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Apostasy as a Tool to Suppress Dissent – Indonesian Perspective

Abstract

Accusation of apostasy in the Muslim majority countries has the potential of becoming a dangerous tool against the dissenting voices. When it is used by those with religious authority and appears in a form of a *fatwā* it is likely to be interpreted as a concession for persecution. In the legal processes following the incidents of religiously motivated violence it seems rare for the perpetrators to be punished. Instead the victims of religious violence are accused of inciting hatred. This article discusses two respective cases of apostasy *fatāwā* in Indonesia: the death *fatwā* on the leaders of the Liberal Islam Network, and a *fatwā* which rendered apostate the members of the Indonesian Aḥmadiyya religious movement.

Keywords: apostasy *fatwā*, Islam, Indonesia, Liberal Islam Network, Aḥmadiyya, heresy

Accusation of apostasy can be used by anyone – religious leaders, preachers, politicians, or ordinary citizens to target their opponents. The accusation often comes in a form of a *fatwā*. *Fatwā* is a non-binding resolution, an opinion of a religious scholar or a group of scholars, ‘*ulamā*’, which does not progress into a law. Yet, not surprisingly, to the followers of some ‘*ulamā*’, the human-made state law does not count when confronted with the laws of God. This text is devoted to Indonesia and two examples of such apostasy *fatāwā* are discussed respectively: the death *fatwā* on the Liberal Islam Network (Jaringan Islam Liberal) and a *fatwā* on Aḥmadiyya religious movement, both of which have directly inspired violence against the two groups mentioned.

The rise of the violent radical-conservative Islamic advocacy in Indonesia is a new phenomenon which emerged soon after the collapse of general Suharto regime in the late 1990s. Amidst the economic crisis and uncertain political conditions, the radical groups

took on a political momentum¹. M. Syafi'e Anwar describes these groups as harbouring a strong disrespect for pluralism and considering this idea to be an offence against Islam as the only truth². Different ideas or different interpretations are rendered “untruth” and are ascribed to “deviated people”, “infidels” or “apostates”. This is perhaps not striking as such mindset is present among members of all radical groups, regardless the religious ideology they subscribe to. What strikes however is that they do not take their notions from the vacuum but base them on the ideas which are aired by some of the otherwise respected Islamic scholars.

The ‘*ulamā*’ are trusted by the communities for their knowledge and interpretation of religion. But sometimes it happens that their knowledge is insufficient to fulfil the roles which society provides them with. This becomes particularly visible when some of them come up with bold statements on who ‘truly’ believes in God and whose beliefs deny or deviate from the ‘truth’. If such statements are given in a form of a *fatwā*, despite the lack of legal provisions to implement it, their influence is likely to trigger ordinary people “to take justice in their own hands”. When the ‘*ulamā*’ declare somebody apostate, heretic, deviationist, non-believer or blasphemer, emotions of the crowd are very high and can be easily manipulated. This often leads to intimidation, violence and even to destruction of life. Those who take part in mobs against persons condemned by the ‘*ulamā*’ justify their actions as following the *fatwā*. The ‘*ulamā*’ on the other hand claim no responsibility as the *fatāwā* they issue are legally non-binding.

Death *fatwā* and Liberal Islam Network

Death threats against intellectuals are not common in Indonesia, it was therefore shocking when in November 2002 one of the founders of the Liberal Islam Network (JIL, Jaringan Islam Liberal), Ulil Abshar Abdalla, was condemned to death by a group of conservative religious activists.

The incident was anticipated by a book of Hartono Ahmad Jaiz, *Bahaya Islam Liberal* (The Danger of Liberal Islam) which was published almost a year earlier. The book is somewhat chaotic and author’s message is not too clear, but it carries a huge amount of hatred against several Indonesian thinkers, Ulil Abshar Abdalla included. It may be assumed that Hartono was then not the only person whose negative attitude towards the Liberal Islam Network was growing exponentially. The motto³ of the book is a *ḥadīth*,

¹ M. Syafi'e Anwar, *Political Islam in Post-Soeharto Indonesia: The Contest Between «Radical-Conservative Islam» and «Progressive-Liberal Islam»*, in: Eric Tagliacozzo (ed.), *Southeast Asia and the Middle East: Islam, Movement, and the Longue Durée*, National University of Singapore Press, Singapore, 2009, p. 349.

² Ibidem, p. 365.

³ “Pada akhir zaman akan muncul sekelompok orang yang berusia muda dan jelek budi pekertinya. Mereka berkata-kata dengan menggunakan firman Allah, padahal mereka telah keluar dari Islam seperti melesatnya anak panah dari busurnya. Iman mereka tidak melewati tenggorokannya. Di mana pun kalian menjumpai mereka, maka bunuhlah mereka. Karena sesungguhnya orang yang membunuh mereka akan mendapatkan pahala di Hari Kiamat.” (Ahmad

narrated by ‘Alī ibn Abī Ṭālib, from the compilation of Imām Al-Buḥārī (d. 870). The *ḥadīth* orders to kill a group of young people, who would come when the end of the world is close and who would already be unbelievers, but would be using the words of the Qur’ān:

“In the last days of this world there will appear some young foolish people who will use (in their claim) the best speech of all people (the Qur’ān) and they will abandon Islam as an arrow going through the game. Their belief will not go beyond their throats (they will have practically no belief), so wherever you meet them, kill them, for he who kills them shall get a reward on the Day of Resurrection”⁴.

Although Hartono does not say it explicitly, the allusion to the members of the Liberal Islam Network (JIL, Jaringan Islam Liberal) is rather clear⁵. Most of them were young, learned, well-versed in the Qur’ān, and by those who disagreed with them often labelled as non-believers.

JIL is a loose organisation established by a group of Muslim intellectuals associated with the Paramadina Foundation, IAIN Jakarta (Institut Agama Islam Negeri, State Institute of Islamic Religion) and the Utan Kayu Community (Komunitas Utan Kayu or Teater Utan Kayu). Quoting one of its founders, Luthfi Assyaukanie, it was created “to accommodate liberal Islamic trends that have been flourishing in the country for the last two decades”⁶. The movement was inspired by the one generation older Indonesian thinkers such as Nurcholish Madjid, Abdurrahman Wahid, Harun Nasution, Ahmad Syafi’i Maarif, Moeslim Abdurrahman and M. Dawam Rahardjo.

From the series of discussions, workshops, radio programmes and lectures facilitated by the Utan Kayu Community, books, magazine and newspaper publications which received wider media coverage thanks to the founder of Utan Kayu, Goenawan Mohamad, the movement expanded at home and abroad attracting intellectuals, journalists, researchers and activists from various universities, think-tanks and NGOs⁷.

The challenge from the radical and conservative Islamic groups started to reach JIL particularly in the end of 2002 after the publication of an article by Ulil Abshar Abdalla in the *Kompas* daily. The article was titled “Menyegarkan Kembali Pemikiran Islam” (‘Reviving the Muslim Thought’). To the significant appreciation of some, and to the rage of other, Ulil stated several matters quite daringly. One of them, which later caused a more violent reaction from the conservative groups, was his view that what exists is human law, not God’s law. This ultimately meant that *ṣarī‘a* was a product of human history⁸:

Jaiz Hartono, *Bahaya Islam Liberal: Sekular dan Menyemakan Islam dengan Agama Lain*, Pustaka Al-Kautsar, Jakarta 2002, p. 7).

⁴ *Ṣaḥīḥ al-Bukhārī: The Translation of the Meanings*. Translated by Muhammad Muhsin Khan, Dar-us-Salam Publications. Riyad, 1997, vol. 4, p. 808.

⁵ Names mentioned in the book consist mostly of the JIL members or persons sympathising with them.

⁶ Luthfi Assyaukanie, *Islam and the secular state in Indonesia*, ISEAS Publications, Singapore 2009, p. 201.

⁷ More in Virginia Matheson Hooker, Amin Saikal (ed.), *Islamic perspectives on the new millennium*, Institute of Southeast Asian Studies, Singapore 2004, pp. 231–252.

⁸ Luthfi Assyaukanie, *Islam and the secular state...*, p. 202.

“Religion is an advantage for the humankind. And since humankind is a continuously growing organism, both quantitatively and qualitatively, religion must grow up as well, accordingly with the needs of humans. What exists is the human law, not the law of God, for it is human that becomes the stakeholder of all deliberations concerning religion”⁹.

For some circles it was not acceptable... Yet it in the first place it was clearly misunderstood. An example of such misunderstanding is the book of Hartono Ahmad Jaiz. In fact, it was published in January 2002, almost a year before Ulil Abshar Abdalla’s article was printed. However, in 2001 JIL was already active, there is no doubt that Hartono, a former journalist, had access to the ideas of the JIL members, especially as they were freely distributed.

In the last paragraphs of his book, Hartono states that the liberal Islam offers views that are not in line with science, facts of life and history; that it does not use the arguments provided in the Qur’ān, *sunna* (the *aḥādīth*), and the consensus of religious scholars (*iğmā’*); and that it is “far from the truth”¹⁰. He farther creates a non-direct link bringing him back to the *ḥadīth*-motto of the book which might be read as an implicit encouragement for violence. According to Hartono the members of JIL reject *ṣarī’a*, “the law of the Prophet”. In order to answer what should be done with such individuals, Hartono comes up with a “lesson” in which he reminds an incident with ‘Umar Ibn al-Ḥaṭṭāb, the companion of the Prophet Muḥammad and later the second Muslim caliph. ‘Umar killed a man who came to him and requested his judgement, after the judgement given by Muḥammad did not satisfy him. A verse from the Qur’ān¹¹ was provided in order to justify the killing. Hartono quoted it and came to the conclusion that people who do not want to be judged accordingly with the law of the Prophet are non-believers, and it would be lawful to kill them¹².

Hartono’s interpretation of the Qur’ān and other sources is undoubtedly a dangerous overstatement. Yet even more dangerous were the reactions which burst immediately after Ulil’s article was published in “Kompas” on 18 November 2002. On 30 November 2002 a group of clerics affiliated with the Forum Ulama Umat Indonesia (FUUI, the Forum of Indonesian Religious Scholars) gathered at Al-Fajar mosque in Bandung, and issued a *fatwā* which contained a demand that the authorities dissolve JIL which “systematically and massively insults the God, the Prophet, the Muslim community and the ‘*ulamā*’”. The article written by Ulil was given as an example of blasphemy. The FUUI farther stated that “according to the Islamic law, persons who insult and falsify the truth of religion can be punished with death”. The chairman of FUUI, Athian Ali Muhammad, announced that

⁹ “Agama adalah suatu kebaikan buat umat manusia; dan karena manusia adalah organisme yang terus berkembang, baik secara kuantitatif dan kualitatif, maka agama juga harus bisa mengembangkan diri sesuai kebutuhan manusia itu sendiri. Yang ada adalah hukum manusia, bukan hukum Tuhan, karena manusialah *stakeholder* yang berkepentingan dalam semua perbincangan soal agama ini.” Ulil Abshar Abdalla, *Menyegarkan Kembali Pemikiran Islam*, “Kompas”, 18 Nov 2002.

¹⁰ Hartono Ahmad Jaiz, *Bahaya Islam Liberal...*, p. 86.

¹¹ Qur’ān, 4:65.

¹² Hartono Ahmad Jaiz, *Bahaya Islam Liberal...*, pp. 86–92.

the *fatwā* was not only for Ulil, but aimed to “dissolve the motive behind Liberal Islam Network which he leads”¹³. Almost immediately the FUUI received huge criticism for their *fatwā* – a very odd and disturbing act on the Indonesian intellectual scene which is otherwise open for discussion and free from threatening the lives of dissidents.

Asrori S. Karni, a senior journalist from the *Gatra* weekly, who wrote a critical and often quoted record of the matter, accounted that eventually the FUUI announced they did not issue a death *fatwā*, but only demanded a legal process. Indeed, the term *fatwa mati* (‘death *fatwā*’) was not mentioned, however Athian Ali Muhammad in his statement explained that FUUI attitude towards JIL was the same as towards pastor Suradi¹⁴. In February 2001 FUUI issued a *fatwā* against him which was explicitly a ‘death *fatwā*’¹⁵. Nevertheless, in order to prove that the case was different, even though it was previously declared to be the same, Athian Ali Muhammad reported Ulil Abshar Abdalla to the police. Although the police did not follow with the case, the incident did not end there. Until now death threats and various acts of violence are being committed against the leaders of JIL. In March 2011 a bomb hidden in a book titled *They Must Be Killed Because of Their Sins Against Islam and Muslims*¹⁶ was addressed to Ulil. The JIL staff being suspicious of the package have alarmed the police. The bomb explosion has left one policeman heavily wounded.

Aḥmadiyya

In the recent years the Indonesian branch of Aḥmadiyya, a Muslim minority group, has been a target of religion-based violence, which it is often justified by the assailants with reference to several decrees issued by the state institutions that administrate the religious affairs. The most influential among them is Majelis Ulama Indonesia (Indonesian Council of Religious Scholars) which openly declares Aḥmadiyya heretical and its followers to be apostates from Islam.

Aḥmadiyya is a religious movement that emerged in the small town of Qadīān in Punjab, India, in 1889. It was founded by Mīrzā Ghulām Aḥmad (1835–1908). There are two branches of the movement, the Jamā‘ati Aḥmadiyya (Aḥmadiyya Muslim Community) also known as Aḥmadiyya Qadīān and Aḥmadiyya Anjuman Ishā‘ti Islām (Aḥmadiyya Movement for the Propagation of Islam), known as Aḥmadiyya Lahore. When Mīrzā Ghulām Aḥmad passed away the community continued to exist under the leadership of Mawlawī Nūr ad-Dīn. When he died some of the movement’s executive members seceded and formed a religious society in Lahore. Aḥmadiyya Lahore has been particularly active in translating to numerous European and Asian languages the Qur’ān, the commentaries

¹³ Hartono Ahmad Jaiz, Agus Hasan Bashori, *Bahaya JIL dan FLA*, Pustaka Al-Kautsar, Jakarta 2004, pp. 10–11.

¹⁴ Pastor Suradi is an Indonesian missionary accused of blasphemy by the FUUI.

¹⁵ Asrori S. Karni, *Senandung Liberasi Berirama Ancaman Mati*, “Gatra”, 17 Nov 2003.

¹⁶ Mereka Harus Dibunuh Karena Dosa-Dosa Mereka Terhadap Islam dan Kaum Muslim.

of it (*tafsīr*), the traditions of Muḥammad, and various other works on Islam. The famous leader of the movement was Muḥammad ‘Alī (1874–1951), a prolific author and famous Pakistani intellectual¹⁷.

The majority of the group remained in Qadīān, and nowadays the membership of Aḥmadiyya Qadyān greatly outnumbers the Lahore movement. It should be noted that most often the references being made to Aḥmadiyya in general pertain to Aḥmadiyya Qadyān. The issue which attracts most of the attention towards the movement is the understanding of the finiteness of prophethood. This also very often serves as an excuse for persecution of Aḥmadiyya members by the followers of other Muslim groups.

The different understanding of the finiteness of prophethood is explained by Abdul Moqsiṭh Ghazali, a renowned Muslim intellectual and lecturer at Paramadina University in Jakarta. Prophet Muḥammad was the ‘seal of the Prophets’ (*ḥātām an-nabiyyīn*) who received the final revelation (the Qur’ān) for all mankind and for all time. Aḥmadiyya affirms this. However, in their interpretation Prophet Muḥammad is the spiritual ‘seal’ of all prophets, in the sense that he had reached the peak of spirituality which had not and will not be achieved by anyone else. Yet Muḥammad is not seen as the physical ‘seal’. This means that there may come new prophets after him, but their spiritual qualities will always be weaker than that of Muḥammad. One of these lower-rank prophets was the founder of Aḥmadiyya himself, Mīrzā Ghulām Aḥmad. Such interpretation clearly differs from the *tafsīr*, the Qur’ānic exegesis, of the Sunni scholars for whom Prophet Muḥammad is the final prophet, the ‘seal’ to all kinds of prophethood. Nobody after him would ever receive a revelation. Therefore, it is not quite surprising that many of the Sunni ‘*ulamā*’ would declare Aḥmadiyya as deviant or heretical, and its followers as apostates¹⁸. The issue of prophethood is also one of the dividing points in the Aḥmadiyya movement itself. The Lahore community accepts Mīrzā Ghulām Aḥmad as *mujaddid* (reformer, renewer, renovator of Islam) not as prophet. According to the Islamic tradition in every century God would send a man to explain the matters of religion. Many of the prominent Muslim scholars throughout the ages would be referred to with this title.

In Indonesia both branches of the Aḥmadiyya movement are present. Jemaat Ahmadiyah Indonesia, the Indonesian branch of Aḥmadiyya Qadīān was established in December 1925. It was registered in March 1953 by the Ministry of Justice¹⁹ (JA.5/23/13, 13 March 1953)²⁰. Gerakan Ahmadiyah Indonesia (Indonesian Aḥmadiyya Movement, GAI), the Indonesian branch of Aḥmadiyya Lahore, was established in December 1928. In April 1930 it was registered as a legal body by the colonial government of the Dutch

¹⁷ Wilfred Cantwell Smith, *Aḥmadiyya*, in: *The Encyclopaedia of Islam*, Brill, Leiden 1986, vol. I.

¹⁸ Abdul Moqsiṭh Ghazali, “Apa dan Mengapa Ahmadiyah?”, paper for the Liberal Islam Network (Jaringan Islam Liberal) monthly discussion, Jakarta, 24 Feb 2011. Unpublished.

¹⁹ *Kementerian Kehakiman*, presently Ministry of Justice and Human Rights, *Kementerian Hukum dan Hak Asasi Manusia*.

²⁰ Iskandar Zulkarnain, *Gerekan Ahmadiyah di Indonesia*, LkiS, Yogyakarta 2005, p. 293.

East Indies. After Indonesia became independent, GAI was registered by the Ministry of Religious Affairs in December 1963 (18/II, 27 December 1963)²¹.

It is difficult to estimate the number of Aḥmadiyya followers worldwide. The organisation's statistics are not helpful here, sometimes it claims 80 million membership, sometimes even 200 million which does not seem realistic. In Indonesia, according to the Ministry of Religious Affairs the number of Aḥmadiyya followers would be between 50,000 to 80,000. According to Jemaat Ahmadiyah itself it would be half a million. The bases of Jemaat Aḥmadiyya are Sukabumi, Kuningan and Garut districts in West Java, and the North Sumatran city of Medan. The Aḥmadiyya Lahore (Gerakan Ahmadiyah Indonesia) is based in Yogyakarta with a small contingent in Jakarta²². The acts of violence towards the members of Aḥmadiyya are most often reported in West Java.

When in January 2007 the Indonesian National Human Rights Commission (Komisi Nasional Hak Asasi Manusia, KOMNAS HAM) released its report on the attacks against Aḥmadiyya, it appeared that the Muslim hostility was in high extent evoked by the legal opinions, *fatāwā*, issued by some Indonesian '*ulamā*'. Luthfi Assyaukanie notes that even though *fatwā* is a religious opinion produced by '*ulamā*' and it is commonly claimed that "*fatwā* is not binding", thus, having no legal enforcement, it is a mistake to assume that *fatwā* has no social and political implications. The example he gives is that of Ayatollah Khomeini's *fatwā* in early 1989 demanding Salman Rushdie's execution for his book *Satanic Verses*. The publication of *fatwā* lead to international violence with attacks on the bookstores, publishers and persons who were associated with translating the book. Luthfi Assyaukanie observes that while no Muslim is obliged to follow it "after all, *fatwā* is not an ordinary statement from a layperson but a ruling by learned and respected scholars with religious authority"²³.

In Indonesia the main institution to issue *fatāwā* is Majelis Ulama Indonesia (Indonesian Council of Religious Scholars, MUI). It was established in 1975 with the endorsement of former president, general Suharto, as an advisory board to the government. MUI comprises Islamic scholars ('*ulamā*') from various Muslim organisations, with Nahdlatul Ulama and Muhammadiyah members being in majority.

The first *fatwā* which MUI issued against Aḥmadiyya was a result of the organisation's second national conference on 26 May–1 June 1980 in Jakarta. Aḥmadiyya Qadīān was then rendered as a group not belonging to Islam, deviate and leading others astray (*di luar Islam, sesat dan menyesatkan*)²⁴.

Another anti-Aḥmadiyya document was produced during the MUI national working meeting on 4–7 March 1984. There MUI issued a recommendation to the government

²¹ Nanang R.I. Iskandar, *Fatwa MUI & Gerakan Ahmadiyah Indonesia*, Darul Kutubil Islamiyah, Jakarta 2005, p. 62.

²² Bernhard Plattdasch, *Religious Freedom in Indonesia, The Case of the Ahmadiyah*, ISEAS Working Paper: Politics & Security Series, 2 (2011) 1-33, p. 4.

²³ Luthfi Assyaukanie, *Fatwa and Violence in Indonesia*, 5 Feb 2007, <http://www.assyaukanie.com/> (accessed on 27 Nov 2011).

²⁴ Majelis Ulama Indonesia, *Himpunan Fatwa MUI. Sejak 1975*, Penerbit Erlangga, Jakarta 2011, pp. 40–42.

concerning the Aḥmadiyya community (this time it was Aḥmadiyya in general, no reference was made to Qadīān or Lahore). According to the document, the organisation was causing social unrest (their doctrines contrasting the Islamic doctrines); disintegration (especially in devotional matters); and a threat to the social stability and the national security. To solve this problem MUI recommended that all ‘*ulamā*’ and preachers throughout Indonesia should be highlighting and explaining the heretical nature of the doctrines of this non-Islamic group. It was suggested that the members of Aḥmadiyya should return to the Islamic teachings, and that all members of the Muslim community should be alert to avoid being influenced by the heretical doctrines²⁵.

The 1980 *fatwā* remained without legal sanction and the Indonesian government did not make an attempt to enforce it. Earlier in 1980, before the *fatwā* was issued, the authorities came with a charter allowing the Aḥmadiyya members to build their mosques and to teach their doctrines to the group members²⁶. While general Suharto was in power the matters of protecting or enforcing the Islamic orthodoxy were proficiently obscured in the service to the government. Any possible violent reactions in the society that could be potentially triggered by the *fatwā*, in the 1980s would be easily suppressed by the security apparatus.

Luthfi Assyaukanie mentions a thought-provoking tendency in the change of relations between the MUI and the state since the fall of Suharto regime: there has always been a reciprocal interest between religion and politics, between the ‘*ulamā*’ and the rulers. The ‘*ulamā*’ would request the caliphs to enact and enforce their *fatāwā*, while the caliphs would ask the ‘*ulamā*’ to issue specific *fatāwā* to justify their policies. Such collaboration took place under the rule of general Suharto, yet with the downfall of his regime the position of MUI changed. According to Assyaukanie, something counter to the Suharto era is now taking place. The MUI is officially a state-controlled, governmental advisory institution, yet in the recent years it has apparently been acting as if its role was not advising but controlling the state. With the government (Assyaukanie directly refers to the cabinet of the president Susilo Bambang Yudhoyono) reluctant to review the role of MUI, it is more independent to appoint its leadership. Since the MUI comprises several Muslim organisations, the leaders are chosen by these organisations. If the radical ‘*ulamā*’ are well established within the organisations, they may be chosen to lead the MUI, bypassing the checks and balances, as the governmental voice is not interfering at all²⁷.

The *fatwā* which since the last few years has been triggering violence against the followers of Aḥmadiyya was inspired by the ultra-conservative ‘*ulamā*’ among the MUI members.

On 26–29 July 2005, during its seventh national conference, the MUI maintained its position on Aḥmadiyya (not specified if Qadīān or Lahore) and demanded that the

²⁵ Khoiruddin Nasution, *Fatwa Majelis Ulama Indonesia (MUI): On Ahmadiyah*, “Jurnal Millah (Jurnal Studi Agama)”, 7/2 (2008).

²⁶ Gordon P. Means, *Political Islam in Southeast Asia*, Strategic Information and Research Development Centre. Petaling Jaya 2009, p. 101.

²⁷ Luthfi Assyaukanie, *Fatwa and Violence...*

government banned it. The 1980 *fatwā* was reaffirmed together with the explanation that a Muslim who had joined Aḥmadiyya would automatically become apostate. The persons who had joined the Aḥmadiyya were called to return immediately to the true Islam (in line with the Qur'ān and the traditions of the Prophet). MUI requested the government to ban the dissemination of Aḥmadiyya doctrines, to dissolve the organisation and to close all its offices in Indonesia²⁸.

Two months after the *fatwā* was issued the Aḥmadiyya community was violently attacked by thugs in Bogor and Cianjur. Both the MUI and the Minister of Religious Affairs, M. Maftuh Basyuni denied the allegations that violence was in any way spurred by the *fatwā*. However, most of the assaulters acknowledged that their action was driven by the MUI declaration that Aḥmadiyya is a deviant group²⁹.

The majority of the persons who commit violence following the MUI *fatwā* remain exempt from punishment. Such was the situation after the 2005 attacks on the members of Aḥmadiyya:

"[...] It is rare for someone who has committed an act of violence following a fatwa to be sanctioned through due process. What does happen is the contrary: members of groups that have been attacked were caught and sent to the police for interrogation. The charge is that they have 'annoyed' people with new beliefs. Instead of becoming a good agent, the government has taken sides and supported fatwas that clearly stimulate hatred and intolerance"³⁰.

This article written by Luthfi Assyaukanie in 2007 anticipated a series of grievous abuses against Aḥmadiyya a few years later. In 2010 there were at least 13 reported cases of violence where members of the organisation were abused, their property damaged or looted, their schools, mosques and places of prayer burnt and destroyed. Yet the events that outraged the Indonesian and the international public opinion began in early 2011. On 6 February in Cikeusik, Banten province in West Java, a mob attacked Aḥmadiyya meeting and bludgeoned to death 3 of its members, severely injuring other six. Soon a video showing the sickening attack and desecration of the victims' bodies was posted on the Internet. Dozens of police officers present at the scene were standing and watching the crowd of two thousand people slaughtering the Aḥmadis. No attempt to intervene was made at all. The district police announced that the Aḥmadiyya sect members who came from Jakarta triggered the fight. The local police chief said that two cars bringing in around 20 Aḥmadiyya members from Jakarta had refused to leave the village and provoked the locals³¹.

Particularly appalling was the reaction of state and judiciary authorities. Persons proven guilty of murdering 3 members of Aḥmadiyya were sentenced to 5 months in prison. The light sentencing of the assailants spurred discussions on the quality of the Indonesian justice, yet it was the further court case which left the international public

²⁸ Khoiruddin Nasution, *Fatwa Majelis Ulama Indonesia...*

²⁹ Luthfi Assyaukanie, *Islam and the secular state...*, p. 174.

³⁰ Luthfi Assyaukanie, *Fatwa and Violence...*

³¹ "The Jakarta Post", 6 Feb 2011.

opinion utterly shocked. The victim whose household was attacked by the mob, and who tried to defend his family and property, was sentenced to six months in prison for not obeying the police orders to leave his own house and for attacking the aggressors who broke into it³².

In the aftermath of the Cikeusik tragedy several local governments passed new regulations which restricted or banned the activities of... Ahmadiyya. The Governor of East Java issued the ban on 28 February, while the Governor of West Java on 3 March. A parliamentary commission met to discuss the matter. Eventually, the chairman of the commission stated that “in the light of the SKB there is no problem. This is a matter for the Minister of Home Affairs to revoke it [the ban] in case there is a violation [of SKB]”³³.

The SKB stands for *surat keputusan bersama*, ‘joint decree’ which was issued on 9 June 2008 by the Minister of Religious Affairs (M. Maftuh Basyuni), Minister of Home Affairs (Mardiyanto) and Attorney General (Hendarman Supandji). The decree limited Ahmadiyya, by banning its activities, yet did not ban the organisation itself. It is vague, however, what is understood by “activities”. The second point of the decree states that as long as Ahmadiyya members (Jemaat Ahmadiyah Indonesia) claim they are Muslims, they are to stop the activities which deviate from the Islamic doctrine, that is, spreading the views that there was a prophet after Muḥammad³⁴. Numerous local human rights NGOs raised concerns that SKB violated the Constitution and that it was not publicly binding. The document was widely perceived as a product of political bargaining by which the government addressed the demands to dissolve Ahmadiyya. The SKB left much disappointment among the intellectual elites and the members of Ahmadiyya, yet it also disappointed their hardest opponents. Some controversial figures from the Indonesian public, such as Abu Bakar Ba’asyir, the head of Majelis Mujahidin Indonesia (Mujahidin Council of Indonesia) demanded that the government disperse the Ahmadiyya or declare it non-Muslim. He said that the matter with Ahmadiyya is not of religious freedom but the freedom to destroy Islam. Rizieq Syihab, the leader of the notorious Front Pembela Islam (Front of Islam Defenders) appealed to the Muslims to urge the government to disband Ahmadiyya³⁵.

Even though perceived by the hard-liners as not sufficient, the decree, as much as the *fatāwā* of Majelis Ulama Indonesia (Indonesian Council of Religious Scholars) became a form of justification for them to launch violent attacks against Ahmadiyya followers.

³² “Tempo”, 15 Aug 2011.

³³ “Tempo”, 7 Mar 2011.

³⁴ “Memberi peringatan dan memerintahkan kepada penganut, anggota, dan/atau anggota pengurus Jemaat Ahmadiyah Indonesia (JAI), sepanjang mengaku beragama Islam, untuk menghentikan penyebaran penafsiran dan kegiatan yang menyimpang dari pokok-pokok ajaran Agama Islam yaitu penyebaran faham yang mengakui adanya nabi dengan segala ajarannya setelah Nabi Muhammad SAW” (Surat Keputusan Bersama Menteri Agama, Jaksa Agung dan Menteri Dalam Negeri, 9 Jun 2008).

³⁵ The Wahid Institute, *Bahaya Laten SKB Ahmadiyah*, in: *Monthly Report on Religious Issues*, 11 (2008), pp. 1–4).

On 14 February 2008, in Banjar, West Java, Sobri Lubis, secretary general of Front Pembela Islam, urged for killing the Ahmadiyya members³⁶. During the public gathering he shouted that their blood can be shed, and that the fight against them is a matter of self-defence. The prospective killers were ensured that he personally, the FPI, the '*ulamā*', and other Muslims will take joint responsibility for the killings:

"We call the Muslim community to fight with the Ahmadiyya. Kill Ahmadiyya, wherever they are, brothers. God is great! Kill, kill, kill! No problem to kill in self-defence [when they] destroy my faith. [...] It is lawful to shed Ahmadiyya blood. Later they will say we violate the human rights, to hell with human rights, bullshit human rights! [...] Fight with Ahmadiyya, kill Ahmadiyya, knock out Ahmadiyya from Indonesia. God is great! No worries later, we will take the responsibility. I personally, also the FPI, other Muslim groups, and the religious scholars will take the responsibility. If there is somebody who kills Ahmadiyya, say we told you to. Say Sobri Lubis told you to, Habib Rizieq Syihab told you to, no problem. We are ready to take the responsibility in the hereafter for killing the Ahmadiyya anywhere they are. God is great!"³⁷

The occurrence of the words describing Ahmadiyya as heretical or explicitly apostate in the *fatwā* of the MUI cannot account for abuse and murder. Neither does the decree issued by the three ministers. However, they do incite hatred and are used to justify violence. It is therefore most difficult to understand why these documents are being upheld while it has been proven that there is a relationship between declaring somebody murtadd or heretic, and the extrajudicial decisions to take that person's life.

In the first case discussed it was the intellectuals who became the target of violence. Whenever there emerges a goal to trigger violence against those who look differently at the religious tradition, it must raise a plain human opposition, regardless one agrees or not. It is ironic that the state does not intervene. And it is tragically ironic that those who undertake a discussion through the books are attacked with bombs hidden inside them.

³⁶ Bernhard Plattdasch, op. cit., p. 27.

³⁷ "Kami ajak umat Islam, ayo, mari untuk kita perang! Ahmadiyah, bunuh Ahmadiyah, di manapun mereka berada, saudara. Allahu akbar! Bunuh, bunuh, bunuh! Nggak apa-apa bunuh, dari mana ngebela, ini ngebela paksa. Ini merusak aqidah gue! [...] Ahmadiyah, halal darah dia untuk ditumpahkan. Nanti bilang melanggar HAM, persetan kitab HAM, tai kucing kitab HAM. [...] jadi kalau Ahmadiyah tidak mau kembali ke Islam, kita perang! atau tidak? Perang! Ahmadiyah, bunuh Ahmadiyah, tersingkir Ahmadiyah dari Indonesia. Allahu Akbar! Nanti nggak apa-apa, kita bertanggung jawab, saudara. Saya pribadi, maupun FPI, maupun ummat Islam yang lain, para alim, ulama, bertanggung jawab. Kalau ada yang bunuh Ahmadiyah, bilang disuruh sama kami, saudara. Bilang disuruh oleh ustaz Sobri Lubis, disuruh oleh Habib Rizieq Syihab, nggak masalah. Kami siap tanggung jawab untuk dunia akhirat, untuk bunuh Ahmadiyah di manapun mereka berada. Allahu akbar!"