



Religion

Population

Area

- Muslims : **79.3%**
- Christians : **12.1%**
- Agnostics : **1.3%**
- Ethnoreligionists : **2.3%**
- Hindus : **1.6%**
- New Religionists : **1.6%**
- Others : **1.8%**

260,581,000

1,910,931 Km²

Legal framework on freedom of religion and actual application

Indonesia is the world’s largest Muslim-majority nation, but it is not, constitutionally, an Islamic state. Instead, it is guided by its state ideology of “Pancasila”. As described in the preamble to the constitution, this is based “on a belief in the One and Only God, just and civilised humanity, the unity of Indonesia, and democratic life led by wisdom of thoughts in deliberation amongst representatives of the people, and achieving social justice for all the people of Indonesia.”^[1] In other words, the constitution does not enforce any one particular religion, but it does require citizens to believe in a deity. Constitutionally, the rights of the followers of the six officially recognised religions – Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism – are protected, while the rights of adherents of other religions, including local traditional beliefs, and agnostics and atheists are not.

According to article 28E of the constitution, “Every person shall be free to choose and to practise the religion of his/her choice”. Article 29 also states that: “The state guarantees all persons the freedom of worship, each according to his/her own religion or belief.”

Blasphemy, heresy and religious defamation are banned under articles 156 and 156(a) of Indonesia’s Criminal Code. This outlaws acts “expressing feelings of hostility, hatred or contempt against religions” and “insulting or offending a religion” and impose a maximum five-year prison term.^[2] In addition to the Criminal Code, in 1965 President Sukarno signed Presidential Decree No. 1/PNPS/1965 on the Prevention of Blasphemy and Abuse of Religions, known as the “blasphemy law”. Article one of this decree prohibits any “deviant interpretation” of religious teachings and mandates the president to dissolve any organisation practising such teachings.^[3]

In 1969, the Ministry of Religious Affairs and the Ministry of Home Affairs issued a joint ministerial decree, regulating the construction of places of worship. Following a review of the decree, in 2006 the Joint Regulation of the Minister of

Religious Affairs and the Minister of Home Affairs No. 8 and 9/2006, released the “Guidelines for Regional Heads and Deputies in Maintaining Religious Harmony, Empowering Religious Harmony Forums and Constructing Houses of Worship”.^[4] This requires that the local populous support new places of worship. It also requires the written recommendation of the district office of the Ministry of Religious Affairs as well as the Religious Harmony Forum of the local district or city. The local mayor then has 90 days to decide on the application.

On 9th June 2008 the Ministry of Religious Affairs, the Attorney General and the Ministry of Home Affairs issued a joint decree warning the Jemaat Ahmadiyah Indonesia (JAI), Indonesian Ahmadi Muslims, and the general public against certain “interpretations and activities that are deviant from the principle teachings of Islam, that is the promulgation of beliefs that recognise a prophet with all the teachings who comes after the Prophet Mohammad.”^[5]

The purpose of the decree was “to admonish and instruct all members of the public not to preach, advocate, or gather public support, in order to interpret a religion adhered to in Indonesia, or to perform religious activities resembling the activities of that religion, where those interpretations and activities deviate from the principles of that religion”^[6] Ahmadis are instructed that “as long as they claim themselves to be Muslims, [they must] stop disseminating interpretations and [engage in] activities that deviate from the principles of the Islamic doctrine, namely the dissemination of the teaching that there is a prophet, with all his doctrines, after the Prophet Mohammad.”^[7]

In August 2008, Indonesian authorities issued guidelines to implement the joint decree, specifying that it applied only to Ahmadis who claim to be Muslims, while those who do not “are exempted from the target of this admonition and order”.^[8] Banned activities include “speeches, lecturing, preaching, religious discussion, taking an oath of allegiance, seminars, workshops, and other activities either oral or written, in the form of books, organisation documents, printed media, and electronic media, containing and aimed at disseminating belief to acknowledge that there is a prophet with all his teachings after Prophet Mohammad.” Any violation is tantamount to an offence under article one against “deviant” interpretations and teachings of religion, article three of the 1965 Presidential Decree against Blasphemy and Abuse of Religions, and Article 156(a) of the country’s Criminal Code. Conviction carries of up to five years in prison.^[9]

In addition to the blasphemy laws, the regulations on the construction of places of worship and the anti-Ahmadiyya guidelines, hundreds of local and regional laws and regulations have been promulgated over the past two decades. In recent years, the Pew Forum has consistently rated Indonesia as a country with one of the highest levels of restrictions on religion among the world’s 25 most populous nations, taking into account both government regulations and social hostilities.^[10] Dr Musdah Mulia, chairperson of the Indonesian Conference on Religion and Peace, claims there are at least 147 “discriminative laws and public policies in regards to religion”^[11] Indonesia does not have Shari’a law at a national level, but it is estimated that at least 52 of Indonesia’s 470 districts and municipalities have introduced over 78 Shari’a -inspired regulations.^[12] Some experts say the figures are even higher, claiming there are at least 151 local Shari’a bylaws across Java, Sulawesi, Sumatra and West Nusa Tenggara.^[13]

Incidents

Basuki Tjahaja Purnama, also known as “Ahok”, governor of Jakarta, a Christian, failed in his April 2017 re-election campaign. This happened after he was found guilty of blasphemy and sentenced to two years in prison.^[14] On 27th September 2016 “Ahok quoted a Qur’anic verse while addressing concerns that Muslim voters were being discouraged from voting for a non-Muslim. Conservative Islamic groups and his political rivals seized on his remarks, especially after his statement went viral via a doctored YouTube video.”^[15] The international community, including the United States, the European Union and the United Nations condemned Ahok’s imprisonment and called for reform or repeal of the blasphemy laws.^[16]

Religious minorities in Indonesia have faced sporadic violence in recent years. Three churches in Indonesia’s second-largest city, Surabaya, were attacked on 13th May 2018 by suicide bombers, killing 13 people and injuring dozens.^[17] The attackers were believed to be from one family, alleged members of an Indonesian network, Jemaah Ansharut Daulah (JAD), inspired by the Daesh (ISIS). Santa Maria Catholic Church was attacked first by two young men believed to be

brothers. The two, 16-year-old Firman Halim lahir and 18-year-old Yusuf Fadhil lahir, reportedly arrived on motorbikes and set off explosives. A woman and two girls, nine and 12 – Puji Kuswati lahir, Fadhila Sari lahir and Famela Rizqita – probably the mother and sisters of the men who attacked Santa Maria Catholic Church, blew themselves up at the Diponegoro Indonesian Christian Church. Last but not least, the Surabaya Centre Pentecostal Church was targeted by a car bomb, detonated by Dita Oepriarto lahir, believed to be the father and husband of the other attackers.

On 29th August 2016, St Joseph's Catholic Church in Medan, North Sumatra, was attacked by a suicide bomber during Sunday Mass. As the priest read the Gospel, the bomber detonated a device, but it malfunctioned and only burned his hair. Armed with an axe and a knife, he ran towards the pulpit, but the priest fled down the aisle, pursued by the attacker. The priest suffered cuts to an arm but sustained no further injuries while members of the congregation were able to restrain the attacker until the police arrived.^[18]

Some churches in Indonesia have been forced to close. Two of the most prominent cases involve the Indonesian Christian Church Yasmin in Bogor, West Java, and the Filadelfia Batak Church in Bekasi, a suburb of Jakarta, which remain closed despite rulings by the Supreme Court permitting their reopening.

Some pastors have had to flee Aceh Singkil due to death threats, including one who claimed that a price of 100 million Indonesian rupiah (US\$7,500) had been put on his head for anyone who captured him, dead or alive.^[19]

The Ahmadiyya Muslim community also faces persecution. On 4th June 2017 the authorities in Depok City, a suburb of Jakarta, sealed the Ahmadiyya mosque, which the local mayor had ordered closed earlier in the year. The mosque was subsequently vandalised on 24th June by a mob who threw eggs and paint.^[20] The National Human Rights Commission (Komnas HAM) wrote to the mayor of Depok appealing his decision and proposing dialogue between the mayor and the Ahmadiyya community, but without success.^[21] The Ahmadiyya have faced sporadic outbreaks of violence in recent years, particularly in Cisalada, Cikeusik, Tasikmalaya and Lombok, along with the closure of their mosque in Bekasi.^[22] More than 200 Ahmadis remain internally displaced in Lombok after their homes were destroyed in an outbreak of violence in 2006.^[23]

Public harassment of the Shia community has also continued, although there have been no reported incidents of violence since the attacks against Shia Muslims in East Java in 2011 and 2012, which resulted in the displacement of 500 people. According to the US State Department's annual report on international religious freedom, more than 300 Shias from Madura remained displaced on the outskirts of Surabaya, East Java.^[24]

Other religious minorities also face violations of freedom of religion or belief. In particular, a spiritual group known as Gafatar, affiliated with Millah Abraham, a religious and social action movement that draws on the teachings of all the Abrahamic faiths, was banned by the government in 2016 and its leaders jailed for blasphemy in 2017.^[25]

In Tanjung, North Sumatra, an ethnic Chinese Buddhist woman was charged with blasphemy after asking the local Al Maksum Mosque to reduce the volume of its loudspeakers when broadcasting recorded Qur'anic readings.^[26] On 29th July 2016, the woman, known as Meliana, asked the owner of a kiosk near the mosque to make this request, because her children were sick. She asked that the volume of Qur'anic recitations be turned down. The mosque agreed to her request, but when the story appeared on Facebook, it was misreported claiming that she had asked for the call to prayer, to stop. By midnight a mob responded by burning a Buddhist temple, a Chinese temple and a social care home. They also wanted to burn Meliana's home but neighbours intervened, concerned that their homes would also be set ablaze.

Several organisations, in particular the Setara Institute, the National Commission for Human Rights and the Wahid Foundation produce regular reports on the number of incidents of violations of freedom of religion. All reports indicate a steady increase in recent years, although the most recent report by the Setara Institute point to a decrease in 2017 compared with 2016. The Setara Institute reports 201 recorded incidents of religious intolerance in 2017, compared to 270 in 2016.^[27]

Prospects for Freedom of Religion

Indonesia has a long tradition of pluralism and religious harmony, which could be restored if concerted, strong and appropriate action was taken by the authorities to stand up to the voices of intolerance and defend freedom of religion or belief in the country. If the authorities do not act, however, and if the voices of moderation within Islam and among human rights defenders and civil society groups are not heard, the potential for further extremism, intolerance and violations of freedom of religion can only increase. After its military defeat in Iraq and Syria, it is clear that Daesh is moving to South-East Asia, with Indonesia among its key areas of operation. If this continues, the country's religious minorities can only face growing dangers.

Sources / Endnotes

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