

ISLAMISM, GOVERNMENT REGULATION, AND THE AHMADIYAH CONTROVERSIES IN INDONESIA

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Abstract

Over the past three decades, Ahmadiyah has been at the center of one of the most significant controversies within the Indonesian Muslim community, particularly after the issuance of MUI's Fatwas in 1980 and 2005 respectively. This paper undertakes a discussion of Ahmadiyah, reviewing its initial contacts with several Muslim organizations such as Muhammadiyah and Syarikat Islam, its roles in disseminating the idea of progressive and modern Islam among Muslim scholars in 1940s to 1960s. The second part will review internal and external factors contributing to the issuance of MUI Fatwa 1980 in the light of preserving orthodoxy within the Indonesian Muslim community. It will also highlight in brief the government response toward the Ahmadiyah's case. The last part focuses mainly on the Fatwa 2005 and its impact on the more strained relationships within the Muslim community in Indonesia. It will examine socio-political conditions before and after the Fatwa 2005 in light of the steady rise of a new model of Islamism in Indonesia and the conservative shift within the MUI itself, particularly after the downfall of the New Order's regime in 1998. The arguments 'pro and contra' Fatwa 2005, as well as the 'awkward position' of the new government on this issue, will be analysed in detail.

Keywords: Ahmadiyah, MUI, Fatwa, Mirza Ghulam Ahmad

A. Introduction

Compared with abundant research dealing with indigenous Indonesian Muslim organizations, the Ahmadiyah movement¹ in Indonesia is a subject that has been little discussed by scholars. It is ‘a forgotten dot’ (*sebuah titik yang dilupa*) in Indonesian history according to Margaret Blood.² Despite the fact that the first mission of the group started almost eighty years ago, its existence in the archipelago is still negligible. Historically, the hostile environment for the Ahmadiyah has stemmed from various causes. Theologically, there are doctrinal differences between the Ahmadiyah and other Muslim groups concerning prophecy and the role of *jihad* in modern times. Politically, there have been allegations that the group is part of colonial aims to weaken Islam from within. Socially, there is their ‘exclusive sectarian attitude’ towards other Indonesian Muslims regarding prayer and marriage.

Hence, for decades, the relationship between the Ahmadiyah and other Indonesian Muslim organizations has been complex. Nevertheless, despite these conflicts, there are recorded accounts of many cases where these groups have some shared points in common in disseminating the ideas of Islamic modernism on Indonesian soil, particularly in the

¹ Ahmadiyah movement was founded in 1898 by Mirza Ghulam Ahmad (1839-1908) in Qadian (Qadian) Punjab India. In 1889, Ahmad declared himself as the messiah, *maw'ud* and *mahdi* for the Muslims, who received a divine revelation for world restoration. In 1914, upon the death of Maulana Hakim Nuruddin, the First Successor (*Khalifah*), the Ahmadi community split into two major branches due mainly to internal disputes in interpreting Mirza Ghulam Ahmad's teachings and prophetic claims. The majority, known as *Jamaat-i Ahmadiyah* or the Qadianis remained in Qadian while another smaller one, known as *Ahmadiyah Anjuman Ishaat-i-Islam* or the Lahores began to consolidate the group in Lahore (now in Pakistan). In 1984, the Qadiani headquarter was then moved to London after facing more hostile religious accusation and strong political pressure (particularly after Pakistan parliament declared the Qadiani to be non-Muslim minority). The current figure of the Qadiani membership in the world is around 10 millions, while for Lahore the membership seems still limited and small as this group is very ‘fluid’ and likely more simply as a new Muslim missionary society requiring less loyalty and strong attachment to its Lahore headquarter.

² Blood used this allegory by quoting the title of journalist report published in *TEMPO* magazine in 21 September 1974. See Margaret Blood, “The Ahmadiyah in Indonesia: Its Early History and Contribution to Islam in the Archipelago,” (Honours Sub-thesis, The Australian National University [ANU], 1974).

formative period between the 1920s and 1940s.

In view of the paucity of studies on the topic, analyzing the Ahmadiyah history in archipelago (both the Qadian and Lahore groups) is of benefit in providing a better understanding of the early nomenclature of Indonesian Muslim organizations in forming the ideology of modernism particularly in the beginning of the twentieth century. In this sense, this historical study serves as background for current controversies involving the group, particularly after the issuance of the *fatwas* from the Indonesian Ulama Association (Majelis Ulama Indonesia/MUI) in 1980 and 2005. In the last part of this paper, the most current government regulation (*Surat Keputusan Bersama*/Joint Ministerial Decree) on 9 June 2008 which added fuel to the already heated debates on the issue, will also be examined in detail.

B. History and Encounters

One of the few works that has touched on the history of the Ahmadiyah movement in Indonesia is Margaret Blood's thesis, which provides a comprehensive analysis of the group, from its arrival up to the 1970's. A more recent contribution is Beck's article published in the *BKI*. Beck aims to clarify the underlying factors that prompted the strained relation, in the 1930s, between the Ahmadiyah and Muhammadiyah, one of the reformist Muslim movements in modern Indonesia.³ Others are that of Zulkarnain's⁴ and Muryadi's.⁵

While Zulkarnain analyzes the historical development and doctrinal differences of the group, Muryadi's works, written in a popular journalistic style, paints a general portrait of the life of Indonesian indigenous Ahmadis, particularly after the Parung's incident in 2005. Some sketches of the general history of the group in the archipelago, from an Ahmadiyah perspective, are found in Ahmad's book, published

³ Herman L. Beck, "The Rupture Between the Muhammadiyah and the Ahmadiyya," *Bijdragen tot de Taal-, Land- en Volkenkunde (BKI) 161-2/3 (2005): p. 210-46*

⁴ Iskandar Zulkarnain, *Gerakan Ahmadiyah di Indonesia* [Ahmadiyah Movement in Indonesia] (Yogyakarta: LKiS, 2005).

⁵ Wahyu Muryadi, et.all, *Ahmadiyah: Keyakinan yang Digugat* [Ahmadiyah: a Questioned Belief] (Jakarta: Pusat Data dan Analisa TEMPO, 2005).

in 1964,⁶ as well as in a brief leaflet published by Indonesian Ahmadiyah Association (Jemaat Ahmadiyah Indonesia/JAI)⁷ and a recent publication by Suryawan in 2005.⁸

In addition to this, there are some other books on the issue written by other fellow Indonesian Muslims. Nevertheless, all these works give little attention to the long history in Indonesia, and unsurprisingly its contents are ‘too biased,’ trying to provide a warning to the Muslim community in Indonesia regarding the ‘deviant’ nature of the Ahmadiyah teachings.

1. *The Arrival of the Qadiani Group*

Ahmadiyah missions to Africa and Asia started in the early 1920’s. Rahmat Ali was sent to the archipelago by Mirza Bashiruddin Ahmad, the Second *Khalifatul Masih* of Qadian, in October 1925, in response to an invitation from Indonesian students who studied in Qadian. Ali landed in Tapaktuan, in the southern part of Aceh, and then travelled to Padang in early 1926.⁹ Prior to his arrival, there are accounts of three students, Ahmad Nuruddin, Abubakar Ayyub and Zaini Dahlan, with the encouragement of Zainuddin Labai el-Yunusiah,¹⁰ traveling from Sumatera Thawalib school to India, in 1922, for advanced Islamic studies.

⁶ Mirza Mubarak Ahmad, *Ahmadiyyat in the Far East* (Rabwah: Ahmadiyya Foreign Missions Office, 1964).

⁷ Jemaat Ahmadiyah Indonesia (JAI), “75 Tahun Jemaat Ahmadiyah Indonesia”, brief historical leaflet available at <http://www.ahmadiyya.or.id>, accessed on 14 May 2008.

⁸ M.A. Suryawan, *Bukan Sekedar Hitam Putih: Kontroversi Pemahaman Ahmadiyah* [Not Just Black and White: Controversy on Ahmadiyah Doctrines (Jakarta: Azzahra Publishing, 2005),

⁹ JAI, “75 Tahun Jemaat Ahmadiyah Indonesia”; and Muryadi, *Ahmadiyah: Keyakinan yang Digugat*, p. 72.

¹⁰ El-Yunusiah also once cited in *Al-Manar* magazine 23 December 1923 that Ahmadiyah group was *pintar mengembangkan Islam dan pintar menarik orang-orang Kristen ke dalam Islam* (keen in developing Islam and in attracting Christians into the fold of Islam). For that, *lebih dahulu kita pujiakan setinggi-tingginya karena mereka itu sangat berjasa di dalam Islam* (we should firstly praise them highly for their contributions to Islam). See small leaflet “Ahmadiyah Menurut Kata Orang Dulu dan Sekarang [Ahmadiyah in the Views of Past and Current Opinion],” available at <http://denagis.wordpress.com/2008/04/21/ahmadiyah-menurut-kata-orang-dulu-dan-sekarang>, accessed on 15 May 2008.

They had heard that studying Islam in India was '*tidak kurang hebatnya*' (as good as) studying in the Middle East.¹¹

Those three Thawalib graduates, who later served as the first contingent of the Qadiani missionaries activists in the archipelago, landed in Lahore and were initially impressed with the teachings of the *Anjuman Isbaat-i-Islam*, or the Lahore group. However, they became bored and decided to leave Lahore, as they discovered that studying Islam in this region was '*sama saja dengan yang sudah mereka pelajari*' (almost similar with their previous studied [in archipelago]). They then moved to Qadian, not only to find new approaches in Islamic studies, but also to learn about the Ahmadiyah from its 'original source'.¹² Not long after, they took the *bai'at* directly under the Second *Khalifatul Masih* as they possibly found the Qadiani teachings more attractive than that of the Lahore. In the following years, due to generous financial assistance from the Qadiani group and affordable living cost in India, the number of Indonesian students in this region steadily increased.¹³ In 1926, Perkumpulan Ahmadi Indonesia, an Indonesian Ahmadi student association in India, was inaugurated.

From initial contact, the mission of Rahmat Ali in Aceh and Padang was inevitably arduous and slow. They met fierce and hostile opposition from traditional Sumatera *ulamas* who, according to Hamka, had previously heard about this movement from their readings and, supposedly, also from their brief contacts with other Muslims in Saudi Arabia, while doing pilgrimage. Their motives in resisting the Ahmadiyah varied, ranging from the religious to the political. The group was contemptuously referred to as loyal to Queen Victoria, or 'pro-hollandaise', and seen as part of *divide et impera* policies meant to weaken the Muslim community.¹⁴ Gradually, the forms of rejecting the Ahmadis also expanded, from the simple practice of labeling Ahmadis as infidels and refusing permission for burial in Muslim cemeteries, as seen in the order of Sultan Deli in 1936, to more sophisticated arguments in

¹¹ Hamka, *Ayahku* (Jakarta: Umminda, 1968), p. 109 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 17-8.

¹² JAI, "75 Tahun Jemaat Ahmadiyah Indonesia".

¹³ Muryadi, *Ahmadiyah: Keyakinan yang Digugat*, p. 70-1.

¹⁴ Blood, "The Ahmadiyah in Indonesia", p. 21 and p. 52.

sermons (*kebutbah*) and publications, such as Syeikh Abdullah's and Haji Abdul Karim Amrullah's (better known as Haji Rasul) *al-Qawl al-Sahib* (the True Word) in 1927.¹⁵ This book was very polemical in nature and the first printed document of its kind, consisting of a theological rebuttal of the Qadianis doctrines in the archipelago.¹⁶

Rahmat Ali and his fellow Indonesian Ahmadis moved to Jakarta in 1930 to find new members for the group.¹⁷ However, their arrival met with negative responses from the local *ulamas* in the region, similar to what they had previously experienced. Ahmad Hassan, from the Persatuan Islam (Persis), was one of the *ulamas* in Java who initiated open debates with the group, from December 1933 to early 1934.¹⁸ According to accounts, one debate, held in Jakarta between Hassan and Abubakar Ayyub, a leading indigenous Qadiani missionary, was attended by more than 2000 people from both sides. Equipped with an extensive understanding of Qadiani teachings and familiarity with Qadiani literature, his artful speech and skillful arguments were undoubtedly impressive and typically novel, signifying a new intellectual genre of debate and polemic for Indonesian Muslims at that time.

In doing so, Hassan mostly drew his logical and lexical argument from Ahmadi books without ever referring to any opinion from traditional mainstream Islam. However, his conclusion was unsurprisingly apparent at the end. After having confirmed with his counterpart that the arguments he was using were indeed from 'their sources', he began to compare one teaching with another to convince his audience of the

¹⁵ Upon this publication, Rahmat Ali published a response entitled *Iqbal al-Haq* (Accepting the Truth) which some months later was quickly responded by Haji Rasul's article entitled *Boeka Mata* (Opening Eye). Hamka, *Ayahku*, p. 112 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 23.

¹⁶ In the following decades, some assumed that when MUI issued the first *fatwa* in 1980 against Ahmadiyah, this book was accordingly used as one of nine 'mysterious references' which until today MUI is always very 'reluctant' to reveal. Personal e-mail communication with an Indonesian Ahmadi activist in Jakarta 30 May 2008.

¹⁷ At the same year the Qadian Headquarter sent another contingent consisting four Qadiani activists (Muhammad Sadiq, Abdul Wahid, Malik Aziz Ahmad and Syed Shah Muhammad) to strengthen this mission. Blood, "The Ahmadiyah in Indonesia", p. 38

¹⁸ Blood, "The Ahmadiyah in Indonesia", p. 34.

‘inconsistencies’ and ‘lack of credibility’ of those teachings.¹⁹ Not only an agile orator and polemist, Hassan published books on Ahmadiyah as well, including *an-Nubumwah* [The Prophecy], a refutation of the prophecy claim of Mirza Ghulam Ahmad, and *Nabi Yang Masih Hidup* [the Prophet who still Alive], a response to the Ahmadiyah doctrine on the death of Jesus.²⁰ Similar publications against the Qadianis, by other Muslim thinkers, began to appear in periodicals like *Pembela Islam* and other journals, which were widely accessible to the general public.

Rahmat Ali left Indonesia in 1950, and the Qadiani mission was carried on mainly by Indonesian graduates from the Perkumpulan. Three years after Ali’s return to India, on 13 March 1953, the Qadiani group obtained its legal status based on the Decree No. JA/23/1095 from the Ministry of Justice which was later inserted into the State Gazette (*Lembaran Negara*) on 31 March 1953. After the enactment of Law No. 8 Year 1985 on Mass Organization, the group again received legal recognition based on the Decree from the Ministry of Internal Affairs.

Today’s Qadiani members are spread throughout the archipelago, with the main base for missionary training, upgrading and management (before the 2005 incident) being in Parung, in the southern part of Jakarta. Its current following is estimated to be about 200.000 members, mostly in Jakarta, West Java and West Nusa Tenggara.

2. *The Arrival of the Lahore Group*

Unlike members of the Qadianis, Mirza Wali Ahmad Baig and Maulana Ahmad, from the Lahore group, travelled to Java independently in 1924 and received a very warm welcome from fellow Indonesian Muslims in Yogyakarta.²¹

¹⁹ Tamar Djaja, *Riwayat Hidup A. Hassan* [An Autobiography of A. Hassan] (Jakarta: Mutiara, 1980) as quoted by Yusuf Badri, “Persis dan Ahmadiyah,” article posted on 11 March 2008 available at <http://pnk/persis.wordpress.com/2008/03/20/persis-dan-ahmadiyah>, accessed on 15 May 2008.

²⁰ Blood, “The Ahmadiyah in Indonesia”, p. 35.

²¹ There were various accounts concerning their main reason for travelling to the archipelago. Some said that they intended to go to Manila but lacking enough money, they decided to stay in Java instead. Others, like Pijper, noted that Hong Kong or China was the final destination where Java was only a mere transit route after their short visit in Singapore. See GF Pijper, “De Ahmadiyyah in Indonesia,” in van Ronkel

Whilst Maulana Ahmad soon returned to India for health reasons, Baig began his mission in Java and maintained very good contacts with the Muhammadiyah elites. His fluency in Arabic and English, together with his keen interest in mastering the Indonesian language, as well as his vast knowledge in Islamic studies, made him very popular among the youth. Soon, he became an admired speaker, giving speeches on modern Islam in Muhammadiyah's internal discussions as well as its Congress. Hence, Baig attracted a number of Muhammadiyah figures who became loyal students, including Raden Ngabehi Djojosoegito and Muhammad Chusni, who at the time served as first and second general secretaries of the Muhammadiyah Central Board. Omar Said Cokroaminoto, the leader of Sarekat Islam, was also his 'in and out' student and later translated *The Holy Qoran* written by Maulana Muhammad Ali (the Second *Amir* of Lahore group) into Indonesian.²² His influence over the *Jong Islamieten Bond* (Youth Muslim Association) was similarly apparent. He not only attended the First JIB Congress in 1925, Baig's articles on Ahmadiyah teachings were also published in the *Het Licht*, a journal belonging to the JIB and well-known for its role in disseminating the ideas of progressive Islam.²³ In addition to this, it was Baig who initiated the sending of some Muhammadiyah youths to study in Lahore,²⁴ one of whom was Jumhan,

(ed.), *Bingkisan Budi* [Package of Virtue] (Leiden: A.W. Sijthoff's Uitgeversmaatschappij, 1950), p. 151 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 5. Nevertheless, whatever reason initiated the journey, as Beck argued, it was the strong zealous spirit to fight Christian missionary activities everywhere which led to the first arrival of this Lahore mission on the island. Beck, "The Rupture", p. 220-1.

²² Zulkarnain, *Gerakan Ahmadiyah*, p. 6; Blood, "The Ahmadiyah in Indonesia", p. 43.

²³ Blood, "The Ahmadiyah in Indonesia", p. 41.

²⁴ While Blood noted three junior Muhammadiyah members (Maksum, Sabit and Erfan Dahlan) who travelled to Lahore for their advance studies, Beck provided another name (Junbad) in addition to the three mentioned names. Maksum and Junbad studied there for about 7 months before they decided to return back to Yogyakarta. In following decades, Maksum joined Persatuan Islam (Persis) and later became an activist in the Darul Islam movement in South Sulawesi under Kahar Muzzakar. While Junbad's career afterwards was unclear, Sabit left the Lahore group and was later associated with the Partai Komunis Indonesia (PKI). Only Erfan Dahlan continued his activity in the Lahore group however. He served with the mission to the southern part of Thailand and spent his entire life in that region. See Blood, "The Ahmadiyah in Indonesia", p.

better known as Erfan Dahlan, the son of the prominent Ahmad Dahlan, the founding father of the Muhammadiyah.²⁵

The relationship between the Muhammadiyah and Ahmadiyah Lahore in this initial period was obviously very real and intense. As Flood observed, some prominent Muhammadiyah elites published numerous articles on the Ahmadiyah movement in such journals as *Bintang Timur*, praising its role as the prototype of a modern Islamic organization. Even more significant was an article published in *Javabode*, in 1925, which suggested the merger of the two groups.²⁶ The *Almanak Muhammadiyah*, in 1926, also included an article with clearly sympathetic attitudes and admiration for the movement and its founder, Mirza Ghulam Ahmad.²⁷

This ‘honeymoon’ lasted for about 3 years, however. Strains in the relationship began to show after the Muhammadiyah circle detected discrepancies between mainstream traditional Islamic teachings and the Lahore’s, in particular on the veneration and role of Mirza Ghulam Ahmad. Some speculated that the shift in the attitude of Muhammadiyah began after a fierce speech on the deviance of the Ahmadiyah was given by Indian traditional *ulama*, Abdul ‘Alim Siddiqi, who visited Yogyakarta

27; Beck, “The Rupture”, p. 227-8.

²⁵ In this lineage context, it is worth mentioning also that Djojosoegito, Baig’s loyal student who later founded the Indonesian Ahmadiyah Lahore Movement in 1928, was the second cousin to Hasyim Ashari, the founder of traditionalist organization Nahdlatul Ulama (NU). See Asvi Warman Adam, “Belajar dari Sejarah Ahmadiyah [Lesson Learnt from Ahmadiyah History],” *Jawa Post* 24 April 2008; and Beck, “The Rupture”, p. 231.

²⁶ See Blood, “The Ahmadiyah in Indonesia”, p. 28.

²⁷ On the movement and Ghulam Mirza Ahmad, the *Almanak* stated that “*Baru saja Mujudid buat abad yang ke-14 itu berdiri, maka yang pertama-tama sekali memanggil dia, ialah propaganda Islam adanya. Semenjak waktu itu, benar-benar ini, ia pun menjunjung tinggi akan bendera Islam itu. Dia punya hati ada menyala dengan pengharapan, bahwa pada suatu hari benderanya Islam akan berkibarkibar baik di Negeri Timur maupun di Negeri Barat* (p. 141) ... “*Kalau kiranya Hazrat Mirza bukannya Mujudid bagi abad yang ke-14, siapakah lagi orang yang harus melakukan jabatan ini? Apakah kamu mengira bahwa janjinya Nabi yang Suci yang sungguh benar itu bakal tidak kepenuhan selama-lamanya?*” (p. 143)”. See *Almanak Muhammadiyah* (Yogyakarta: Taman Pustaka, 1926). Quotation is also found in “Ahmadiyah Menurut Kata Orang Dulu dan Sekarang.”

in October to November 1927.²⁸

About seven months after this meeting with Siddiqi, on 5 July 1928, the Central Board issued a circular to all branches prohibiting any teaching and publication on the Ahmadiyah in Muhammadiyah circles. The circular also included an order that those who believed in Mirza Ghulan Ahmad as the *mujaddid* should choose to either return to traditional Islamic belief or leave the Muhammadiyah. This order also applied to Djojosoegito and Chusni. According to records, after a heated and emotional internal discussion of the Central Board, both Djojosoegito and Chusni came to a decision to leave. Six months later, on 10 December 1928, they founded the first autonomous organization of Ahmadiyah Lahore group in Java, De Indonesische Ahmadiyah-Beweging (Indonesian Ahmadiyah Movement/Gerakan Ahmadiyah Indonesia). This new organization received a legal standing from the Colonial government on 4 April 1930.

The above incident nevertheless suggested a more strict attitude of Muhammadiyah towards the Ahmadiyah group, as evidenced soon after the 18th Muhammadiyah Congress in Solo 1929. In this Congress, the *Majlis Tarjih* anonymously issued 'the *fatwa*' (*Keputusan Kongres*) that anyone who believed in the existence of a prophet after Muhammad was regarded as infidel (*kafir*). Although no explicit group was mentioned in this decree, there was no doubt that this *fatwa* was pointed towards the Ahmadiyah in general. This was the first *fatwa* against the Ahmadiyah from an indigenous Muslim organization in Indonesian.²⁹

Nur Ichwan found a link between the Muhammadiyah decision against the Ahmadiyah teaching and the Egyptian Rashid Ridha's *fatwa*.

²⁸ According to Hamka, as noted by Blood, it was his father (Haji Rasul), not Siddiqi, who revealed the 'truth' of Ahmadiyah teaching, along with Haji Rasul's debate with Baig a year earlier. However Beck seems to believe that it was Siddiqi's speech that greatly changed the Muhammadiyah elites' perception and attitude toward the group. See Hamka, *Ayahku*, p. 120 in Blood, "The Ahmadiyah in Indonesia", p. 30-31; Beck, "The Rupture," p. 230-6 and p. 240.

²⁹ And after the issuance of this fatwa 1929, Muhammadiyah elites kept considerable distance in giving any comment or opinion in regard with Ahmadiyah in Indonesia until recently Syafi'i Maarif (the former Chairman of the Central Board) and Din Syamsuddin (the current Chairman of this modernist organization) began to break 'the decades of silence' on the Ahmadiyah controversies. Interestingly, both have very different and opposite stands in regard with this group.

He writes that prior to the issuance of this *fatwa*, Muhammad Basyuni Imran from the Muhammadiyah sent a letter to Ridha asking him about the usage of Muhammad Ali's the *Holy Quran* for religious instruction. In response, Ridha published the *fatwa* in *Al-Manar* revealing the distortion of mainstream Islamic teaching in Ali's book. Moreover, he argued that Muslims should not make any use of this book or any books written by Ahmadiyah scholars for instruction.³⁰

Why were the Ahmadiyah Lahore teachings so attractive to Muhammadiyah circle in these early and formative periods? The answer seems to be that the Muhammadiyah elites had limited knowledge and understanding of the entire teachings of the Ahmadiyah. Baig never revealed to his Indonesian audience the controversy surrounding Mirza Ghulam Ahmad's position in the group. This first impression of the Ahmadiyah movement without adequately understanding its main doctrines put the Muhammadiyah in "the disgrace" position. At a time when this reformist group was fiercely campaigning against religious innovations (*bid'ah*), with its well known TBC slogan (*takhayul* [superstition], *bid'ah* and *churafat* [mythical]), it entered into a close relationship with a group which allegedly practiced the so-called modern *bid'ah* teaching.

Another possible factor contributing to this was the nature of Muhammadiyah itself, which, at the time, was emerging as a modern Islamic organization for the Indonesian community. In this context, Baig's personality, his knowledge of Islam, as well as his familiarity with English and Arabic languages, were apparently compatible with the Muhammadiyah vision of what it meant to be a modern Indonesian Muslim. As well, in this formative period, when the movement was trying to define and consolidate its role as the model of a modern organization for urban based Muslims in Indonesia, this Lahore group appeared to be a model for this vision.

Moreover, Baig's zeal in his speeches in combating the intrusive Christian missionary activities in Java was also appealing to this new Indonesian Muslim organization. This was to some extent compatible with one of the motives for the establishment of Muhammadiyah earlier

³⁰ See Much Nur Ichwan, "Differing Responses to an Ahmadi Translation and Exegesis: The Holy Qur'an in Egypt and Indonesia," *Archipel* 62 (2001): p. 143-61.

in the decade. Both Baig and the Muhammadiyah elites were concerned with the deep penetration of Christian missions into Muslim communities in Java. For this very reason, it seemed understandable if both shared the same interest and spirit in providing solid and scholarly arguments against Christian evangelists who portrayed Islam as a backward religion incompatible with modernism and progress.³¹

In today's Indonesia, the Indonesian Lahore group headquarter (Gerakan Ahmadiyah Indonesia) is based in Yogyakarta. Its membership is still very limited, numbering approximately a few thousand, however. Unlike the Qadianis, traditional Indonesian Muslims are more likely to be receptive to their existence as they function simply as a new Muslim missionary society with less zeal to convert traditional Muslims into their religious fold.

3. Ahmadiyah Contributions to Indonesian Muslim Scholarship: A Preliminary Observation

Given the prolonged controversies with traditional Muslim *ulamas* and indigenous Islamic organizations like Persis and Muhammadiyah, an important question remains regarding the role and contribution of the Ahmadiyah movement in Indonesia.

In spite of opposition to the Ahmadiyah teachings from the beginning, their influences in Indonesian Muslim scholarship deserve sincere acknowledgement. Despite the popular view, which grossly underestimates their role in Indonesian history, as noted by Mukti Ali and Deliar Noer,³² some accounts quite convincingly show that for decades, Ahmadiyah literature became a steady inspiration for Indonesian Muslim thinkers in reshaping the discussion on modern Islam. Blood

³¹ See for the argument on the rise of Muhammadiyah as a counter for Christianization on Alwi Shihab's "The Muhammadiyah Movement and its Controversy with Christian Mission," (Ph.D dissertation, Temple University, 1995).

³² Notable scholars like Mukti Ali, the former Minister of Religious Affairs, has once said that Ahmadiyah was making no important contribution to the development of modern Indonesian Islamic thought. And the like opinion was sounded also by Deliar Noer. See Mukti Ali, "The Muhammadiyah Movement: A Bibliographical Introduction," MA thesis at McGill University, 1957, p. 72; and Deliar Noer, *The Modernist Muslim Movement in Indonesia 1900-1942* (Singapore: Oxford University Press, 1973), p. 151.

rightly pointed out examples of this, mentioning Cokroaminoto's book on *Islam and Sosialisme*, which without doubt took ideas from the works of Muhammad Ali. His *Tarikh Agama Islam* was a 'duplicate' of Ali's book on *Muhammad the Prophet* as well.³³ Other prominent scholars like Agus Salim and Natsir also used Ali's *The Holy Qoran* as the main source in their books on *Isra Mi'raj* and the *Shalat* respectively. Hence, to quote Pringgogidgo, a notable early Indonesian historian, Salim once acknowledged that "amongst many Quranic *tafsirs* like that of from the Mutazilite school and sufi order from the previous period to the modern one like that the Ahmadiyah, Wahabi and Theosophy groups, *tafsir* from the Ahmadiyah group is the best account fulfilling the satisfaction of young Indonesian intellectuals."³⁴ Ali's *The Holy Qoran* was accordingly 'a must read' book found on the shelf of almost every Indonesian Muslim intellectual at that time.

Not only had some parts of Ahmadiyah literature been adopted into the works of prominent Indonesian Muslim thinkers, but also the translation of some Ahmadiyah books into Indonesian and Dutch have played considerable roles in shaping the discourse. Soedewo's works in Indonesian, like *Asas-Asas Perbandingan Islam*, and his numerous translations on Islamic subjects like the completed version of Muhammad Ali's *The Holy Qoran* and *The Religion of Islam*, into Dutch, were sometimes the main source for middle-class Indonesians wanting to learn about their own religion. In this context, this literature became the effective medium in transmitting Islamic knowledge to those who were educated in Western-style institutions - either in Indonesia or the Netherlands - but unfortunately had limited access to, or at worst were unable to read, material in Arabic. This situation was different for traditional Indonesian Muslims who graduated from Middle Eastern education institutions or were able to read Arabic.

They were the first generation of what we may now call 'the new born Muslim' having had a solid and convincing background in the secular sciences, like economics, law and engineering, but then 'shifted' to enrich

³³ Blood, "The Ahmadiyah in Indonesia", p. 56.

³⁴ See A.K. Pringgogidgo, *Sejarah Pergerakan Rakyat Indonesia* [History of Indonesian Society Movement] (Jakarta: Pustaka Rakyat, n.d.), p. 47 as quoted in "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang."

their religious knowledge and consciences through independent readings. Given the fact of having gained their main education from a secular and modern system, these new middle class Muslims were eager to have their religion be compatible with modernity, science, and progress.

For this reason, Ahmad's claim that "the literature of the Ahmadiyah movement has played a most remarkable role in creating confidence among Muslims in regard to the ascendancy of Islam"³⁵ has, to some extent, a logical basis. At the very least, Ahmadiyah literature, written in English and Dutch, was being read by those exploring their new interest and desire in studying Islam. In this sense, one may argue that this literature played a role as 'alternative but convincing sources' for engaging in the discourse of Islamic modernism as well as of the rationality of Islam alongside the many works written in Arabic by modernist Muslims like Muhammad Abduh, Rasyid Ridha and Jamaluddin al-Afgani. These Arabic sources have obviously influenced Indonesian Muslim discourse on the same issues but were only accessible through the traditional *ulamas* network.

Correspondingly, Ahmadiyah publications also tacitly played an important function in shaping the arguments of Indonesian Muslim thinkers responding to Christian missionary activities in the archipelago. Even Haji Rasul, who wrote a fierce attack on the Ahmadiyah in his book *Qawl al-Sahih*, once gave humble recognition to the role of Ahmadiyah in attracting non-Muslims into the fold of Islam.³⁶ On this point, it is worth mentioning that the Ahmadiyah (either the Qadian and Lahore groups), to use Blood's words, were indeed 'militantly anti Christian'³⁷ and obviously antagonistic toward Christian missions in the archipelago. The groups were keen to publish articles and books attacking many elements of Christian doctrine as well as generously revealing to their fellow Muslims many effective methods of 'defeating' Christianity on the

³⁵ Mubarak Ahmad, *Ahmadiyah in the Far East*, p. 35 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 54.

³⁶ Haji Rasul said "*Di atas nama Islam dan kaum Muslimin sedunia kita memuji sungguh kepada pergerakannya Ghulam Ahmad tentang mereka banyak menarik kaum Nasrani (Kristen) masuk agama Islam di tanah Hindustan dan lain-lain tempat,*" as quoted in "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang."

³⁷ Blood, "The Ahmadiyah in Indonesia", p. 54.

mission battlefield. Some books of this polemical kind were translated into Indonesian, such as Maulana Sadiq's *Jesus dalam Bijbel* (Jesus in the Bible), *Nabi Isa Anak Allah* (Jesus is the Son of God), and *Kebenaran Nabi Muhammad Menurut Bijbel* (The Truth on Muhammad in the Bible) in the late 1930s.

One can justifiably say that those polemical works written by Ahmadi scholars greatly influenced Indonesian Muslim thinkers in the following decades. The use of Ahmadi approaches and themes in refuting Christianity can be found in the works of Hasbullah Bakry, the leading Muhammadiyah thinker, in his book *Isa dalam Qur'an Muhammad dalam Bible* (Jesus Christ in the Qur'an Muhammad in the Bible) first published in 1959.³⁸ The same is true in the works of Hadikusuma and Natsir.³⁹

In the mid and late 1960s, as Dawam Rahardjo noted, when Mukti Ali initiated a study group for young Muslim intellectuals in Yogyakarta, some Ahmadiyah activists like J.H. Lamardy from the Qadian group also joined in the discussions with other fellow Muslims to form new Islamic cultural movement in Indonesia.⁴⁰ Importantly, as *Tempo* magazine has specially investigated, the official Quran translation by the Ministry of Religious Affairs in the 1970s, relied heavily on both Qadiani and Lahore literature. Accordingly, the second chapter of this *tafsir* was the verbatim translation of Mirza Bashiruddin Ahmad's *The Holy Qur'an* from the Qadiani, while the approaches to the themes in this translation were

³⁸ This book was originally a rebuttal to F.L. Bakker, a prominent native-Dutch scholar, who wrote *Lord Jesus in the Religion of Islam*, which appeared in 1957. See Hasbullah Bakry, *Isa dalam Qur'an Muhammad dalam Bible* [Jesus in the Qur'an and Muhammad in the Bible] (Solo: Siti Syamsiah, 1959) and that of F.L. Bakker, *Tuhan Yesus dalam Agama Islam* (Jakarta: BPK Gunung Mulia, 1957). A detailed analysis of this polemical work is found in Ismatu Ropi, "Muslim-Christian Polemics in Indonesian Islamic Literature," *Islam & Christian Muslim Relations* 9, no. 2 (July 1998): p. 217-229.

³⁹ See Djarnawi Hadikusuma, *Di Sekitar Perjandjian Lama & Perjandjian Baroe* (On the Old and New Testaments) (Jogjakarta: Penerbit Persatuan, n.d.). On Muhammad Natsir see his book *Islam dan Kristen di Indonesia* [Islam and Christianity in Indonesia] (Bandung: CV Bulan Sabit & CV Peladjar, 1969).

⁴⁰ M Dawam Rahardjo, "Gerakan Ahmadiyah Dalam Krisis [Ahmadiyah Movement on the Crisis]," in M.A. Suryawan, *Bukan Sekedar Hitam Putih*, p. vii-xxi.

mainly inspired by Muhammad Ali's arguments on *The Holy Qoran*.⁴¹

In addition to this, it is worth mentioning that some of the works published in the 1980s, in response to Darwin's theory of evolution, such as Joesoef Sou'yb's *Adam Bukan Manusia Pertama*, show the influence of material from the Ahmadi group.⁴² As well, Nurcholish Madjid, whose ideas on rational and modern Islam became the credo for the neo-modernist movement beginning in the 1970s, draws on Muhammad Ali's works, especially *The Holy Qoran*.⁴³

Suffice it to say that for many Indonesian scholars, the Ahmadiyah literature, in particular the Lahore, was very attractive, rich and argumentative. In this sense, having followed the logic of these sources, these Muslim scholars were trying to show the compatibility of Islam with modern life. This vision, in its very essence, suggested a certain standard of selection for the works to be worth quoting for a larger audience, including Ahmadi literature. One can argue, though, that the use of Ahmadi sources by Muslim intellectuals was no more than reinforcing their own confidence in front of their religious and secular audiences, rather than propagating Ahmadi teachings or really embracing them.

⁴¹ "Jiplak-Menjiplak Tafsir Qur'an [Plagiarism in the Qur'an exegesis]," *Tempo* 12 January 1974 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 57-58. It is not difficult to discover how this Ahmadi literature 'infiltrated' the official translation of the Qur'an published by the Ministry of Religious Affairs. It was the retired Brigadier General Bahrum Rangkuti (the former General Secretary of the Ministry) who translated the works as he did the translation of some Indian continental works such as that of Iqbal's and Nehru's as well as some other Ahmadi books such as Mirza Bashiruddin Mahmud Ahmad's *Bentuk Dasar Ekonomi Islam* into Indonesian prior in the 1940s. Records show that he graduated from *Jami'ah al-Mubashirin* in Rabwah, a school designed for Qadian missionary training. As Rahardjo stated in "Gerakan Ahmadiyah Dalam Krisis", Rangkuti is indeed a Qadiani member. Therefore, with his position as the 'second person' in the Ministry at that time, the use of some Ahmadi references in this official book seemed highly plausible.

⁴² Joesoef Sou'yb, *Adam Bukan Manusia Pertama* [Adam is not the First Human Being] (Jakarta: Al-Husna, 1981).

⁴³ See for example Madjid's book, *Islam: Kemodernan dan Keindonesiaan* [Islam: Modernity and Indonesianism] (Jakarta: Yayasan Wakaf Paramadina, 1989).

C. The MUI *Fatwa* 1980, Government and the Rise of Orthodoxy

On April 1974, the Rabithah A'lam al-Islami (the World Muslim League) issued a *fatwa* against the Qadiani movement.⁴⁴ The three main doctrinal allegations were that the Qadiani group was intentionally damaging the very foundation of Islamic principles with its claim of new prophecy, distorting the meaning of some Qur'anic verses, and advocating the inapplicability of the *jihad* doctrine in modern times. It also claimed that the origins of Ahmadiyah lay in a British colonial initiative serving Imperialist's and Zionist's mundane interests. The Conference accused the Ahmadi group of operating in Muslim countries with help from 'anti Islamic forces' in building mosques, schools and orphanages for the purposes of disseminating misleading doctrines and an anti-Islam campaign. In addition, it also charged the Qadiani group of publishing and circulating corrupted versions of the Qur'an in many different languages. For these reasons, the Conference issued five recommendations against the Qadiani and one other recommendation directed to other alleged Islamic deviant sects:

“(1) All the Muslim organization in the world must keep a vigilant eye on all the activities of Qadianis in their respective countries; to confine them all strictly to their schools, institutions and orphanages only. Moreover the Muslims of the world be aware of the true picture of Qadianism and be briefed of their various tactics so that the Muslims of the world be saved from their designs; (2) They must be declared non Muslims and ousted from the fold of Islam. And be barred to enter the Holy lands; (3) There must be no any dealing with the Qadianis. They must be boycotted socially, economically and culturally. Nor any marriage with or to. Nor they are allowed to be buried in the Muslims graveyards. And they are treated like other non Muslims; (4) All the Muslim countries must impose restrictions on the activities of the claimant of the prophecy of Mirza Ghulam Ahmad Qadiani's followers; must declare them a non Muslim minority; must not entrust them with any post of responsibility in any Muslim country; (5) The alterations effected by them in the Holy Quran must be made public and the people be briefed of them and all these be prohibited for further publication; (6) all such groups as are deviators

⁴⁴ “1974 Declaration by World Muslim League (*Rabithah al-'Alam al-Islami*),” available at <http://albahfeez.org/rashid/rabita.html>, accessed on 18 May 2008.

from Islam must be treated at par with the Qadianis.”⁴⁵

Hence, not long after this Conference, the Rabithah intensified their campaign in countering the intrusive Ahmadiyah missionary activities in many Muslim countries and nurturing orthodoxy, calling on Muslims to return to the ‘pristine of Islam’. With strong support from the Saudi Kingdom, the Rabithah began to give generous aid to some Muslim organizations, not only financing the development of mosques and strengthening Islamic institutions, but also providing teaching materials for spreading the ideology of salafism. The Rabithah was also very active in disseminating the 1974 *fatwa* using government diplomatic relations as well as the existing *ulama* network. The Rabithah was in practice supportive of any public campaigns, seminars and conferences against the Ahmadiyah and other allegedly deviant groups, including Shi’ism.⁴⁶ In many cases, it generously financed the translation and production of books or manuscripts on the issue into many languages, including Indonesian.

The Rabithah mainly operated in Indonesia through the Dewan Dakwah Islamiyah Indonesia (Indonesian Islamic Mission Council/DDII) channeling its aid and other technical support to many Islamic organizations and *pesantrens*. The DDII, under Muhammad Natsir, who also served as the General Secretary of the Rabithah, was at the same time and up to the present, active in disseminating ‘awareness’ against the Ahmadiyah movement, and Christianization as well, through its publishing house, *Media Dakwah*. Its well known popular journal, *Media Dakwah* is undoubtedly consistent in reporting cases on both issues.

As the Rabithah’s *fatwa* of 1974, had far-reaching consequences in predominantly Muslim countries, including Indonesia, and as a steady campaign against the Ahmadiyah intensified, it seemed logical for the MUI (Majelis Ulama Indonesia/ Indonesian Ulama Council), a government-initiative clerical body founded in 1975 for the Muslim

⁴⁵ “1974 Declaration by World Muslim League.”

⁴⁶ Although the sixth point in the recommendation mentioned no particular group, clearly it was directed at the Shi’ah group, which gained more popular support and sympathy from most predominantly Muslim countries. Given the fear of the spreading of this Shi’ate militant ideology, this recommendation constituted a block to continuing influences of the popular image of Shi’ism among Sunni Muslim youth.

community, to issue a similar *fatwa* on the group dated on 1 June 1980.

The MUI's *fatwa* was very simple and clear. Quoting its main role as providing religious opinion and advices to the government and Muslim community in general, this *fatwa* surprisingly made no reference to any Qur'anic verses or any narration taken from the prophetic traditions (*ḥadīth*). It stated that after discerning the report from the second Commission of this National Meeting and suggestions from the participants as well, the meeting came to the recommendation that:

“In accordance with data found in nine books about the Ahmadi Qadian, the Council of Indonesian Ulama has decided that the Qadiani is henceforth excommunicated from the Islamic community; it is *deviant and misled*.”⁴⁷

The issuance of this *fatwa* drew considerable responses from Muslim organizations and intellectuals, including that of the Qadian group. Some questioned whether the *fatwa* was ‘too general’, lacking any clear references to what particular teachings of the Qadiani group was to be considered as deviant in relation to traditional Islamic doctrine. They furthermore inquired whether the *fatwa* was also applicable to the Lahore group whose teaching also centered on the veneration of Ghulam Ahmad.

The insertion of the so-called nine ‘mysterious’ references was also a subject of long dispute. The Qadiani activists in particular were very insistent that the MUI reveal the list of nine books in the making of this *fatwa*. The Qadiani group repeatedly invited the MUI for further clarification and discussion, but there was no response to these invitations. In regards to this controversial reference, some speculated that the books used were not written by Ahmadi scholars, but were traditional Muslim Arabic literature, which unsurprisingly depicted the deviant side of Ahmadiyah. This speculation seemed plausible given the fact that the Rabithah was at that time very generous in supplying books and other documents on the issue. Others argued that the nine references were mainly written by previous Indonesian scholars in forms of books, like that of Haji Rasul's *al-Qawl al-Ṣāḥib* and Ahmad Hassan's *an-Nubuwah*,

⁴⁷ See “Keputusan Musyawarah Nasional II Majelis Ulama se-Indonesia No. 05/Kep/Munas II/MUI/1980 Fatwa Tentang Ahmadiyah.” Available also http://www.khilafah1924.org/index2.php?option=com_content&do_pdf=1&id=468, accessed on 14 May 2008.

and articles.⁴⁸

The fatwa itself was poorly implemented as it received ‘inadequate’ support from the New Order regime. Support from the government was essential due to the statement in the fatwa that “regarding the Ahmadiyah case, Indonesian Ulama Council is *expected to be in constant contact with the government (Dalam menghadapi persoalan Ahmadiyah, hendaknya Majelis Ulama Indonesia selalu berhubungan dengan pemerintah).*” In this context, as the issuance of this fatwa was acknowledged by the Minister of Religious Affairs (who was the retired General Alamsjah Prawiranegara), the implementation of the fatwa was obviously dependent on the government’s support. However, surprisingly the government did nothing significant with regards to implementing the fatwa.

Discerning that the government was very reluctant to take further steps with the case, some ulamas accordingly sent a petition to the Rabithah to put more ‘pressure’ on the regime. A year later, in 1981, the Saudi Kingdom sent a formal letter to the Ministry of Religious Affairs requesting the issuance of a legal prohibition of the Ahmadiyah operating in the archipelago. With ‘diplomatic pressure’ from the Saudi Kingdom and the expectation of government support for the 1980 fatwa on the one hand, as well as the appearance of many publications against the Ahmadiyah by Muslim orthodox groups, such as from *Media Dakwah* and other publishing houses like *Bulan Bintang* and *Alma’arif*,⁴⁹ the regime

⁴⁸ Personal e-mail communication with an Indonesian Ahmadi activist in Jakarta 30 May 2008.

⁴⁹ See for examples Dewan Dakwah Islamiyah Indonesia (DDII), *Tidak Ada Nabi Sesudah Muhammad SAW: Laporan Debate Pembela Islam dengan Ahmadiyah Qadianis* [There is no Prophet after Muhammad: Report on Debate between Pembela Islam and the Ahmadiyah Qadianis] (Jakarta: Media dakwah, 1979) and *Laporan Dokumen-dokumen Resmi dan Keputusan Konperensi Islam Internasional tentang Ahmadiyah* [Report on Official Documents and Resolutions of International Islamic Conference on the Ahmadiyah] (Jakarta: Dewan Dakwah Islamiyah Indonesia, 1981); and books like Abu al-Husayn ‘Ali al-Husni al-Nadwi, *Ahmadiyah* (Yogyakarta: Horison Press, n.d.); Abdullah Hasan Alhadar, *Ahmadiyah Telanjang Bulat di Panggung Sejarah* [Ahmadiyah Naked in front of History] (Bandung: Alma’arif, 1980); Hamka Haq Al-Badry, *Koreksi Total terhadap Ahmadiyah* [Total Correction on the Ahmadiyah] (Jakarta: Yayasan Nurul Islam, 1981); Fawzy Saied Thaha, *Ahmadiyah dalam Persoalan* [The Ahmadiyah in Question] (Bandung: Alma’arif, 1981); and Ahmad Hariadi, *Mengapa Saya Keluar dari Ahmadiyah Qadiani* [Why I left the Qadiani Group] (Bandung: Yayasan Kebangkitan Kaum Muslimin, 1984).

finally took a clearer position on the controversy. About four years after the MUI *fatwa*, on 20 September 1984, the Ministry of Religious Affairs (MORA), through the Directorate General for Islamic Guidance and the Hajj (*Dirjen Bimas Islam dan Urusan Haji*) issued a circular to all MORA offices in province and district levels stating that:

“[A]fter a close examination to the Ahmadiyah, it comes to a conclusion that the Ahmadiyah Qadiani is regarded as deviant from the mainstreaming Islam as having the belief that Mirza Ghulam Ahmad is a prophet, so then the Prophet Muhammad is not for them the last prophet.”⁵⁰

It also further stated that:

“[I]t should be kept a vigilant eye that the activities of Indonesian Ahmadiyah Community are only directed into their own fold in order to avoid the unrest within the society or to disharmonize religious life.”⁵¹

Following the issuance of this circular, some district Attorney’s offices (*Kejaksaan Negeri* or the *Kejari*) were more responsive in overseeing the activities of the Ahmadiyah group in their particular regions. The *Kejaris* of Sidenreng South Sulawesi in 1986), of Kerinci Jambi in 1989, of Tarakan East Kalimantan in 1989 and of Meulaboh in West Aceh in 1990, respectively issued decrees prohibiting the activities of the group after some incidents involving the Ahmadi members occurred in those regions.

At first glance, it appears that issuance of this ministerial-level circular and regional decrees provide the basis for the banishment of the Ahmadiyah movement from Indonesia. However, closer examination reveals that the circular and those decrees lacked ‘credibility’. Having discerned that the ministerial policy on this controversy was in a lower level form and signed at the second level in the bureaucratic hierarchy (i.e. *Dirjen Bimas dan Haji*) and not by the Minister himself, one could argue that this circular was obviously insufficient to serve as the basis for any sanctioned action toward the group. The nature of a circular in

⁵⁰ “Surat Edaran Dirjen Bimas Islam dan Urusan Haji No. D/BA/01/3099/1984 tentang Ahmadiyah.” See also *Departemen Agama’s* publication a year after this circular in *Faham Ahmadiyah: Hasil Telaah Kasus* [Ahmadiyah Belief: The Case Study] (Jakarta: Puslitbang Kehidupan Beragama Departemen Agama RI, 1985)

⁵¹ See “Surat Edaran Dirjen Bimas Islam dan Urusan Haji.”

the Indonesian legal system, or in general within particular Ministries, was for internal administrative portfolio, and more importantly was not legally binding on any external party. The use of the circular-form, and it being signed by a lower level of bureaucrat, signified that the government intended to keep the dispute over Ahmadiyah as being merely an internal Muslim affair rather an acute national problem, which required the involvement of a more authoritative governing body.

The decrees from some Kejaris had had limitations in practice however. Given the centralized tendency of the New Order regime, these were only applicable and operative in the local region (*kabupaten*) but had no legal implications at the provincial and national levels. In this context, an important reason for the regulations was to respond to the demands of Muslim groups in these particular regions and to address regional unrest and instability.

Hence, the policy, whether in the form of the circular or regional decrees, was not intentionally designed to 'solve' or 'end' the controversy at the national level. Rather, it was only an artificial solution but essential for the sake of improving the reputation of the regime, which was focused on political survival, and maintaining stability. These were important considerations for the regime during the period of the 1980's as it began to institute Pancasila as the *azas tunggal* (sole ideological basis) for all Indonesian organizations, and later in the early 1990's, when it forced all organizations to implement this *azas tunggal* policy. For this reason, one could say that the contest for hegemonic intervention over this law making tacitly served the interests of the regime itself. In this sense, through this policy, not only had the government given an adequate and elegant response to the inquiry of the Saudi Kingdom (and the Rabithah), but at the same time it successfully gained support from the Muslim majority group who believed that the regime had answered their demands to block Ahmadiyah teaching and activity.

D. The MUI *Fatwa* 2005, Government and the New Model of Islamism

On 29 July 2005, the MUI issued a second *fatwa* on the Ahmadiyah, signed by K.H. Ma'ruf Amin, the chairperson for the Fatwa Commission. The document of this new *fatwa* contained many references, not only

from the Qur'an and the *ḥadīth* narrations but also from previous recommendations from other institutions, including the Majma al-Fiqh al-Islami (Islamic Jurisprudence Council) of the Munadhamah al-Mu'tamar al-Islami (Organization of the Islamic Conference or the OIC) on December 1985, the Majma al-Fiqh al-Islami of the Rabithah A'lam al-Islami (the World Muslim League), and the Majma al-Buhuts (Expert Research Council), as well as the previous MUI *fatwa* 1980. There were three main recommendations in this new *fatwa*:

“[First] Reinstate its previous *fatwa* of the 2nd National Meeting 1980 which declared that Ahmadiyah is out of the fold of Islam; deviant and misled, and therefore Muslims who followed it are heretic; [second] Those who have been following the Ahmadiyah sect are called to return to the righteous Islamic teaching in accord with the Qur'an and the *ḥadīth*; [third] The government has a duty to prohibit the spread of Ahmadiyah belief throughout Indonesia, to ban the organization and to close all centers for the activities.”⁵²

There is no doubt that the issuance of some current *fatwas* (and *tausiyahs*) on various issues signified a paradigm shift of the MUI from more or less serving the interests of the ruling regime in managing Islamic affairs, to occupying a more determined position in bargaining and negotiating with other parties.⁵³ It makes sense that after decades of serving under a powerful authoritarian regime, the Muslim community, as the dominant group, would try to assert itself in the process of decision making, and in some cases, to serve as a quasi-governing institution in protecting and preserving their interests and values. And in this context, the MUI repeatedly claimed its role as the ‘sole’ representative for all Muslim organizations in Indonesia or in the service of defending the interests of the Indonesian majority Muslim group.

However, the claim that MUI's service was for the sake of the majority is questionable particularly in light of the new composition

⁵² See “Keputusan Fatwa Majelis Ulama Indonesia No. 11/MUNAS VII/15/2005 tentang Aliran Ahmadiyah,” available at http://www.mui.id/mui_in/fatwa.php?id=131, accessed on 26 May 2008.

⁵³ Current studies on the MUI see Nadirsyah Hosen, “Behind the Scenes: Fatwas of Majelis Ulama Indonesia (1975–1998),” *Journal of Islamic Studies* 15:2 (2004) p. 147–179; and Moch. Nur Ichwan, “*Ulama*, State and Politics: Majelis Ulama Indonesia after Suharto,” *Islamic Law and Society* 12, 1 (2005); p. 45–72

of MUI. It is a fact that soon after the fall of the New Order's regime, numerous new Islamic organizations were established in Indonesia and demanded representation in MUI. Some of these were very small and very conservative in nature, advocating for the manifestation of 'Islamic' symbols and the explicit application of Islamic law in the public sphere.

Hence, as the MUI's membership now consisted of representation from Muslim organizations, rather than individual independent Muslim scholar, all members in this organization were treated as equal in any decision making. Regardless of size or influence, represented organizations each have one vote in the voting process. With this inappropriate proportion in membership composition, when it comes to voting on social and religious issues, MUI itself unsurprisingly represents more 'conservative' and 'ultraorthodox' tendencies accumulated from the smaller groups, rather than the views of the moderate majorities.

In this vein, having seen the conservative outlook of these small groups which greatly influence and steer the direction of the MUI, one can easily argue that this organization maintains a determinant position in establishing the hegemonic model of what constitutes 'acceptable' and 'correct', according to 'Islamic', or more precisely, the *salafi*, doctrines. The issuance of *Fatwa* no. 7, opposing pluralism, liberalism and secularism, and *Fatwa* no. 11, on the Ahmadiyah case in 2005, as well as its apparent support of the controversial draft of the new law on anti-pornography in 2006, are examples of the persistent character of the current MUI.

The MUI issued its *fatwa* against the Ahmadiyah only a couple weeks after the Indonesian Ahmadiyah Qadiani headquarter in southern part of Jakarta (Parung West Java) had been attacked in early July 2005.⁵⁴ In this Parung incident, the 'Muslim' mobs injured some Ahmadiyah members, who were at the time participating in the Ahmadiyah Annual Meeting (*Jalsah Salanah*), and destroyed property in the compound. Some activists and human rights observers saw a link between this incident and the wave of systematic attacks and destruction of Ahmadiyah property in 2005 and 2006.⁵⁵ In turn, the same violent pattern repeated

⁵⁴ See more in Muryadi, *Ahmadiyah: Keyakinan yang Digugat*, p. 1-33.

⁵⁵ Some attacks and destruction of Ahmadiyah property occurred in Cianjur West Java in 6 August 2005, in Majalengka West Java in 19 August 2005, in four locations of South Cianjur (West Java) in 19 October 2005 and 4 February 2006 in West

itself with other groups accused of being deviants or heretics, such as the communities of Yusman Roy, the members of Yayasan Kanker dan Narkoba Cahaya Alam (YKNCA), Lia Aminuddin's Kerajaan Eden and recently of al-Qiyadah al-Islamiah. Others went further, linking these attacks with numerous attempts, over the same time period, to close down supposedly illegal churches in many regions, such as in Jakarta, Banyuwangi East Java and Bandung West Java.

There was speculation as to why these violent attacks were becoming the new pattern for 'problem solving' in Indonesia. Many blamed the inability of the new government to provide basic living needs and security as the main reason, and therefore the attacks on 'heretic' sects was a channel for expressing their accumulated social prejudice and frustration. Others saw a wider systematic campaign against heresy that represented a creeping 'shariatization' of Indonesia, with these 'deviant' sects as 'soft targets' before further negotiations to 'islamize' all aspects of Indonesian social and political life.

Whatever reasons motivated these attacks on the rights and property of groups in Indonesia, for many religious and human rights activists, it was the opinions of religious leaders which undoubtedly justified the violence, apparently referring to the MUI's *fatwa*. In the case of the Ahmadiyah, some have shown that attacks in many regions began with heated sermons on the dangerous nature of the Ahmadiyah for the Muslim community. The sermons unsurprisingly quoted the *fatwa* of the MUI as religious evidence against the group, arguing that, as zealous Muslims, they have a moral responsibility to 'follow up' in the form of 'physical action'.⁵⁶

In line with this, some saw that, in the wider context of the central and regional levels, the MUI *fatwas* triggered vigilantism in regions where

Lombok West Nusa Tenggara, in October 2005 September 2005, and in Leuwisadeng Bogor West Java in 6 January 2006. Numerous demonstrations against the Ahmadiyah group and the closing and burning of some Ahmadiyah mosques occurred between 2005 and 2007.

⁵⁶ Akh. Muzakki, "Fatwa dan Kekerasan [Fatwa and Violence]" *Koran Tempo* 28 December 2007; and Maksun, "MUI, Ahmadiyah dan Fikih Toleransi," *Harian Suara Merdeka* 16 April 2008; Imam Ghazali Said, "Membela Ahmadiyah yang Dizalimi [Defending the Accused Ahmadiyah]," *Jawa Pos* 28 April 2008.

law enforcement agencies were unable to maintain order.⁵⁷ It is also evident that the *fatwa* was the primary factor in some districts, such as in Kuningan West Java and Lombok West Nusa Tenggara, enforcing new regional regulations on the prohibition or limitation of Ahmadiyah activities in 2006.⁵⁸ Due to these far-reaching effects and unintended consequences, some activists requested that the MUI consider revising or revoking this *fatwa*.

While the consequences of the *fatwa* were clearly visible in social conflict, some scholars, like Effendi, also questioned the legal authority of the MUI to declare particular groups as deviant.⁵⁹ Not only was the *fatwa* merely an ‘opinion’ from Muslim scholars and not legally binding for Muslims, but also the standing of the MUI under Indonesian law was questioned by many liberal Muslim activists.⁶⁰ The MUI was not a ‘super body’ above the law with an autonomous right to excommunicate any particular religious group, given the fact that, as a social organization, this body is indeed in the same position as other organizations, including the Indonesian Ahmadiyah Community (JAI).

Moreover, a critique from Mustofa Bisri, a leading NU *kyai*, of the references to three previous international resolutions (the IOC, the Majma al-Fiqh and the Majma al-Buhuts is also worth mentioning. For Bisri, quoting *fatwas* from these international Muslim organizations clearly indicated that the MUI’s *fatwa* was not very authentic and genuine for the domestic needs of the local Indonesian Muslim community. According to him, this showed that the MUI lacked confidence and was more likely serving the interests of international organizations rather than domestic

⁵⁷ Achmad Munjid, “Mencegat Kebebasan, Memaksa Keyakinan [Blocking the Freedom, Forcing the Belief],” *Harian Tempo* 17 January 2008.

⁵⁸ Basyir Ahmad Suwanto, “Potret Minoritas Ahmadiyah Manislor yang Didiskriminasi [A Portrait of Discriminated Ahmadi Minority in Manislor (Kuningan West Java)],” article available at <http://wahidinstitute.org>. Accessed on 17 May 2008.

⁵⁹ Djohan Effendi, “Solusi Masalah Ahmadiyah Indonesia [Solution for the Ahmadiyah Case in Indonesia],” *Koran Tempo* 12 January 2008;

⁶⁰ Ulil Abshar-Abdalla, “Masih Tentang Ahmadiyah [Still about the Ahmadiyah],” article posted on 9 May 2008 available at <http://islamlib.com/id/index.php?page=article&id=1044>. Accessed on 15 May 2008; and Luthfi Assyaukanie, “Fatwa dan Kekerasan,” article available at <http://islamlib.com/id/index.php?page=article&id=1220>, accessed on 16 May 2008.

interests.⁶¹

In addition to Bisri, Azyumardi Azra also argued that basing the *fatwa* on other *fatwas* from other Muslim countries or international organizations was a clear sign of the MUI Board's lack of 'social' knowledge. MUI should seek advice and discuss the issue with those who are very keen and knowledgeable about the local context before making a decision about the Ahmadiyah.⁶² Azra also pointed out that the MUI's reference to the IOC's *fatwa* was rather odd given the fact that Indonesia is not a member of this Conference, and Indonesia is, therefore, not legally bound by any legal decisions of this organization.

The MUI itself on many occasions has clearly neglected the reality that its *fatwa* has been the source of unrest and hostility towards the Ahmadiyah group. It has persisted in claiming the importance of *fatwa* for guarding the faith of the *umma*, serving as a clear guide in preventing more conversions of traditional Muslims into the fold of Ahmadiyah. For the MUI and supporters from various Muslim organizations, this *fatwa* concerned the internal affairs of the Muslim community, warning groups from other religious traditions, who raised concerns, not to involve themselves in this debate.⁶³

The MUI's firm stand on the issue was supported by numerous Muslim organizations and Islamic political parties. Support for it was also expressed in many forms, including online opinions and printed literature. Whether for the sake of religious zeal or commercial motives, many books and popular opinions were published in newspapers,

⁶¹ Mustofa Bisri, "Fatwa MUI Refleksi Ketidakpercayaan Diri [MUI Fatwa is Mirror of a Lack of Confidence]" in Ahmad Sueadi (ed.), *Kala Fatwa Menjadi Penjara [When Fatwa Becomes Prison]* (Jakarta: The Wahid Institute, 2006), p. 254-255; and his article, "Yang Sesat dan Yang Ngamuk [The Deviant and the Amok]," *Jawa Post* 23 April 2008 available at http://jawapos.com/index.php?act=detail_c&id=337871, accessed on 14 May 2008.

⁶² See Azyumardi Azra's comment available at <http://www.tempointeraktif.com/hg/nasional/2005/08/02/brk,20050802-64678,id.html>.

⁶³ See for example the statement from Forum Masyarakat Peduli "FOMPI Siap Bela Fatwa MUI [FOMPI is Ready to Defend the MUI Fatwa]," *Harian Bangsa* 4 August 2005 as quoted by John Olle, "The Campaign Against 'Heresy': State and Society in Negotiation in Indonesia," paper presented to the 16th Biennial Conference of the Asian Studies Association of Australis in Wollongong 26-29 June 2006, p. 3.

magazines and journals, describing the fallacies and inconsistencies of the Ahmadiyah teachings for the Muslim public.⁶⁴ Massive demonstrations and submission of petitions from these organizations and Muslim politicians to the government, created pressure for a more severe policy towards the Ahmadiyah, steering Indonesian Islamic discourse in 2006 and 2007.

The current government, in mid-2005, through the Coordinating Body of Monitoring and Supervision of Religious Sects (*Bakor Pakem*/ *Badan Koordinasi Pengawasan dan Perkembangan Aliran Kepercayaan*), under the office of the State Attorney (*Kejaksaan Agung*), indeed tried to settle this contentious debate by ‘recommending’ the prohibition of all organizations, activities, teachings and books of the Ahmadiyah in Indonesia.⁶⁵ With this intention in mind, the Ministry of Religious Affairs then initiated seven dialogues with the *Jemaat Ahmadiyah Indonesia* (JAI) “with the expectation to find the solution for the matter [of the Ahmadiyah]” accordingly.

There were seven ‘options’ offered to the JAI in the dialogues. Some of these options were unarguably very contentious from the beginning. The results of the ‘dialogues’ were apparent at the end, offering either the dissolution of the JAI by the government or by the court. Other softer options were that the Ahmadi members would be ‘expelled’ from the

⁶⁴ See for examples new books on the Ahmadiyah like M. Amin Djameludin, *Ahmadiyah dan Pembajakan Al-Quran* [Ahmadiyah and Quran Plagiarism]; (Jakarta: 2002); *Ahmadiyah Menodai Islam: Kumpulan Fakta dan Data* [The Ahmadiyah Violates Islam: Collection of Facts and Data] (Jakarta: Lembaga Penelitian dan Pengkajian Islam [LPPI], 2004; Hartono Ahmad Jaiz, *Aliran and Paham Sesat di Indonesia* [Deviant Sects and Doctrines in Indonesia] (Jakarta: Pustaka Al-Kautsar, 2002); Ahmad Lutfi Fathullah, *Menguak Kesesatan Aliran Ahmadiyah* [Uncovering the Deviance of the Ahmadiyah Sect] (Jakarta: Pustaka Array, 2004); and M. Yuanda Zara, *Aliran-aliran Sesat di Indonesia* [Deviant Sects in Indonesia] (Yogyakarta: Banyu Media, 2007); or numerous article like H.M. Amin Jamaluddin, “Menjawab Kebohongan Ahmadiyah,” article posted on 16 January 2008 available at <http://salafy.wordpress.com/2008/01/16/menjawab-kebohongan-ahmadiyah>. Accessed on 15 May 2008.

⁶⁵ “Penjelasan Kepala Badan Litbang dan Diklat Departemen Agama tentang Perkembangan dan Penanganan Masalah Ahmadiyah di Indonesia [Statement of Chairperson of Research and Development Body Ministry of Religious Affairs on the Ahmadiyah in Indonesia,” p. 1-2, available also at <http://www.depag.web.id/doc/get/10>, accessed on 20 May 2008.

Muslim community and then categorized as non-Muslims, as in Pakistan, or that the group would be regarded as a sect within the Indonesian Muslim community, abiding by 'some indispensable conditions'.⁶⁶ There was no surprise at all that JAI would choose the last option.

This last option had an immediate consequence as it required the group to provide a clear account of their religious beliefs and view of societal life, in order to gain 'recognition' and 'acceptance' as part of the Indonesian Muslim community. It was then on 14 January 2008, that the JAI released the 'Twelve Points of Statement from the JAI (*12 Butir Penjelasan JAI*) to the public, stating that:

- (1) We the Indonesian Ahmadiyah community from its beginning believe in and affirmed Islamic confession statements (*kalimat shahadat*) as taught by the Prophet Muhammad that there is no God but Allah and that Muhammad is truly the messenger of God; (2) For its beginning, we the Indonesian Ahmadiyah community believe that Muhammad is the last prophet; (3) Amongst our belief is that Mizra Ghulam Ahmad is the teacher, the religious adviser (*mursyid*), the bearer of good news and warning, and the holder of good promises (*mubasyirat*), the founder and leader of the Ahmadiyah community whose role is to strengthen Islamic mission that previously carried by the Prophet Muhammad; (4) We intact the word Muhammad with the word Rasulullah emphasizing that it was the Prophet of Muhammad in the ten [Ahmadiyah] *Bai'ats* requested for and read by the new Ahmadi; (5) We the Indonesian Ahmadiyah community believe that [a] there is no revelation with *shar'ah* after the Qur'an which sent down to the Prophet of Muhammad; [b] The Qur'an and the prophetic tradition are our teaching sources we follow; (6) The book of Tadzikhah is not the holy book for the Ahmadis, but the spiritual document of Mirza Ghulam Ahmad collected, bound and named by his follower in 1935, twenty seven years after his death in 1908; (7) We the Indonesian Ahmadiyah community have not and never regarded those outside the Ahmadiyah as the infidels in word and in action; (8) We the Indonesian Ahmadiyah community have not and never regarded any mosque we built as the Ahmadiyah Mosque; (9) We state that every

⁶⁶ Penjelasan Kepala Badan Litbang," p. 2. The dialogues were held on 7 September 2007, 2 October 2007, 8 November 2007, 29 November 2007, 6 December 2007, 19 December 2007 and 24 January 2008. All dialogues were in the Office of Badan Litbang in Jakarta, except one (19 December 2007) was in the Central Police Office (*Mabes Polri*).

mosque built and managed by the Ahmadiyah community is open for all Muslims from any group; (10) We the Indonesian Ahmadiyah community as the Muslims always register any marriage to the office of religious affair (KUA-Kantor Urusan Agama) and consult any divorce case and other cases with the Religious Court in accord with the existing law system; (11) We the Indonesian Ahmadiyah community will participate to strengthen social interaction and work together with any other Muslim group and community in the social service for the progress of Islam, nation and the unity of the republic (NKRI-Negara Kesatuan Republik Indonesia); and (12) through this statement, we the executive body of the Indonesian Ahmadiyah community expect the Ahmadiyah community and Muslim community as well as Indonesian community to understand under the spirit of Islamic brotherhood, and for the sake of national unity.”⁶⁷

There is no doubt that the publication of the *12 Butir Penjelasan JAI* opened the way for the government to take further action against the Ahmadiyah if the group failed to fulfill the conditions in the *Penjelasan* within three months. Along with the socialization of this *Penjelasan* though out the country, MORA, on 24 Januari 2008, formed a special team to investigate and monitor the implementation of the *Penjelasan* in practice. This body consisted of members representing four offices of MORA, the Ministry of Internal Affairs, the State Attorney and the Indonesian Police.

It should surprise no one that this team would find discrepancies between Ahmadiyah teachings and that of traditional Muslims. Within three weeks, the team found evidence of this. On 18 February 2008, the team sent a letter to the JAI requesting a more clear statement on the issue of Muhammad as the last prophet and the position of Mirza Ghulam Ahmad in Ahmadiyah teaching, as they found that some books published by the JAI were not in accord with the JAI's *Penjelasan*, in particular Point 2 and 3.⁶⁸ As the JAI was unable to give satisfactory answers to these inquiries, the team came to the conclusion that the JAI had intentionally broken the ‘covenant’. It recommended the Bakor Pakem take further action, arguing that the group had failed to fulfill all the points in the

⁶⁷ Pengurus Besar Jemaat Ahmadiyah Indonesia, “12 Butir Penjelasan Jemaat Ahmadiyah Indonesia,” available at <http://www.ahmadiyah.or.id/index.php?option=com>, accessed on 14 May 2008.

⁶⁸ *Penjelasan Kepala Badan Litbang*,” p. 11.

Penjelasan. On 16 April 2008, the Bakor Pakem gave a clear signal that the government would issue a new decision on Ahmadiyah,⁶⁹ unsurprisingly triggering a new heated controversy and causing groups to line up, either 'for' or 'against' the government's initiative.

From the beginning, the involvement of the government in the Ahmadiyah case in Indonesia raised severe responses and arduous critics from moderate Muslims and human rights activists. Some saw that the government's interest in managing religious activities would violate the basic freedom of citizens to believe in a particular religion and doctrine, as explicitly guaranteed by the Indonesian Constitution (UUD 1945). It also contravened existing laws in Indonesia, such as Article 22 of the Law no. 39 Year 1999 on Human Rights as well as international agreements like the International Covenant for Civil and Political Rights (ICCPR), which the Indonesian government ratified.⁷⁰

Many regretted the involvement of the government in theological debates and its use of theological reasons for prohibiting the Ahmadiyah when in fact the Indonesian political system is 'secular'. Under the existing law, only if the group violated the order and created social unrest, could the government take action, but unfortunately, it was not the case for the Ahmadiyah group.

However, the proponents for further government action towards the Ahmadiyah included prominent Muslim political parties like Partai Persatuan Pembangunan (PPP) and Partai Keadilan Sejahtera (PKS) as well as many Muslim organizations such as Nahdlatul Ulama and Muhammadiyah. Many demonstrations were held and numerous petitions by many Muslim organizations were sent to the President to hasten the

⁶⁹ See official notes on "Rakor Pakem [Coordinating *Pakem* Meeting]," in Aula Jaksa Agung Muda Intelijen Jakarta 16 April 2008, private circulation.

⁷⁰ See for examples Novriantoni, "Melarang Ahmadiyah: Apa Kata Dunia? [Banning the Ahmadiyah: What the World would Say?]," article posted on 22 January 2008 available at <http://islamlib.com/id/index.php?page=article&id=1319>, accessed on 15 May 2008; also Masykurudin Hafidz, "Mohon Maaf, Ahmadiyah [Sorry, Ahmadiyah]," *Koran Tempo* 22 April 2008; and Ismatu Ropi, "Kebebasan Agama dan Peraturan yang Bertabrakan [Religious Freedom and the Contradicting Regulations]," *Media Indonesia* 16 May 2008.

issuance of the decree prohibiting Ahmadiyah in the country.⁷¹

At this point, altering its previously firm position, the government was evidently reluctant to take any considerable steps against the Ahmadiyah after having discerned the legal and political situation for them under existing Indonesian law, at the urging of moderate Muslims and human rights activists. However, political legitimacy before the Muslim majority was also undoubtedly essential for the government. It took some months to review the case, until finally a new regulation in the form of Surat Keputusan Bersama/SKB (the Joints Ministerial Decree) was signed by the Minister of Religious Affairs, the State Attorney and the Minister of Internal Affairs on 9 June 2008.⁷²

The SKB was very subtle and appeared to be quite comprehensive. Referring to seventeen existing regulations in Indonesia, this SKB recommended six important points that:

“[First] to give warning and to order all society not to inform, to persuade or to mobilize any attempt for interpreting any religion embraced in Indonesia or for doing any activities resembling religious activities which are deviant to that of foundation of religious doctrines; [Second] to give warning and to order followers, members, and/or members of the executive body of the JAI along with their confession as Muslims, to stop the spreading any interpretation and activities which are deviant to the foundation of Islamic doctrines such as spreading the belief on the existence of new prophet with new teaching after the Prophet of Muhammad; [Third] the followers, members, and/or members of the

⁷¹ “Surat Terbuka Forum Umat Islam Kepada Presiden RI untuk Pembubaran Ahmadiyah”, available at <http://forum.syabab.com/index.php>; accessed on 15 May 2008; “Surat Terbuka Hizbut Tahrir Indonesia (HTI) kepada Presiden tentang Pembubaran Ahmadiyah”, available at <http://musliminsuffer.wordpress.com>. Accessed on 15 May 2008; “Pandangan Dewan Da’wah Islamiyah Indonesia terhadap Ahmadiyah”, available at http://bidayatullah.com/index.php?option=com_content&task=view&id=6192&Itemid=65, accessed on 15 May 2008.

⁷² As recorded that this regulation was issued only a week after the incident of Monas on 1 June 2008. In this incident, some human rights activists, who held a peace demonstration in support for religious freedom in Indonesia, was belligerently attacked by radical Muslim wing, the *Forum Pembela Islam* (FPI or Islamic Defender Forum). Some of those activists were badly injured, and the echo of this attack was far reaching and widely covered in national and international media. Some concerned that the effect of this incident would create a new horizontal conflict within the society.

executive body of the JAI who ignore the warning and order as mentioned in Point 1 and 2 would be sanctioned in accord with the existing regulation, including to its organization and other legal bodies; [Fourth] to give warning and to order the community to preserve and maintain religious harmony and rest and order in societal life by not committing any activity and/or action against the law toward the followers, members, and/or members of executive body of the JAI; [Fifth] those members of community who ignore the warning and order as mentioned in Point 1 and 2 would be sanctioned in accord with existing regulation; [Sixth] to order the central and local government apparatus to take any measured steps in order to maintain and monitor this Joint Decree.”⁷³

One easily saw that this new regulation, issued after the incident, unsurprisingly ignited heated debates.⁷⁴ While this government action was supported by many Muslim organizations, this SKB was noticeably vague in its nature as well as ambiguous in its content. Hence, it seemed the SKB was not well-prepared, serving an *ad hoc* interest and not designed for the fair management of religious affairs in the country. There were some inherent weaknesses in the SKB itself regarding its implementation.

First, this SKB quoted verbatim Indonesian Law No. 1/PNPS/1965 as manifested in Point 1 and 2. For many scholars and activists, this Law was a nightmare due to its hegemonic and authoritarian nature, giving ultimate power to the regime for managing religious affairs in Indonesia. It was very apparent in the New Order era that this Indonesian blasphemy law was undoubtedly an effective tool for taking severe action against many alleged deviant sects in Indonesia. Records show that the regime vigorously prohibited more than 50 religious cases, based on doctrines

⁷³ “Keputusan Bersama Menteri Agama, Jaksa Agung, dan Menteri Dalam Negeri Republik Indonesia No. 3 Tahun 2008; No. KEP-033/A/JA/6/2008; No. 199 Tahun 2008 tentang Peringatan dan Perintah kepada Penganut, Anggota, dan/atau Anggota Pengurus Jemaat Ahmadiyah Indonesia (JAI) dan Warga Masyarakat [Joint Decree of Minister of Religious Affairs, the State Attorney, and the Minister of Internal Affairs on Warning and Order to the Followers, Member, and/or Members of Executive Body of Indonesian Ahmadiyah Community (JAI) and General Social Community,” available at <http://www.depag.or.id>, accessed on 11 June 2008.

⁷⁴ See Ahmad Suaedy, “Ahmadiyah dan Pemerintahan yang Panik [Ahmadiyah and the Panic Government], *Koran Tempo* 12 June 2008

and teachings, using this law.⁷⁵ Although this law has not been revoked, for many activists and legal scholars, its legal substance was outdated given the enactment of Law No. 39/1995 on Human Rights and of the new Law No. 12/2005 on the Ratification of the ICCPR. It also, moreover, contradicted the spirit of the new amended Constitution (UUD 1945) which clearly guaranteed religious freedom for all citizens.⁷⁶ Hence, the verbatim use of this Law No. 1/PNPS/1965 as the main legal source strongly indicated that the government lacked any reasonable and contextual argument for the prohibition of the Ahmadiyah.

Second, some saw that the subject of the warning and order in this SKB seemed very strange and dubious. It was unclear whether it would be exclusively directed to Ahmadiyah group or was also applicable to the community and the government apparatus in general. Of six points in the SKB, only two points were apparently related to the Ahmadiyah group, while the remaining points were very broad in nature as general warnings and orders for the community or general orders for the government officers themselves.

Third, the content of the SKB, in particular Point 2 prohibiting any activities of the Ahmadiyah group which were deviant according to Islamic doctrines, was also ambiguous and controversial. Many activists inquired further as to what kind of activities were to be regarded as deviant in accordance with traditional Islamic teachings. If those Ahmadis, for example, performed prayers exactly as traditional Muslims prayed, should the government consider this as deviant activity and then take action to stop the prayers.

Fourth, and more importantly, the new *Tata Tertib Perundangan* as stated in Article 7 of Law No. 10/2004 on Making Law clearly pointed out that the SKB did not have much importance in the hierarchy of laws under the new Indonesian legal system. In this context, the SKB is loosely binding on parties and, therefore, inadequate for serving as a

⁷⁵ Departemen Agama RI, *Peraturan Perundang-undangan Kehidupan Beragama* [Regulations on Religious Life] (Jakarta: Departemen Agama RI, 1998).

⁷⁶ See for example Rumadi, "SKB Setengah Hati [A Half-Hearted Joint Decree]," *Kompas* 11 June 2008.

legal norm for any sanctioned action towards the group.⁷⁷ It would be impossible that these three Ministerial bureaucracies were not aware of this new formation of Indonesian law. Hence, some speculated that the government was intentionally using the form of the SKB to make this new regulation of the Ahmadiyah defective from the beginning and therefore inapplicable.

However, whatever its legal deficiencies, many activists went further, raising concerns that this policy in practice would justify more social conflict at the grass roots level and be used as a legal argument, in coordination with the religious argument from the MUI's *fatwa*.

It, nevertheless, seemed clear that the issuance of the SKB on the Ahmadiyah indicated the inability of the government to preserve its neutral position in managing religious affairs in Indonesia. Clearly, the government seemed handicapped by the steady pressure from Muslim groups wanting to apply their standardized values in the archipelago. For many, this was an apt example of an inappropriate political concession by a weak state to a strong civil society.

However, the legal battle ultimately found the government to be, surprisingly, the real winner and not the Muslim majority. Like the previous regulation of the Ahmadiyah in the mid of 1980s, this new decree was not designed to be easily implemented as this SKB was from the beginning proven to be legally defective as a legal basis. This new regulation was issued for the sake of improving the reputation of the regime and ensuring its political survival vis-a-vis the steady Muslim majority's demands. In this sense, through the issuance of this policy, not only had the government received political credit, but at the same time, like in the 1980s, it successfully gained support and warm applause from Muslim conservative groups who considered the regime to have given in to their persistent demands to block Ahmadiyah teaching and activity in Indonesia.

Even if the President of the Republic Indonesia as requested in the Law No. 1/PNPS/1965 would issue a 'real' decree to ban the Ahmadiyah group in Indonesia, a new problem would immediately arise regarding the management of the group's assets. According to Indonesian law, if

⁷⁷ See for example Ismatu Ropi, "SKB yang Cacat Hukum [the Defected Joint Decree]," *Koran Jakarta* 13 June 2008.

an organization is outlawed and banned by the government, the assets owned by that group would be overseen by the government. In this sense, given the pressure from civil society on the weak state, one may imagine that ownership of the assets of the banned group would be the new battleground. Each of them would claim itself as the most appropriate body to manage the assets and undoubtedly this would be a new source for more tension, social conflicts and apparent prejudice.

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