

SEPARATION OF MOSQUE AND STATE IN INDONESIA

Despite trends towards Islamisation, Indonesia is still largely pluralistic and moderate, writes **Toby Evans**

With Morocco's election of the Islamist Justice and Development Party in the wake of the Arab Spring, the debate over whether Islam and democracy are fundamentally antithetical seems to have been reignited. Indonesia, which is home to more Muslims than any other nation, should not be left out of such a debate. Conducting a delicate balancing act between a deepening societal commitment to Islam and its founding ideals of nationalism and pluralism, Indonesia has managed to maintain a relatively stable democratic system since the fall of Suharto in 1998—a success too often overlooked by observers of Islamic politics.

Despite its massive Muslim population, the Republic of Indonesia is not, and was never intended to be, an Islamic state. While belief in a monotheistic God is considered an essential part of Indonesian citizenship, its founding documents remain deliberately vague to include members of minority religions in both social and political life. As the state motto declares—*Bhinneka Tunggal Ika* (Unity in Diversity). In this way, while falling considerably short of being an entirely secular liberal-democracy, Indonesia has historically been regarded as a bastion of 'moderate' Islam.

It is not without reason, therefore, that the wave of 'Islamisation' since the final years of Suharto's military dictatorship is generating concern among observers. At a personal level, Islamisation refers to a strengthening of one's

commitment to Allah and His teachings.¹ At the nation-state level, it typically manifests itself through a push towards 'greater commitment to Islamic laws and values, with Islam playing a more central role in public and political life.'² One could be excused for being pessimistic about the future of a democratic state where such a trend is occurring (secularism is the cornerstone of most traditional conceptions of democracy). Indeed, in Indonesia, this trend has been accompanied by some highly disturbing phenomena. Religious violence is increasing, with Christians and members of the minority Ahmadiyah sect the favoured victims. Perhaps even more worrying is the recent phenomenon of local governments introducing Sharia-based regulations, seemingly in contravention of national law.

However, it is also important to note that 'Islamisation' and 'Islamism' are not the same thing. While the process of Islamisation may increase the commitment to 'Islamic values' in the existing political system, Islamism (otherwise known as 'political Islam') is the belief that the

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tenets of Islam form a holistic political system *in themselves*. While the distinction may seem slight, there is a significant practical implication: Islamisation may occur alongside and within the existing political system, while Islamism typically requires radical political and legal restructuring. Thus, even as the Indonesian community as a whole seems to have become increasingly pious since the fall of Suharto, it is not inevitable that this will be accompanied by an equally strong increase in the desire to create an Islamic state, or introduce Sharia law. Indeed, in the 2009 Indonesian election, the popularity of Islamist parties fell to an all-time low, while the secular and nationalist parties fared better.

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Indonesia's democratic system is certainly still a work in progress, but it gives us reason to be optimistic about the future of pluralism in the Islamic world. While not 'secular' by any means, it is certainly a step in the right direction.

The historical roots of Indonesian Islamisation

Indonesia, a culturally diverse nation, was founded on notions of religious tolerance. Both the 1945 constitution, and Indonesia's state ideology, *Pancasila*, state that belief in 'the almighty God' is essential for Indonesian citizenship. However, no mention is made of Islam specifically; the Indonesian word 'Tuhan' was deliberately used in both documents instead of the Arabic 'Allah' to avoid excluding minority religions. As a result, all major religions have been included in the Indonesian nation-state—even Balinese Hindus have been able to force their beliefs under this definition by creating an overarching God for their polytheistic belief system, 'Ida Sang Hyang Widi Wasa'.³

However, since the late 1980s, Indonesia has been experiencing a historically unprecedented Islamic resurgence characterised by an increase in Islam's influence, both in the political and social spheres. Not only have a number of faith-based policies been implemented but outward displays of piety are also becoming far more commonplace. For example, the number of young girls wearing the *jilbāb* (Muslim headscarf), a symbol of Islamic piety that is not traditionally associated with Indonesian Islam, has increased markedly in the last several decades.⁴ The exact cause of this is not easy to pinpoint; however, it undoubtedly represents a response to governmental policy, international trends, and an unshackling of civil society.

The origins could perhaps be traced to the later years of the 'New Order,' Indonesia's 30-year military dictatorship, when President Suharto's position on religion shifted significantly. Departing from his previous policy of repressing religious groups as political opponents, he began to actively facilitate the Islamisation of Indonesia by introducing policies that reinforced religious education regulations, permitted schoolgirls to wear the *jilbāb* at school, and introduced harsh blasphemy laws, among others. Suharto himself became more outwardly devout, completing the Hajj (the pilgrimage to Mecca) in 1990.

Perhaps the most influential manifestation of this shift in policy direction was the establishment of the Association of Indonesian Muslim Intellectuals (ICMI, *Ikatan Cendekiawan Muslim Indonesia*) in 1990. Many observers regarded the creation of the ICMI as a dangerous departure from *abangan* values—the traditional form of Indonesian Islam that promotes the fusion of Islam with local beliefs, and which promotes the use of customary *adat* law rather than Sharia law.⁵ Their concern was probably justified, as members of the ICMI openly admitted that the primary purpose of the organisation was to promote the Islamisation of Indonesian state and society.⁶ Nonetheless, the ICMI became a central part of Suharto's cabinet, and a long-term element of his presidential strategy. The ICMI became a conduit whereby Muslim groups could circumvent the heavily repressed political system to influence

public policy. The imposition of marriage regulations and the creation of a Muslim banking system were some of the practical outcomes of this political strategy.⁷

In many ways, the ICMI was a precursor to the Islamic civil society that flourished after the fall of Suharto. Inevitably, Suharto's resignation in 1998 led to the creation of many Islamic political groups, including the National Mandate Party (PAN), the United Development Party (PPP), and the National Awakening Party (PKB)—political offshoots of Indonesia's two largest Islamic social groups 'Nahdlatul Ulama' and 'Muhammadiyah.' Individuals who felt that Islam should play a greater role in the Indonesian state were suddenly free to express their ideas without fear of governmental backlash—it was an unshackling of civil society that has undoubtedly contributed to the current proliferation of Islamic values throughout Indonesian state and society.

Islamisation: A push towards an Islamic State?

In June 2011, Indonesia's president Susilo Bambang Yudhoyono gave a speech at the anniversary of the birth of Indonesia's state ideology, *Pancasila*, in which he denounced those who were trying to establish an Islamic state in Indonesia.⁸ These comments came in the wake of several acts of religious violence, which highlighted the concerning rise in violent religious zealotry in the last decade.

In February 2011, a house in Java belonging to members of the minority Ahmadiyah sect—followers of Mirza Ghulam Ahmad (1835–1905), who believed he was a *Mujaddid* (divine reformer of the Islamic faith)—was attacked by a mob of thugs from the Islamic Defenders Front (FPI, *Front Pembela Islam*), and three Ahmadis were beaten to death as they attempted to flee. This was not an isolated incident—the number of attacks on Ahmadis has risen sharply between 2006 and 2010.⁹ Nor is religious discrimination solely aimed at the Ahmadiyah—Christians have routinely been the victims of assault, verbal attacks, and church burnings in recent years.¹⁰ One of the worst incidents occurred in early February, where more

than 1,000 Muslims rioted and burned down a number of churches after a Christian was given a sentence for blasphemy that they deemed too lenient. Perhaps most concerning is the central government's apparent unwillingness to take a firm stance against violent Muslim hardliners. Indeed, many policies introduced by the current coalition seem to be doing the opposite. In 2008, blasphemy laws were introduced forbidding the Ahmadiyah from 'spreading interpretations and activities that deviate from the principal teachings of Islam'—a seemingly direct contravention of the constitution.¹¹ Far from lessening religious tension, this declaration seems to have legitimised gangs like the FPI and their attacks on religious minorities; the FPI have effectively been allowed the status of righteous vigilantes rather than violent criminals.

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However, to suggest that Islamisation in Indonesia is merely manifesting itself through religious fundamentalism and violence is unjustified. It must be kept in mind, especially in the case of Indonesia, that individual expressions of faith vary widely. Due to the resurgence of Islamic civil society, and a developing education system, Indonesia's recent wave of Islamisation has been far more individualistic in nature. Where before, Muslims were 'reading [the Qur'an] through borrowed eyes,' they are now reading it through their own; drawing on what they see around them and reinterpreting its message.¹² Robert Hefner, an expert on Indonesian Islam, says this has resulted in the recovery and amplification of what he deems the 'democratic endowments' of Islam, namely, the encouragement of plurality, mobility and participation.¹³ These sentiments are reinforced by the Indonesian education system's strong

emphasis on citizenship and pluralism—as per the state ideology, *Pancasila*. So while there is a noticeable increase in fundamentalist activity, it is accompanied by an equally strong trend towards ‘civil Islam.’ Although perhaps not wholly liberal in nature, ‘civil Islam’ is an Islam ‘whose primary role in the life of the nation is to serve as a source of ethical and cultural guidance.’¹⁴ This does not necessitate the imposition of an Islamic state.¹⁵ In this regard, similarities can perhaps be drawn between Indonesian Islam and American Christianity—the majority in both nations remain deeply religious but (as least ostensibly) support the fundamental democratic framework in their nations.

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This trend towards civil Islam (and conversely, away from ‘political Islam’) in Indonesia is apparent in the results of the 2009 general election. The Democratic Party, led by incumbent President Susilo Bambang Yudhoyono, won 154 seats—almost as many as the four main Islamic parties combined.¹⁶ In fact, most Islamic parties performed far worse than expected. The National Mandate Party (PAN) won 6% of the vote, a poor result given its strong performance in the previous election, while the United Development Party (PPP) and National Awakening Party (PKB) won just 5.3% and 5% respectively.¹⁷ Overall, the number of votes for Islamic parties fell from 32% in 2004 to 24% in 2009. Although these losses have been attributed to poor leadership and infighting within the Islamic parties,¹⁸ these results clearly show a general trend away from Islamic politics (or, at least, a trend away from political parties that expressly base themselves on Islam rather than the tenets of *Pancasila*).¹⁹

Furthermore, historical precedent suggests that even if Islamic parties are able to achieve a respectable percentage of the vote, they tend to shed hardline policies in favour of a more

populist, moderate stance. For example, the Prosperous Justice Party (PKS)—which started as a hardline Islamic student movement—has significantly softened its doctrinal position on the imposition of Sharia law and forbidding women to enter leadership positions, among others.²⁰

Sharia-based local regulations: An exception to the rule?

After the collapse of the ‘New Order’ in 1998, a process of governmental decentralisation commenced—a move aimed at diffusing regional tensions and separatist movements that stemmed from long-standing Javanese dominance of the political system. Although, on the whole, this has been a step forward from the days of Suharto’s repressive centralised government, it has also led to a worrisome rise in local regulations based either on Islamic teaching or directly seeking to implement Sharia law (known locally as *perda* or *perda syari’ah*). Typically these regulations involve the imposition of strict dress codes, prohibitions on gambling and alcohol, or harsh regulations on sexual conduct and prostitution.²¹

While calls for the implementation of Sharia law at the national level have been consistently rejected, *perda syari’ah* presents a convenient means by which Islamic fundamentalists can undermine personal and religious freedom, despite their obvious contravention of national law. For example, when the central government was forced to drop a controversial section in the 2008 Anti-Pornography Bill, which forbade kissing in public places, many local governments decided to implement this legislation independently. The 2006 draft *Perda* of *Depok* contained this statement:

Everyone is forbidden from touching, hugging and/or kissing, both in a public place or in a place which is visible to the public.²²

Other local regulations have clearly breached international treaties and commitments by directly or indirectly targeting women and minorities. In 2006, a *perda syari’ah* allowed local

police to arrest and detain an innocent woman in Tangerang for three days, simply because they thought she *might* be a prostitute—seemingly a clear contravention of Indonesia's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).²³

Indonesia's *Law 32/2004 on Regional Government* states that regional administrations may not legislate in areas deemed the exclusive domain of the central government.²⁴ According to the statute, this includes matters of religion, which are administered by the central Department of Religious Affairs. Therefore, *prima facie*, it seems these regulations go beyond the scope of the powers given to local governments through decentralisation (excluding Aceh, where the peace treaty with local separatist militia, the Free Aceh Movement, granted them authority to legislate on such matters). However, overruling them would still require either judicial or executive review.²⁵ Yet no regulation outside Aceh has ever been invalidated by either the central government or the judiciary. According to a study by Marcus Mietzner and Nicholas Parsons, this reflects not only political unwillingness to alienate Muslim constituents but also that the illegality of such by-laws may not be as clear cut as many believe. According to their study, different interpretations of *Law 32/2004* are possible, granting local governments a defensible legal position, and the lack of national statute dealing with Indonesia's international obligations under CEDAW renders it somewhat ineffective.²⁶ Therefore, until the Supreme Court makes a binding decision, it seems many of these repressive (and regressive) regulations are here to stay.

However, like other manifestations of religious fundamentalism, it is easy to

overemphasise the significance of *perda syari'ah* on the national stage. Although of concern, these are not widespread and 'appear to be an exception to the overall picture of reform' that is being brought about by government decentralisation.²⁷ Some studies estimate the number of districts implementing *perda syari'ah* is as few as 52 out of 500.²⁸ At any rate, the number of *new perda syari'ah* being introduced seems to have slowed in recent years.²⁹ It is also promising that many senior politicians have taken firm stances against such regulations. For example, in 2007, former Vice-President Jusuf Kalla said, 'these *perda syari'ah* cheapen Islam, demean Islamic law, insult God, and offend the ulama [clerics].'³⁰

Conclusion

Islam has always been a central part of Indonesian society and the Indonesian nation-state. In recent decades, as normative piety has increased, so have outward displays of religiosity and a desire for Islam to play a greater role in the nation. Yet it seems Indonesia has, for the most part, been able to successfully balance the competing interests of Muslims and secular nationalists.

Indonesian Islamisation has overwhelmingly manifested itself through measures that aim to position Islam as 'a source of ethical and cultural guidance' rather than a desire to place Islam at the forefront of the political system. Despite global trends and heavy-handed governmental measures, which may suggest the contrary, it seems Indonesian Islam largely remains a moderate Islam that promotes itself as a guide to moral life rather than a rulebook for governance—the overwhelming majority of Indonesians would prefer to build a mosque than burn down a church.

Endnotes

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- 2 As above.
- 3 Lyn Parker, 'From Subjects to Citizens: Balinese Villages in the Indonesian Nation-State,' NIAS Press (2003), 244.
- 4 Robert Hefner, 'Democratization in an age of religious revitalization,' in *Civil Islam: Muslims and Democratization in Indonesia* (New Jersey: Princeton University Press, 2000), 17.
- 5 Robert Hefner 'Islamisation and Democratization in Indonesia,' in Robert Hefner and Patricia Horvatic (eds), *Islam in an Era of Nation-States: Politics and Religious Renewal in Muslim Southeast Asia* (Honolulu: University of Hawaii Press, 1997), 111.
- 6 Robert Hefner, 'Democratization in an age of religious revitalization,' as above, 27.
- 7 As above.
- 8 Susilo Bambang Yudhoyono, 'Peringatan Pidato Bung Karno,' speech [in Indonesian] (1 June 2011); Antara News, 'President: no place for theocratic state movement in RI' (1 June 2011).
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- 10 US Department of State, '2010 Report on International Religious Freedom—Indonesia' (17 November 2011).
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- 13 As above.
- 14 Robert Hefner, 'Democratization in an age of religious revitalization,' as above, 79.
- 15 As above.
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- 17 As above.
- 18 As above.
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- 20 Najwa Shihab and Yanuar Nugroho, 'The Ties That Bind: Law, Islamisation and Indonesia's Prosperous Justice Party (PKS)' *Australian Journal of Asian Law* 10:2 (December 2008), 234.
- 21 Melissa Crouch, 'Religious Regulations in Indonesia: Failing Vulnerable Groups,' *Review of Indonesian and Malaysian Affairs* 43:2 (2009), 53.
- 22 As above, 63.
- 23 Robin Bush, 'Regional Sharia Regulations in Indonesia: Anomaly or Symptom?' in Greg Fealy and Sally White (eds), *Expressing Islam: Religious Life and Politics in Indonesia* (Singapore: Institute of Southeast Asian Studies, 2008), 179.
- 24 Nicholas Parsons and Marcus Mietzner, 'Sharia By-Laws in Indonesia: A Legal and Political Analysis,' *Australian Journal of Asian Law* 11:2 (2009), 194.
- 25 As above, 194.
- 26 As above, 213.
- 27 Robin Bush, 'Regional Sharia Regulations in Indonesia,' as above, 174.
- 28 Nicholas Parsons and Marcus Mietzner, 'Sharia By-Laws in Indonesia,' as above, 190.
- 29 Robin Bush, 'Regional Sharia Regulations in Indonesia,' as above, 179.
- 30 Antara News, 'Wapres: Perda Syariat Rendahkan Derajat Islam' [in Indonesian, author's translation] (30 August 2007).