the village, and now I run a 'Happy Tuesday' group for youth and music practice. Many people in my congregation are very poor, so we have to find jobs for them. We want them to have jobs themselves, so they can earn money. Some of them work in my daughter's shop making dolls from wood. We want to expand that, so we can give them more jobs. We don't want to only give them food – they are happy if they work. There are many young women in the area who work as prostitutes in Jakarta and Bandung. Many of them have children with no father. My dream is to have a house where we can take care of them until they have their babies, and help them.

In West Java, we have many radical Islamists. There are more radicals than in any other area. The situation is worse than in the past. It is not easy to ask for a church building. The government of West Java want to make the area a second Aceh, which is well known for its implementation of shari'a and its religious intolerance.

Interview with Reverend Luspida, former church leader of HKBP Ciketing, Bekasi, West Java²³⁴

Reverend Luspida and her congregation were assaulted on Sunday 12 September 2010 as they walked to church together. She was beaten and one of her church elders was stabbed, and they were both hospitalised. CSW met her in 2011, just over eight months after the incident. She recalls what happened:

On the second day of Eid-ul-fitr ('Eid'), on Sunday 12 September 2010 we went for our Sunday service. We started our procession from the first church to the place where we would hold our service, and as we walked, many people came to us on motorbikes and told us, "You feel free now, but you will see our revenge."

Just 500m before we reached the land, eight people on motorbikes came towards us. I did not feel any danger, but suddenly the elder told me, "Madam, there is blood from my stomach." I was surprised. He had been knifed. Then everyone started to panic, and was screaming. We tried to stop the blood flow. I tried to stop a public bus to ask for help, but it did not stop. Suddenly a police car came. I stopped the police car and asked them to take him to hospital, otherwise he would die.

I brought the elder to the hospital, and just 100m in front of the hospital the man who had knifed the elder attacked me with a wooden stick. He hit my face, including my eye, and my back.

When the elder was stabbed, it was very near the mosque, and we could hear the shouts of 'Allahu Akhbar' from the mosque, a sign of jihad. I was told later that I was the target, but they had expected me to be on the right-hand side of the procession, and instead I was walking on the left. For that reason they stabbed the elder, who was walking on the right, instead of me. He spent ten days in hospital.

I hope you are not only here to hear our stories, but to do something, to make something change. The government is ignorant about our situation. There is no religious freedom here any more. I feel a lot of pain about Ciketing, GKI Yasmin and other churches in this situation. The government does not want to hear our cries.

Action must be taken to control FPI. It is not the ultimate solution, but stopping FPI will solve 50% of the problem. Currently, the police are afraid of FPI, the president is afraid, and many government officials are friends with FPI.

I still feel traumatised about the situation. I met Muhali Barda, the FPI leader in Bekasi who knifed the church elder, at the police station where I went to give evidence. I asked him if he felt guilty now. He just smiled at me sarcastically, because he knew the police would protect him. At his trial he was sentenced to just five months and seven days, and then he was immediately released on the grounds that he had already served time in prison before his trial.

I have no problems with ordinary Muslims, and I have a close relationship with the wife of former president Wahid, but when I see people dressed in an Arab way, with a long beard and the mark of FPI on their forehead, psychologically it affects me. I preach forgiveness, and I must forgive them, but it is not easy.

We need to strengthen solidarity among churches in Indonesia and outside, and give a message to the president that he cannot say the situation is good here. We must remind him that our situation is very critical and we should do something for the future of Indonesia. Support from outside Indonesia is very important, to pressure the president to do something.

234 See CSW report, Visit to Indonesia, 18 May-3 June 2011 for background.

*Interview with Reverend Torang Parulian Simanjuntak, HKBP Setu Church, Bekasi, West Java*²³⁵

HKBP Setu had applied for a permit and had begun construction of a new church building, because the old building was in a state of disrepair. In early March 2013 the authorities forced the church to stop construction work, sealed the church building, and on 21 March government officials, police and extremists came and destroyed the new church building. CSW visited the site in May 2013, and Reverend Torang Parulian Simanjuntak, the pastor, described what happened:

On 21 March 2013 the government destroyed the new church building. People came from the Satpol PP [local police], the Kesbangpol Linmas [the Municipal Administration's Office of National Unity, Politics and Community Protection], plus many extremists from the FPI and FUI. It was not good, because they knew we were processing the permit. We had built a new stone wall about 5m high around the old church building. They broke down the new building, but not the old building.

The government claims there was a mistake in the permit for the church. But in June 2011, we started the process to seek a permit to construct a new church building, in the same location as the old building. We received a letter of confirmation, and so we approached the village leader for permission. He did not give it because he was afraid of the extremists.

On 15 January 2013 we received a warning. There was a meeting in the village office. Eight members of our congregation went to the meeting, and 700 radicals turned up suddenly. The meeting was just to discuss tolerance. They refused to provide a permit. On 7 March, the government sealed the church building and prohibited us from continuing the construction.

The old church building has been there since 1999. We had no trouble with our Muslim neighbours, and in fact, local Muslims worked to help us build the new church. We gave them food and money each day. They felt deeply sad. They came to help us clear up some of the broken material after the new building was destroyed, and they told us they felt very sad.

On the morning of 21 March, we received news that the authorities would come to destroy the church. So we gathered Christians together at 8am, and had worship, singing, and praying together. Then they came with an excavator to destroy the building. We feel a dislike for the government, but as disciples of Jesus Christ, we have hope and we stand to make things calm. On 1 June, we tried to apply for a new permit. [The church has yet to receive a response to their application.]

The situation in Indonesia now is very sad. Our government does not stand on the truth. The intolerant groups are very powerful, and the government is always quiet towards them. I do not know why, because they are a minority.

One member of HKBP Setu's congregation, Mega Eenta Sihite, told CSW:

This is my right to worship, my basic human right. Why can't I have this right? I feel like a guest in this nation. Please give attention to this and support our government to manage our diversity here.

The Indonesian government has spoken out about the terrible persecution of Rohingya Muslims in Burma. It is true and right that they should do so, but why are they so fast to respond to what has been happening in Burma, but not here in Indonesia? Based on Article 29 of the constitution, every citizen has the right to freedom of speech and freedom of belief. In the constitution, there is no minority or majority, but in practice, there is a dichotomy between the majority and the minority. Do we have a new constitution? I feel like I am in another country here. This country was colonised by the Dutch, with tanks and bombs. Now my brothers are the colonisers, coming with equipment to kill my rights by destroying the church.

²³⁵ Jakarta Post, 'Issues of the day: Church in Bekasi demolished', 25 March 2013 <http://www.thejakartapost.com/news/2013/03/25/issues-day-church-bekasi-demolished.html>

Violations of the rights of Ahmadiyah Muslims

The Ahmadiyah Muslim community has existed in Indonesia since 1925, and claims to have a population of approximately 500,000. They have 330 branches all over the country, but the majority of Ahmadis are in West Java. Historically they have faced relatively few problems, but since 2005 Ahmadis have faced an increasing campaign of harassment, discrimination and violence. While some incidents occurred before 2005, notably in Lombok, the first major incident with nationwide ramifications occurred when extremist groups went to the Ahmadiyah headquarters in Parung, West Java on 9 July 2005 and demanded the closure of their facilities, which included a 15-hectare compound and a boarding school. The MUI issued another *fatwa* describing the Ahmadiyah community as apostates and heretics, and calling for them to be banned. A decree issued by 13 local authorities in the Bogor regency, including the local *bupati* (regent), the chief of police and the military commander ordered the closure of the Ahmadiyah facilities. Radical groups then escalated their campaign for the banning of Ahmadiyah teaching and practice, and exerted significant influence on the national government to introduce legislation prohibiting Ahmadiyah practice. This resulted in the 2008 Joint Decree, which is examined in a previous section, 'The role of the government'. In 2011, the Minister of Religious Affairs repeatedly called for a total ban on the Ahmadiyah, pointing to the MUI *fatwa* and the 2008 decree. In 2013, the governor of West Java said that there would be no violence against the Ahmadiyah if there were no Ahmadiyah practices or teachings. "Of course we want religious tolerance to go properly but the Ahmadiyah have committed a violation by spreading a deviant belief. The problem will disappear if the belief disappears," he said.²³⁶

Significant attacks against Ahmadis have occurred in Lombok and in several locations in West Java, notably incidents in Cisalada, Cikeusik and Tasikmalaya. In 2013 an Ahmadi mosque was forcibly closed and sealed in Bekasi, a suburb of Jakarta, with approximately 20 Ahmadis refusing to leave the mosque compound. Three mosques in Cianjur, West Java, were closed in April 2013 after a text message was sent out by the chairman of a radical group known as GEMPA, calling for public participation in the closure of Ahmadi mosques that day. Within half an hour, 300 villagers joined FPI members at one of the mosques, demanding its closure and the banning of Ahmadi activities. Later in the day crowds gathered at other Ahmadi mosques and local officials then sealed all three mosques.²³⁷ Ahmadis in the area then began to experience discrimination in their employment, and some received death threats.²³⁸ In 2012 Ahmadi mosques in Banjar, West Java, and in Singaparna, Tasikmalaya, West Java were forced to close. On 25 April 2012 the Ahmadi mosque in Singaparna was destroyed by a mob organised by the FPI. In Babakan Sindang, Tasikmalaya, in early May 2012, a mosque and one Ahmadi house were burned. In October 2012 the largest Ahmadi mosque in Bandung was attacked, for the fourth time in two years; and three Ahmadis were then detained, interrogated and pressured into making a statement agreeing to stop all Ahmadiyah activity. An FPI member attacked the mosque again, breaking the gate and a window, and although he was arrested, he was only jailed for three months. CSW visited Ahmadi mosques in Bandung in June 2013, and according to representatives of the Ahmadiyah community, when the case came to court and Ahmadi witnesses were asked to swear on the Qur'an before testifying, the FPI objected and the judge upheld the objection, denying Ahmadis the right to express a vow of truth on the Qur'an. "We dream to have the same rights as other Muslims," one Ahmadi said. "We want the international community to pay attention. There is no justice here."

CSW has visited Ahmadi communities across Indonesia, including those living in displacement camps in Lombok, survivors of the attack in Cikeusik, and Ahmadis in Bekasi, Tasikmalaya, Cisalada, Bandung, Medan, Padang and Surabaya. Their cases are detailed in this section.

In addition to violence and closure of mosques, Ahmadi representatives have told CSW that some Ahmadis have had to stop their university education because of discrimination on campus, and Ahmadi teachers in schools have also faced discrimination. Furthermore, Ahmadis are experiencing the same issue of 'criminalisation of victims' that has already been detailed in the case of Christians. On Riau island, Batam Province, north Sumatra, in 2012, an Ahmadi missionary was attacked after Friday prayers, beaten and taken to the police. He was reportedly held

236 *Jakarta Globe*, 'Problems Will Disappear if Ahmadiyah Disappear, Says West Java Governor', 7 May 2013 <http://www.thejakartaglobe.com/news/problems-will-disappear-if-ahmadiyah-disappear-says-west-java-governor/>

237 Asian Human Rights Commission, 'Indonesia: Government collaborates with non-tolerant groups in closing down three Ahmadi mosques in Cianjur', 24 April 2013 <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-064-2013>

238 Asian Human Rights Commission, 'Indonesia: Discrimination, threats and intimidation against Ahmadi community in Cianjur continue', 20 June 2013 <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAU-019-2013>

in the police station for one night, and beaten again by police officers. "The attackers are protected while the victims are criminalised," Ahmadi representatives told CSW. "The FPI is becoming more violent now. Before they were just yelling. Now they are burning, kidnapping, beating."

This section will focus on several key case studies which illustrate the pattern of intimidation and violence faced by the Ahmadiyah community.

CASE STUDY: Bekasi

The Ahmadiyah community was first established in Bekasi in 1989. Initially, the community was small and they met for prayers in a mission house, but in 1995, as the community had grown significantly, they purchased some land and constructed a mosque. There are now 300 Ahmadis in Bekasi.

CSW has visited the Al-Misbah mosque in Bekasi twice, once in October 2011 and then again in May 2013. According to one of the Ahmadiyah community in Bekasi, who spoke to CSW, relations with the local community and government officials had been good. "In 2005, when our national headquarters was attacked, there were many problems in other areas, but no problems in Bekasi. The situation was calm, normal, until 2010. We used Bekasi as a base for regional meetings." That changed in October 2011, just two weeks before CSW visited. On 5 October, according to the Ahmadiyah community, SMS messages began to spread warning that Islamists were calling Muslims to come to Bekasi to listen to a speech, scheduled for Sunday 8 October, calling for the banning of the Ahmadiyah faith. On 6 October, at Friday prayers, the police came to the mosque to protect the community. No attack occurred. In the evening of 7 October, 100 police officers once again came to the mosque to protect the community, in anticipation of another attack.

One of the Ahmadiyah representatives told CSW: "They asked all Ahmadis to leave the mosque and to allow the police to protect the building. The police also instructed the Islamist groups not to bring large numbers of people to the area. The police invited eight Islamist leaders from the FPI to visit the mosque, negotiate, and guarantee that they would not attack. The police told them, 'If you attack, we have orders to shoot.' The public speech scheduled for 8 October was cancelled, at the request of the police. The FPI and the police agreed to refer the Ahmadi issue to the local government to make a decision."

Following the police intervention, various Muslim groups came to visit the Ahmadiyah community in Bekasi, including representatives of the district and city level MUI and FPI, and others. "They wanted to take over the Friday prayers at our mosque and deliver the Friday sermon," said one Ahmadiyah representative. "We rejected that, due to our imam's schedule, but we told them they would be welcome to come and deliver a speech in the mosque."

On 13 October, the mayor of Bekasi issued a decree modelled on the 2008 Joint Decree. The Bekasi decree refers to the 2005 *fatwa* by the MUI in 2005, and Point C notes the need for a decree in order to prevent social tensions and the disruption of security and stability, in light of the failure on the part of the Ahmadiyah community to abide by the 2008 Joint Decree, in spite of the fact that this decree violates international human rights law and Indonesia's own constitution. Point D states that in order to protect security and stability, the mayor is banning all Ahmadiyah activity in Bekasi.

Tensions continued to rise. "On Friday 14 October 2011 we were afraid that Islamist groups would try to take over, so we invited our community to come early and fill the mosque. When the Islamists arrived they saw that the mosque was full and the imam was ready to begin Friday prayers. We reminded them that the mayor had promised to attend a Friday sermon in our mosque. In July we met the interim mayor at a restaurant and talked informally. He appreciated the meeting and said he welcomed the opportunity to understand more about the Ahmadiyah first hand. He promised he would come to visit the mosque. He said he wanted to hear a Friday sermon from the Ahmadiyah."

An Ahmadi woman leader told CSW, "On 7 October, I was very disappointed with the police because they prohibited women and children from coming to the mosque. I came, because I felt I must come. At that time just four women attended the Friday sermon. Usually there are about 20. I saw the situation: people screaming, the police were very nervous about an attack. On the Sunday after 7 October we got news that there was a crowd at the mosque, so I came. I saw that the [imam] could not even enter his house, he had to find somewhere else to

go temporarily. Eight FPI members came to meet the police. I was very scared that there could be an attack by the FPI. On 14 October, at the next Friday sermon, women came to the mosque but without children. We heard news that the mayor was coming with some officers. We were expecting about five people. But then we saw about 100 people coming, from the FPI, MUI and others. At the time it was very scary. It was very crowded, and I was very scared that there would be violence. What would happen to us? Many women gathered to pray and cry – we were afraid of the situation, afraid that the FPI would take over the mosque. We built it ourselves with our own hands. I heard some FPI saying what a good building it was, and that they could use it as a new district office. So I was very afraid they might take over the place.”

She said she had overheard the FPI saying that they wanted to have their own imam in the Ahmadiyah mosque if they could not close it down. She also said there was a rumour that the FPI was establishing a small observation post to monitor the movements of the community.

The mosque remained under police protection and there was no attack. However, according to the Ahmadiyah, after 8 October there were reports that the Islamists had organised a petition calling for the banning of the Ahmadiyah mosque. “We asked the local community about this, and they confirmed that people had come seeking signatures, but the local people rejected it. None of our neighbours signed the petition. So we do not know who organised the petition, who signed it, how many signed it or what the purpose is. We did not see the petition,” said the spokesman.

There was speculation that one of the causes of the anti-Ahmadiyah discrimination in Bekasi was a dispute between two radical groups, the FPI and the MUI. “There are reports that one particular FPI leader had urged the MUI to act against a church, and the MUI refused, so there was tension between them. That FPI member decided that if they could not attack a church, why not attack Ahmadiyah? So that’s why after 21 years living in peace here, there is some move against us. They attack us, because they failed to attack a church.”

On 8 March 2013 the situation escalated severely when the local government put up signs outside the mosque quoting from the 2008 Joint Decree, the MUI fatwa of 2005, the decree issued by the governor of West Java in 2011, and the mayor’s decree of 2011. Less than a month later, at 6.30pm over 400 police officers came to the mosque, read out the decree, and began to erect a fence around the mosque. At 7am on 5 April 2013, police came to search the mosque and locked all the exits. The mosque was sealed.

Ahmad Maulana, a member of the Ahmadiyah community with responsibility for security and logistics, told CSW that initially at least 40 Ahmadis decided to stay inside the mosque in order to protect it from destruction. Subsequently, they asked the police to open the gates and allow women and the elderly to leave; there were then approximately 20 people remaining in the mosque compound. Initially the police monitored the mosque 24 hours a day, with approximately 15 police officers and 20 Satpol PP officers, and two soldiers. The police presence was reduced after a few days.

Members of the community brought food to the Ahmadis inside the mosque, but this later had to be done in secret. “We received information that the police want to capture the people who give food, so after that we hid the process,” said Mr Maulana. “Then the police offered to give us food, but we can’t trust them. We heard how they talk, the bad words they used to our *mubarik* [Ahmadi religious cleric]. The police say they just maintain security, but in fact they are spying on us. They record and write reports about whatever we do. They forbid people to come, including our lawyer. We never did any improper activity here – we just pray here, and provide education for Ahmadi children.”

Mr Maulana concluded with an appeal:

We want the international community to know what happened here. We tried to negotiate with the local government. At the time our legal team and Jakarta Legal Aid helped. The local government did not want to talk to us. We tried to obey the local government, although we think it is illegal because there has been no court ruling. We are asking for support and solidarity because what happened here is illegal. It is a political issue and a theological issue. If it was just a theological issue, we could address it through dialogue, but it is also a political issue. The key problem is the president. He never does anything. Law and justice do not work here. We hope the international community will give a strong warning to the president that there is a big problem in Indonesia.

Another Ahmadi expressed his concern that Indonesia's treatment of the Ahmadiyah community could end up as serious as the situation in Pakistan, where the community is completely banned:

This is part of a global conspiracy, an effort to attack the Ahmadiyahs like in Pakistan. They are trying hard to ban Ahmadiyah.

CASE STUDY: Cikeusik

On 6 February 2011 one of the most horrific acts of religiously-motivated violence in Indonesia's recent history occurred when a mob of 1,500 people attacked 21 Ahmadiyah members in Cikeusik, a village in Banten Province, west Java. Three Ahmadis were killed, and at least five others seriously injured. Approximately 30 police officers were present but did little to stop the attack. Independent sources told CSW that the police were informed about the planned attack at least one day before.

Two days after the attack, the US Embassy in Jakarta issued a statement deploring the incident, the EU delegation followed with a similar statement, and UK parliamentarians signed an Early Day Motion condemning the attack.²³⁹ President Yudhoyono condemned the attack and called for a full investigation.²⁴⁰

Twelve of the attackers were arrested and put on trial. The indictments, however, were weak: the defendants were charged with assault and incitement to violence, but not murder, manslaughter or even incitement to hatred. The maximum sentence possible if convicted was five to seven years, but in fact they each received between three and five months.

The trial involved multiple court hearings. According to one Ahmadi, every time the court was in session to hear the case, it was surrounded by radical Islamist groups and "so many anti-Ahmadiyah people". The judge, defence team, witnesses and victims received threats and experienced intimidation from these radical groups. In handling the court case, the Ahmadi victims believed the police and the judge were fair; but the victims did not trust the attorneys, and believed the charges levied against the perpetrators were very weak. "[The attorneys'] perspective about the Ahmadiyah community is very biased. They call it a 'clash', and a 'commotion', but actually it was an attack," said one victim. "We are concerned that if this trial is biased it will spread throughout Indonesia that it is OK to kill Ahmadi people."

The victims had an appeal for the international community. "We just want security for us, and security for all the Ahmadiyah community in Indonesia," said one. "If the Indonesian government cannot protect us, we ask the international community to help us to find another place where we can live securely. We are looking for asylum." Another victim said, "We want a fair trial for the attackers." A third said, "We want the international community to tell the Indonesian government to protect all Ahmadis in Indonesia, not to discriminate against them, and to ensure that there is justice. We are citizens and we have the same rights as other citizens. Our grandparents fought for freedom in Indonesia. Enforcement of human rights in Indonesia is very weak, especially in regard to religious freedom, not only for Ahmadiyahs but also for Christians. This must be a government priority. Indonesia has ratified many human rights conventions, but there are many human rights abuses, so we ask the international community to push Indonesia to implement the laws and conventions it has signed up to."

CSW met survivors of the Cikeusik attack just four months later, in June 2011. For security reasons, they have not been named. They described what happened:

Interview with Mr A

When the attackers caught me, they said they were taking me to the police, but instead they stripped me naked on the road, dragged me through a river, beat me with sticks and machetes and tried to cut off my penis. About 20 to 30 people attacked me, and bashed stones on my head. They called the rest of the mob to beat me, and then about 20 to 30 people dragged me between 200 and 500m around the village. One man used a bamboo spear to hit my eye. They shouted that I was an 'infidel' and should

239 UK Parliament, Early Day Motion 1898, 'Violence against minority communities in Indonesia', 9 June 2011 <http://www.parliament.uk/edm/2010-12/1898>

240 Embassy of the Republic of Indonesia in Washington DC, 'President Calls for Thorough Probe Into Cikeusik Incident', 8 February 2011 <http://www.embassyofindonesia.org/news/2011/02/news040.htm>

be killed. I lost consciousness. There were about 1,000 people in the mob altogether. When the police found me, they claimed I was already dead.

I was taken to hospital, and the police questioned me there. They did not ask who the attackers were, they just asked about the victims, the names of the Ahmadi who had been killed. They showed photos and forced me to admit that the three people who were killed were the ones who provoked the violence. They questioned me about the Ahmadi security coordinator, rather than trying to find the perpetrators.

I have not worked for four months since the attack. I had an infection in my head and my eye, I suffered from vertigo, and whenever I am tired I lose consciousness. I moved to Bogor, because I once received a text message saying "Are you the Cikeusik perpetrator?" and later someone came to my neighbourhood looking for my house, and a friend intercepted him and misdirected him so he did not find me.

Interview with Mr B

I arrived in Cikeusik from Jakarta that Sunday at 9am. We were having breakfast when the police came, and asked us to leave the village. I talked to the supervisor, but it seemed that they were not serious, as they were trading jokes. They said we should evacuate, but then the mob arrived and the stone-throwing started. They brought machetes, and immediately about 50 people attacked me, with a machete to my neck. I was among the first to be hit. One Ahmadi helped me, and pushed the attackers away, but I was badly beaten and my jaw was broken. Then the mob split, and some people chased Ahmadis to the rice fields, while others chased people to the river. The police brought me to the police car and sped to Malimping hospital, but the mob chased us and so the hospital evacuated me to Serang provincial hospital, about three hours from Malimping. I have just had the brace taken off after breaking my jaw, and am thinking about returning to work. I have lost 10kg in weight.

Interview with Mr C

I went to Cikeusik out of solidarity with the people there, as I had been informed that there would be an attack to kick an Ahmadi out of Cikeusik. Half an hour after I arrived the police came and told us to evacuate because a mob was on its way to Cikeusik. I didn't take the police seriously because their tone was not serious, but half an hour later the mob arrived from the bridge in the north and Malimping direction in the south. I was surprised and so went inside the house. The mob shouted "Kaffir!" [infidel] and "Police, go away!" The police allowed them inside the compound and the attack began. We were outnumbered and so we ran away to the field. In the field some people survived, but others were caught. Some were killed. I went to the river, and fled into the river, but while I was trying to swim away the mob threw stones at me. After crossing the river, I took a break and then continued to run. I did not know the neighbourhood at all, it was my first visit. I found out that the village across the river was an anti-Ahmadiyah village. I walked for three hours, and then I was stopped by another mob, armed with machetes, sickles, bamboo sticks and bamboo spears. I was brought to the village council and beaten and interrogated like a thief. One and a half hours later, at 6pm, the police came in and brought me and another person to Cikeusik police station, where we were detained. The police told us that it was better to secure us in the cells so that the mob could not get us. From 11pm until 7am, we were questioned, but as witnesses against an Ahmadi who had tried to provide security for the community. We were detained for two nights and three days. We were only released when Komnas HAM and the Legal Aid Foundation [Jakarta] came and picked us up. We were victims, but we were questioned like suspects. The police asked us very few questions about the attack or about the mob, and showed no intention of bringing the attackers to justice. The focus was on the Ahmadi leader who had coordinated security to defend the community.

Interview with Mr D

My experience was similar to others so I want to talk about my survival. The mob was big, we were outnumbered, and we could not defend our house. One of us ordered our people to run away, and 10 to 15 Ahmadis ran to the rice field behind the house. While I was running through the rice field, I saw Mr B being lynched. We thought we should return to help him. Among four of us, two survived and two died, and so because of this lynching we decided we could not help, and so we ran away. Four of us ran to the

river, although before getting into the river we hid in a small waterway near the river for five minutes. We then felt that it was not safe there, and so we ran to the river. In the river we thought that we could not survive, so we shouted to the mob, "We surrender!" They did not stop, they kept shouting "Kill, kill, kill!" I was two metres from the river bank and the current was strong. I was almost drowning. The mob ran along the bank, throwing stones at me, shouting "Kill, kill, kill!" About 200m away another Ahmadi man helped me. I was semi conscious because I had swallowed so much water, I almost drowned. He took me away from the river and put me in a non-Ahmadi villager's house, but the home owner did not want to help and kicked me out. My friend had left to try to help save others, and so I hid in the bushes for about four hours, from 12 noon until 4pm. My clothes were totally wet, I was shivering. I went out to try to find a vendor to buy sandals. I still had my cell phone, although it was dead, and my wallet. The kiosk did not sell sandals, so I just got a cup of coffee, as I was so cold. A lady and her five-year-old child asked me, "Brother, where do you come from, you are wet?" What could I say? I lied and told her I was fishing. I thought if I told the truth they might kick me away. She then warned me to be careful. I asked her where I could find sandals, and she pointed me to another vendor 10m away. I gave her 20,000 rupiah (£1) and asked her to help me. She returned with a T-shirt which she told me to wear. I thought that perhaps her village was not involved in the mob attack, but that they knew where I came from. Later I told her I was from Cirebon, which is where the Ahmadi security leader originally came from.

**"THE MOB RAN ALONG...
THROWING STONES AT
ME, SHOUTING 'KILL,
KILL, KILL!'"**

One of the young men in this village told me he did not want to get involved in the Ahmadiyah matter. He said, "Faith is a personal business." He asked me to come to his house so I could change and have a shower, and he gave me his jacket. I went out to find a motorcycle taxi, and I went to Malimping. I got there at 7pm, but there was no other public transport to Serang, so I called my friend. He was already in Malimping trying to evacuate the dead bodies. I took another motorcycle taxi to Malimping hospital, about ten minutes away.

I feel traumatised, threatened, unsafe and not secure. The mosque near my place preaches anti-Ahmadiyah sermons. I was a mobile telephone vendor, and I did not work for two months after the violence, due to trauma. I was kicked off my vendor stall, but two days ago I reopened my business.

There is a big question mark as to why radical Islamists chose to attack Cikeusik, where there are only 20 Ahmadis and they are all part of one family. They did not expect such an attack, although they had heard rumours of an attack being planned. The key point is that the police never protect us. That is why we set up a security team from our own community, to help defend our assets, because there have already been many attacks on Ahmadis before Cikeusik and the police never protect us. In urban areas the police and the media are usually quick to react if they realise that a self-defence team is assembling and there could be a clash, but in a remote, rural area like Cikeusik the central police and media were not there, and so when some of our community tried to defend themselves, the attackers were quick to escalate the violence. When my friends were arrested, they were forced to recite the Shahada [Islamic creed or statement of faith], and the mob was stunned – which shows that they had been provoked by false propaganda. [They had not expected Ahmadis to know the Shahada.]

CASE STUDY: Cislada

CSW visited the Ahmadiyah community in Cislada, in Ciampea Udik, in Ciampea, Bogor District, West Java in June 2011. The Ahmadiyah community has been in Cislada since 1934, and there are currently 650 Ahmadis in the village. The community has been subject to increasing harassment and violence, and was attacked on 1 October 2010.

According to the Ahmadiyah community leaders who spoke to CSW, the attack began at 7pm. It was a Friday night. One leader explained what happened:

Approximately 30 teenagers, one 18-year-old and the others aged between 12 and 14, started throwing stones at our mission house, mosque and madrassa. At 7.15pm they retreated, because when they threw Molotov cocktails at the mosque, several young Ahmadi people who were inside the mosque took the Molotov cocktails and stopped the fire. The attackers saw that there were people inside the mosque, and were afraid that they might fight back, so they retreated. One Ahmadi teenager, who has a high temper, attacked one of the teenagers who was part of the group attacking us. They got into a fight and the Ahmadi used glass from the window as a weapon. The teenage attacker was cut in the stomach, and taken to hospital.

Fifteen minutes later, around 7.30pm, more people came including adults. There were more than 200 people, with more weapons: stones, samurai swords, Molotov cocktails, anything that could be used as a weapon. They burned the mosque, the school and the mission house, and two houses were completely burned down, while two others were partly burned. Half the mosque was completely burned down, and two motorcycles and a car were set on fire and destroyed. Windows and roofs in houses were broken as a result of stone-throwing. Altogether 35 houses were damaged, and the shop was looted.

This second attack must have been pre-planned and was not in response to the injury of the teenager. To mobilise so many people, some from outside the area, with so many weapons, in just 15 minutes would not be possible unless it was premeditated.

The Ahmadis ran away to the graveyard and into paddy fields, leaving their houses and the mosque, so there was nobody in the village when the attackers came. The attack finished around 10pm. Before 10pm, no police or government officials came to intervene, but the community received an instruction from the local police chief not to fight back. The police and army arrived after the attackers grew tired, after 10pm. The police and army only watched, and instructed the remaining attackers to go home. After this, the Ahmadis returned to their homes.

We don't know why this attack happened. It may be related to the closure of the Ahmadiyah community headquarters in Paru in 2005 – perhaps the attackers had the idea that our mosque should be closed. We assume that someone provoked them. In 2010 we tried to renovate our mosque, which had been built in the 1950s, and renovated in 1974 and 1987; and this also may have been used by others to provoke local people. We had put in steel construction for the base of the renovation work, and they tried to take it out. They were not satisfied, so they attacked.

Following the incident, three of the attackers were prosecuted in court. Two were sentenced to six months in jail with one year probation, and one was sentenced to four months with eight months probation, following a one-month trial. Now they are free – everyone involved in the attack has been released. But one Ahmadi, who was accused of injuring the teenager in the stomach, was jailed for nine months. He has served six months already, and still has another three to serve. He may not even have been the man who actually fought back – the police just grab whoever they can, and beat people to confess to something they didn't do, and sign a [false] confession. It is not clear what happened, although we were informed that when the police arrested him, they took him in the police car and after a short while ordered him to get out and asked him to run. The police pointed a gun at him and he refused to run. We think the police were trying to make their own lives easier by fabricating a story that would show they acted, they caught some attackers and some Ahmadis, and both parties went to court and to jail. We are not happy about this – the treatment of the three attackers and the one Ahmadi is not fair. The Ahmadi man was kept in the police jail for three months, including during the trial period, while the attackers were not detained during their trial. Of the three attackers, one is 16, while the other two are 18 and 19. The village leaders of the attackers' village demonstrated and pushed the police to release the three after just a short time. The village negotiated a deal with the police so that they could simply report every two weeks to the police, and not have to go to jail. The man who was injured was not seriously hurt, he suffered just a cut, but he was kept in hospital for nine days. The doctor found he had some illness, some infection in his digestive system, and so surgery was required.

Before this attack, in general, relations with neighbouring communities were good: we had no incidents, good communication, few problems. However, some people had tried to intimidate our children at the government junior high school. The children had to walk a long way to school. We told them never to travel alone. Non-Ahmadi children verbally abused Ahmadi children, saying bad words to them, but the

Ahmadi children never fought back because we teach them our motto 'Love for all, hatred for none'. It is a clear teaching. There was one incident when an Ahmadi child was alone, and a group of local children, aged between 12 and 15 years old, started abusing him, and then hitting and kicking him.

The parents had started using hate speech about the Ahmadiyah community, and this must have influenced and affected their children. At mosques sometimes speakers from outside the area came and speak badly about the Ahmadiyah. Children hear this and children are easily provoked.

In March and April 2011, 36 people from ten families from another village, Cimanggu and Cirateun, one kilometre away, fled to this village after their village was attacked three times. At least five houses were partly destroyed. The attackers were from a neighbouring village, stirred up by hate speech from a cleric. The attackers told the Ahmadiyah community that if they could not leave their religion and join mainstream Islam, they would be forced to leave their houses. Until now they cannot return to their homes, because there is no security. The local people, even if they are our friends, if they protect the Ahmadiyah community they are told by the local ulama [Islamic legal scholar] that they are the enemy.

In addition to violence, the Ahmadiyah community is also facing increasing discrimination in the workplace. Nani Heryani and Aan Ansyiah are schoolteachers, and Ahmadis. They have been teachers since 1982. Their school has nine or ten teachers in total, and between 10 and 20% of the students are Ahmadi.

On 26 March 2011 they were called by their supervisor to meet the head of the education department in Bogor district, because he had received a complaint from parents who said they did not want Ahmadi teachers in the elementary school. The head of the education department therefore gave them leave, from 28 March, for one week, to calm the situation down. After one week, they were forced to take another week's leave. Ms

Ansyiah went to the school anyway, to teach, but the headmaster and the religious studies teacher did not allow her to resume her teaching. Both teachers were forced to take more leave, and had been on leave for two months at the time CSW met them. They were afraid there would be protests by the parents if they returned to teaching. The supervisor was afraid that there would be protests and parents might attack the school and houses.

Eventually the headmaster forced them to take early retirement – for Ms Ansyiah it is six years early, and for Ms Heryani ten years early. They do not want to retire, however, and are fighting this decision. They have proposed being transferred to another school, and have also said that if they are forced to retire early, they want a certificate recognising their years of service. They could be transferred to another school, School Three, which has a 60% Ahmadi population, but this has not yet been confirmed. However, the headmaster says that even in this school the parents want Ahmadi teachers to relocate. The head of the nearby village has said there should be no Ahmadi teachers in the village.

CASE STUDY: Kampong Wararigih, Tenjourouriyin Village, Salayo District, Tasikmalaya Regency

On 5 May 2013 at 1am, a mob of approximately 200 people suddenly and silently arrived and started throwing stones at Ahmadi houses. CSW visited the community less than three weeks later. Witnesses described how it was the first attack they had experienced, so many people were still in shock. No one was injured, but 29 houses and the madrassa and elementary school were attacked. "The main target was the mosque," said one Ahmadi resident, "but the gate was sealed so the mob was disappointed. That's why they desperately attacked the nearby houses."

Witnesses told CSW that the attack was over within 15 minutes, and the mob appeared well trained. "They are trained to destroy," said one Ahmadi. "This village is famous as an Ahmadi village, and so the people who hate Ahmadis think if they attack us in this village, they can show their power and show they are strong enough to destroy an Ahmadi village." The village has a population of 4,000, approximately 3,000 of whom are Ahmadis. "We are fortunate to be the majority here. What would happen to us if we were a minority?"

"THERE WERE MORE THAN 200 PEOPLE... WITH STONES, SAMURAI SWORDS, MOLOTOV COCKTAILS, ANYTHING THAT COULD BE USED AS A WEAPON"

"Now people still feel traumatised," said one Ahmadi. "When they hear the sound of a car or a motorcycle, they feel scared. Women and children were especially badly shocked. Some of them dare not go out of their houses. We fear more attacks, because we are ordinary people, we are not trained to fight. We are simple people."

Another Ahmadi said, "Before this incident, my children slept separately, but now they sleep together because they feel afraid."

An Ahmadi woman said, "I do not feel safe. I just need one thing: I want to feel safe."

In this particular case, the Ahmadiyah community believes the police have acted to protect them, although only two arrests were made in connection with the attack. However, the future is unclear. "All we have is prayer," concluded one Ahmadi. "We are not warriors and we are not meant to be warriors. This is the voice of the Ahmadi."

And finally, an appeal to the world:

Please let the outside world know that we are not safe any longer in our own homes, in our own place. It is not free any more for us to believe in something, to live a normal life, because there are always people who want to force us not to believe what we want to believe. We don't want to force the police to arrest people. All we want is to live in peace and to freely believe in what we want. That is all we want.

Violations of the rights of Shi'a Muslims

The Shi'a, who represent the second largest sect of Islam in the world, are followers of the Prophet Mohammed's son-in-law and cousin Ali, whom they believe to be his legitimate successor and whom they revere as the first imam. Sunni Muslims have throughout history disagreed with the Shi'a interpretation of Islam, and their dispute relates primarily to differences over the prophet Mohammed's successor – Sunnis believe his successor is his father-in-law Abu Bakr. In the past decade, Indonesia's small Shi'a Muslim population has come under increasing pressure. In Sampang, Madura Island, in East Java, Sunni clerics began to preach against the Shi'a in 2004, and since then the Shi'a have been subjected to a campaign of discrimination and violence.

CASE STUDY: Karang Gayam Village, Sampang Regency, East Java

In 2006 a mob of 5,000 people from three districts came to Karang Gayam Village in Sampang, and staged an anti-Shi'a demonstration around the Shi'a community's homes and schools, calling on the Shi'a cleric and community leader Tajul Muluk to close the Misbachul Huda *pesantren* (Islamic boarding school) which he was running. According to Mr Muluk's elder brother Iklil al-Milal, the Shi'a cleric was forced to sign an agreement promising not to teach Shi'a beliefs in the village. "If he refused, they would burn down our *pesantren*," said Mr al-Milal. "He signed the agreement, promising to convert to Sunni Islam. But he continued to practise Shi'a Islam, and the anti-Shi'a Sunni extremists accused him of violating the agreement and being a liar."

According to Mr al-Milal, the Sunnis then manipulated a family dispute between Mr Muluk and his younger brother Roisul Hukama, leading to a situation where Mr Hukama joined the anti-Shi'a campaign in 2009. "They used my younger brother to organise people against us," claims Mr al-Milal.

In July 2011 police and local officials persuaded Mr Muluk to leave his hamlet, Nangkernang, in Karang Gayam Village, but they claimed the anti-Shi'a violence was as a result of the 'family dispute' between the two brothers, rather than a religious campaign. After he left, radical Islamist groups increased their campaign of intolerance and intimidation, including blocking Shi'a from leaving their hamlet on Ashura (a Shi'a religious celebration) on 6 December 2011. On 29 December 2011 militants attacked Nangkernang, causing 500 Shi'as to flee. Three buildings were destroyed: Mr Muluk's home, Mr al-Milal's home and the *pesantren*. "We were evacuated, first to another district and then to a sports centre in Sampang, for ten days," recalls Mr al-Milal. "The police told us we would be evacuated while they searched for the perpetrators of the violence, but the police released one person after he had admitted responsibility, and never captured anyone else. Then the police forced us to return to the village, even though we were not safe there."

Pressure mounted on Mr Muluk and Mr al-Milal to leave Nangkernang again, and the local Ministry of Religious Affairs announced it would "supervise" religious education in Sunni teachings for the Shi'a community.²⁴¹

241 Human Rights Watch, 'Indonesia: Shi'a Cleric Convicted of Blasphemy', 12 July 2012 <http://www.hrw.org/news/2012/07/12/indonesia-Shi'a-cleric-convicted-blasphemy>

The local regent visited the village and told the Sunnis that the Shi'a should be removed, according to Mr al-Milal. He reportedly said, "If I was not the regent, I would do it myself. Go ahead, I will protect you. Or should I do it with my own hands?" The chief prosecutor in Sampang called on the Attorney General's office to ban 'Tajul Muluk teachings', and announced on 4 January 2012 that he would charge Mr Muluk with blasphemy. A month later, Mr Muluk was questioned by the authorities, and on 24 April 2012 charged with blasphemy and 'unpleasant misconduct'.²⁴² He was sentenced to two years in prison, but this was increased to four years after he appealed. "My brother never did anything wrong," says Mr al-Milal.

In January 2012 the regional MUI in East Java declared Shi'ism 'blasphemous', and in July 2012 the governor of East Java issued a decree based on the 1965 blasphemy law, imposing penalties on anyone who 'propagates blasphemous teaching' (as defined by the MUI).

In July 2012 Mr al-Milal and his family decided to return to their village, but one month later, after the Eid ul-Fitr festival, the Shi'a community was attacked again. Mr al-Milal described what happened:

Our sons went to school in another city, and in August after Eid ul-Fitr they were due to return to school, and so we arranged for them to go back by car. But some other people refused to allow the children to leave. They thought we were sending them to study in Shi'a institutions, and so they tried to prevent them going. They threatened to kill the driver if he insisted on going. So we came back to the village, but the mob followed us, and then attacked us. One man died, and another man was seriously injured trying to save him. The mob attacked them with sickles. Then thousands came to attack, from other places outside the village. There are only a few intolerant people in the village. The attackers burned down 45 houses, looted many more, injured eight people, one very seriously, and killed one person. Out of a population of 10,000 in one village and 5,000 in the neighbouring village, the Shi'as only number a total of 400.

At the time, I was in Omben District with my wife, but when I heard what was happening I returned, leaving my wife in Omben. I returned by motorcycle, not using the main road, but using small roads through the mountains. When I got back, my Sunni neighbours hid me and locked the house. We were stuck, and could not move anywhere. We tried to call the police, but no one responded. Then police intelligence advised us to try to take people out of the village one by one, by motorcycle. At 5pm my wife called from Omben, and I told her we were under attack. She insisted on returning to the village. On the road, Sunni extremists were searching for Shi'a, but when my wife came along the road, she told them she was from Bunowasa, and they let her go [because they did not recognise her as a local Shi'a], so she was able to enter the village. Sunni neighbours hid my wife in another house. Finally I met my wife at 7pm, after the attack was over, and we went to our home, searching for our sons. They were not there. I talked to the police, and they brought me to the police station, where we found our four sons. At the time they were aged 15, 12, and eight, and we had a new baby who had been born that year, in 2012.

One week later, the government gave us three options: a small apartment in Sidoarjo, housing in Sampang, or empty land in Sampang. All three options would involve relocation. We said no. If we are talking about temporary shelter, the sports stadium in Sampang would be enough for us. In the long term, we want to go back to our village.

So we were moved to the sports stadium. Months later the government came back to us, and gave us the option of relocation or 'transmigration' to another part of the country, such as Sulawesi or Kalimantan [Borneo]. Then the Presidential Advisory Council came, and talked about buying out our land. We rejected that. We want to go back. The government said we should be relocated because our neighbourhood rejected us. But this is not true. We had a good relationship with our neighbours – it is just a few people who are anti-Shi'a. Our neighbours even came to visit us and said, "We don't want you to go, you should come back." So we believe our neighbourhood still accepts us.

The constitution protects every believer, so we should go back to our village, with security protection. The government should protect everyone.

In this sports centre there are approximately 160 people, including 50 children (12 boys, 10 girls, and 28 younger children – all between 6 and 14 years old). About 100 children are studying in other cities.

²⁴² *ibid.*

A few of our community stayed in the village, even without a house, but they are mostly people from mixed Sunni-Shi'a backgrounds. Some signed agreements to leave the Shi'a faith and follow Sunni Islam. Some have gone to work in other cities.

The government gives us food, but has stopped three times. From 1 to 10 May they did not give us food, but they gave us 750,000 rupiah (£37) per person, which is not enough. The government has not thought about a solution seriously. If they did they would start reconciliation work. If they had done so, I believe by now we would be back in our village.

We live in Indonesia, where there are many religions and sects. All are protected by the constitution. This is not the time to fight each other. We want everybody to live in peace together.

On 20 June 2013, just three weeks after CSW visited the displaced Shi'a in the sports centre in Sampang, the local authorities forcibly evicted them from their temporary shelter.²⁴³ They were taken on buses and police trucks to a refugee facility in Sidoarjo, East Java, four hours by road from Sampang. The eviction took place after a mob of 1,000 Sunnis, including clerics, organised a mass protest outside the sports complex, demanding that the Shi'a community leave the area. At a religious gathering of 8,000 Sunnis in the main square of Sampang, the head of a local Salafist madrassa, Ali Karrar, gave an opening speech in which he called the Shi'a "blasphemers" and demanded that the government remove them from Madura Island. He then led some of the crowd to the sports centre. The previous day, Mr al-Milal had been asked by police and local officials to sign a document agreeing to the relocation of the Shi'a community, but he had refused. On 20 June, he was forced to sign the document, and the Shi'a were forced onto buses and trucks.²⁴⁴

CSW visited Tajul Muluk in prison in Surabaya in June 2013, and he described his situation:

This is an injustice – and I am worried that the Sunni-Shi'a conflict will impact all minorities and all Indonesians. The charges of blasphemy against me are unproven. They claim I say the Qur'an is not authentic, they claim I bring Qur'ans from Iran because they always associate Shi'a with Iran. But the Qur'an we use is the same. There is only one Qur'an. I challenge them to go to Iran to see.

My trial lasted half a month, with ten hearings. When I was sentenced to two years I appealed, and the judge increased the sentence to four years because he said that the violence in Sampang, in which one person was killed, was because of me.

My problems started after I founded a pesantren [Islamic boarding school] in 2004, and people saw it growing and they did not like it. It now has 140 students, whereas all the other pesantren, the Sunni ones, average only 100 students. There are five Sunni pesantren in the area.

My message is peace. Human beings, as the highest creation in the world, should spread peace. Religion should spread peace and freedom, because religion is about working together with others to become perfect creatures. Give your life to God. I believe that if people stick to the truth, they will get a better life.

I hope international NGOs can monitor the case closely. I feel I cannot get justice here. I have tried many ways, but failed. If human beings follow their deepest heart, they know we have a mind, and we should use that to dialogue. We are not animals who solve problems by fighting. We are humans and so we should talk. The MUI should work for peace and conflict resolution, but unfortunately they create conflict.

Until September 2013, there appeared little prospect of the situation being resolved. The Minister of Religious Affairs came under heavy criticism for allegedly supporting calls for the forced conversion of the Shi'a to Sunni Islam.²⁴⁵ However, a peace treaty was unexpectedly agreed on 23 September, and the two communities declared they were reconciled. The agreement was signed by the Shi'a and 16 representatives of Karanggayam and Bluuran villages, and confirms their willingness to "eradicate the enmity of the past", to "make peace and live side-by-side", and to address future problems "amicably through consultation".²⁴⁶

243 *Jakarta Post*, 'Sampang Shiites evicted from Madura', 21 June 2013 <http://www.thejakartapost.com/news/2013/06/21/sampang-shiites-evicted-madura.html>

244 Human Rights Watch, 'Indonesia: Ensure Safe Return Home of Evicted Shi'a Villagers', 30 June 2013 <http://www.hrw.org/news/2013/06/30/indonesia-ensure-safe-return-home-evicted-shi-a-villagers>

245 *Jakarta Post*, 'Minister backs "Shia conversion"', 12 August 2013 <http://www.thejakartapost.com/news/2013/08/12/minister-backs-shia-conversion.html>

246 *Jakarta Post*, 'Peace secured in Sampang', 25 September 2013 <http://www.thejakartapost.com/news/2013/09/25/peace-secured-sampang.html>

"We want to mutually apologize. We are tired of the conflict and want it to end. We cannot bear to see our brothers and sisters suffering at the shelter. God willing, all the villagers will accept their [Shiites'] return," Saningwar, a Sunni from Bluuran Village in Sampang, told the *Jakarta Post*. The Sunnis said they were willing to escort the displaced Shi'a back to their homes. "Saningwar said that what the villagers had done was purely on their own initiative and without duress," the *Jakarta Post* report claimed. "He added that virtually all the villagers had wanted to attend the signing ceremony, but transportation was insufficient." Mr al-Milal, speaking on behalf of the Shi'a, said, "We have decided to bury the hatchet. There will be no hatred or revenge over the past riot. If such rioting recurs, we are ready to be responsible, including an agreement not to question the differences in faith because to us, brotherhood is above everything." Respect for other faiths would be key to maintaining religious tolerance, he added. "We will not ask other people to follow our ways."

**"I FEEL I CANNOT
GET JUSTICE HERE.
I HAVE TRIED MANY
WAYS, BUT FAILED"**

If this agreement holds, and the sentiments expressed by the two communities genuinely reflect a desire to live in harmony, this is a very positive outcome. It is also an indication that if moderate voices in different religious communities speak out and refuse to allow the proponents of intolerance to succeed, Indonesia's tradition of religious pluralism can be upheld and defended.

However, in November 2013 the Shi'a community in Sidoarjo was reportedly prevented from returning to their village by local authorities, and was threatened with forcible removal from their temporary shelter. On 10 November local government officials from the Ministry of Religion, accompanied by police and military, attempted to forcibly move approximately 20 families, numbering 168 people. They intended to relocate the families in the Haji Sukolilo dormitory in Surabaya, normally used to house Muslims preparing for pilgrimage to Mecca. According to Amnesty International, "the Shi'a community and human rights groups believe that the move is a way to further pressure members of the community to convert to Sunni Islam, by restricting their movement and limiting their access to the outside world."²⁴⁷

Violations of the rights of Sufi Muslims

Sufism is a mystical form of Islam, regarded by Salafis, Wahhabis and other conservative Muslims as heretical because it is perceived as incorporating practices and traditions which predate the Prophet and the Qur'an.

In September 2007, the MUI in West Sumatra issued a *fatwa* describing the Al-Qiyadah Al-Islamiyah Sufi sect as 'heretics'. Sufi leaders were arrested by the police, and in May 2008 a West Sumatra court sentenced the sect's top leaders, Dedi Priadi and Gerry Lufthy Yudistira, father and son, to three years in prison for blasphemy. In April 2011 the governor of Aceh issued a decree banning 14 minority Islamic sects, including Sufi, Ahmadiyah and Shi'a groups.

On 17 November 2012 the home of a Sufi traditional faith healer, Teungku Aiyub Syakubat, was attacked by Sunni villagers, in Bireun, eastern Aceh; and he and his cousin were beaten and then burned alive. His attackers accused him of being a heretic. One of the attackers also died in the incident. According to Andreas Harsono, Human Rights Watch's Indonesia researcher, the healer's brother, Mukhtar Syakubat, was subsequently arrested and convicted of possessing a "sharp weapon". Mukhtar denied the conviction, arguing that he was not even at his brother's home that night, and was instead in his own home. He was jailed in Bireuen for one year.

In 2013 a Sufi madrasa in southern Aceh, run by the al-Mujahadah Foundation, came under increasing pressure. The school was a private institution instructing students aged between 8 and 25 years old in the principles of Sufism. In February, the regional Ulama Consultative Council (MPU), a government body that advises the government on Islamic affairs, demanded that the South Aceh regency government close the school on the basis that it was "strange" and its teachings were "false and misleading". The South Aceh regency government

²⁴⁷ Amnesty International, 'Shi'a community at risk of new forced eviction', 13 November 2013 <http://www.amnesty.org/en/library/asset/ASA21/036/2013/en/71763b2a-5bff-4fdf-b035-62aa70ce7cf0/asa210362013en.html>

complied with the MPU's demand, and on 4 March ordered all the students to leave the school. It instructed the school's top administrators not to receive guests in their homes, in order to prevent any attempt to home-school the students. A mob of 70 Sunni villagers destroyed the school's front gate, while the police simply looked on. The school is now empty. On 5 July, the school's dormitory building was set on fire, and on 1 August the wall of the school compound was destroyed. Mr Harsono writes: "The attack on the Sufi community in southern Aceh marks a sinister new phase in the ongoing campaign of intolerance by Islamist militant groups, such as the Islamic Defenders Front (FPI). The targets of that intolerance and acts of related violence have long been Christian groups, Shiite Muslims, and the Ahmadiyah, as well as members of native animist faiths...Now the Islamist militants seem to have a new target: Indonesia's Sufi population...Sumatra has become ground zero for this new wave of intolerance and related violence against Sufis, due to conservative Sunni clerics who have branded Sufi congregations as 'heretical sects'...It's no mystery why Indonesia's Islamist militants have been emboldened to extend their acts of harassment and violence against the country's Sufis."²⁴⁸

Violations of the rights of Buddhists

Buddhism, one of the six officially recognised religions in Indonesia, has existed in the country for centuries, particularly in Java, North Sumatra, West Kalimantan, Banten and the islands of Bangka and Belitung. Some Buddhist temples go back as far as the seventh or eighth centuries, such as the Muaro Jambi temple and the Borobudur temple near Yogyakarta. The majority of Indonesia's Buddhists, who number approximately 1.5 million, are ethnic Chinese.²⁴⁹

In 1985 Islamist militants bombed several Buddhist *stupas* (religious monuments) in Borobudur, but threats to Buddhists have increased in the past five years. In April 2011 the Ministry of Religious Affairs ordered the removal of a large Buddha statue at the Tri Ratna Buddhist monastery in Tanjungbalai, North Sumatra.²⁵⁰ The temple had been constructed in 2006, and the six-metre statue was erected on the top of the four-storey structure on 8 November 2006. On 2 May and 29 June 2010, members of the United Movement of Islam protested, claiming that the statue does not reflect the Islamic nature of the city and is disruptive to a harmonious society. The Ministry of Religious Affairs reportedly initially proposed moving the statue to the courtyard, but the Buddhist community protested and the ministry withdrew the proposal. However, the local MUI then protested at the ministry's decision to retract its order, and on 30 September 2010 the local mayor wrote to the local parliament, attorney general, police, military, Ministry of Religious Affairs, the head of the MUI and the temple authorities, informing them of a joint agreement issued on 3 August. This agreement followed a series of meetings with religious leaders and proposed that the statue be moved to another location, giving a deadline of 9 November by which the statue must be moved.

One Alliance North Sumatra (ASB), a coalition for religious freedom, appealed on behalf of the temple, seeking a meeting with the Minister for Religious Affairs, the Minister of Interior and members of Parliament, but the request was denied. ASB made representations to the Director-General of Buddhist Affairs at the Ministry of Religious Affairs in Jakarta, but he simply referred the case back to the local authorities, effectively approving the decision to move the statue. At the time of writing the case is unresolved, but ASB and the local Buddhist community are continuing their campaign against the order to remove the statue.

In 2013 Buddhists in Indonesia began to face threats of violence from radical Islamists, in response to the persecution of Muslims in Burma by militant Buddhists.²⁵¹ On 4 August a small bomb exploded in the Ekayana Buddhist temple in the centre of Jakarta, injuring three men.²⁵²

248 *Jakarta Globe*, 'Sufi Muslims Feel the Heat of Indonesia's Rising Intolerance', 15 August 2013 <http://www.thejakartaglobe.com/opinion/sufi-muslims-now-feel-the-heat-of-indonesias-rising-intolerance/>

249 Human Rights Watch, 2013:23

250 Global Voices Online, 'Indonesia: Ministry Orders Removal of Buddha Statue', 9 April 2011 <http://globalvoicesonline.org/2011/04/09/indonesia-ministry-orders-removal-of-buddha-statue/>

251 *Jakarta Post*, 'Buddhists calm facing threats', 13 August 2013 <http://www.thejakartapost.com/news/2013/08/13/buddhists-calm-facing-threats.html>

252 *Jakarta Globe*, 'Explosion at Indonesian Buddhist Temple Injures Three: Police', 5 August 2013 <http://www.thejakartaglobe.com/news/jakarta/explosion-at-indonesian-buddhist-temple-injures-one-police/>

Violations of the rights of Baha'is

According to the Wahid Institute, the Baha'i community has also been facing increasing pressure. The Baha'i faith was established in Iran in 1863 by Bahau'llah (1817-1892), promoting a message of the unity of humankind. While Presidential Decree No. 69/2000 grants the Baha'i permission to exist, having previously been banned by President Sukarno in Decree No. 265/1962, Baha'is still face significant restrictions. For example, because the Baha'i faith is not a recognised religion, Baha'is cannot register their marriages or the birth of their children, and instead must either convert or identify themselves as adherents of one of the official religions. Those who refuse to do so face serious challenges – a child without a birth certificate is denied access to education, for example, and adults without a birth certificate are disqualified from government jobs.

Muslims who convert to the Baha'i faith risk provoking anger from others. In 2007, 31 Muslims became Baha'is in Donggala, central Sulawesi, and immediately came under violent attack, with houses being stoned and the local authorities conducting an investigation into the conversion.²⁵³

Violations of the rights of Confucians

Confucianism is one of the six recognised religions in Indonesia, but from 1967 until 2000 its practice was very severely restricted under regulations introduced by President Suharto, which were directed at Indonesia's Chinese community. In 2000 President Wahid introduced Presidential Decree No. 6, fully recognising Confucianism and lifting restrictions.

Nevertheless, Confucians continue to face occasional difficulties. In 2012, for example, Indonesia was due to host the Confucius World Congress in Medan, North Sumatra. Arrangements had been agreed with the mayor of Medan, and the conference was to be held on 22-26 June 2012. Delegates from at least 20 countries, including China, Hong Kong, Malaysia, Australia and the United States, were due to attend.

Two months prior to the Confucius World Congress, according to a Confucian representative speaking to CSW in Medan in 2013, radical Islamists held a demonstration against the proposal to hold the conference in the city. The Confucians tried to meet the Islamists to discuss the issue, but with no success. They discussed the situation with the local government, and emphasised that they had the agreement of representatives of other religions; but the government gave in to pressure from the radical Islamists and withdrew permission, citing security reasons. Instead, the congress was held on a ship on Lake Toba, near Parapat, four hours from Medan.

Confucians planned to hold a traditional Chinese dragon dance in Medan in 2012, but cancelled their plans after receiving threats from the local MUI that if it went ahead, the participants would be stoned.

In November 2012, permission for the construction of a house of worship for Confucians in the Medan subdistrict of Johor was denied.

Although Confucianism is officially recognised, many Confucians prefer to identify themselves on identity cards as Muslim, Protestant or Catholic, for fear of being accused of being communist. The communist association is often made in Indonesia regarding adherents of non-theistic religions, those of no religion, and communities such as Confucians suspected of links to China.

Violations of the rights of traditional indigenous believers²⁵⁴

In addition to the six officially recognised religions, and various sects associated with the recognised religions, Indonesia has an estimated 240 local, indigenous beliefs with approximately 20 million followers. Most of these indigenous beliefs are theistic, and existed in Indonesia before the arrival of Buddhism, Hinduism, Islam and Christianity.

²⁵³ Indonesia Matters, 'Muslims converting to Bahai', 1 November 2007 <http://www.indonesiamatters.com/1465/bahai/>

²⁵⁴ Jakarta Globe, 'Traditional Believers' Quest for Recognition in Indonesia', 11 March 2013 <http://www.thejakartaglobe.com/news/traditional-believers-quest-for-recognition-in-indonesia/>

In 2013 CSW met representatives of some of these indigenous belief groups, in North Sumatra, East Java and West Java. In particular, CSW heard from three traditional indigenous believers, one representing Sapta Dharma, one from Parmalim and one from Sunda Wiwitan.

'Sapta Dharma' translates as 'Seven Obligations', and is a theistic belief system focused on the unity of God, with an estimated eight million followers. "There may be more, but due to stigmatisation, many people do not identify themselves as followers," said a representative in Surabaya, East Java. "The problem for our members starts when they are born and continues until they die. Most of the problems relate to state administration."

The key problem is the identity card and its religion column. Citizens can only state one of the six officially recognised religions, or leave the column blank, but are not able to cite their own religion if it is not one of the six recognised faiths.

Problems in every aspect of society then ensue. According to the representative of Sapta Dharma, if a citizen leaves the religion column blank, it causes 'stigmatisation'. Religion and religious identity affects access to education, employment, marriage and burial. "When you die, if you have no religion on your identity card, there can be no burial as public graveyards will reject it," said the member of Sapta Dharma.

In school, students are required to follow classes on one of the six official religions, and classes include religious practice as well as theory. The Sapta Dharma representative told CSW:

Every Friday, my eight-year-old son has religion class. But for a long time, he hid in the toilet, because he was not comfortable in religion class. Eventually he was found hiding during the class, and he became very upset. "Why can't I study and practise my religion?" he asked the teacher. If you do not follow one of the six officially recognised religions, you cannot advance in school. And if you don't get at least 50% in religion and in Pancasila, you cannot pass. But you have to choose only one of the six religions, and you have to engage in religious practice, worship, as well as study the teachings. The effect is that children become suspicious of other religions, angry that they are forced to adopt a religion that is not their own. This is creating hatred in children's hearts. Why did the government never think about that? I still believe the education system should have a religion class, but it should accommodate local indigenous beliefs.

Indigenous believers also face difficulties constructing their places of worship, known as *sanggar*, because they are viewed as 'heretical'. In 2007 a community began to build a *sanggar* in Surabaya, but according to the Sapta Dharma representative, "People came with big machetes and said if we continue building, 'There will be blood.'"

The Ministry of Religious Affairs has directorates for the six officially recognised religions, but traditional beliefs come under the authority of the Ministry of Education and Culture. "We are not even a division, we are a subdivision," said the representative of Sapta Dharma.

Abolishing the religion column on the identity card, and including local traditional beliefs in the curriculum for religious education in schools, would be two significant steps that would begin to address the discrimination faced by adherents of indigenous belief systems in Indonesia. "We want the government to stop the injustice," said the Sapta Dharma member.

A representative of Parmalim, an ancient Batak religion in north Sumatra, expressed the same concerns. Parmalim has only 10,000 followers, among the otherwise predominantly Christian Batak ethnic minority. "We are a minority within a minority. We are no threat to the official religions," said a Parmalim spokesman. "But we have to identify ourselves as 'Christian', because if we leave the religion column on identity cards blank we would face problems."

Violations of the rights of atheists

Although Pancasila protects the principle of religious pluralism, freedom of religion or belief in Indonesia is limited to adherents of the six officially recognised religions. Pancasila explicitly requires adherence to a theistic religion. There is no protection for the freedom of conscience of atheists. CSW is only aware of one case of an atheist who has been imprisoned, but this case is an example of what can happen if a person publicly declares their belief in atheism.

In May 2012 CSW travelled to Sijunjung, 130km from Padang, West Sumatra, to visit Alexander Aan, a young man imprisoned on charges of blasphemy because he declared himself to be an atheist.²⁵⁵ CSW was permitted to meet Alexander Aan in Sijunjung prison, and subsequently met his lawyers at Lembaga Bantuan Hukum, Indonesia's legal aid organisation, in Padang. In June 2013 CSW returned to the prison to visit Mr Aan a second time.

During CSW's first visit to Mr Aan, he had been imprisoned but was still awaiting trial. According to his lawyers, Mr Aan, who was working as a local government civil servant in west Sumatra, was arrested at 3pm on 18 January 2012 after another civil servant who had taken a dislike to him had discovered some posts about atheism on his Facebook profile, and had alerted members of the local Muslim community. A crowd of about 50 people came to Mr Aan's office at 1pm, and ten people beat him up. They forced him to open his Facebook account, where they found not only a post declaring his atheism but a cartoon depicting the Prophet Mohammed marrying the wife of his adopted son. According to Islamic scholars it is factually true that Mohammed did marry his daughter-in-law, after she was already divorced, but the cartoon was considered offensive and blasphemous. The cartoon was posted in a Facebook group known as 'Ateis Minang' which Mr Aan had joined; however, he had not posted the cartoon himself. It originated, apparently, from a website based in Saudi Arabia called www.prophetmohammedillustrated.com, and the same cartoons had been shown on the Indonesian television station Metro TV in 2010 and no action had been taken by the government, either against the television station or to shut down the website. While Mr Aan acknowledged that he is an atheist, he had nothing to do with the cartoons. However, a man called Oscar from a local NGO known as Pandam, led by a man called Mulyadi, saw a printout of the posts on Mr Aan's Facebook profile and shared it with others in the local community. Oscar then called the police at the Pulau Punjung branch, and Mr Aan was taken to the police station. The police claim they detained him in order to protect him. There then followed a discussion between Mr Aan, the local MUI, Pandam and the police, who forced Mr Aan to acknowledge that he is an atheist. He emphasised to them, however, that he had no intention of spreading his beliefs.

On 19 January Mr Aan was taken to the central police station in Dharmasraya. Local MUI officials came to see him, and he apologised for offending Muslims. He emphasised that he did not want to spread hatred, he just sought freedom of expression. He said he had never had anything to do with the cartoons, which other people had posted on his Facebook profile. Furthermore, witnesses told the police that they had never seen the cartoons before until they were shown them by the police; but the police report claimed that they said they had seen the cartoons on his Facebook profile.

After 60 days in the Dharmasraya police station, Mr Aan was moved to Sijunjung Prison on 26 March. He was charged under two laws: Article 28.2 of the Electronic Information and Transactions Act, disseminating hatred, and Articles 156(a) and 156(b) of the Indonesian criminal code, blasphemy and promoting atheism. The first charge carries a maximum prison sentence of six years, the second a maximum of five years; but on 15 June, he was sentenced to two and a half years' imprisonment and a fine of 100 million rupiah (£4,956) for violating the Electronic Information and Transactions Act.

Initially, prison conditions were poor. Mr Aan had nothing to read, and it appeared he faced discrimination, hostility and possible threats to his security from other prisoners and prison guards. Attempts had been made to deliver books to him, but these books had been seized by the prison authorities and he had not received them. However, when CSW visited him in June 2013, the conditions were noticeably improved, and he confirmed that he had received books that had been sent following CSW's first visit. On 27 January 2014 Mr Aan was released from prison before completing his full sentence, but under certain restrictions.

255 *Huffington Post*, 'Hitchens, Jesus and Freedom: A Jailed Atheist and the Struggle Against Religious Intolerance in Indonesia', 26 May 2012 http://www.huffingtonpost.co.uk/ben/hitchens-jesus-and-freedom_b_1543415.html



THE INTERNATIONAL RESPONSE



» **Indonesia “has a history of diversity and tolerance” but “it risks losing this if firm action is not taken to address increasing levels of violence and hatred towards religious minorities and narrow and extremist interpretations of Islam.”**

Navanethem Pillay, UN High Commissioner for Human Rights, 2012

The deterioration in the situation in Indonesia has begun to receive international attention, particularly within the United Nations.

On 26 April 2011 the UN High Commissioner for Human Rights, Navanethem Pillay, wrote to the Indonesian Minister of Foreign Affairs to express her concerns about rising religious intolerance. While praising Indonesian human rights and civil society organisations as “among the most proactive in the region”, she said that recent incidents of violence and repression against religious minorities “put at risk the human rights guaranteed in Indonesia’s Constitution, including the prohibition of discrimination and the right to freedom of religion and expression”. She called for a review of all laws, particularly those restricting religious expression and practice, to ensure they comply with standards set out in the constitution and in the International Covenant on Civil and Political Rights. She urged Indonesia to accept a request from the UN Special Rapporteur on freedom of religion or belief to visit the country.²⁵⁶

On 23 May 2012 the United Nations conducted its second Universal Periodic Review (UPR) of Indonesia’s human rights record,²⁵⁷ a process every country has to submit to every four years, under the auspices of the Human Rights Council.²⁵⁸ Rising religious intolerance and violations of human rights against religious minorities were among the main concerns noted in the UPR.²⁵⁹ Ahead of the UPR, Indonesia’s National Commission on Human Rights (Komnas HAM) urged the government to take seriously the increasing number of human rights violations, including violations of religious freedom.²⁶⁰ Following the UPR, civil society organisations accused the Indonesian government of ignoring serious human rights concerns.²⁶¹ In response, the reaction of Tengku Zulkarnain, deputy secretary general of the MUI, was troubling. He called on the state intelligence agency to investigate individuals who have “tarnished” Indonesia’s reputation by talking about intolerance. He reportedly said, “Where’s the intolerance of Indonesians?...Individuals like these should be silenced. They are very diligent in tarnishing Indonesia’s name overseas. Their acts are like prostitutes.”²⁶²

In the UPR, Indonesia accepted 150 out of 180 recommendations in total. At least 49 recommendations were made relating to protection and promotion of freedom of religion or belief.²⁶³ Indonesia accepted many of these recommendations, including the following:

- Establish a fully implementable national action plan which guarantees full protection of vulnerable groups;
- Continue the efforts to fight against all forms of discrimination and to respect the rights of religious minorities;
- Review existing laws and policies and repeal or amend where necessary to ensure their compatibility with the right to freedom of religion or belief, in line with Indonesia’s Constitution and its international obligations;

256 *Jakarta Globe*, ‘UN “Disturbed” by Indonesia’s Religious Violence’, 17 May 2011 <http://www.thejakartaglobe.com/archive/un-disturbed-by-indonesias-religious-violence/441540/>

257 UN Office of the High Commissioner for Human Rights, Universal Periodic Review Second Cycle – Indonesia, 23 May 2012 <http://www.ohchr.org/EN/HRBodies/UPR/Pages/IDSession13.aspx>

258 UN Office of the High Commissioner for Human Rights, ‘Universal Periodic Review’ <http://www.ohchr.org/EN/HRBodies/Upr/Pages/UPRMain.aspx>

259 UN Office of the High Commissioner for Human Rights, ‘UPR Media Briefing Note’, 23 May 2012 <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Highlights23May2012am.aspx>

260 *Jakarta Post*, ‘Komnas HAM says RI might fall short of UN rights review’, 12 May 2012 <http://www.thejakartapost.com/news/2012/05/12/komnas-ham-says-ri-might-fall-short-un-rights-review.html>

261 Setara Institute, ‘Government slammed for claims in UN report’, 31 May 2012 <http://www.setara-institute.org/en/content/government-slammed-claims-un-report>

262 Informal translation of an article in the Islamic publication *Republika*, 30 May 2012 <http://www.republika.co.id/berita/nasional/umum/12/06/03/m511gf-mui-cap-intoleran-dari-oknum>

263 UN Office of the High Commissioner for Human Rights, Universal Periodic Review Second Cycle – Indonesia, 23 May 2012 <http://www.ohchr.org/EN/HRBodies/UPR/Pages/IDSession13.aspx>

- Ensure that all ministerial decrees regulating religious life, as well as all local religiously founded bylaws, are in conformity with international human rights law;
- Institute trainings and awareness campaigns for provincial and municipal officials in respect for the rule of law and with regard to protecting the freedom of religion and other rights of members of religious groups;
- Take legislative action and effectively prosecute the incitement of hatred and acts of violence against all religious minorities;
- Intensify its efforts in taking all necessary measures to stop violence and discrimination against religious groups.

It will be vital in the coming years to monitor closely the government of Indonesia's efforts to implement the recommendations it accepted.

It is also important to note, however, that Indonesia did not accept a number of the UPR recommendations, instead concluding that these will "be examined", including:

- Issue a standing invitation to all UN Special Procedures;
- Accept a visit by the Special Rapporteur on Freedom of Religion or Belief;
- Amend or revoke laws and decrees that limit the right to freedom of thought, conscience and religion, including the 1965 Blasphemy Law, the 1969 and 2006 ministerial decrees on building houses of worship and religious harmony and the 2008 Joint Ministerial Decree on Ahmadiyah to bring these laws into line with international human rights standards.

On 13 November 2012 the UN High Commissioner for Human Rights held a press conference in Jakarta at the end of an official visit. She noted Indonesia's "history of diversity and tolerance", but warned that "it risks losing this if firm action is not taken to address increasing levels of violence and hatred towards religious minorities and narrow and extremist interpretations of Islam". She expressed particular concern about statements made by government officials "promoting religious discrimination", recommended amendment or repeal of the 1965 Blasphemy Law, the 1969 and 2006 ministerial decrees on building houses of worship and religious harmony, and the 2008 Joint Ministerial Decree on Ahmadiyah.²⁶⁴

On 10 and 11 June 2013, the Human Rights Committee of the United Nations reviewed Indonesia's compliance with the implementation of the International Covenant on Civil and Political Rights (ICCPR). The committee expressed concerns about Indonesia's blasphemy law, questioning its compatibility with Articles 18, 19 and 20 of the ICCPR, which cover freedom of religion, freedom of expression, and hate speech. According to the committee's initial report, "as a result of this law, detainees have been charged with blasphemy and heresy." The report continues:²⁶⁵

One Committee member in fact suggested that when a State makes law decrees that target a religious minority, it encourages violence against that minority. Moreover, civil society reported that the law places Sunni religion above other religions, even Shiite, which is discriminatory and contrary to Article 2 of the Covenant. The Committee was particularly concerned about discrimination against the Ahmadiyah Muslim community, who suffer from religious persecution. According to several NGO reports, many of them have become internally displaced and several of their Ahmadi mosques have been destroyed by mobs.

The Indonesian delegation argued that the Constitutional Court has not repealed Law 1, 1965 and pointed out that there has been a joint decree by the office of ministerial affairs, which provides guidelines

264 UN Office of the High Commissioner for Human Rights, 'Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to Indonesia', 13 November 2012 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12781&LangID=E>

265 Centre for Civil and Political Rights, Overview of the 108th session of the Human Rights Committee <http://www.ccprcentre.org/publication/overview-of-the-sessions/108-session-overview/>

for religious harmony. Indonesia further clarified that the fact that six religions are recognised by Law 1, does not mean that other religions cannot be practiced in Indonesia. The Committee also raised the issue of the 1978 decree by the Home Affairs Ministry that requires all Indonesians to indicate their religion on their identity cards and birth certificates, which can cause hostility or hatred against one's religion.

The committee recommended the repeal of Law No. 1 of 1965 on Defamation of Religion.

In the United States there is increasing concern about the situation in Indonesia. The US State Department's Annual International Religious Freedom Report and Annual Human Rights Report detail concerns, as does the US Commission on International Religious Freedom. In a hearing before the Tom Lantos Human Rights Commission in the US House of Representatives in May 2013, the US Deputy Assistant Secretary for Democracy, Human Rights and Labor, Dan Baer, noted that "an increase in societal attacks by extremist groups and violence towards members of religious minorities along with ineffective government responses are threatening to tarnish" Indonesia's "reputation for respect for religious pluralism". The closure of churches and Ahmadi mosques is "another disturbing trend" which is "exacerbated by restrictive laws".²⁶⁶

The European Union regularly highlights violations of freedom of religion or belief in its Indonesia-EU Human Rights Dialogue, and on 7 July 2011 the European Parliament passed a resolution expressing "grave concern at the incidents of violence against religious minorities, particularly Ahmadi Muslims, Christians, Baha'is and Buddhists...at the local blasphemy, heresy and religious defamation by-laws, which are open to misuse, and at the 2008 Joint Ministerial Decree prohibiting the dissemination of Ahmadiyya Muslim teachings." The resolution called on the Indonesian authorities to "repeal or revise" these discriminatory laws, and on the EU and its member states to provide support for those "actively promoting democracy, tolerance and peaceful co-existence between different ethnic and religious groups."²⁶⁷

The British Prime Minister David Cameron, prior to the state visit to the United Kingdom by President Yudhoyono, told CSW in a letter on 30 October 2012 that he recognises that "Indonesia still faces challenges on its democratic journey". He continued, "I share your concerns about individuals and groups in Indonesia who are denied the right to freedom of religion or belief, or who face discrimination and persecution. During my speech at the Al Azhar University in Jakarta, I highlighted 'the vital importance of standing up against the despicable violence and persecution of minorities, whether Christians, Ahmadiyahs, or others; and ensuring that people have the right to live their lives, and practise their religion in the way they see fit'. This Government believes that freedom of religion or belief, and respect for religious plurality, should be at the heart of society. Indonesia's own constitution enshrines these values. We continue to monitor the Indonesian authorities' policies towards freedom of religion issues, including the 2008 Joint Ministerial Decree."²⁶⁸

The new president and government of Indonesia should take note of and respond to the international community's concerns and recommendations.

266 Tom Lantos Human Rights Commission, Human Rights in Indonesia, Hearing, House of Representatives, 23 May 2013 http://tlhrc.house.gov/hearing_notice.asp?id=1247 Transcript: http://tlhrc.house.gov/docs/transcripts/2013_05_23%20Indonesia/Indonesia%20Transcript.pdf

267 The European Parliament resolution can be found here <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0341+0+DOC+XML+VO//EN>

268 Letter from the Prime Minister, The Rt Hon David Cameron MP, to CSW, 30 October 2012



CONCLUSIONS



» **“The majority of Indonesians are tolerant – but they are passive, they don’t do anything. And the government is afraid of the radicals. The radicals are a minority, but they are very loud, and the government does not do anything.”**

Reverend Palti Panjaitan, HKBP Filadelfia, Bekasi

» **“The international community should continue to play an important role in encouraging and reminding Indonesia what it stands for, and not to betray all that of which it is justly proud.”**

Dr Dewi Fortuna Anwar, senior adviser to the vice-president of Indonesia

In the heart of Jakarta, Indonesia’s capital city, is a powerful physical symbol of the country’s tradition of pluralism. Standing side by side are the Istiqlal Mosque, the largest in south-east Asia, and the Catholic cathedral. The mosque was designed by a Christian architect.

The senior adviser to the vice-president of Indonesia, Dr Dewi Fortuna Anwar, told CSW that pluralism is part of the “Indonesian character”. She said, “We don’t just tolerate each other, we live together. The fabric of Indonesia has always been a mosaic. We don’t regard difference as an issue. People live with and celebrate difference. Indonesia has more religious holidays than anywhere else in the world. This is an affirmation that both officially and culturally, Indonesia is very much celebrating difference.”

That ‘fabric’ of Indonesia is, however, increasingly being torn. Today, the MUI, the council of Islamic clerics, forbids Muslims from uttering the greeting ‘Merry Christmas’. That is how far Indonesia has already travelled from the principles of Pancasila. However flawed Pancasila is, in that it does not protect those outside the six recognised religions, it at least offers some principles of pluralism and freedom of religion. It needs to be built upon and expanded.

One pattern that is striking throughout many of the testimonies in this report is the repeated fact that the cause of hostilities often comes from outsiders coming into a village or town, not from local people. Time after time, Christians, Ahmadis and Shi’as repeatedly said that they had had very good relationships with their Sunni Muslim neighbours – until outside elements came in. The question therefore is how to counter the radical influences.

Archbishop Suharyo Hardjoatmodjo, the Catholic Archbishop of Jakarta, says the future “depends on the government”. If the government upholds law and order, he concludes, “The radicals will not have strength.” But, he adds, “As long as the government uses religion as an instrument of power, I am afraid it will get worse. It can easily get worse, but it should be better.” If action is not taken to rein in the Islamists, change the discourse, review discriminatory laws, protect vulnerable communities, bring perpetrators of violence to justice, and uphold freedom of religion for all, Indonesia’s pluralism will be in grave peril, and the world will have lost its role model of pluralistic, progressive Muslim-majority democracy.

Some in government acknowledge this. Dr Anwar admits that attacks against churches, Ahmadis and Shi’as are concerning, because such intolerance “gives Indonesia’s international image a bad name and is an attack on Indonesia’s own identity: unity in diversity”. She believes the majority of Indonesians do not support such intolerance, but they “tend to be silent”.

In her remarks to CSW, Dr Anwar spelled out a number of steps that the government could take, acknowledging the criticisms over police and government inaction:

1. On policing, she said, “The police are fairly small and weak, and have sometimes been victims of violence themselves”. Since becoming a democracy, “The military has been taken out of the internal security system, and the responsibility is in the hands of the police.” In many areas, police presence is low. “We need to improve capacity and coordination.”

2. In regard to regional autonomy laws, the central government must take action to assert control over its areas of responsibility. "The government has given 24 functions to local governments. Six main functions are held by central government: foreign policy, defence and security, judiciary, justice, fiscal policy and religion." The question then arises: if religious affairs are a function of national government, why are there so many provincial, district and other local regulations and bylaws relating to religion? "Local leaders are absolved of responsibility for religion," she says. "There is confusion about who is responsible for religious schools, mosques and so on. Central government should respect itself more and uphold the rule of law and the authority of central government."
3. In education, there is a need to review the national curriculum. "The quality of religious education is very poor," she observes.²⁶⁹ "Mosques are under-funded, they are unable to get good people to give sermons, a lot of mosques are under the sway of radical groups who offer free services, and the people who control the mosques think that these radicals are just volunteers, without realising their agenda." On university campuses, faculties do not pay enough attention to extra-curricular activities, she notes. Under the constitution, 20% of the national budget is reserved for education; but all religious institutions, including *pesantren* and Islamic state universities, come under the authority of the Ministry of Religious Affairs.
4. With regard to recognition of religions, Dr Anwar says that official recognition of six religions is not intended to discriminate against other religions. "The state recognises the official religions, but it does not say that other religions should not exist. To recognise all religions would impact on issues such as national holidays, directorates within the Ministry of Religious Affairs, and various other aspects of government and national life. The problem is that recognition is seen as meaning that only official religions can exist. That should not be the case. It is not meant as permission to persecute others."
5. On the ban on inter-religious marriages, she believes that "the state should not have a role in deciding who should and should not marry."

The president, she concludes, "understands the criticisms and believes people are right to express those criticisms. The international community should continue to play an important role in encouraging and reminding Indonesia what it stands for, and not to betray all that of which it is justly proud."

If the government of Indonesia were to implement even some of the suggestions expressed to CSW by the vice-president's own adviser, it would go a long way towards addressing the concerns detailed in this report. As Sidney Jones told CSW, "It is extremely difficult to repeal laws, but it is possible to prevent more bad laws being adopted".²⁷⁰ The new president could take some of the steps detailed in the Recommendations in this report, and promote a culture of pluralism to counter intolerance. If the international community were to take up the invitation by the vice-president's adviser, to impress upon the government of Indonesia the significance of these concerns and provide constructive assistance in addressing them, there is still a chance of preventing Indonesia continuing along the path of religious intolerance.

"The problem here is not society, it is the state," concludes Franz Magnis-Suseno, SJ. "Of course, there are some radicals, but with the large mainstream Islamic community, members of NU and Muhammadiyah, we have very good relations. We understand each other, we can talk to each other about our problems. It is therefore not society, it is a question of the state: the indecisiveness of central government, and totally opportunistic administrators in the Ministry of Religious Affairs. Cases such as GKI Yasmin and HKBP Filadelfia should not happen in a state where there is the rule of law. The Supreme Court ruling should have been observed. These things will happen more and more if we allow gangster power to prevail."

As Dr Muridan Widjojo, a researcher at the Indonesian Institute of Sciences, told CSW, Indonesia "is not something that is finished". Indonesia deserves praise for its transition from authoritarianism to democracy, its thriving civil society and media, and its longstanding tradition of pluralism and religious freedom. All of these, however, are at risk if action is not taken to uphold basic human rights.

269 Many observers argue that the quality of education overall is poor. See Portrait Indonesia, 'Indonesian kids don't know how stupid they are', 5 December 2013 <http://portraitindonesia.com/indonesian-kids-dont-know-how-stupid-they-are/>

270 For further explanation, see Parsons & Mietzner, 2009

If Indonesia can pull back from the path towards radical Islamism, provide genuine protection and equal rights for religious minorities, and ensure that the rule of law is upheld, it will have earned its reputation and will continue to develop as a role model for others in Asia and among Muslim-majority nations. If it fails, however, its reputation for pluralism and democracy is at stake. If Indonesia abandons pluralism, the geopolitical consequences will be significant: the world will have lost a role model of tolerant, moderate Islam, and Indonesia's democratic success will be in jeopardy.

As a recent member of the UN Human Rights Council, previous chair of ASEAN and a member of the G20, Indonesia has a fundamental responsibility to ensure that it upholds the rights and freedoms set out in its own constitution, and in international covenants and treaties to which it is a party. The international community, including the United Nations, the European Union, the United States, Canada and ASEAN, has a responsibility to support Indonesia in its struggle against radicalism; to encourage it to continue to develop its institutions of democracy, civil society and justice; and to urge it to defend its tradition of pluralism and religious freedom and to uphold the rule of law. It is in all our interests to do so.

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PHOTO CAPTIONS

p.7 Executive summary

Top: GKI Yasmin Church, Bogor, West Java. Christians forced to worship outside their closed church. See p.64.

Bottom: Shi'a Muslims in a displacement camp. See p.79.

p.13 Recommendations

Top: HKBP Filadelfia Church, Bekasi, West Java. The church was forcibly closed. The sign reads 'This building is sealed'. See p.59.

Bottom: Note smuggled out of prison from Alexander Aan, the imprisoned atheist. See p.85. The full text reads: "May everything [be] in goodness and happiness. I love all. I cannot accept doctrine which separates some [people] from others. Let's live together in love, fight in love, without violence, but with love and brains."

p.19 Introduction

Top: Dr Rebekka Zakaria and two other Sunday school teachers in court during their trial. See p.67.

Bottom: Open air Christian Sunday service and multi-religious demonstration outside the Presidential Palace, Jakarta. See p.59.

p.23 The foundations of Indonesia

Top left: Statue engraved with Pancasila, Indonesia's national ideology. See p.26.

Top right: Shi'a Muslim child in a displacement camp. See p.79.

Bottom left: HKBP Filadelfia Church, Bekasi, West Java. The congregation is worshipping outside, surrounded by police and an Islamist mob. See p.59.

Bottom right: Iklil al-Milal, brother of Tajul Muluk, a Shi'a Muslim cleric imprisoned for his beliefs. See p.79.

p.29 The role of the government

Top: Protest against the World Statesman Award for religious freedom awarded to President Susilo Bambang Yudhoyono in 2013. See p.20.

Bottom: HKI Church, Singkil, Aceh. The church was closed and evacuated, but now the congregation is trying to re-establish it.

p.38 Parmalim cleric in Nagapaloh, Singkil, Aceh. See p.84.

p.43 Sources of intolerance

Top: Sign outside Ahmadi mosque in Bekasi, West Java. The sign quotes from various pieces of discriminatory legislation, including the 2008 anti-Ahmadiyah Joint Decree. See p.72.

Bottom: Islamic militants arriving at a courthouse for the trial of Dr Rebekka Zakaria, a Christian Sunday school teacher. Hundreds gathered for each hearing, shouting "Kill Rebekka, burn Rebekka!" See p.67.

p.46 Biskang GKPPD Church, Singkil, Aceh. The church is at risk of being forcibly closed.

p.53 Violence, harassment and intimidation

Top left: Alexander Aan, an atheist imprisoned for his beliefs. See p.85.

Top right: Shi'a Muslims in a displacement camp. See p.79.

Bottom left: Keras GKPPD Church, Singkil, Aceh. In 2012 the government shut down all unregistered churches, like this one. See p.58.

Bottom right: An Ahmadi stands outside a burned out Ahmadi house in Lombok. See p.71.

p.87 The international response

Top: Kuta Keranja GKPPD Church, Singkil, Aceh. The only church in the area which has been able to register legally.

Top: Sijungjung Prison, where the atheist Alexander Aan was imprisoned. See p.85.

p.91 Conclusions

Top left: The Catholic cathedral in Jakarta. See p.92.

Top right: Istiqlal Mosque, Jakarta. The largest mosque in south-east Asia, it was designed by a Christian architect. See p.92.

Bottom: The wife of Tajul Muluk, a Shi'a Muslim cleric imprisoned for his beliefs. See p.79.

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**“I HOPE INTERNATIONAL HUMAN
RIGHTS ORGANISATIONS WILL
PRESSURE THE GOVERNMENT,
BECAUSE THE GOVERNMENT HAS PUT
ITS HANDS UP, IT DOES NOT KNOW
WHAT TO DO ANY MORE,
SO CIVIL SOCIETY NEEDS TO UNITE
THE INTER-FAITH COMMUNITY TO
WORK TOGETHER.**

**MY LAST HOPE IS FOR THE
INTERNATIONAL COMMUNITY. PLEASE
DO SOMETHING. MAKE PRESSURE,
TO GUARANTEE PROTECTION.”**

Syaiful Abdullah, a former leader of the FPI, a violent Islamic group.
He now works to counter extremism and intolerance. See p.45.



"This report must be required reading for all those concerned for Indonesia's future."

DR PETER CAREY

ADJUNCT PROFESSOR, FACULTY OF HUMANITIES, UNIVERSITAS INDONESIA; AND EMERITUS FELLOW, TRINITY COLLEGE, OXFORD



"Benedict Rogers has written a timely and well-researched report on what are probably the most worrying developments in post-Suharto Indonesia."

MARTIN VAN BRUINESSEN

PROFESSOR EMERITUS OF COMPARATIVE STUDIES OF MODERN MUSLIM SOCIETIES, DEPARTMENT OF PHILOSOPHY AND RELIGIOUS STUDIES, UTRECHT UNIVERSITY



"For the last 15 years Indonesia has benefited in many ways from a more democratic political and social environment. However, there is a price to be paid for freedom. This price is seen in the rise of a number of radical Islamist groups whose very ideology undermines the democratic process. This poses a challenge for Indonesian political and social leaders, one which must be addressed urgently and effectively. CSW's report effectively identifies the challenges and the necessary responses."

DR PETER RIDDELL

VICE PRINCIPAL (ACADEMIC), MELBOURNE SCHOOL OF THEOLOGY

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