

# PERSPECTIVE

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## **Identity Politics in Indonesia: The Meliana Case**

*Leo Suryadinata\**

### **EXECUTIVE SUMMARY**

- Outrage aimed at Meliana, a Chinese-Indonesian woman who complained about the volume of the *adhan* call to prayer from a nearby mosque, triggered rioting on 29 July 2016 in Tanjung Balai (North Sumatra). Her house was partially burnt and 14 temples/viharas were destroyed.
- Although the initial tensions in Tanjung Balai subsided, the subsequent mobilization of anti-blasphemy demonstrations in Jakarta against then-governor Ahok emboldened Islamic activists to revive agitation for punitive actions against Meliana. In August 2018, Meliana was judged guilty of blasphemy by the North Sumatran Court and sentenced to 18 months in prison.
- While socio-economic and ethnic tensions were present in Tanjung Balai, the Meliana case was an alarming indicator of how minor conflicts can quickly escalate in Indonesia due to the politicization of religious matters, especially in the highly charged atmosphere in the run-up to the 2019 elections.
- Meliana has now turned to the Supreme Court for final appeal, after her first appeal was rejected. Regardless of the outcome, as long as the Indonesian political environment remains unchanged, other cases of a similar nature are likely to emerge.

*\*Leo Suryadinata is Visiting Senior Fellow at the ISEAS - Yusof Ishak Institute.*

## INTRODUCTION

The Tanjung Balai riot that took place on 29 July 2016 is seen as the most significant anti-Chinese conflict in Indonesia since the fall of Suharto. It was reported that 14 temples and viharas in the small northern Sumatran town were destroyed<sup>1</sup> and a few individuals injured. The central figure, Meliana, a 44-year old ethnic Chinese Buddhist and mother of four children<sup>2</sup> had complained about the high volume of the call to prayer (known as *adhan* or *azan*) from the mosque across from her house, and this was the spark for the rioting. She was later charged with blasphemy and on 21 August 2018 was found guilty and was sentenced to 18-month imprisonment by the Medan District Court. She appealed to the High Court but on 26 October 2018, her appeal was rejected.<sup>3</sup> Meliana has now turned to the Supreme Court for a final decision. It is not known when a decision will be made.

How could a minor complaint by a housewife about the loudness of the *adhan* develop into such a serious matter? Was it purely an ethnic and religious conflict, or were there other issues involved? Who were the major actors in the riot and who took this seemingly sectarian conflict to court? What is the impact of the Meliana case on Indonesian society and politics? These are some of the questions this paper attempts to answer.

## THE ORIGINS

The origins of the conflict and the development of the case are important for us to achieve a thorough understanding of the nature and significance of the event. With regard to the origins, the official version is as follows:<sup>4</sup>

Meliana had gone to see a hawker Kasini and asked her to convey to her father, Kasidik (Kasidiq), who managed the Al-Maskhum mosque that the volume for *adhan* was too high and it hurt her ears. Meliana requested that the volume be reduced. On 29 July, after sunset prayers, four persons from the mosque, namely Kasidik, Zul Sambas, Dailami, and Haris Tua Marpaung (alias Lobe), visited Meliana. According to Marpaung, the mosque leader, they met the son of Meliana who also complained about the same thing. While Marpaung was explaining to him about *adhan*, Meliana suddenly appeared from the house and pointed with her index finger and shouted: "That loudspeaker from the mosque is deafening my ears.....They are pointed at my house. Noisy!"<sup>5</sup>

The conversation was brief as Lian Tui, Meliana's husband intervened. The four returned to the mosque. A while later, Lian Tui went to the mosque to apologize, presumably for his wife's complaint. The village head brought Meliana to the police station together with many mosque officials; Meliana expressed her apologies and asked for forgiveness.<sup>6</sup> However, the news about Meliana's complaint had spread and a crowd started to gather. By 11 pm some people began to shout "Burn... Burn..." and then "Allahu Akbar! Allahu Akbar!" (God is great! God is great!)

According to the Prosecutor, "as a result of Meliana's behaviour, the throwing of stones and destroying acts were started by Alrivai Zuherisa, Budi Ariyanto and other actors."<sup>7</sup>

Initially no policemen were around and therefore the destruction and looting proceeded without hindrance.<sup>8</sup> The riot which lasted until the next morning saw Meliana's house

partially burnt. Several cars and motor cycles were burned down, 8 temples and 3 vihara in Tanjung Balai were destroyed.<sup>9</sup> No casualty was reported. 20 perpetrators, many of whom were underaged, were eventually arrested.

On 2 December 2016, four months after the riot, Marpaung, Dailami and Rifai suddenly filed a report to the police that Meliana had committed blasphemy towards Islam and asked the police to investigate the case. Twelve days later, the Students and Society Alliance (AMMIB), the newly formed organization, asked to see the chairman of the MUI of Tanjung Balai on the blasphemy case against Meliana. On 24 January 2017 the MUI of North Sumatra issued a fatwa charging Meliana with blasphemy towards Islam. The document stated that *adhan* is part of the Islamic tenets and the statement made on 29 July 2016 by Meliana about the volume of the loudspeaker for *adhan* was disdainful, and amounted to blasphemy towards Islam.<sup>10</sup>

On 30 May 2017, another four months later, Meliana was detained by the Police and on 26 June 2018 was brought to the North Sumatran Court. On 21 August 2018 she was found guilty for blasphemy and sentenced to 18 months of imprisonment.

## THE RESPONSES

The harsh sentence passed on Meliana resulted in two kinds of responses within Indonesia. One was critical while the other was supportive. Vice President Jusuf Kalla stated that the complaint about the volume of the *adhan* should not lead to a criminal prosecution and was quite normal.<sup>11</sup> The leaders of NU, the largest Islamic organization, also stated that the Meliana complaint should not be considered as blasphemy toward Islam.<sup>12</sup> The Minister of Religious Affairs also commented along the same lines.<sup>13</sup> Haedar Nashir, chairman of the Muhammadiyah, the second largest Muslim organization, had a different view. He noted that “the legal process has to be respected, but also called for tolerance”.<sup>14</sup>

However, Zainut Tauhid Sa’adi, deputy chairman of the MUI of Jakarta, was in strong support of a harsh sentence. He noted that Meliana was not only making a complaint about the high volume of the *adhan*. She “uttered sentences using sarcastic words with ridiculous tone, and the complaint can be seen as blasphemy towards Islam.”<sup>15</sup> He even compared the Meliana case with that of Ahok.<sup>16</sup> Deputy General Secretary of MUI Tengku Zulkarnain claimed that he was involved in the investigation and confirmed his view that Meliana had committed blasphemy towards Islam. He urged that people respect the court decision and let law take its course.<sup>17</sup>

The defense lawyer for Meliana argued that his client did not say those words cited in court but had instead said to Kasini that “nowadays, the volume of the mosque speaker has been louder than in the past.” The recordings of the dialogues between Meliana and the mosque officials were never presented as evidence in court; and instead, the court merely relied on the signatures of 100 people from the Al-Maskhum mosque as evidence that Meliana did insult Islam. This dubious document, the defense lawyer argued, should have not been accepted as evidence in court.<sup>18</sup>

## COMPLEX BACKGROUND TO THE RIOT

Some studies and reports have stated that the riot were informed by both economic and cultural factors. Tanjung Balai is a multi-ethnic and multi-religious town. The Chinese constitute about 9.3% of the population, while the rest are Bataks, Malays, and Javanese.<sup>19</sup> As a small port in northern Sumatra, it relies heavily on trade and fishing. Poverty there is obvious and the gap between the rich and the poor is large. It was also reported the local authorities had been permitting the Chinese to build temples and viharas, and some of these are on land that belonged to the Muslim population.<sup>20</sup>

In 2009, for instance, a six-metre Buddha statue was built on the fifth floor of a vihara, and in 2010 during the local government election, the Gerakan Islam Bersatu demanded its removal. The local government refused to comply. In the 2015 local government election, the statue again became an issue.<sup>21</sup> It was eventually removed, on 27 October 2016, only after the Tanjung Balai Riot.<sup>22</sup> Some Muslims also argued that the statue was built facing the Ka'abah and interfered with the direction which Muslims face when praying.

Ethnic relations between Muslims and non-Muslims, especially between the Chinese and non-Chinese, had therefore not been cordial in the town. Apparently, while the Muslims considered the non-Muslims arrogant and blamed the latter for growing wealthy at their expense, the Chinese seemed unaware of the Muslims' deep-rooted resentments against them.<sup>23</sup> There have no doubt been friction between the two communities, and no channel of communication between the two had been developed. The situation became worse after the rise of radical Islam in Java also affected the Muslims in the Outer Islands, including Tanjung Balai. The tolerance towards other religions has thus been diminishing.

From the available information, on 29 July 2016 the riot began at night when rumours were spread on social media claiming that the "Chinese ran amok" and the "Chinese stopped *adhan*". Two culprits, Al Rifai (Alrivai) and Budi Arianto (Ariyanto), were at the town centre mobilising people to burn down the Chinese temples and viharas. It was also revealed that Ahmad Taufik from Jakarta was spreading racial/religious hatred on the occasion via social media.<sup>24</sup> Within a short period of time, even people from outside Tanjung Balai had joined the mob to destroy and loot Chinese temples and viharas.<sup>25</sup>

When these perpetrators were arrested, there was demand from their families and from Islamic associations such as AMMIB and FPU that they not be detained overnight. Failing that, the Islamic associations would name Meliana as a suspect in a crime of blasphemy against Islam. A compromise was reached and the suspects were not detained, and Meliana was not charged.

The riot appeared therefore to have been a simultaneous action. A few individuals had spread the rumours and managed to gather crowds for their own ends. This seemed a reflection of the general ethnic and religious tension in the area. However, there were also indications that a group of people were anticipating the riot—as evidenced by the involvement of Ahmad Taufik from Jakarta and the destruction of 14 temples/viharas being carried out in different places within five or six hours.<sup>26</sup>

## THE POLITICAL FACTOR

Following the rioting, the perpetrators who were underage were released and only eight provocateurs, looters and vandals were charged in court, and these were given light sentences ranging from 1.5 months to 2 months and 18 days imprisonment.<sup>27</sup> Meliana was not charged with blasphemy against Islam, at least not in the initial four months after the riot. The process to charge Meliana was only initiated on 2 December 2016, coinciding with the second round of major demonstrations against Ahok in Jakarta. Ahok was also charged with blasphemy against Islam in connection with a speech he gave in Pulau Seribu on 27 September 2016.<sup>28</sup>

Basuki Tjahaja Purnama alias Ahok, who was the incumbent governor, was seeking re-election in 2017. However, opposition groups including political parties and radical Islamic organizations such as Front Pembela Islam (FPI) wanted to thwart his ambitions. The chairman of MUI (Indonesian Ulama Council) in Jakarta, Ma'aruf Amin, issued a fatwa (religious edict) charging Ahok with blasphemy and demanded that Ahok be put on trial.<sup>29</sup> A new organization called the National Movement for the Defence of MUI Fatwa (GNPF-MUI) was established to stop Ahok from getting re-elected. Many have argued that Ma'aruf was responsible for the two major Islamic demonstrations in Jakarta against Ahok.<sup>30</sup>

The first demonstration was held in Jakarta on 4 November 2016, which attracted a few thousand people. They demanded that Ahok be charged with blasphemy against Islam. On 2 December 2016, another and much bigger demonstration took place, also in Jakarta, at which over one million participated. This was later known as the 212 Movement. Ahok lost the election, and soon after, was also put on trial for blasphemy. Despite the weak evidence, the court sentenced Ahok to serve a two-year jail sentence with immediate effect.

The chronology of the events in Tanjung Balai on 29 July 2016 show that when the riot took place, the chairman of MUI of North Sumatra and the chairman of the FPI of Tanjung Balai were at the police station where Meliana and her husband were put up. There was no indication that Meliana would be charged with blasphemy. On the contrary, their tone had been conciliatory.<sup>31</sup>

It was only after the anti-Ahok movement in Jakarta became full-blown that the radical local Islamic organizations in North Sumatra began to act. The trio (namely Marpaung, Dailami and Rifa'i) wrote a statement asking the police to investigate Meliana for blasphemy.<sup>32</sup> That was on 2 December 2016, the day of the major demonstration against Ahok in Jakarta.<sup>33</sup>

On 14 December 2016, the Students and Society Alliance (AMMIB) in North Sumatra submitted a letter to the chairman of MUI of the Tanjung Balai branch, urging the local MUI to issue a fatwa.

On 28 December 2016, two radical Islamic organizations, namely GNPF-MUI and GAPAI (North Sumatra), invited the chairman of FPI from Jakarta, Habib Rezieq, to attend a Mass Religious Meeting at North Sumatra, in celebration of his victory.<sup>34</sup> Then, on 3 January 2017, six days after Rezieq's visit, the Fatwa Committee of the MUI North Sumatra Chapter organized a meeting to discuss the Meliana case. On 24 January 2017, the MUI North Sumatra Chapter issued a fatwa, suing Meliana for blasphemy against Islam on the following basis: *Adhan* (calls to prayers) is a basic tenet of Islam, and the words expressed

by Meliana on 29 July 2016 concerning *adhan* from the Al-Makshum mosque was degrading Islam and an insult to Islam as a religion. The MUI North Sumatra Chapter then asked the Police to take immediate action against Meliana. About 19 months later, the Meliana case was heard in the North Sumatra high court and she was sentenced to 18 months in prison.

Why did the issue resurface after almost two years? There are a number of possible explanations: As shown earlier, initially there was no general agreement to accuse Meliana of blasphemy. In May 2017 when Ahok was convicted and those wishing to take Meliana to court might not have felt the urgency to push the case and confuse the issue in faraway Jakarta. Nonetheless, the Melian case was eventually heard and the sentencing coincides with the coming of the 2019 presidential elections when identity politics could come in useful for some.

### **A VICTIM OF IDENTITY POLITICS?**

Both Ahok and Meliana were sentenced under the blasphemy law, a law which appear to be used for penalising minorities, and not the majority Muslims. Many have therefore suggested that the law be re-examined.

The Meliana case is not just about religious conflict, even though rising religious tension in recent years should also be taken into account. This had been particularly the case after opposition parties used religious issues in their election campaigning. The social and economic situation in the area, especially the gap between the poor and the rich, was an underlying factor as well.

Politically, radical Islamic groups such as FPI have been working together with MUI and opposition politicians to defeat non-Muslim politicians. The most striking example was the 212 (2 December 2016) demonstration against Ahok. Two scholars have observed that while anti-Chinese rioting had tended in the past to target Chinese property, especially shops and residents, the Tanjung Balai riot focused on temples and viharas.<sup>35</sup> This is new in contemporary Indonesian history.

Meliana has appealed once and failed. She has turned to the Supreme Court for the final appeal. No date has been fixed for the decision. Regardless of the outcome, as long as the Indonesian political environment remains unchanged, another Meliana case is likely to emerge.



<sup>1</sup> Apriadi Gunawan, “Meiliana turns to Supreme Court after appeal rejected”, *Jakarta Post*, 26 October 2018. The number of temples and vihara destroyed differs from the report in *Tempo*, see footnote 9.

<sup>2</sup> Meliana, except in *Tempo*, was spelled as Meiliana in Indonesian newspapers. The court document uses “Meliana” instead of “Meiliana.” See <https://www.jawapos.com/jpg-today/25/08/2018/tiga-versi-kronologi-kasus-meliana-yang-keluhkan-suara-azan> (Accessed 7/1/2019)

<sup>3</sup> Apriadi Gunawan, “Meiliana turns to Supreme Court after appeal rejected”, *Jakarta Post*, 26 October 2018.

<sup>4</sup> <https://kumparan.com/@kumparannews/kronologi-kasus-meiliana-dari-keluhan-azan-ke-tetangga-sampai-penjara-1535014365090765011> (accessed 30/10/2018); also “Malam Mencekam di Tepi Asahan”, *Tempo*, 14 August 2016, pp.33-34.

<sup>5</sup> “Malam Mencekam di Tepi Asahan”, *Tempo*, 14 August 2016, p.34.

<sup>6</sup> <https://nasional.tempo.co/read/1119663/ini-kronologi-kasus-penistaan-agama-meiliana-di-tanjung-balai/full&view=ok> (Accessed 3/1/2019).

<sup>7</sup> <https://kumparan.com/@kumparannews/kronologi-kasus-meiliana-dari-keluhan-azan-ke-tetangga-sampai-penjara-1535014365090765011> (accessed 30/10/2018).

<sup>8</sup> <https://tirto.id/rekayasa-kebencian-dalam-kasus-meiliana-di-tanjung-balai-cUEe> (Accessed 30/10/2018). “Malam Mencekam Di Tepi Asahan”, *Tempo*, 14 August 2016, p. 32.

<sup>9</sup> <https://nasional.tempo.co/read/1119663/ini-kronologi-kasus-penistaan-agama-meiliana-di-tanjung-balai/full&view=ok> (Accessed 3/1/2019)..

<sup>10</sup> <https://kumparan.com/@kumparannews/kronologi-kasus-meiliana-dari-keluhan-azan-ke-tetangga-sampai-penjara-1535014365090765011> (accessed 30/10/2018)..

<sup>11</sup> <https://nasional.tempo.co/read/1119903/kasus-penistaan-agama-meiliana-jk-harusnya-tak-dihukum/full&view=ok> (Accessed 20/12/2018)

<sup>12</sup> The deputy chairman of NU Robikin Emhas and its representative Rumadi Ahmad both argued that complaint about the volume of speaker on adhan is not blasphemy against Islam.

<https://www.matamatapolitik.com/nu-sebut-azan-terlalu-keras-bukan-penistaan-agama/> (Accessed 21/12/2018)

<sup>13</sup> <https://www.voaindonesia.com/a/meiliana-penistaan-agama-azan-dukungan-menag-wapres/4541550.html> (Accessed 21/12/2018)

<sup>14</sup> He also noted that the sound of loudspeakers for adhan has to be negotiated between the communities. <http://bbcworldinfo.com/2018/08/23/indonesias-main-muslim-group-criticizes-blasphemy-sentence/> (Accessed 23/9/2018)

<sup>15</sup> <https://www.cnnindonesia.com/nasional/20180824170850-20-324735/mui-minta-publik-pahami-kasus-meiliana-sebelum-komentar> (Accessed 21/12/2018)

<sup>16</sup> <https://www.cnnindonesia.com/nasional/20180824170850-20-324735/mui-minta-publik-pahami-kasus-meiliana-sebelum-komentar> (Accessed 21/12/2018)

<sup>17</sup> <https://www.jawapos.com/nasional/hukum-kriminal/23/08/2018/meliana-divonis-18-bulan-mui-kita-minta-semuanya-taat-hukum> (Accessed 22/9/2018).

<sup>18</sup> <http://en.tempo.co/read/news/2018/08/23/055921045/Chronology-of-Tanjung-Balai-Blasphemy-Case-against-Meiliana> (Accessed 23/9/2018)

<sup>19</sup> “Dinamika Sosial, Ekonomi, Politik di Tanjung Balai”, <https://tirto.id/rekayasa-kebencian-dalam-kasus-meiliana-di-tanjung-balai-cUEe> (Accessed 30/10/2018)

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> <https://tirto.id/rekayasa-kebencian-dalam-kasus-meiliana-di-tanjung-balai-cUEe> (Accessed 30/10/2018).

<sup>23</sup> Iswandi Syahputra, “Meiliana dan 55 Kultwit Investigasi Rusuh Tanjung Balai”, <https://republika.co.id/berita/kolom/wacana/18/08/26/pe2tmp385-meiliana-dan-55-kultwit-investigasi-rusuh-tanjung-balai-part2> (Accessed 30/10/2018).

<sup>24</sup> “Malam Mencekam di Tepi Asahan”, in *Tempo* 14 August 2016, pp.32-33. Ahmad Taufik was eventually arrested in Jakarta

<sup>25</sup> "Malam Mencekam di Tepi Asahan", in *Tempo* 14 August 2016, p.32.

<https://tirto.id/rekayasa-kebencian-dalam-kasus-meiliana-di-tanjung-balai-cUEe> (Accessed 30/10/2018).

<sup>26</sup> "Malam Mencekam di Tepi Asahan", in *Tempo*, 14 August 2016, p.33.

<sup>27</sup> <https://www.merdeka.com/peristiwa/para-terdakwa-kasus-perusakan-vihara-tanjung-balai-divonis-ringan.html> (Accessed 3/1/2019).

<sup>28</sup> For a brief study on the Ahok affair, see Liao Jianyu (Leo Suryadinata), Zhong wanxue anjian yu Yisilan zhengzhi" (The Ahok Case and Political Islam), *Lianhe Zaobao*, 24 July 2017; See also Charlotte Setijadi, "Ahok's downfall and the rise of Islamist populism in Indonesia", *ISEAS Perspective*, 2017 no. 38 (8 June 2017)

<sup>29</sup> "Catatan Suram Pasangan Kandidat", *Tempo*, 19 August 2018, p. 23.

<sup>30</sup> Ibid.

<sup>31</sup> <https://tirto.id/rekayasa-kebencian-dalam-kasus-meiliana-di-tanjung-balai-cUEe> (Accessed 30/10/2018).

<sup>32</sup> <http://www.jambiupdate.co/artikel-tiga-versi-kronologi-kasus-meliana-yang-keluhkan-suara-azan.html> (Accessed 21/12/2018).

<sup>33</sup> The chronology of the event is based on <https://kumparan.com/@kumparannews/kronologi-kasus-meiliana-dari-keluhan-azan-ke-tetangga-sampai-penjara-1535014365090765011> (accessed 30/10/2018).

<sup>34</sup> <http://www.tribunnews.com/regional/2016/12/28/kapolda-sumut-sebut-habib-rizieq-shihab-selebritis> (accessed 21/12/2018).

<sup>35</sup> Hui Yew Foong and Deasy Simandjuntak, "Indonesia's sectarian violence assumes a religious guise", *Today*, 22 August 2016.

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