Religious Pluralism and Tolerance in Jokowi’s Indonesia

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EXECUTIVE SUMMARY

• While Indonesia has long been hailed for its tolerant form of Islam, the pluralistic model of its society has been threatened by the growth of religious intolerance, especially so during President Yudhoyono’s term.

• However, the election of Joko Widodo is bringing a number of positive changes to the country’s approach to religious pluralism, in particular with the draft law on “religious harmony” meant to defend the rights of religious minorities, which will be presented to Parliament in April 2015.

• Jokowi will have to rely on support from Nahdlatul Ulama and Muhammadiyah, the country’s two largest Islamic organisations. These experienced a “conservative turn” during the last decade, but may be in the process of adopting a more pluralist and pragmatic position. Support from these organisations is crucial to ward-off challenges of extremist groups such as the Islamic Defenders Front (FPI).
While the President himself seems to be intent on defending the rights of religious minorities, one of the main challenges to him resides in applying the central government’s policy on the local level.

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INTRODUCTION

For years, hate speech and repeated attacks against Indonesian Christians and Muslim sects (Ahmadiyya, Shias and more recently some Sufis) by radical groups such as the Front Pembela Islam (FPI, Islamic Defenders Front) and the Forum Umat Islam (FUI, Islamic People’s Forum) have gone largely unanswered. The Setara Institute, which monitors religious freedom in Indonesia, documented 220 cases of violent attacks on religious minorities in 2013, an increase from 91 such cases in 2007.¹ To understand this lingering issue during Susilo Bambang Yudhoyono’s term, observers have often pointed to the President’s indecisiveness and related that to the fact that his fragile governmental alliance included Islamist parties.

Newly-elected President Joko Widodo (“Jokowi”) seems to be adopting a more pro-active approach to the problem. He is, after all, free from any alliance with Islamist parties.² He also made it clear during the campaign that he saw pluralism and moderate Islam as essential characteristics of the country which had to be protected. While it remains to be seen how Jokowi’s words will be put into action, there are already some encouraging signs.

NEW REGULATIONS IN THE MAKING

One of the main sources of the problem of rising religious intolerance during the last tenure of Yudhoyono came from the Ministry of Religious Affairs itself. The then Minister Suryadharma Ali, from the United Development Party (PPP, Partai Persatuan Pembangunan), was often accused by NGOs of keeping a blind eye on the various attacks on religious minorities, thus emboldening even more radical groups. Since the Corruption Eradication Commission (KPK, Komisi Pemberantasan Korupsi) announced that he was under investigation for his involvement in the misuse of pilgrimage (Haj) funds, Suryadharma Ali has been replaced by Lukman Hakim Saifuddin in June 2014, who is also from the PPP and has a traditionalist Nahdlatul Ulama background.

Under the Jokowi administration, Lukman Hakim has been appointed once again at the helm of the Ministry and this has been welcomed by proponents of pluralism. As a sign of changing times, the Religious Affairs minister has invited representatives from different religious traditions, as well as NGOs, to debate issues of tolerance and interfaith relations.³ The ministry is preparing a draft law on religious harmony (RUU Kerukunan Beragama),

² Jokowi is allied with the National Awakening Party (PKB, Partai Kebangkitan Bangsa), affiliated to the Traditionalist organisation Nahdlatul Ulama, usually known for its moderate and pluralist stance.
³ E-mail interview with Ahmad Fuad Fanani from the Maarif Institute, 29 January 2015.
which will be finalized in April 2015 and presented to parliament. The law includes five major issues:

1. The rights of followers of religions other than the six currently officially recognized by the state (Islam, Catholicism, Protestantism, Confucianism, Hinduism and Buddhism).
2. Regulations and guarantees on places of worship.
3. Regulations on media with religious content.
4. Protection of religious minorities against violence.
5. Interpretation of religious issues in relation to the growth of intolerance.

Interestingly, Lukman Hakim declared that one of the reasons for the issuance of this draft law on religious harmony is to oppose exclusivist ideas that are “foreign to Indonesia [and that] cannot be applied to Indonesia which is diverse and multi-religious.” He added: “We don’t want Indonesia to become like Syria.” While the draft law does not want to impose ideological control, it will regulate what can and cannot be said in preachings. Hence, those who incite “agitation” will be outlawed, according to the Minister. Another indication that the Jokowi government is more committed to tackling radicalisation came from the new Minister of Manpower, Hanif Dhakiri, who in early January 2015 introduced a new regulation barring religious teachers from foreign countries to be active in Indonesia. According to the Minister, this was put in place to confront the growing threat of ideological radicalisation in the country. While this apparently involves all religious traditions, it seems that foreign extremist Islamic preachers are one of the main targets here.

Meanwhile, the 1965 blasphemy law is still in place and has been used to criminalise beliefs considered to be heterodox. A recent report by Amnesty International documented that more than one hundred individuals have been convicted under the law between 2004 and 2014, often at the initiative of local authorities and/or radical vigilantes. As Jeremy Menchik argues, one of the solutions would be to clearly distinguish between “blasphemy” and “heresy”. He notes that “fourteen other democracies have blasphemy laws which do not necessarily violate fundamental democratic liberties”, but that, in Indonesia, the “law is
extended to prosecute heresy". 10 For the moment, no governmental initiative on this particular issue has been made public.

Moreover, while President Jokowi seems to be in favor of defending the rights of religious minorities, one of the main challenges resides in applying the central government’s policy at the local level. In recent years, the expansion of local sharia by-laws has created in some cases tension between religious communities. 11 According to the independent National Commission on Violence Against Women (Komnas Perempuan), 282 of Indonesia’s 491 provincial districts have by-laws inspired by Islamic law, a 55 per cent increase since 2009. 12 Most of these by-laws focus on Muslim women (wearing of the veil, segregation of the sexes, etc.), but 31 apply to religious minorities, including restrictions on religious practices by the Ahmadiyya and Shiites.

During the campaign, members of the PDIP hinted that the growth of these sharia by-laws would be halted. In mid-January 2015, the Home Affairs Minister, Tjahjo Kulomo, requested local administrations to provide corrections or even revoke around a hundred by-laws that contradicted higher regulations issued by the central government. 13 It should be noted that this type of governmental initiative may meet strong opposition from local elites that have pushed for and benefited both politically and financially from some of these regulations. 14 Besides the Home Affairs Ministry, another channel aiding the process could be the judicial review by the Constitutional Court and the Supreme Court. However, as Nicholas Parsons and Marcus Mietzner have argued, the legal complexity and uncertainty around the issue of sharia by-laws make them difficult to challenge. 15 Opponents of sharia by-laws often contend that these present an important challenge to the central government’s exclusive authority on religious issues. However, most of them do not even contain explicitly Islamic norms and when they do, these norms are strategically wrapped up as educational goals or customary law, both of which are clearly protected by superior statutes. 16

A PLURALIST TURN?

When presenting his draft law on religious harmony to the public, Lukman Hakim declared that “the use of majority/minority concepts in the case of Indonesia was unjust. We have to

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16 Ibid.
see it through the question of equal citizenship. It is true that quantity is a sociological reality, but all citizens are entitled to the same treatment. We don’t care if it is a majority or minority.17 This declaration was a clear rebuttal of the long-standing argument used by various local Islamist currents claiming that Indonesia should apply sharia law because it is a Muslim-majority country. During the first weeks of the new President’s tenure, a notable incident showed the willingness of radical groups to pursue precisely this Islamist agenda and challenge the principle of “religious neutrality”18 of the Indonesian State. Basuki Tjahaja Purnama (“Ahok”), the vice-governor of Jakarta, a Christian of Chinese descent, was to take Jokowi’s position as governor, as stipulated by the law. For weeks, the Islamic Defenders Front (FPI) took to the streets to vent their anger at the fact that an “unbeliever” (kafir) would have political authority over Muslims, which – they argued – is forbidden in Islam. The protests peaked early October, when FPI activists attacked police guarding the local parliament (DPRD). As a result, a dozen FPI members were arrested and are now on trial. In December 2014, the National Police used unusually strong words in declaring that no violence against religious groups would henceforth be tolerated, in accordance to article 29 of the 1945 Constitution guaranteeing the freedom of worship.19

Another event that illustrates the issue of religious pluralism were the 2014 Christmas celebrations. A debate emerged about whether Muslims are allowed to wish Christians “Merry Christmas”. Two organisations have been active in forbidding this: FPI and JAS (Jemaah Ansharus Sharia20), arguing that Muslims are not allowed to express their wishes, because this amounts to recognising Jesus Christ as the son of God (while Islam considers him a prophet). When President Jokowi himself publicly used the phrase “Merry Christmas”, the FPI declared that this amounted to “apostasy” (murtad). Jokowi was later defended by the traditionalist Nahdlatul Ulama, who argued that it was indeed permitted.21

In a surprising evolution, the Indonesian Council of Ulamas (Majelis Ulama Indonesia) also declared that wishing “Merry Christmas” to Christians is allowed, something that it previously forbade. Din Syamsuddin, the head of MUI argued that the fatwa concerning Christmas was announced in the peculiar context of the 1980s, when Muslims were frequently invited to become committee members in churches during Christmas celebration.22 Thus, while celebrating Christmas is prohibited for Muslims, wishing Merry Christmas is

18 While the Indonesian state’s philosophy, the Pancasila, has as one of its five principles, the “belief in an almighty God”, it considers the six officially recognized religions to be on equal footing.
20 JAS is a splinter group from the Jamaah Ansharut Tauhid, itself an off-shoot of the Jemaah Islamiyah.
21 “Concerning Christmas, President Jokowi is considered to have abandoned Islam, according to the FPI”, Tempo.co, 19 December 2014 (http://www.tempo.co/read/news/2014/12/19/078629615/Soal-Natal-FPI-Anggap-Presiden-Jokowi-Murtad).
22 The 1981 MUI fatwa, initiated by the highly respected Islamic scholar Haji Abdul Malik Karim Amrullah, prohibited Muslims from taking part in Christmas celebrations, but not from wishing Christians “Merry Christmas”. However, the fatwa has been regularly used and freely interpreted by conservatives since then to prohibit the latter. This was still the case in December 2013 with MUI’s acting chairman, Ma’aruf Amin.
not. MUI is an organisation known for adopting conservative postures on a number of issues. The new position of Din Syamsuddin may be a sign that things are changing and that a number of Muslim leaders are realizing that, in the current geopolitical context, the Indonesian model of tolerance should be more actively defended.

The cases above support the notion that despite large Islamic organisations experiencing a “conservative turn” over the last decade, there seems to be more political incentives now with a new administration in power, in adopting a more pluralist agenda. Undoubtedly, the violence and chaos in the Middle East are also having a significant effect on Islamic organisations, which are now more willing to push for moderation. It is important to note here that longtime rivals NU and Muhammadiyah seem to be operating a rapprochement with the intention of defining an “Archipelagic Islam” (Islam Nusantara) that would be distinct from an Islam that is influenced by Middle Eastern elements. This type of debate around the definition of an “indigenous” form of Islam, has been a recurring one in Indonesia’s history. In the current geopolitical situation, it seems to carry a new sense of urgency.

CONCLUSION

In comparison to the Yudhoyono years, the new Jokowi administration seems to understand the roots of the problem of radicalisation to also be of an ideological nature and so in need of being taken seriously. Other no less important challenges consist of crafting a solid legal framework to guarantee religious harmony and making sure that the law is enforced on the ground. It remains to be seen whether Jokowi’s political rivals will play the religious card and portray him as a “liberal” trying to promote a more tolerant Indonesia. Such a strategy may backfire since conservative agendas on the national level have not been popular.

Jokowi will have to thread carefully and will require the support of Indonesia’s civil Islam. As with many other policy areas, the President still has to prove that he can fulfill his campaign promise of defending Indonesia’s religious pluralism and tolerance.

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25 Referring to Indonesia as an archipelagic state