

Internationales Katholisches Missionswerk e.V.
Pontifical Mission Society
Human Rights Office
Dr. Otmar Oehring (Editor)
Postfach 10 12 48
D-52012 Aachen
Tel.: 0049-241-7507-00
FAX: 0049-241-7507-61-253
E-mail: humanrights@missio-aachen.de
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3

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Theodor Kampschulte
**Human Rights
in Indonesia.
Religious Freedom
and Violence**



The Human Rights Office aims to promote awareness of the human rights situation in Africa, Asia and Oceania. In pursuit of this objective we are actively involved in human rights networking and foster exchanges between **missio's** church partners in Africa, Asia and Oceania and church and political decision-makers in the Federal Republic of Germany. This Human Rights series comprises country-by-country studies, thematic studies and the proceedings of specialist conferences.

This study on **Religious Freedom and Violence in Indonesia** begins by examining the constitution, which guarantees freedom of religious belief to all Indonesian citizens without exception and grants the right to attend religious services. This basic right is contrasted with the realities of life in state and society today, including the destruction of churches and the different forms of discrimination suffered by religious minorities in the world's largest Muslim country. The study takes an in-depth look at the centres of violence, where conflicts have taken the form of religious wars. What is the response of the state and its institutions and how do the media and the public react to violence against religious minorities? Above all, what action is being taken by the churches in response to the threat to religious freedom and the reality of lawlessness?

Dr. Theodor Kampschulte, b. 1932 in Neheim; 1954-1961 Degree in Philosophy and Theology; 1962-1970 worked in the service of the church in Indonesia; 1971-1973 Degree in Social Sciences and Educational Theory at the Technical University of Aachen; 1977 PhD at the University of Bochum in the Sociology of Developing Countries with a special emphasis on Indonesia; 1978-1997 specialist advisor for Indonesia, China, etc. at Misereor, the German Catholic Bishops' Organisation for Development Co-operation, in Aachen; in this capacity many trips to Asian countries, including all parts of Indonesia; 1999 participation in field research on the subject of violence in Indonesia under the direction of Prof. Dr. Theodor Hanf, Freiburg.

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Contents

2 General Information on Indonesia	25 V. Summary and Prospects
Human Rights in Indonesia	28 VI. Demands for Religious Freedom in Indonesia
– Religious Freedom and Violence	29 Sources
3 Foreword	30 Footnotes
4 I. The Principles	
4 The Constitution	
7 The Sharia	
9 II. The Facts	
9 The Destruction of Churches	
11 Discrimination	
13 III. Centres of Violence	
13 The Conflict in the Moluccas	
13 The Fighting and Destruction	
16 Forced Islamisation	
17 Causes	
20 The Conflict in the Poso Region	
21 Other Areas of Conflict	
22 IV. The Reaction of the State and Society	
22 The State and its Institutions	
23 The Public	
24 The Churches	

General Information on Indonesia

Name of country:	Republic of Indonesia
Area:	Some 13,600 islands (around 1,000 of them inhabited) stretch in an arc extending over 5,000 km on either side of the equator; their total area exceeds 1.9 million sq. km.
Population:	Approx. 228.5 million (estimate mid-2001)
Inhabitants under the age of 15:	30.26%
Population growth rate:	1.6% per year
Life expectancy:	68.3 years
Illiteracy rate:	Approx. 16% (men: 10.4%, women 22%)
Languages:	Official language: Bahasa Indonesia (modified Malay), plus approx. 200 other languages and more than 170 dialects
Form of government:	Presidential republic
Legislative assembly:	Parliament [DPR - Dewan Perwakilan Rakyat]: 500 members of parliament (incl. 38 appointed representatives of the military); People's Consultative Assembly [MPR ¹ - Majelis Permusyawaratan Rakyat] comprising 700 members (incl. 500 members of parliament) meets once a year; approves national policy guidelines; elects the president and vice-president for five years; has the right to remove the president from office
Capital:	Jakarta; 27 provinces (including three special regions: Jakarta, Yogyakarta and Aceh) each headed by a governor and with a provincial parliament
Religions:	88% Sunnite Muslims, 5% Protestants, 3% Catholics, 2% Hindus (mostly on Bali), 1% Buddhists, Confucians (mostly Chinese) and animistic religions.

Source: Munzinger Archiv; The World Factbook 2001

Foreword

Indonesia is at a major crossroads in its history that very few people anticipated even a short time ago. Following East Timor's departure from the association of states it had been forced to join 24 years previously, violent clashes at two other flashpoints – the provinces of Aceh in the extreme west and Papua (Irian Jaya) in the extreme east – have boosted the forces and movements that have been fighting for decades for the independence of their regions. The clashes in the Moluccas², where the conflict has taken on the form of a religious war, have been particularly brutal. The human casualties, the destruction of private and public property and the resulting stream of refugees have put the struggle for control of East Timor in the shade.

There is growing unrest in other parts of the island state, too, and a trivial incident is often enough to transform pent-up violence into naked aggression, which is frequently directed against the mostly Christian minorities. According to one observer, Indonesia has become “a world champion in destroying churches”³. However, there should be no overlooking the fact that numerous mosques have also fallen victim to the violence in the Moluccan conflict.

This study is concerned with the human right to freedom of religious belief and its violation through acts of violence and discrimination in present-day Indonesia. The first section deals with the legal principles, the guarantees written into the constitution and the positions of the politically relevant forces. The second section looks at the reality of religious freedom today, destruction and discrimination. The third examines regional conflicts, in which violence is exercised in the name of religion. Section Four details the response of the state, society and the churches. Section Five contains a summary and reviews the prospects for the future. The study concludes with a list of demands considered necessary to remedy the shortcomings in religious freedom.

I. The Principles

1. The Constitution

Before Indonesia became independent there was an extensive, rational discussion about the foundations on which the new state was to be erected. “In the committee set up by the Japanese to pave the way for Indonesian independence there are apparently insurmountable differences between the supporters of a secular nation-state and those favouring an Islamic state. In this situation, Sukarno (later to become the first president of the republic, author’s note) has proposed that the state should be based on five principles, which he calls Pancasila (five pillars, author’s note): nationalism, humanism, democracy, social justice and a belief in God. Both the nationalists and the representatives of the Muslims accept Sukarno’s proposal. However, the latter insist that a belief in God should come first and that there should be explicit mention of the fact that Muslims are obliged to observe the Islamic Sharia law. These demands match those contained in the so-called Jakarta Charter of 22 June 1945⁴”, which aimed to make observance of the Sharia a state-approved duty for Muslims in all areas of life. However, because of the threat made by the non-Muslim eastern regions of Indonesia that they would found a separate state if necessary, the fathers of the constitution dropped the constitutional amendment called for by the Islamists in the interests of national unity. This demand has never really been renounced, however, and it is now the cause of fierce political disputes.

According to the constitution, the five principles of the Pancasila form the basis for national unity bringing together the different parts of the country with their great variety of languages, cultures and religions. “It (the Pancasila) has emerged as a fundamental compromise between the nationalist and Islamic forces, without which national unity in Indonesia would not have been possible at all. The Pancasila is the expression of the fundamental willingness of both ideological groups to found a state together in which all Indonesians can feel at home”⁵. This is how the Pancasila is still formally regarded today by the majority of the Indonesian population. Its relevance has evaporated, however. Perhaps a trauma has developed on account of the extremes of the Suharto regime, which brought the Pancasila into disrepute by using it as a vehicle for its anti-democratic power politics. Under Suharto the Pancasila was sacrosanct and the army was prepared to use force to guarantee it. Today it is still a compulsory subject at all schools, but no longer at universities. Social organisations and political parties are also no longer obliged to state that the Pancasila is the sole basis of all that they say and do. The Pancasila has

been freed from the extremes of the Suharto era with its commitment to Pancasila ethics and the corresponding training courses. The original understanding of the Pancasila has returned. The meaning of the Pancasila is now once more the basic compromise guaranteeing the unity of the nation. That is what it is supposed to be at least. However, this compromise is not accepted any more by the new Islamic parties and fanatical groups.

The parties and their leaders no longer have a uniform position on the Pancasila. For the nationally-minded parties, which currently have a clear majority in parliament, the Pancasila remains the basis of the state and society. Strongest among them is the PDI/P (Indonesian Democratic Party of Struggle) of the current president, Megawati Sukarnoputri, which emerged from the national party of the founder of the republic, Sukarno, and accepts the traditional understanding of the Pancasila. The same also applies to Golkar, the party formerly dominant under Suharto, which now has a strong Islamic wing, however. The PKB (National Awakening Party) of the former president, Abdurrahman Wahid, regards the Pancasila as a form of humanism coloured by religion, which it adheres to. PAN, (the National Mandate Party), led by Amien Rais, the fifth strongest party with 7% of the vote, also stands by the Pancasila as the basis of the constitution, although there are strong Islamic tendencies within this party.

The Islamic parties, by contrast, have made Islam the basis of their aims and activities. They give priority to the enforcement of the Sharia as state law. This applies, in particular, to the smaller parties, PK (Justice Party) and the PBB (Crescent and Star Party), and also to the more significant PPP party (United Development Party), which has existed since the Suharto era. Today its chairman is vice-president of the republic, giving it a claim to the highest office of state and to the power associated with it, should the current president be voted out of office by the supreme state institution, the MPR (People’s Consultative Assembly), which is what happened to her predecessor.

The Pancasila means that Indonesia is neither a secular state nor a state dominated by the religion of the majority of the population. Article 29 of the 1945 constitution states that:

“(I) The state is founded on the belief in one, supreme God. The state guarantees the freedom of all citizens to profess their religion and to worship in accordance with their religion and their belief.”

The constitution thus guarantees the status of religion and the freedom to practice it. As regards the practical interpretation of this constitutional right, however, religious freedom is formulated much more narrowly. Since the “Declaration of Bogor”, published by the Minister for Religious Affairs in 1963, there have been only five officially recognised religions in Indonesia. These are Islam, Protestant-

ism, Catholicism, Buddhism and (Bali) Hinduism, all of which have their own department in the Ministry of Religious Affairs. In 2000, Confucianism was recognised as a sixth religion on the orders of the then president, Abdurrahman Wahid.

The religious minorities that are not officially recognised are allowed to live according to the rules of their faith, as long as this does not conflict with the constitution. For example, Jehovah's Witnesses are forbidden because it is said that they do not pay taxes, reject the state flag and military service and do not allow their children to attend normal schools. Islamic sects, such as Darul Ar'kan, are also banned for similar constitutional reasons. The Christian sects are dealt with by the Protestants Department in the Ministry of Religious Affairs.

Represented mostly in Central and Eastern Java are the so-called 'Aliran Kepercayaan', Islamic-mystic religious creeds influenced by Javanese-Hindu traditions with an estimated 30 to 40 million followers, who have so far tried in vain to gain recognition as an independent religious community. They continue to be considered Muslims, even though their religious practices are a thorn in the side of supporters of the "pure teachings" of Islam.

Religious freedom in accordance with the constitution was officially interpreted as an obligation to belong to one of the recognised religions, especially under Suharto. The followers of traditional animistic religions, in particular, continue to be affected and the majority of them have converted to Christianity, as is the case with the Dayaks on Kalimantan (Borneo).

Religious freedom in the western, liberal sense does not apply to non-believers either, since non-believers are not allowed in Indonesia. Those who do not belong to a religion are regarded as communists, and for decades that was an extremely dangerous position to be in. Today it is easier to be an atheist. However, atheist organisations, publications and propaganda are forbidden. The prevailing view is that they contravene the constitution.

The main political forces have agreed to religious freedom as defined by the constitution, the only exception being the Islamic parties. They want to turn the freedom to practice religion into a state-controlled obligation for the country's large Muslim majority to abide by the Sharia. In the annual session of the People's Consultative Assembly (MPR) in 2000, a renewed application to amend the constitution accordingly was rejected by the nationally-minded majority and referred to Ad-hoc Committee I for the Amendment of the Constitution, where it has been the subject of intense discussion ever since. The staunch supporters of Islam are up against the moderate Muslims, who still refuse to subordinate religion to the state. Were the Sharia to be introduced, it would transform religious law into binding constitutional law. That would be a major step in the direction of an Islamic state.

There are groups that are working very hard to secure dominance for Islam and its laws in the state and society. This applies, for instance, to ICMI (Indonesian Association of Muslim Intellectuals), which was founded in the last years of the Suharto regime under the guidance of Bacharuddin Jusuf Habibie, who later became president of the republic. The members of the association are now reputed to have established a presence almost everywhere: in government and the administration, in the parties, the army and the universities. Its aim is to occupy all the important positions in government and society and, it is feared, to first oust the Christians and then the moderate Muslims⁶.

What Dieter Becker has said of the past clearly still applies: "At the root of the disputes dividing the Islamists and the nationalists were deep differences in ideology and religion. After the failure of the Jakarta Charter the attitude of the Islamists to the constitution and the Pancasila was largely that, if the Muslims could not be made to comply with the Sharia through the constitution, then further legislation should be the means to this end"⁷.

As regards marriage legislation and inheritance law, they have largely succeeded.⁸ Representatives of the recognised religions are responsible for legal marriage ceremonies. This is a problem in the case of partners from different religions if one of them is a Muslim. The condition for an Islamic marriage ceremony is that the non-Muslim partner should convert to Islam. Conversely, the Muslim partner who converts to another confession loses all inheritance rights, since the Islamic courts of justice are responsible for questions of inheritance and they sanction any break with Islam by debarring those concerned from succession.

2. The Sharia

What would enforcing the Sharia in Indonesian state and society mean? There is no clear-cut answer to this question from the ardent or fanatical supporters or from the sceptical to disapproving critics. In practical terms the Sharia would make Islamic law obligatory for all Muslims. The Sharia would be made the official source of the law and all state laws would be enacted on the basis of Islam. The fanatics want to set up an Islamic society modelled on Medina at the time of the prophet Mohammed. Religious minorities, especially Christians, would then be tolerated as 'protected citizens', but would not have the same rights as the Muslim majority, thus being turned into second-class citizens⁹. Local religious traditions are treated as mere superstition. They are not compatible with Islam and have to be 'cleansed'. Included among them are the Javanese-mystic shades of Islam, which countless millions of Javanese believe in. Supporters of Islamic purism are strongly influenced by the state ideology of Saudi Arabia, where

thieves, adulterers etc. receive harsh legal treatment and are given punishments reminiscent of the Middle Ages. If the fanatics had their way there would be a ban on both alcohol and prostitution in Indonesia. Strict dress regulations would entail women and girls wearing a veil when outside the home. The fanatics would also like to Islamise the country's economy. There would then be no payment of interest any more. Instead, profits would be distributed. In anticipation of these visions the radical Islamic Defenders Front (FPI) is already engaging in violent activities, destroying advertisements for alcohol and closing gaming dens and brothels.

The moderate advocates of the Sharia reject the use of violence. They see the Sharia as the Muslim way of life, just as other religious or ethnic groups have their common law or code of behaviour. In a more general sense the Sharia could be described as a set of ethics or morals and in a narrower sense as Islamic law. This is implemented differently in each Muslim country and social system – with considerable rigour in Saudi-Arabia, but with greater openness and less repression in Egypt and Indonesia.

The opponents of a state-approved commitment to the Sharia will have no truck with such explanations. They fear any compulsion within the system. The representatives of religious minorities are especially alarmed. A counter-movement is being formed among the public and in the press, in which women's groups are the prime movers. They do not want to be subjected to constant surveillance by the Sharia police.

So what are the prospects for the introduction of the Sharia in Indonesia? It must be admitted that they have greatly increased since the introduction of the autonomy law, which came into effect for all provinces at the beginning of 2001. This law stipulates that certain areas of politics, including religion, are the preserve of central government, but in many provinces autonomy is seen as a *carte blanche*, from which the Sharia is not excluded. Now that the Indonesian parliament has passed a resolution introducing the Sharia in the province of Aceh, other provinces, such as South Sulawesi and West Java, wish to follow suit.

II. The Facts

1. The Destruction of Churches

Acts of violence perpetrated against religions and religious symbols are a fact of life in Indonesia today. This is particularly apparent in the growing number of churches and church institutions that have been destroyed. From the founding of the republic up to the end of January 2001, a total of 825 Christian churches had either been completely destroyed or extensively damaged by acts of violence or prohibited and closed by the authorities¹⁰. The extent of the damage ranged from smashed windows, broken-down doors, devastated interiors and desecrated ritual objects and books to the complete gutting of buildings. The figure given above does not include the parish rooms and houses, schools, kindergartens, nuns' homes, orphanages and other church institutions destroyed at the same time.

The rate of increase in the destruction, which is readily apparent from the average monthly figures, is particularly alarming (in brackets after the overall figures). Whereas just two churches were destroyed in the 21 years in which the first president, Sukarno, was in office (i.e. 0.008 per month), 456 churches were destroyed in the 32 years under President Suharto (i.e. 1.2 per month), 156 in the 17 months under President Habibie (i.e. 9.2 per month) and 211 in the first 15 months¹¹ under President Abdurrahman Wahid (i.e. 14 per month). These figures include the destruction resulting from the conflicts in the Moluccas and the Poso region of Central Sulawesi, where 192 churches (and 28 mosques) have been destroyed or damaged since the beginning of 1999.

Observers point out that, if the conflict areas referred to above are ignored, the number of churches destroyed has actually dropped in recent years¹². Whereas 8.3 churches were destroyed per month during President Suharto's last year in office (1997/98), the adjusted figure under Habibie fell to 6.6 per month and under Abdurrahman Wahid to 4.3. The future will show whether this can be considered a sign of hope or whether it should be seen rather as a shift of the destruction to conflict regions.

There are different interpretations of the violence in Indonesia, from which religious minorities suffer more than they do in any other country in South-East Asia. References are made to the potential for conflict and the increasing social tensions arising from an unofficial unemployment rate of over 40%, which hits young people hardest. Studies have highlighted the fact that churches are often destroyed in connection with eruptions of mass violence. This is illustrated by the events of 26 December 1996 in and around the town of Tasikmalaya in West

Java¹³. In the space of 24 hours, mobs went on the rampage destroying 15 churches belonging to different Christian denominations as well as 18 police stations and headquarters, three hotels, six banks, eight factories, seven supermarkets, four Christian schools, eight car showrooms, 89 Chinese businesses and restaurants and over 100 cars. Given the extent of the destruction the reason seemed trivial, although it was by no means harmless. A Muslim cleric had been severely maltreated at a police station the previous day, but both sides – the chief of police and the head of the nearby Muslim boarding school (Pesantren) – had already agreed to settle the matter peacefully. The following morning, however Islamic students (Santri), who were not satisfied with this arrangement, organised a protest service in the Grand Mosque, which was soon transformed by radical elements into a violent mass protest. Tens of thousands of people, who had hurried by from the surrounding villages, took part in the subsequent looting and destruction. The security forces very quickly lost control over the town.

What explanation can be offered for this mass willingness to engage in violence and vandalism? Researchers have pointed out that those involved were largely disadvantaged rural groups, who are excluded from the progress the country has made and, therefore, mistrust and reject it. They feel that they themselves and their simple, traditional Islamic way of life are under threat from the spread of Western values and they are only too willing to destroy symbols of modernity, such as banks, supermarkets, factories and churches. The researchers have also detected this pattern of violence in other large-scale riots, such as those in Surabaya, Situbondo, Banjarmasin etc.

However, it is noticeable that the attacks on Christian churches, in particular, are not blind acts of destruction. They do not generally take place spontaneously but are clearly well planned. It often seems that any excuse will do to goad people into acts of violence against churches. Such deeds are frequently preceded by the distribution of anonymous letters warning people about impending Christianisation. Local residents are seldom involved in the rioting. On the contrary, they often try to protect Christian institutions. The mobs are frequently spearheaded by fanatical students of Islamic institutions¹⁴ armed with Molotov cocktails and petrol bombs, who launch into action with cries of “Allah is great!” on their lips¹⁵. The real wire-pullers have never been caught. But there are many indications that radical Islamic fanatics seize the moment and exploit people’s frustration and propensity to violence for their own ends. It is frequently pointed out that there is a lot of money involved, too. This makes it easy to recruit young people who, according to eye-witness reports, are drafted in by lorry in large numbers.

So far the assailants have only destroyed buildings and church institutions, although they have willingly accepted the possibility of people being killed in

the process. When the Pentekosta Pusat Surabaya church in Situbondo was set on fire, for instance, an elderly missionary couple, their daughter, granddaughter and another young woman in an adjoining apartment were trapped by the flames and burned to death. While these actions were apparently not deliberately aimed at people, there are fears that this could change and that church leaders rather than church buildings will become the target of terrorist attacks. Even now, many believers are full of trepidation when attending church services, since they know that, following the bomb blasts of the past, they can expect to be attacked again at any time.

2. Discrimination

While there are officially no laws or regulations in Indonesia that discriminate against religious minorities, things are often very different in practice. Christian civil servants and employees in the government and administration are finding it progressively harder to gain promotion. They are increasingly being given subordinate positions while Muslims fill the management posts. Some observers say that this also applies to an ever increasing extent in state universities. Up to a few years ago Christians were appointed to the highest command positions in the police and the armed forces. Now this is said to be no longer possible. But not all the experts on the country are so pessimistic in their assessment of the situation and attention is drawn to the fact that Christians continue to hold management positions in the public sector¹⁶. On the whole it may be said, albeit with reservations, that there is a trend towards a steady reduction of the influence exerted by Christians and other religious minorities in public sector positions.

This also applies to the political parties. Christians still have a chance in the PDI/P (Indonesian Democratic Party of Struggle) of the current president, Megawati Sukarnoputri, but they are increasingly being elbowed out of top positions in the large Golkar party, which Christians helped to found at the start of the Suharto era. The new PAN party (the National Mandate Party) was initially open to all sections of the population. Now one of its leaders, A. M. Fatwa, is doing his best to get the party to follow an Islamic tack.

One much lamented, serious source of discrimination for Christian congregations in most parts of the country with a Muslim (or, in the case of Bali, a Hindu) majority population is the persistent denial of planning and building permission for Christian churches and parish houses. The authorities base their refusal on a joint decision made by the Minister of the Interior and the Minister of Religious Affairs in 1969¹⁷, which stipulates that the granting of building per-

mission depends on 40 heads of families in the neighbourhood giving their consent to the building of a church. It is extremely difficult for the Christian minority to get such consent from the Muslim majority. Moreover, in some parts of the country this decree is applied in an even more restrictive manner by the local authorities¹⁸. These conditions verge on harassment and are in clear contravention of the constitution, which guarantees all Indonesian citizens the right to worship in accordance with their religion. This constitutional right is also clearly violated whenever the authorities refuse to allow Christian congregations to rebuild a church that was constructed with legal approval but destroyed by a mob or whenever a ban is imposed on Christian congregations gathering for prayers in their private homes¹⁹. Attention also needs to be drawn to the fact that financial assistance from the state is mainly provided for the building of mosques.

The high level of achievement and teaching discipline in private Christian schools in Indonesia means that they are also attended by many children of other religions, above all Muslims. Their parents agree to their children receiving Christian religious instruction at these schools. However, the Ministry of Education and the Ministry of Religious Affairs have ordered that all children, including those at private schools, must receive instruction in their own religion, e.g. Islam. The private Christian schools see this resolution as a considerable restriction on their freedom to teach, as they might have to provide Islamic religious instruction for the majority of their students, thus depriving the schools of their Christian character.

In March 2001 the Ministry of the Interior tightened up the resolution by laying down that – beginning with the city of Yogyakarta only – school-leaving examinations will only be recognised if an examination pass is achieved in the religion a student belongs to. This makes it practically impossible for children of other religions to attend private Christian schools against the wishes of their parents.

Mention also needs to be made of the discrimination suffered by non-recognised religious minorities and especially by non-believers, should they need an identity card. Only a recognised religion can be entered on an identity card. Members of these groups face the same dilemma if they need a marriage certificate and, in particular, if they wish to become civil servants. They are legally unable to marry and have, for formal reasons, to belong to a recognised religion. This is an extremely unsatisfactory situation for both sides and it violates the freedom of religious belief.

III. Centres of Violence

1. The Conflict in the Moluccas

Open hostilities between Christians and Muslims broke out during the Idul Fitri festivities in 1999. Compared with the conflict that followed and the incredible destruction involved the actual cause was banal: an argument between a Christian taxi driver and a Muslim money collector who wanted to extort 'protection money' from him. In this private argument both sides received support from their people and the dispute escalated with two different religious groups opposing each other. Rickshaws were destroyed on the streets and the houses of Christians and Muslims set on fire. A rumour spread that there were plans to set fire to the old Protestant Siloe church and this brought in many more people. The mood among Christians and Muslims had long been very tense and both sides seemed prepared for a conflict. This was indicated by the fact that, from the first day onwards, the Christians, i.e. the Protestants, wore red headbands by way of identification and the Muslims white headbands.

The Fighting and Destruction

The next morning two Muslim villages near Ambon received the news, which turned out too late to be incorrect, that the Al Fatah mosque in Ambon had been surrounded and set on fire by Christians and that many Muslims had been killed. This had the same mobilisation effect on the Muslims as the rumour spread the day before had had on the Christians. An angry Muslim crowd set off towards Ambon and on the way they destroyed one Catholic and three Protestant churches, killing sixteen Christians, among them women and children. The violence spread to other parts of the town and nearby villages and was continued by both sides with growing brutality over the following days and weeks.

The wave of violence and destruction very soon reached the neighbouring islands. Like in the old tribal feuds, sections of the population attacked their neighbours of different faiths, destroying their villages and places of worship. There were frequent 'preventative attacks' by one side to pre-empt a suspected attack by the other. The fighting was particularly cruel and bloody in Ambon, however. Many lives were lost on both sides. It was noticeable that the police and the army rarely intervened. Christians reported that soldiers took part in the fighting on the side of the Muslims.

While the fighting in Ambon began to ease off for a while around mid-March, fierce fighting broke out on the Kei islands in the south-east of the Moluccas along the ethno-religious line dividing the population. Numerous Muslim and Christian (predominantly Protestant) villages were razed to the ground. Tens of thousands of refugees sought shelter in church schools and public institutions. Thanks, above all, to the influence of the Catholic Church and with the support of the *adat* (traditional common law), which was still intact, the hostilities were ended after just a few weeks and the peace that was restored has held up to the present today.

In Ambon, too, religious leaders on both sides tried to calm their followers down. The Catholic Church, and especially Bishop Petrus Canisius Mandangi M.S.C., saw themselves as mediators between the feuding parties, since the Catholics were not involved in the bloody clashes – in the first phase at least. The diocese's new 'crisis centre' was open to all those in need of help and even today it continues to co-ordinate assistance for thousands of refugees from Ambon and the neighbouring islands. The first refugees from the Muslim side included many Butonese and Buginese immigrants. They were hard-working people who had achieved a certain prosperity, especially in the retail trade, and had now lost everything. Most of them returned to their home villages in South Sulawesi²⁰, while many Christians, mainly from the North Moluccan islands, fled to the predominantly Christian regions of the province of North Sulawesi. The total number of refugees in and from the Moluccas up to the present day is put at around 500,000²¹, half of them Christians and half Muslims²².

In view of the violence and atrocities that kept flaring up in the second half of 1999, in which both sides demonstrated equal ruthlessness in the destruction of houses, churches, mosques and, above all, human lives, there were repeated attempts to bring about a peace settlement. Special mention should be made here of the 'Concerned Women Organisation' (Gerakan Perempuan Peduli), which initially had to limit itself to Catholics and Protestants, although it also wished to include Muslim women. The members of the organisation went to see the governor, the mayor of Ambon, the provincial parliament, the police – in short, everyone they could – to demand an end to the fighting and to promote peace. They did a great deal. They brought together hundreds of young people from both sides for joint meetings, for example, to help reduce mutual hatred. It was due in part to their efforts that the districts of Nania and Pohon Pale in Ambon were declared peace zones. But the women encountered opposition from both sides in the conflict. Muslim women who wanted to become involved were threatened by their own people.

In late December 1999 matters again came to a head when the historically significant main Protestant church at Siloe in Ambon was burned down to the

foundation walls. In response to its destruction the large mosque was burned down. However, things quietened down in February 2000. More and more people on both sides demanded an end to the senseless violence and murder. But then forces appeared on the scene who have consistently shattered hopes for peace ever since. Between March and May 2000 approximately 10,000²³ 'holy warriors' of the Laskar Jihad militias arrived from Java and this radically changed the situation. Up till then the local Christians and Muslims had mainly fought each other with simple, home-made weapons and there had largely been a balance of power between them. Now, however, fighters came in from other parts of Indonesia. They were equipped with modern weapons and were joined by parts of the predominantly Muslim armed forces. This shifted the balance of power in favour of the Muslims²⁴.

On 7 January 2000 at a large gathering with several hundred thousand participants at the 'Monas' (national monument) in Jakarta, twenty-two militant Muslim organisations called for a holy war to be waged in Ambon and the Moluccas "to free their Muslim brothers and sisters from the Christian oppressors"²⁵.

Two leading politicians, who now play a prominent role in Indonesia, made welcoming speeches to the participants: Amien Rais, then as now President of the MPR (People's Consultative Assembly), and Hamzah Haz, the current vice-president of the republic²⁶. Abdurrahman Wahid, who was president at the time, refused to receive a delegation of the militias in the president's palace. His order that the Jihad militias should be prevented from leaving Java was ignored by senior figures in the army and the police. It was even possible for weapons to be shipped to Ambon²⁷.

The supreme commander of the Laskar Jihad is Ustadz (Islamic teacher) Ja'far Umar Thalib. A student in Medina in Saudi Arabia, he has joined the country's strict Islamic Wahhabi movement. He received his military training from the Taliban guerrillas in Afghanistan and together with his followers and sympathisers he is fighting to turn Indonesia into an Islamic state. He spent several weeks training thousands of his Jihad fighters at a military camp near Bogor not far from the capital. Today the main camp is near Kaliurang north of Yogyakarta. In Ambon he made Sharia law compulsory in his sphere of influence. He caused a major stir in Indonesia and attracted the attention of the international press when, in his words, "for the first time in the history of Indonesia" he had a Muslim, one of his militiamen, stoned to death on 27 March 2001 for adultery²⁸. In a public declaration, the council of religious and military leaders of the Muslims in Ambon dismissed allegations of a violation of human rights, saying that the stoning complied with the law of God²⁹.

Since the arrival of the Jihad fighters the civil war-like situation in the Moluccas has deteriorated considerably. The attacks and raids by fanatic Islamic mobs on Christian villages and settlements have become an instrument of ethnic and religious cleansing. From this point on, the Catholics and their churches and institutions were no longer spared. The Catholic hospital RS Hative in Ambon was burned down, as was the Protestant University, UKIM. A few days later the Protestant-dominated State University of Pattimura was completely destroyed. Tens of thousands of Christians took flight and sought refuge in police stations and elsewhere. Upon an ultimatum issued by the Laskar Jihad the police headquarters in Batumeja had to be cleared of Christian refugees.

The Jihad fighters clearly received active support from their fellow-Muslims in the army and it was only with their help that, on 21 and 22 June 2000, the Laskar Jihad succeeded in overrunning the police headquarters in Tan-tui, Ambon, where there were a barracks and living quarters for 2,000 family members, and turning it into a gutted heap of rubble. The assailants stormed two weapons depots and seized 832 guns, 8,000 cartridges and dozens of uniforms belonging to the mobile police brigade (Brimob)³⁰.

Forced Islamisation

The forced Islamisation of thousands of Protestants and Catholics constitutes a particularly painful chapter of the conflict in the Moluccas. Although the Islamic side and, in some cases, the authorities have played the matter down or even denied it outright, the facts speak for themselves. It is surely no coincidence either that these blatant violations of human rights only began after the Laskar Jihad took command of the Muslims.

On 23 November 2000 and in the days that followed, one Christian village after another on the island of Kesui was overrun by Muslim fighters. Those inhabitants who put up a fight or who failed to make it to safety were killed, their houses burned down and churches destroyed³¹. Several hundred Christians managed to escape to a nearby island. A total of 625 Catholics and Protestants initially fled to the interior. The island is not very large, however, and so they were soon caught and confronted with the choice of being circumcised or killed on the spot. The same fate overtook the 140 Christians from the villages of Korfutin and Korlokin on the nearby island of Teor on 11 December 2000, when men and women alike were subjected to enforced public circumcision.

A few months previously some 6,000 Christians on the islands of Ceram, Buru and Bacan had been forced to profess Islam. Father Yos Kuda Makin SVD, the priest in the parish of Masohi on Ceram, is doing everything he can to lift

the veil of silence that has been spread by the authorities on these cases of forced Islamisation. In the meantime, around 800 Christians subjected to forced circumcision have been evacuated from the islands of Kesui and Teor. Most of these victims, who are still traumatised by their experience, have been accommodated in a church in the town of Ambon. Many more people on other islands were forced by threat of violence to switch their religious allegiance, too. What has happened to them? Will they suffer the same fate as the Christian villages and their inhabitants in the interior of the province of Southern Sulawesi, who were wiped out by the Islamic insurgent movement between 1948 and 1961 without anyone ever being called to account for their actions in a court of law?

On 23 December 2000, some 500 church leaders of all the Christian denominations gathered in the Maranatha church in Ambon to protest publicly against forced Islamisation, which is in blatant contradiction of the principles of the Pancasila state of Indonesia. They subsequently handed a manifesto to the governor, as the representative of the Indonesian government, documenting the outrageous human rights violations in the Moluccas, including forced conversion to Islam.

Causes

The violent clashes in the Moluccas have been going on for so long now that the question arises as to the reasons for this bloody conflict. Observers have been shocked by the eruption of hatred and inhumanity among groups of the population with different religious affiliations. A closer look reveals that the different religions mostly had a mobilising effect, but they were not the root cause of the conflict. There is a whole range of complex reasons that can only be touched on here.

The Protestants traditionally had a strong position in the provincial administration, the education system and the health service. It was the modern school system, in particular, which the Christians, unlike the Muslims, had worked hard to set up throughout Indonesia, including in the Moluccas, that gave their elite the educational advantage needed to fill political positions in the province after the departure of the Dutch. In 1950, after the suppression of the 'Republic of the South Moluccas' (Republik Maluku Selatan), President Sukarno was politically wise enough not to encroach upon the position built up by the (Protestant) Christians. The governor and the head of the army therefore consistently came from within their ranks. In addition, Sukarno launched national projects to promote the region³². This situation changed in subsequent decades as Suharto came to depend increasingly on the support of the Muslims. The Christians were driven out of their top administrative posts and Protestants were no longer appointed to the position of governor or head of the army in the province. In addition, the

economically successful Muslim immigrants acquired growing influence. They dominated the retail trade and were soon in a position to give their children a good education and thus enable them to occupy the relevant positions in society. Furthermore, there was a permanent shift in the balance between the groups of the population after it was decided by central government that the island of Ceram in the Central Moluccas should become an internal resettlement area. As many of the almost exclusively Muslim resettlers soon left their resettlement area again and tried to make a living in the town, the pressure on the available land caused by the population density – and hence the conflict situation among the sections of the population – became more and more acute.

Unlike the Christians, who were favoured by the Calvinist Dutch, the Muslim population of the Moluccas was in internal opposition to the Christian colonial masters and the influence they embodied. As was the case in other parts of Indonesia, the Muslims had long rejected the modern, western-style education system and they were thus forced onto the defensive in contrast to the Christians, who had no reservations at all. It is revealing in this connection that the Muslims subsequently destroyed the Christian-dominated universities in Ambon. The gulf between the two groups becomes more comprehensible in the light of the fact that there are Muslim village elders on the island of Saparua near Ambon who have still not forgotten that, following defeat at the hands of the Dutch in the 17th century, parts of their region were expropriated and given to the neighbouring Christian villages that had formed an alliance with the foreigners. These village elders continue to call for the return of the areas that were lost³³.

Ambonese gangsters were an important factor in the conflict – in the initial phase at least. Organised in Christian and Muslim gangs, hundreds of them were picked up in December 1998 by the security authorities in Jakarta and sent back to the provincial capital of Ambon, where they joined their respective sides in violent clashes, which was the intention. There is evidence that, in the pursuit of their own political objectives, groups of retired and active military personnel went to great lengths to fan the flames of tension between the Christian and Muslim sections of the population in the Moluccas and to provoke chaos³⁴.

A key role in the spreading and sharpening of the conflict in the Moluccas was played by the network of militant Muslims that organised the recruitment and dispatch of the 10,000 Jihad fighters in close co-operation with interested military personnel. This group included a retired brigadier, Rustam Kastor, whom G. Aditjondro has described as the “ideological father of the violence in Maluku”³⁵. Kastor provided a pseudo-scientific justification for sending the Laskar Jihad to the Moluccas. According to his theory, which he has also published in a book, the Christians there were planning to re-establish the Republic of

the South Moluccas and to wipe out the Muslims. In his opinion, not only the Protestant Church of the Moluccas was behind these sinister plans, but also the branch association of the PDIP, the party of the current president, Megawati Sukarnoputri³⁶. The fateful thing about such abstruse ideas is that they are read and subsequently poison the atmosphere. Today Kastor is a member of the Council of Muslims of the Moluccas.

The outcome of the violence, which continues up to the present day, is appalling. More than 10,000 people have been murdered. Hundreds of thousands have been forced to flee their homes. Many villages have been razed to the ground and many parts of the provincial capital of Ambon have been turned into burnt-out expanses of rubble. 175 Christian churches have been damaged to date, most of them completely destroyed. 28 mosques have also been burned down³⁷. The mosques were all destroyed in the first year of the conflict and none after the year 2000. The destruction of churches by the Laskar Jihad is still going on today.

The repeated and urgent calls to all parties to cease hostilities continue to go unheeded. The representatives of the two Christian churches are united in their appeal for peace. From the very outset, Bishop Mandagi of the Catholic Church repeatedly urged all parties to the conflict as well as the local authorities, the government in Jakarta and the international public to contribute to a just solution to the conflict. In April 2001, Bishop Mandagi went to the UN Human Rights Commission in Geneva together with representatives of the Protestants and the Muslims. This group made joint representations to the EU in Brussels and to European governments in order to draw attention to the human rights violations and the emergency in the Moluccas. The peace efforts made by many sides have yet to achieve any spectacular results. However, the situation has calmed down since the military and the police began using force to ward off the mass attacks of the Laskar Jihad.

A prerequisite for peace is that the representatives of the Muslim side should be able to advocate a peaceful solution to the conflict, which is long overdue, without being threatened from within their own community. However the fanatics still call the shots. In a speech broadcast by radio on 11 May 2001 in the Al-Fatah mosque in Ambon, Ustadz Attamimi declared war on anyone who dared to speak of reconciliation. His words were: “There will be no reconciliation until all heathen Christians and their leaders have been destroyed and killed”³⁸. The Indonesian Vice-President, Hamzah Haz, himself an advocate of the introduction of the Sharia, has been instructed by President Megawati Sukarnoputri to mediate in the Moluccas in order to bring about a peace settlement between the hostile sections of the population. It will be interesting to see what form this just peace will take.

2. The Conflict in the Poso Region

In addition to the Moluccas, Vice-President Hamzah Haz has also been instructed to restore peace to another, albeit smaller, region of conflict. This is the administrative district of Poso with the district capital of the same name in the province of Central Sulawesi. The district is almost entirely Protestant with some Muslim villages along the coast and immigrant Catholics in the town of Poso. The chairman of the regional council of the Poso district had traditionally been a Protestant until a Muslim was appointed to the post a few years ago. This change marked the start of the political dominance of the Muslims, who systematically appointed their own people to all the key administrative positions. The Christians have felt discriminated against from the time the local government, the police and the judiciary passed almost completely into the hands of the Muslims. In the end, a quarrel between some youths was enough to set the spiral of violence in motion. Since 1999, many houses belonging to Muslims and a total of 54 Christian villages have been destroyed. The number of deaths on both sides has been put at a minimum of 235, but in all probability the figure is much higher. 21 Christian churches have been damaged and the majority of them completely destroyed. No data are available on the number of mosques destroyed. In the meantime, three Christian leaders have been taken to court and sentenced to death. 200 of their followers have been given prison sentences. The Christians consider it unjust that the main troublemaker on the Muslim side, the younger brother of the chairman of the regional council, should have been given no more than a two-year prison sentence. Meanwhile, discrimination of the Christians continues. Of several hundred new public-sector employees only a handful are Christians. There is no end to the mutual slaughter either. It is becoming increasingly apparent that the conflict cannot be resolved by those in charge at the local level. It remains to be seen whether the call made by the Protestant church leaders to central government to intervene as a neutral authority and bring about justice will be heeded.

On the Muslim side, the Laskar Jihad fighters are preparing for deployment in the Poso region. In their own words, this is a religious conflict that has come about because of the efforts of the missionaries to make Muslims renounce their faith³⁹. They clearly refuse to accept the fact that the local population turned to Christianity not from Islam, but from their animistic beliefs. The Laskar Jihad leaders, whose forces are headquartered in Yogyakarta, categorically reject any attempt at reconciliation. They suspect that such attempts are designed to camouflage the authorities' failure to punish those responsible for the crimes committed against Muslims. If the developments in the Moluccas are anything to go by, Christians have every reason to fear the worst should the Laskar Jihad militias be allowed to operate in the Poso region.

3. Other Areas of Conflict

In the province of Aceh in the extreme north-west of Indonesia, the 'Free Aceh Movement' (GAM: Gerakan Aceh Merdeka), which was founded in 1976, resumed and intensified the armed resistance of the Acehnese against Dutch colonial occupation and subsequently against the Indonesian state. The violent battles with the Indonesian army were fought with considerable brutality, which resulted in thousands of casualties, both military and civilian, and human rights violations by both sides. Religious beliefs were of no significance at all during the long years of confrontation, because the Muslim rebels were concerned solely with the state independence of their region.

In the province of Aceh, six churches were either damaged or destroyed⁴⁰ in 1998. On 20 July 1998, four Protestant churches were completely burned down in the Kuta Serangan region in Central Aceh and, on 31 August 1998, one Methodist church and another belonging to the Batak Christians in Lhokseumawe, Banda Aceh, were badly damaged by the throwing of stones. All the signs indicate that both incidents were limited local occurrences, because since then there have been no further attacks.

In the province of Papua (Irian Jaya), the human rights of the indigenous, mainly Christian population have been seriously violated for years now by the Indonesian army. The Indonesian government has so far shown no inclination to yield to the demand for a referendum on state independence for the region.

Christian churches are not the target of the violence in the clashes.

However, there is a danger that the frustration of the population could turn into aggression and violence against the large numbers of almost exclusively Muslim immigrants from other parts of Indonesia and that this will take the form of religious violence.

In the provinces of West and Central Kalimantan (Borneo), there have been hitherto inconceivable atrocities in the clashes between the indigenous Dayaks and Malays, on the one hand, and the immigrant Madurese, on the other. The bloody acts of violence followed the pattern of traditional tribal wars. The hostilities were clearly ethnically and not religiously motivated, because the majority Christian Dayaks were joined by the Muslim Malays in opposing the Muslim Madurese and, when villages were burned down, the mosques were deliberately saved from destruction.

IV. The Reaction of the State and Society

1. The State and its Institutions

The government in Jakarta has an ambivalent attitude to the acts of violence directed against religious minorities, which have taken the form of the destruction of churches and violations of human rights in areas of conflict. It has expressed its regret at the incidents. It has invited representatives of the various religions to participate in joint talks and has disassociated itself from the acts of violence. However, the impression given is that its actions are merely symbolic, because it has so far failed to take appropriate action to protect its citizens.

The local authorities react in very different ways. Some, for example the Sultan of Yogyakarta, do their utmost to maintain public safety and to protect religious minorities. But the overall impression is that the local authorities do not do all that they could to move against groups prepared to use violence.

The question arises of the extent to which the legal system in Indonesia has contributed to resolving the crisis that has seized the whole country. The answers given to this question are sobering indeed. The general tenor is that the rule of law no longer applies. Never before have the moral foundations of the constitutional state been in such disarray as they are today, for the judges are just as venal as the politicians. It is repeatedly stated that a just decision can hardly be expected from the courts. That applies as much to human rights violations as it does to religious proceedings and other lawsuits, e.g. concerning corruption scandals. It is said that legal proceedings have no prospect of success because, firstly, the judge's verdict can be influenced if the price is right and, secondly, he has every reason to fear the reactions to his decision. If masses can be mobilised for intimidation purposes, instituting criminal proceedings because of destroyed churches, for example, is regarded as being futile from the outset. If this altogether pessimistic assessment of the legal system holds true, the minorities threatened by violence in Indonesia can indeed expect little help from the courts.

There are repeated reports of the police keeping their distance. They are obviously ill-prepared for the new, sole responsibility they bear for internal security and they have very little experience in dealing with aggressive crowds. They are often reluctant to take tough action because of accusations of police violation of human rights in the past. Given the size of the country and the large number of trouble spots, the police force is chronically understaffed. Moreover, it is inadequately equipped and devoid of effective logistics apart from the mobile

brigade (Brimob). The lower ranks, in particular, are poorly paid, which does not encourage them to risk their lives in any way. Under these conditions it is highly unlikely that police officers consider it their self-evident task and duty to apprehend criminals and protect minorities.

And the army? Formerly based ideologically on the Pancasila, it ensured that any extremist tendencies met with a tough response. In theory, that still applies today. However, the armed forces are no longer a monolithic unit. The different groups in its ranks have different views. Moreover, the army is underpaid and poorly equipped. But it does have a sophisticated command structure through all levels of state administration right down to the villages. It has spread its information network over the whole country. The army has lost a lot of its popular prestige because of the numerous unresolved human rights violations that have continued right up to the recent past. Today the army is under pressure from politicians to concentrate on national defence and to become more professional. Members of the public and politically active students, in particular, persistently question the so-called dual function of the army as far as its domestic role is concerned. For this reason the army is seeking support among the general public, and Islamic groups are prepared to give their support. Hence there are grounds for assuming that there is co-operation between some groups in the army and fanatic Islamic groups. It is noticeable that there is no-one around to put a stop to the activities of the fanatics.

2. The Public

The mass media have different ways of reporting acts of violence and especially armed conflicts. The major newspapers try to be objective. While the biggest newspaper, the Catholic daily *Kompas*, is very cautious in its approach, the magazine *Tempo* is always very open and bravely calls a spade a spade. The reporting of the small local newspapers is frequently tendentious. They are used as an instrument in the local fighting and their reports are designed to ensure that the followers of the one religion close ranks in the feelings of enmity they have for the other. To prevent this the YLBH (legal aid foundation in Jakarta) is now organising a second joint meeting of journalists from both sides in the conflict regions, the aim of which is to document the facts.

The general public is dismayed by the violence inflicted on religious minorities, because often enough it is neighbours they know well who are affected. Food is provided for the victims and joint measures are taken to counteract violence. In East Java, members of the Muslim youth organisation, Ansor⁴¹, protect Christian churches from attacks. On Christmas Eve 2000, one of these young

men was torn to pieces by a bomb as he did so⁴². So far there have been no public campaigns of solidarity against the use of violence, although there are small, private, self-help groups and legal aid organisations that attend to the needs of the victims as best they can.

3. The Christian Churches

The churches are well aware of how dangerous the situation is. Both churches have made public statements harshly condemning the violence in the country. But they know that they now have precious little influence in the corridors of political power. All they can do, therefore, is appeal to the government to do everything it can to put an end to the violence, especially in the regions where conflict is rife. They also know that the legal system, which is no longer intact, cannot afford them effective protection against violence by fanatic groups. To date they have not instituted legal proceedings against those whose violent actions have destroyed churches for the simple reason that the police have yet to arrest any of the culprits.

The top priority for the churches is to intensify the dialogue with the moderate majority of the Muslims in order to present the facts and to help generate a public awareness that will lead to action opposing the violation of human rights and the use of violence against religious communities. It is striking how, after every incident, the churches make great efforts to improve contacts with the representatives of Islam. The churches know that it is usually not the local population who set fire to the church buildings. This explains why they are defending themselves not against Islam as such, but against the militant fanatics and those pulling the strings behind the scenes. The churches and the official representatives of Islam both condemn the destruction of places of worship.

If both religions are to continue living side by side it is vital that members of the Christian communities refuse to be seduced into acts of revenge. In their public statements, such as in the pastoral letter issued after the bomb attacks on Christian churches on Christmas Eve 2000 and in the pastoral letter circulated at Easter 2001⁴³, the Catholic bishops successfully appealed to the faithful to refrain from any counter-violence.

Instead they called on believers to become actively involved in every aspect of life in their neighbourhood, to show solidarity with the underprivileged, those neglected by society and street children and to campaign for peace and justice. The church communities try to maintain good relations with those of other faiths, with whom they have daily contact. This explains why young Muslims are prepared to help guard church buildings.

The churches' efforts are also directed at their own members. They try to explain the present critical situation to their parishioners, while at the same time boosting their self-confidence. Behaviour in conflict situations is practised in the communities. However, not all church communities are threatened by violent attacks. This applies, above all, to areas where the majority of the population are Christians⁴⁴.

In addition the churches co-ordinate their information activities. In the Catholic Church, the *Justitia et Pax* Commission of the Bishops' Conference and its permanent secretariat co-operates with the secretariat of the Association of Protestant Churches in recording and publishing the violence inflicted on Christians and their churches.

V. Summary and Prospects

That Indonesia, as the country with the world's largest Muslim population, guarantees all its citizens the human right to freedom of religious belief in its constitution is not in dispute. This right is accepted by the majority of the country's population just as it is by the majority of today's politically relevant public figures and parties. It stands and falls with the far-reaching basic compromise agreed by the adherents of a secular state and the advocates of an Islamic state at the time the nation was founded, which paved the way for the unity of the country with its great diversity of cultures and religions. This compromise is called *Pancasila*, the 'five pillars' that form the foundation of the constitution. The first of these 'pillars' says that belief in God is constitutive for the Indonesian state – no more and no less. This gives expression, on the one hand, to the concession made by the secular-minded nationalists to the religious believers and, on the other, to the self-restraint of the Islamists, whose actual objective was to oblige all the country's Muslims to abide by the *Sharia* by enshrining it in the constitution, thus giving it state approval. At the time, the advocates of an Islamic state sacrificed this wish for the sake of national unity.

The religious freedom of the majority of the population is at one and the same time the freedom of the religious minorities to live in accordance with their beliefs.

From the outset, some of the Islamists did not accept the national compromise made by the fathers of the constitution. Today the demand that the duty of Muslims to abide by the *Sharia* should be incorporated in the constitution is

once again being raised vociferously by an active minority⁴⁵. The smaller Islamic parties, PK (Justice Party), PBB (Crescent and Star Party) and the larger PPP party (United Development Party) under the leadership of the current Vice-President, Hamzah Haz, have taken up this demand. Although they are a minority in parliament, they see the current debate on a revision of the constitution as an opportunity to achieve their goals after all. The Islamists have in mind a model of the state in which all laws and all institutions, including the economy, would be determined by Islam and in which the religious minorities, especially the Christians, would be no more than 'protected citizens' i.e. second-class citizens. It is to be feared, therefore, that they would not have the same civil rights as the majority Islamic group.

The autonomy of the provinces is bound to give fresh impetus to local efforts for a de facto introduction of the Sharia in certain regions of the country, even though the autonomy law that came into force at the beginning of 2001 expressly excludes religion from the jurisdiction of the autonomous authorities. However, the introduction of the Sharia in the province of Aceh has triggered a process in which separate laws are also being passed in other provinces.

A special feature of life in present-day Indonesia is the large number of radical Islamic groups who are prepared to assert their ideas at gunpoint and are not prevented by the state authorities from providing military training for their militias and deploying them in areas of conflict. Prominent among these groups are the 'holy warriors' of Laskar Jihad, whose violations of human rights during ethno-religious purges, which included the destruction of Christian villages and churches in the Moluccas, have yet to be punished by any state court. They obviously still enjoy protection from the supreme political and military authorities. Mention needs to be made of the fact that both parties to the conflict equalled each other in their brutality, at least during the initial phase of the conflict, and that not only churches but also mosques were destroyed.

The forced Islamisation of thousands of Christians was a particularly atrocious development in the Moluccan conflict with eye-witnesses reporting that they were subjected to forced circumcision in public on pain of death. Only a few of them have so far been evacuated with the help of the authorities. They had to leave all their possessions behind them, given they had not already been destroyed. The same applied to the hundreds of thousands of people on both sides who became refugees in this conflict and lost everything they owned.

Summing up, there can be no overlooking the fact that the state and its institutions in many cases fail to fulfil their duty to effectively protect the constitutional right to religious freedom. Depressing proof of this is provided by the atrocities committed in areas of conflict and the destruction of churches in many parts

of the country. The lack of protection afforded by the state, however, is not so much the result of a deliberate policy as of the general degeneration of the state as such. The necessary financial resources are lacking, as is the moral right of those in positions of responsibility to provide comprehensive safeguards for the constitutional state. The demise of the legal institutions primarily affects the weakest members of society followed by the religious minorities, who are at the mercy of fanatics.

The churches are not standing idly by while events take their depressing course, however. In clear-cut statements they have publicly condemned the violence in the country and have urged the government to restore law and order. They have insisted that Christian communities refrain from any kind of counter-violence and should attend instead to the social and economic needs of their neighbours, including those of other faiths. They have especially encouraged dialogue with those representatives of Islam who are willing to discuss with them in order to create an atmosphere of openness. They are convinced that, while their churches and institutions can be destroyed, it is impossible to eradicate the faith of their congregations.

What road will Indonesia take? Priority will not be given to the relationship between the majority of the country's population and the religious minorities. Crucial for the future of the country will be the struggle between the tolerant Muslim majority, on the one hand, and the minority of Islamic fanatics and their sympathisers, on the other. It is a question of whether Indonesia will develop an open civil society, in which all citizens maintain the right to live in accordance with their religious convictions, as is guaranteed in the constitution, or whether the Islamists will succeed in gradually turning the country into a religious dictatorship, i.e. into a closed, backward-looking society. This is not what the overwhelming majority of the Indonesian people want. One can only hope that the advocates of freedom for all will be in a position to encourage the public and the parties to stand by their convictions so that the fanatics can be restrained. Only in an open society can there be safeguards for religious freedom, including that of religious minorities.

VI. Demands for Religious Freedom in Indonesia

- We urge the Indonesian government to take effective measures to bring about a just peace in the Moluccas and the Poso region of the province of Central Sulawesi. Crucial to the cessation of the conflict is the withdrawal of the Laskar Jihad militias, who thwart all attempts at reconciliation by the use of force.
- The Indonesian authorities must help all those Christians who have suffered forced Islamisation in the Moluccas to find freedom and justice.
- The Indonesian security authorities must put a stop to the scandalous destruction of churches and church institutions and prosecute those who engage in violence and pull the strings behind the scenes.

The religious minorities must have the right to build places of worship so that congregations can celebrate church services unhindered in accordance with their constitutionally guaranteed right.

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This exposition is based on information obtained in some 50 interviews and conversations conducted by the author in Indonesia between the end of May and the end of June 2001.

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Footnotes

- 1 The frequently used literal translation of MPR (Musyawahar Perwakilan Rakyat) as 'People's Consultative Assembly' is not correct in my opinion, as it does not reflect the decision-making function and responsibility of this supreme constitutional body.
- 2 Above all in the Central Moluccas on Ambon and Ceram. There has not been any fighting in the North Moluccas for a long time now.
- 3 cf. Prof. Dr. Franz von Magnis-Suseno SJ: *Hidup* magazine 1997
- 4 cf. Prof. Dr. Franz von Magnis-Suseno SJ: *Neue Schwingen für Garuda – Indonesien zwischen Tradition und Moderne*, Munich, 1989
- 5 op. cit. p. 137
- 6 ICMI is barely in evidence any longer today and seems to have faded in importance since Habibie's resignation, as neither the traditional nor the recent radical Muslim organisations now need to work through such a front.
- 7 cf. Dieter Becker: *Die Kirchen und der Pancasila-Staat – Indonesische Christen zwischen Konsens und Konflikt*. 1996. p. 198
- 8 cf. Dieter Becker: op. cit. p. 188
- 9 The advocates of the Sharia emphasise, however, that the Sharia should only apply to Muslims and would not encroach on the civil rights of non-Muslims.
- 10 cf. Dr. Paul Tahalele and Dr. Thomas Santoso, Editors: *The Church and Human Rights in Indonesia*, Supplement, Surabaya, 2001, p. 1
- 11 i.e. up to the end of January 2001
- 12 cf. Prof. Dr. Franz von Magnis-Suseno SJ: *Religious Freedom in Indonesia – Situation and Prospects*, Jakarta 2001 (press statement)
- 13 Amin Abdullah, etc.: *Tasikmalaya*, in: Mohtar Mas'od, etc., Editor: *Kekerasan Kolektif – Kondisi dan Pemicu*, Yogyakarta, 2000, p. 97 ff.
- 14 cf. John T. Sidel. Riots, Church Burnings, Conspiracies, in: Ingrid Wessel and Georgia Wimhöfer, Editors. *Violence in Indonesia*, Hamburg, 2001, p. 56
- 15 cf. Dr. Paul Tahalele and Dr. Thomas Santoso (ed.): *The Church and Human Rights in Indonesia*, Surabaya, 1997, p. 184
- 16 cf. Prof. Dr. Franz von Magnis-Suseno SJ: *Religious Freedom in Indonesia*, op. cit.
- 17 cf. Prof. Dr. J. E. Sahetapy: *Unity and Integrity at Stake? In: Dr. Paul Tahalele: op. cit. p. 161*
- 18 e.g. in such cases there may be no mosque or Islamic place of worship in a radius of 500 metres around the planned church.
- 19 This was the case in the town of Bima on the island of Sumbawa.
- 20 Around 100,000 exiled Butonese and Buginese still live in pitiful camps in South and South-East Sulawesi.
- 21 cf. Jesuit Refugee Service, *Berita soal pengungsi di seluruh Indonesia – Too many UNMET Needs*, Internet statement, September 2001
- 22 According to some estimates the number of Muslim refugees is approximately twice that of the Christian refugees.
- 23 cf. George J. Aditjondro: *Notes on the Jihad Forces in Maluku, July 2001*. – Other sources state that there were around 5,000 Jihad fighters at the height of the conflict; today there are said to be around 2,500 in action .
- 24 cf. George J. Aditjondro: *Guns, Pamphlets and Handie-Talkies*, in: Ingrid Wessel and Georgia Wimhöfer: op.cit. p. 112 ff
- 25 cf. George Aditjondro, op.cit. p. 118
- 26 *ibid.* p. 118
- 27 *ibid.* p. 118
- 28 See Internet communication from the Laskar Jihad Ambon (Laskarjihad.or.id) of 30 March 2001
- 29 See Internet communication of the religious representatives of the Muslim population in Ambon: *Pernyataan Bersama Umat Islam Ambon* (www.laskarjihad.or.id/press/pro-rajam) of 17 May 2001
- 30 cf. George Aditjondro: op.cit., p. 117
- 31 cf. Crisis Centre Keuskupan Amboina: *Lintas Peristiwa Kerusuhan di Maluku-Periode 15 Januari 1999-13 April 2001*. p. 23 ff
- 32 cf. George Aditjondro: op.cit. p. 104 ff
- 33 *ibid.* p. 105
- 34 *ibid.* p. 112
- 35 *ibid.* p. 115
- 36 *ibid.* p. 115
- 37 cf. Dr. Paul Tahalele: *Moluccas – Actual News*, in: *The Church and Human Rights in Indonesia*, Supplement, p. 11
- 38 cf. Crisis Centre: op.cit., p. 35
- 39 cf. Ayip Syafruddin: *Mengapa Laskar Jihad ke Poso?* (www.laskarjihad.or.id/artikel/keposo)
- 40 cf. Dr. Paul Tahalele, op.cit. Supplement, p. 3
- 41 This youth organisation is affiliated to the large Muslim organisation NU (Nahdlatul Ulama).
- 42 His name is Sdr. Riyanto. He helped to guard the Ebenezer Church in the town of Mojokerto in East Java and paid for his bravery with his life.
- 43 cf. *Konferensi Waligereja Indonesia: Surat Gambala Paskah 2001*, p. 22
- 44 e.g. Papua (Irian Jaya), Nusa Tenggara Timur, North Sulawesi, the Dayak regions on Kalimantan, the Batak region in North Sumatra.
- 45 On 27 August 2001, some 5,000 supporters of the Islamic Defenders Front (FPI) and the Muslim Association of Indonesian Workers demonstrated outside the parliament building in Jakarta for the incorporation of the Sharia into the constitution. See UCANews, Jakarta, 29 August 2001 (www.ucanews.com)

