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COUNTERING RADICALIZATION AND TERRORISM

in Indonesian Governance of Religion

Zainal Abidin Bagir and Moh. Iqbal Ahnaf

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**COUNTERING RADICALIZATION AND TERRORISM IN INDONESIAN
GOVERNANCE OF RELIGION**

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FOREWORD

Religion has become one of the substantial element that cannot be separated from the life of Indonesian people. Therefore, it is not surprising that this definition of religion has always been interpreted throughout history. As many scholarly publications have argued, the concept of “religion” has been constructed for different purposes by the state, academia, and of course by the people. In Indonesia, how the state governs religion has significantly shaped how religion is defined and perceived, and how religion is lived. Due to the strong involvement of the state in governing religion, the freedom of religion or belief, despite its strong constitutional status, has faced challenges to be protected and respected by the Indonesian state.

Through the regulations and policies discussed in this book, the state

demonstrates its commitment to and actions for countering terrorism, which is an extraordinary crime threatening its citizens. It is of course legitimate, and even obligatory for the state to do so. However, the way the state deals with terrorism and tolerance raises serious questions in relation to the freedom of religion or belief. The regulations and policies discussed in this report can lead the government to intervene in people’s beliefs, encroaching upon the *forum internum* (freedom from political coercion) that the state is obliged to protect. Such a contradiction may create opportunities for unintended and unexpected consequences. De-radicalization may result in something all-together different.

How the state contradicts itself is an issue that is always important to address and examine for the development of

citizenship. Regulations and policies are important subjects of analysis, and within the context of Indonesia (and other countries), they are among the main subjects with which to engage when dealing with religious and cultural issues such as marginalization, discrimination, and persecution.

Out of many CRCS UGM publications, this book examines specifically how the state governs religions and the religious lives of people. It specifically

focuses on regulations and policies on counterterrorism and tolerance. We believe that this finding will become a resource for knowledge and a reference for those who are concerned with religious issues, especially related to terrorism, radicalization, and religious moderation: academics, civil society organizations, activists, government officials, and the wider public.

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I. INTRODUCTION

THE recent increase in the promotion of religious moderation in Indonesia reflects an expanding trend in counterterrorism policies in the country. These policies are a response to the fact that the spread of radicalization is facilitated by socio-political-legal context effectively cultivated by militant and extremist groups.¹ Accordingly, a useful discussion of this context should include a review of laws and policies that cover a broad range of issues, including those directly and explicitly about terrorism or violent extremism, but also those about education,

houses of worship, blasphemy, religious organizations, distribution of information through new media, and others.

This report maps recent shifts in laws and government policies which may influence the spaces of countering radicalization and promoting tolerance. The main three questions the report addresses are: (1) What are the laws and policies enacted to counter radicalization, prevent violent extremism or promote tolerance? (2) Do existing Indonesian laws and regulations constitute an enabling environment for radicalization or for tolerance? (3) Have recent changes in state policy broadened or narrowed the space for intolerance or radicalization? The answers to these questions are ultimately expected to give us knowledge about the prospect of decreasing radicalism and promoting tolerance in Indonesia.

1 M. Iqbal Ahnaf (2012). *Contesting Morality: Youth Piety and Pluralism in Indonesia*, Working paper, Journal of The Kosmopolis Institute (University for Humanistic Studies), Netherlands; Noorhaidi Hasan (2006). "Violent Activism, Islamist Ideology, and the Conquest of Public Space among Youth in Indonesia", in Kathryn Robinson, ed., *Youth Identities and Social Transformations in Modern Indonesia*, Brill, Leiden.

This report focuses on the level of national laws/regulations, except when it comes to particular institutional contexts such as universities. The laws reviewed include: (1) the recent anti-terrorism law and its operational regulation on the prevention of terrorism, (2) laws/draft laws on national plans for development in general and on violent extremism, (3) laws related to hate speech and disinformation, (4) the Ministry of Religious Affairs' policy on religious moderation, (5) lower-level regulations on the registration of religious gatherings, (6) joint ministerial decrees on civil servants, and (7) a few other relevant regulations.

II.

THE POLITICAL BACKGROUND OF COUNTERTERRORISM POLICIES IN INDONESIA

INCREASED concern about terrorism, radicalization and intolerance followed a series of terrorist attacks in Bali and other locations in early 2000s. During the administration of President Susilo Bambang Yudhoyono (SBY) from 2004-2014, Indonesia encoded its first regulation on terrorism in 2002, which was made into a law in 2003 (Law No. 15/2003). This law was followed by the formation of a counterterrorism squad called Special Detachment 88 (Densus 88) in the same year. In 2002 the government formed a Coordinating Desk to Fight Terrorism, which would later become the National Agency for Combating Terrorism (BNPT), through a Presidential Regulation No. 46/2010. Alongside his fight against terrorism, SBY accommodated conservative Muslims from the early days of his two presidential terms (2004-2014), especially the Indonesian Council of Ulama (*Majelis Ulama Indonesia*

or MUI). During his administration, unprecedented legal-formal recognition of MUI came through its inclusion in laws on Islamic economy and the certification of *halal* products.²

Joko Widodo, unlike SBY, was known initially for being more pragmatic in paying attention to issues related to religion, even though he faced strong opposition from Islamist groups following the unprecedented mass demonstrations in November and December of 2016 (known as 411 and 212 Actions). Nonetheless, in 2017 he started to narrow down the space of these opponents. Notably, he used his authority to ban the anti-democratic yet non-violent organization Hizbut Tahrir Indonesia (HTI). HTI's aspiration

2 Robin Bush. 2015. "Religious Politics and Minority Rights During the Yudhoyono Administration," in Edward Aspinall, Marcus Mietzner and Dirk Tomsa (eds.), *The Yudhoyono Presidency: Indonesia's Decade of Stability and Stagnation*, (Singapore: Institute of Southeast Asian Studies), pp. 239-257.

for a *khilafah* (Islamic theocracy) was labeled as radical, and its stated aim for formal implementation of Islamic *shari'a* was seen as going against the national consensus of the unitary state of Indonesia (the slogan is “NKRI *harga mati*”) and the national ideology of Pancasila. In the same year, Rizieq Shihab, the so-called *great imam* of the Islamic Defenders Front (*Front Pembela Islam*, or FPI), who was the most vocal leader leading the 414 and 212 Actions, was prosecuted on several charges, including defamation of religion and his entanglement in sexual affairs. In response, Rizieq Shihab fled to exile in Saudi Arabia. When he returned in November 2020, he was prosecuted and sentenced to jail again for breaking Covid-19 restriction rules. Shortly thereafter, on 30 December 2020, FPI was formally banned.

In terms of legislation, the year 2018 was important in two ways. It was the year when, after years of inconclusive debates, President Jokowi signed a revision of the Anti-Terrorism law in the wake of Surabaya bombing in May 2018. The same year was the start of the 2019 presidential campaign, which pitted Jokowi in a rematch with his main competitor in the 2014 election. As in 2014, Prabowo was supported by

many conservative and hardline Islamic organizations; in public discourse, his supporters were stigmatized as “radical”. In response, Jokowi tried to outbid Prabowo in terms of his support of Muslim interests. He picked Ma'ruf Amin, the head of MUI and the supreme leader (*Rais 'Aam Syuriah*) of *Nadhlatul Ulama* (NU), as his vice president, and he gained the support of NU. After winning the election, Jokowi brought his rival Prabowo into his cabinet as Defense Minister to consolidate his power and to manage his Islamist opposition. With this new political security, President Jokowi expanded policies against radicalization through a broad range of measures, including appointing a Minister of Religious Affairs from a military background and appointing others known for holding an anti-Islamist position. In October 2019, he publicly tasked three ministries (Religious Affairs, Defense and the Coordinating Ministry of Politics, Law and Security) with countering radicalism. This was followed by a Presidential Regulation on the prevention of terrorism, a national development plan and an action plan that specifically aimed to prevent the spread of violent extremism.

In addition to these measures, a number of lesser regulations were issued in 2019. For example, a new code of conduct was established for civil servants, and an online portal was launched to report those who harbor radical views or defame national symbols *and* government. Additionally, everyday Islamic religious gatherings (*majelis taklim*) had to be formally registered. While these regulations and policies seemed either ineffective or not implemented, they did strengthen some Muslim groups' perception that policies against radicalism are targeting not only radical Muslims who may become violent extremists, but also affect more conservative groups who may be critical of the government. Nonetheless, Jokowi's position toward Muslim groups in his second term would seem to continue his strategy of a mixture of repression and accommodation. He has repressed groups labelled as radical, while at the same time strengthening the so-called moderate face of Islam with many forms of support, including financial, to moderate Islamic organizations.

III.

MAJOR LAWS AND REGULATIONS

IN terms of the legal framework, the highest law in legal hierarchy, and the only one that is explicit on terrorism and radicalization, is the Anti-Terrorism Law (2018), which was followed a year later by the Governmental Regulation (2019). This section focuses on these two documents, along with two national-level and trans-ministerial documents: 1) the Presidential Regulation on the National Medium-Term Development Plan (*Rencana Pembangunan Jangka Menengah Nasional* or RPJMN) 2020–2024, and 2) the *National Plan of Action on Violent Extremism that May Lead to Terrorism* (or NPA-VE; Indonesian: *Rencana Aksi Nasional Penanggulangan Ekstremisme Berbasis Kekerasan yang mengarah pada Terorisme*, shortened to RAN PE). Other policy documents and lower-level regulations associated with particular sectors/ministries will be discussed in later sections.

A. Anti-Terrorism Law (2018)

As mentioned earlier, Indonesia has had an anti-terrorism law since 2002, which was revised a year later. The 2018 Anti-Terrorism Law (No. 2/2018) was a revision of this earlier law. One of the main issues that delayed the parliament's approval of the government's proposal to revise the law concerns considerations about the impacts of a potentially restrictive law on human rights. The Surabaya bombing in May 2018 increased pressure on the Parliament, so only two weeks after the incident, the Parliament reached an agreement, and the President signed it shortly thereafter.

One of the most significant changes made by the new law is in its scope, which now more prominently includes issues of prevention. There is a whole chapter (Chapter VIIA) on

the prevention of the criminal act of terrorism, which tasks the government to prevent terrorism while maintaining the protection of human rights. A year later a governmental regulation was enacted to deal with this prevention, as will be discussed below. Another new article was added about how to deal with suspected terrorists in accordance with human rights; and the so-called “Guantanamo article” of the earlier law was also deleted. The rights of victims of acts of terrorism now includes not only compensation and restitution, but also medical aid, psychological and psychosocial rehabilitation.

While the law has indeed made many significant improvements, there are a few remaining issues. One of them is about the definition of terrorism. Until the end of 2016, drafts of the law did not include a definition of terrorism. In the law, an act of terrorism is defined as “an act of violence or threat of violence with ideological, political or security disturbance motives, which creates a widespread sense of terror or fear, causing mass casualties and/or damages or destruction of strategic vital objects, environments, public facilities or international facilities.”³

3 The above is not a literal translation. The

One criticism of this definition concerns the stipulation of the term “mass casualty”. CSOs advocating about this law have noted that an act of terrorism may actually claim only one victim or a very small group of victims. The stipulation of specific motives for terrorism (ideological, political, security disturbance) may also become an obstacle in proving guilt in a criminal case.⁴ In contrast, the Articles mentioning elements of crimes constituting act of terrorism (Articles 5, 6 and 7) do not mention specific motives.

Key issues debated about this law reflect a broader political dimension, as shown by a demand from the

original definition of terrorism in Bahasa Indonesia is: “Perbuatan yang menggunakan kekerasan atau ancaman kekerasan yang menimbulkan suasana teror atau rasa takut secara meluas, menimbulkan korban yang bersifat massal, dan/atau menimbulkan kerusakan atau kehancuran terhadap objek vital yang strategis, lingkungan hidup, fasilitas publik, atau fasilitas internasional dengan motif ideologi, politik, atau gangguan keamanan.”

4 ICJR was active in advocating for the law and published several recommendations, including on the importance of a good definition. See Supriyadi Widodo Eddyono and Anggara, “Mendefinisikan Terorisme – Pemetaan dan Rekomendasi Pelapor Khusus PBB terhadap Definisi Terorisme yang lebih Komprehensif dan Universal”, ICJR, 2016; <https://icjr.or.id/ruu-perubahan-uu-terorisme-selesai-dibahas-2-catatan-icjr-terhadap-definisi-terorisme-yang-disepekat-pemerintah-dan-dpr/>.

main opposition parties at that time (Gerindra, PAN and PKS) to include separatist Papuans in the definition of terrorism. This demand cannot be separated from the public discourse that sees anti-terrorism as targeting mostly Muslims. Lawmakers and the government eventually accommodated this demand and identified separatist groups in Papua with the category of terrorism.

B. Governmental Regulation on the Prevention of Terrorism (2019)

In November 2019, more than a year after the enactment of the anti-terrorism law, President Jokowi signed the Governmental Regulation on the Prevention of Terrorism and the Protection of Law Enforcement Personnel (No. 77/2019). Chapter 43A of the anti-terrorism law requires the government to prevent acts of terrorism in a prudent way and in accordance with human rights. As far as prevention of terrorism is concerned, this regulation is the most detailed and important, and as such it will be discussed at length here.

In this Regulation, prevention consists of **national readiness**

(*kesiapsiagaan*), **counter-radicalization** and **deradicalization**. The main institution responsible for prevention is the National Agency for Combating Terrorism (Indonesian: *Badan Nasional Penanggulangan Terorisme* or BNPT) which is positioned very centrally in the regulation. **National readiness** (Arts. 3-20) is required to anticipate acts of terrorism through a well-planned, systematic and sustainable process. The means to accomplish this are community empowerment, including that of societal/non-governmental organizations; capacity building of governmental and law-enforcement personnel; the improvement of facilities; development of research on terrorism; and mapping of regions which are “vulnerable to exposure of terrorist-radical views” (Art. 4).

The phrase “terrorist-radical views” (*paham radikal terorisme*) also featured in the anti-terrorism law, and it is a key notion in this regulation.⁵ Though quite central, this rather peculiar notion is far from self-evident; it may be intended to mean radical views/ideology which (may) lead to terrorism.

5 “Paham” is translated here as views, but it may also mean beliefs; in the Indonesian language, this word is also used to refer to ideology.

This controversial notion is repeated more frequently in later articles with no clearer explanation.

Counter-radicalization (Arts. 21-27) aims to stop the propagation of terrorist-radical views. It targets those vulnerable to terrorist-radical views, which, in turn, is explained as those who have access to information containing such views, have relations with people indicated to harbor such views, have narrow nationalist views leading to such views, or are economically, psychologically, or culturally vulnerable such that they are easily influenced by such views (Art. 22). The regulation includes three ways to promote counter-radicalization: (1) counter-narratives, composing and spreading peaceful narratives comprising religious and nationalist views as well as local wisdom through all kinds of media, training, and research; (2) counter-propaganda; and (3) counter-ideology, which aims to strengthen understanding among civil servants, the police and the army of Pancasila as state ideology.

Deradicalization (Arts. 28-55) targets suspected and convicted terrorists, as well as former prisoners convicted of terrorism offenses and those who are already exposed to

terrorist-radical views. Included in the last category are husbands/wives/sons/daughters or other family members of convicted terrorists or individuals or groups involved in foreign terrorist organizations (Explanation of Art. 30). There are two forms of deradicalization for the two groups of people described above. For suspected and convicted terrorists, it consists of rehabilitation and re-education. This basically means civic education which also includes religious teachings, and knowledge of peace and conflict resolution. For the other group of people, deradicalization takes the form of civic education, religious education (which includes education on religious tolerance and inter-religious harmony), and entrepreneurship. Deradicalization is done for at most six months, and it may be extended for another period of six months (Art. 55).

A clear picture one may gather from this regulation is that prevention of terrorism almost exclusively means changing one's views/ideologies/beliefs. Three main alternatives to them are moderate religion, nationalism (or even patriotism), and so-called "local wisdom". In one place (Art. 55), there is an additional type

of knowledge promoted, conflict resolution. But underlying all these approaches, views/ideologies grounded in religious teachings are the most problematic. Despite attempts to paint a different image, it is difficult to avoid an impression that the law targets Muslim radicals. What is also problematic is the fact that radicalism, not only in this law but universally, may mean different things to different people and in different political situations. A tendency one may observe in Indonesia, since at least 2017, is many people's perception that the label "radical" is given to individuals/groups critical of the government or deemed to destabilize the government. According to the regulation, these views can be countered by strengthening one's *wawasan kebangsaan* (this may mean civic education, but also refers to nationalism or patriotism). Last but not least, while one's personal views or beliefs can indeed become a motivation to engage in violent extremism, research on radicalization and terrorism have shown a much more complex picture. A more comprehensive approach should look at the broader conditions that influence the possibility of extremism

and radicalization. If the government is not extra careful here, rather than eliminating radicalism that may lead to terrorism, implementing a regulation like this may instead exacerbate the threat of violent extremism by strengthening some drivers of violent extremism.⁶

C. The National Medium-Term Development Plan (RPJMN) 2020-2024

A broader policy framework related to our topic is the National Medium-Term Development Plan (*Rencana Pembangunan Jangka Menengah Nasional* or RPJMN) 2020-2024, which was signed by the President on 13 February 2020. This RPJMN is the fourth and the last after three previous RPJMN under the National Long-Term Development Plan (*Rencana Pembangunan Jangka Panjang Nasional*) 2005-2025, which had a vision of making Indonesia developed and self-reliant, just and democratic, and peaceful and united. Each RPJMN is derived from a five-year development plan, and it is to

6 See Samsu Rizal Panggabean and Ihsan Ali-Fauzi, "Developing the Evidence Base for Hypotheses on Drivers of Extremism and Radicalization in Indonesia", Unpublished.

be the source from which ministries, government agencies and local governments must refer to in their development planning in different sectors and regions. The aim of RPJMN 2020-2024 is to create an Indonesia with middle to high income, a society which is prosperous, just and sustainable (*Indonesia Berpenghasilan Menengah – Tinggi yang Sejahtera, Adil, dan Berkesinambungan*).

Most relevant to the topic of this paper is what is called “the prerequisites of development” (*prasyarat pembangunan*) in its Executive Summary. There are three such prerequisites: (1) national resilience, which is made up of the strong, competitive, and noble character of the nation based on Pancasila; (2) the strengthening of religious moderation to create religious and social harmony; and (3) the strengthening of family resilience and quality.⁷ The RPJMN itself consists of four main pillars supporting the overall vision: (1) stable political

and legal institutions, (2) increasing prosperity, (3) a progressive and strong economic structure, and (4) sustainable biodiversity.

Seven agendas are derived from the vision, with two agenda as the most relevant to our topic. Agenda #4 of the RPJMN, developing the nation’s culture and character, speaks about Indonesia’s national culture (*budaya bangsa*), which is characterized by religious moderation, tolerance, social cohesion and inter-religious harmony (pp. 224-234). Religious moderation is understood as the prerequisite of harmony. This will be discussed in more detail later, when discussing the Ministry of Religious Affairs. While in the previous development period of 2015-2019, there was an improvement on those issues, there is also a notice of the challenges ahead for Indonesia as a pluralistic nation. Pancasila as the nation’s ideology is weakening, with challenges coming from trans-national ideology, radicalism, and terrorism. In accordance with the first principle of Pancasila, Belief in the One God, religion shall be the basis of the nation’s morality. But because of the weakening of religious understanding and practice, that high morality has not yet manifested in

7 Ringkasan Eksekutif Rencana Pembangunan Jangka Menengah Nasional (RPJMN) 2020-2024, downloaded from <https://bappelit-bangda.purwakartakab.go.id/assets/upload/dokumen/26019e0992845a52a6df75e8693d-a2c5.pdf> (This may not be the summary of the final version, but of the September 2019 version).

the Indonesian nation and state. A better service by the government in terms of (Islamic) religious practices, such as in the management of zakat, Islamic economy, *haji*, and protection of *halal* products, is expected to improve the situation. Other than that, the government should also promote religious moderation (the “middle path”) to strengthen inter-religious harmony and overcome intolerance. Amongst the institutions expected to improve this situation are the different divisions within MORA and the Inter-Religious Harmony Forums (*Forum Kerukunan Umat Beragama* or FKUB), which now number more than 500, exist in all provinces and districts in Indonesia, and are partly funded by the government.

Agenda #7 provides more elaboration on addressing issues of radicalism and terrorism by strengthening the stability of politics, law and security, and the transformation of public service. The propagation of radical views is mentioned as one of the strategic issues (p. 345). It has now reached youth, children, and women, through new electronic media as well as within families through home schooling or marriage. The unsuitable condition

of prisons is mentioned as another challenge in this regard.

It is important to note that one of a few sets of goals and targets of Agenda #7 is consolidated democracy, which consists of effective democratic institutions, fulfilment of civil liberty and political rights, and effective public communication. (p. 346ff.) Another stated goal is stable national security, in which the frame of radicalism and terrorism is discussed (p. 350). One indicator for the latter is a 10% decrease of institutions exposed to radical views—with no further explanation of the baseline figure, other than mentions of results of different surveys—and improvement of Indonesia’s score in the Global Terrorism Index. Ways to do this include strengthening of the institutional capacity in handling terrorist and violent extremist organizations.⁸

In line with the general impression one may get from the 2019 governmental regulation, this response to violent extremism and radicalism seems to be mostly based

8 It is worth noticing that the term “violent extremism” is nowhere used except when mentioning violent extremist organizations (VEO), again with no further explanation. In the Draft RPJMN, it is mentioned on p. 250.

on an understanding that the main issue is about changing people's views, in relation to their religion and acceptance of the national ideology. Coupled with mostly security-oriented approach, this amounts to securitization of religion and the national ideology of Pancasila. Another critique one may pose here, with regard to both RPJMN as well as the 2019 governmental regulation, is the lack of a gender perspective.⁹

D. The National Plan of Action on Violent Extremism (NPA VE)

The last relevant document is the *National Plan of Action on Violent Extremism that May Lead to Terrorism* (or NPA-VE; Indonesian: *Rencana Aksi Nasional Penanggulangan Ekstremisme Berbasis Kekerasan yang mengarah pada Terorisme*, shortened as RAN PE). The document began to be prepared in 2017, and it took four years before it was issued as Presidential Regulation Number 7 in January 2021.

The NPA VE is a complement to existing laws and regulations related

to terrorism. It is intended to be a guideline in dealing with drivers of violent extremism, especially those that leads to terrorism. It is to be the reference for ministries, governmental institutions, and local governments in devising their own action plans. To coordinate, monitor and evaluate these works by different institutions, the regulation mandates the creation of a joint secretariat led by the head of BNPT. NPA VE deals not only with terrorists but also aims to build a resilient society capable of dealing with VE.

NPA VE refers to the UN Plan of Action to Prevent Violent Extremism (A/70/674) and subsequent UN meetings. It mentions the UN Plan of Action's analysis of the drivers of violent extremism as consisting in push factors (conditions conducive to and the structural context of VE) and pull factors (the processes of radicalization). The former includes the lack of socioeconomic opportunities, marginalization and discrimination, poor governance, violations of human rights and the rule of law, prolonged and unresolved conflicts, and radicalization in prisons. The translations of these terms are taken from the original document of the UN

9 See also Wahid Foundation's policy paper, "Mencegah Ekstremisme lewat RPJMN" (2019), written by Mujtaba Hamdi, Libasut Taqwa, Alamsyah M. Dja'far and Junaidi Simun.

Plan of Action, not from the quotation in the Indonesian NAP VE. The UN Plan of Action notes that, while the above conditions and structure affect the entire population, only a small number of individuals are radicalized and become violent. At this point we need to also see processes of radicalization, which include individual backgrounds and motivations, collective grievances and victimization, distortion and misuse of beliefs, political ideologies and ethnic and cultural differences, and leadership and social networks. The NPA VE then mentions that in Indonesia, key drivers include: (1) the potential of religious- or ethnic-based communal violence; (2) economic gaps; (3) differences in political views; (4) injustice; and (5) religious intolerance.

The three pillars of NPA VE are: (1) prevention, which includes national readiness, counter-radicalization, deradicalization, and the protection of witnesses to and victims of terrorism; (2) law enforcement and strengthening of the national legal framework; and (3) partnership and international cooperation. The principles grounding the NAP VE are human rights, justice, gender perspectives and the fulfilment of children's rights, safety and security, good governance, the participation of

diverse stakeholders, and diversity and local wisdom.

Compared to the three documents discussed above, this (draft) NPA VE has a broader outlook of drivers of extremism and radicalization, as it is derived from the UN Plan of Action. The mandate of the NPA is also important, to coordinate the work of different ministries and agencies, recognizing that prevention of violent extremism is really a cross-cutting issue. It is important to observe how the process of finishing this NPA goes to make sure that the end product will be more satisfactory by addressing the weaknesses of the other components of the legal framework discussed above.

IV.

COUNTER-RADICALIZATION REGULATIONS AND INITIATIVES IN DIFFERENT SECTORS

THIS section describes lower level, national regulations issued by Ministries, especially MORA and the Ministry of National Education, especially the Directorate/Ministry of Higher Education.

A. The “Religious Moderation” of the Ministry of Religious Affairs (MORA)

In general, MORA has been a leading sector in the promotion of religious moderation. When it was established in January 1946, a few months after Indonesian Independence, there was a hope that this would be a “Ministry of Muslims” by accommodating Muslims’ interests. This hope grew from the backdrop of failed attempts to acknowledge Islam more clearly as part of the ideological foundation of the Indonesian state. The largest portions of the Ministry’s work until today are

still related to Islam, with three large general directorates of Islamic affairs, Hajj affairs and Islamic education, while the other five religions are each represented by a general directorate. The Islamic divisions of MORA surely do not represent the progressive face of Islam, but they are not conservative either, and would like to be seen as “moderate”—a middle position amidst many Islamic factions in Indonesia. When speaking about inter-religious relations, the ideal is harmony (*kerukunan*). Even after 1998, the more progressive language of *freedom of religion or belief* is not as popular as *harmony* and now, *moderation*.

MORA is relevant for this paper especially for its attempt of advancing “moderate religion” (*Moderasi Beragama*). The idea was developed in the last year of Lukman Hakim Saifuddin. While Saifuddin was a parliamentary member from the

Islamic party PPP and was one of the few who tried to bring back the *shari'a* phrase from the 1945 Jakarta Charter to the Constitution during the constitutional amendment debate (1999-2002), as the minister of religious affairs he was inclusive. He said on many occasions that he represented all religions, not only Islam; he tried to embrace indigenous religions and other minority religious groups, within the legal framework which still privileges mainstream world religions; and, since 2018, he started a program on religious moderation. Under the division of Islamic Education within MORA, a working group on religious moderation was formed.¹⁰

There was also a team of scholars and researchers from the Ministry who composes a book titled *Moderasi Beragama* (MB). MB was supposed to be the main umbrella concept depicting the ideal of religious life in Indonesia, characterized by its position as the middle path. In the book, the middle path is conceived as a position between the extremes of religious radicalism and liberalism.¹¹

10 “Pokja Moderasi Agama Ditjen Pendidikan Islam Sinergi dengan BNPT”, <http://pendis.kemenag.go.id/index.php?a=detil&id=9954>

11 “Kemenag Kampanyekan Moderasi Beragama Melalui Pendidikan”, <https://www.republika.co.id/berita/nasional/umum/19/02/22/>

The book on MB was officially published and launched in October 2019, a few days before Saifuddin stepped down from his position as a minister. This concept has gained strong foothold since it was adopted in the (draft) RPJMN 2020-2024. The old term of “harmony” is still there, and moderation is understood as a means to achieve harmony. It is clear that there is an assumption that problems such as inter-religious intolerance, conflict, or religion-based radicalism that may lead to violence are mostly issues related to personal/individual beliefs. However, as discussed below, intolerance and radicalization may actually be facilitated by laws and government’s policies, as well as weak law enforcement, as discussed below.

The book consists of three main sections: a conceptual study of MB, empirical experiences of MB, and a strategy for its implementation. The implementation strategy consists of dissemination of the concept within MORA (including universities and schools it administers), and among civil servants and the military, and

pnadw3382-kemenag-kampanyekan-moderasi-beragama-melalui-pendidikan. See also “Kemenag: Pusat Moderasi Beragama di PTKIN Wajib Ada”, <https://republika.co.id/berita/q0tk0x320/kemenag-pusat-moderasi-beragama-di-ptkin-wajib-ada>;

integrating it within RPJMN 2020-2024. MB is also supposed to be integrated with the recruitment and education of civil servants, police and army, as there are indications that they have been exposed to radical ideas (p. 21).

Integration of MB into RPJMN 2020-2024 will give the idea a legal basis which will secure funding for its dissemination in the coming five years. The dissemination programs of this idea have started in the last few months and are expected to be more massive after the signing of the new RPJMN. MB will be mainstreamed as it becomes the priority of governmental ministries and agencies in their relevant works. While “religious moderation” has become a central program in the MORA, the Ministry of Education is also considering its adoption into the national school curriculum.

In MORA, one of the programs adopting MB is a series of training for national trainers on religious moderation (*Pendidikan Instruktur Nasional Moderasi Beragama* or PIN-MB) held by MORA from 2019-2021. Hundreds of MORA’s researchers, university lecturers and civil society leaders participated in the programs and were certified as national trainers

on religious moderation.¹² To develop and disseminate the idea, MORA also asked State Islamic Universities to create an academic center to study religious moderation, which has started to be realized in some universities.¹³

Of special importance is the Division of Islamic Guidance (*Bimbingan Masyarakat/Bimas Islam*) of MORA. This is the division which parallels similar Protestant, Catholic, Hindu and Buddha divisions within the structure of MORA. An important part of these Divisions is religious extension (*penyuluh agama*), which is a position within *Bimas* to help religious communities of five religions (Islam, Protestantism, Catholicism, Hinduism and Buddhism). In Islam, many of them are local religious teachers (*ustadz*); in Christianity, many are priests. These leaders are given a salary by the government. Right now, there are around 45,000 *penyuluh agama*

12 “Kado Awal Tahun, 160 Tersertifikasi Instruktur Nasional Moderasi Beragama”, <http://pendis.kemenag.go.id/index.php?a=detail&id=11177>

13 “Kemenag: Pusat Moderasi Beragama di PT-KIN Wajib Ada”, <https://republika.co.id/berita/q0tk0x320/kemenag-pusat-moderasi-beragama-di-ptkin-wajib-ada>; see also “Menteri Agama Ri Fachrul Razi Resmikan Rumah Moderasi Beragama dan Launching Smart & Green Campus UIN Walisongo Semarang”, <https://walisongo.ac.id/?p=10000000005007>

around Indonesia, representing all the religions. *Bimas Islam* has conducted regular training for religious extension (*penyuluh agama*)—not limited to the Muslim *penyuluh*—with contents that are based on the idea of religious moderation. In implementing MB, it targets not only Islamic religious extensions, but also grassroots religious gatherings (*majelis taklim*) as well as officers for local Islamic administration (*Kantor Urusan Agama*). Other programs designed by *Bimas Islam* include workshops on religious moderation for millennials, national conferences in a few other areas, and Muslim Youth Camps. These massive works have started in the past year and are expected to continue even further in the coming years as part of national policy depicted in the RPJMN 2020–2024.

B. Policies against Radicalism by the New Minister of Religious Affairs

During his presidency, Jokowi has appointed Ministers of Religious Affairs with a strong counter-radicalization record. His first minister, Lukman Hakim Saifuddin started the religious moderation agenda, followed by the retired military general Fachrul Razi

and then by Yaqut Cholil Qoumas, who is the current chairman of Ansor, NU's youth organization. Since his first day, Razi has spoken out against radicalism. One of the statements he made in the first days after his appointment concern the use of the face veil (*cadar*) among women and a specific type of “Muslim trousers” (*celana cingkrang*), which he says need to be banned. These are outfits usually worn by some *salafi* groups.¹⁴ Likewise, Minister Qoumas drew controversy when he defended minority groups and promoted interreligious prayer in government events.¹⁵

Another controversial policy from the MORA is the Ministerial Regulation on *Majelis Taklim* (No. 29/2019), which requires *majelis taklim* (religious gatherings, many of which are loosely organized) to be registered with the local branches of the Ministry. While MORA officials say that the

14 “Menteri Agama Klarifikasi Soal Larangan Bercadar dan Celana Cingkrang Saat Rapat Dengan DPR,” <https://www.tribunnews.com/nasional/2019/11/07/menteri-agama-klarifikasi-soal-larangan-bercadar-dan-celana-cingkrang-saat-rapat-dengan-dpr> (7 November 2019).

15 Deretan Pernyataan Menag Yaqut Cholil Qoumas yang Menuai Kontroversi,” <https://nasional.tempo.co/read/1521353/dere-tan-pernyataan-menag-yaqut-cholil-qoumas-yang-menuai-kontroversi/full&view=ok> (26 October 2021).

regulation is intended to facilitate the gatherings and assist them financially, the Vice President Ma'ruf Amin admits that registration is needed to control the potential for radicalism.¹⁶ Several policies he issued indicates a securitization of religious affairs, with heavy weight given to radicalism issues.

C. Fighting Radicalism in Universities

In the education sector, a number of new policies have been issued to address religious radicalization, especially in higher educational institutions. The concerns came from some research which showed that many prominent universities have been exposed to religious radicalism.¹⁷ BNPT identified a few state universities of concern, based on its observation of the spread of ideas that are against Pancasila, democracy, for *khilafah* (Islamic state).¹⁸

16 "Ma'ruf Amin: 'Majelis taklim jangan sampai kembangkan radikalisme', Peraturan Menteri Agama menjadi polemik", <https://www.bbc.com/indonesia/indonesia-50639903> (3 December 2019).

17 "Menristek Jelaskan Kabar 7 Kampus Negeri Ternama Terpapar Radikalisme", <https://news.detik.com/berita/d-4057461/menristek-jelaskan-kabar-7-kampus-negeri-ternama-terpapar-radikalisme> (7 June 2018).

18 "Paham Radikal dan Pertarungan Ideologi di

The measures to fight radicalism includes Ministry of Higher Education's issuance of a regulation on the education of Pancasila ideology in students' activities (*Peraturan Menteri Riset, Teknologi, Dan Pendidikan Tinggi*, No. 55/2018 tentang *Pembinaan Ideologi Pancasila dalam Kegiatan Kemahasiswaan di Perguruan Tinggi*).¹⁹ Another policy concerns monitoring of students' and lecturers' social media.²⁰ Some universities go further by stepping up broader efforts. Universitas Gadjah Mada, for example, has mobilized lecturers to fight radicalism in the campus; controlled

Kampus Negeri", <https://tirto.id/cPvg> (20 July 2018).

19 "Kemenristekdikti Sosialisasikan Permenristekdikti Nomor 55 Tahun 2018 tentang Pembinaan Ideologi Pancasila kepada Kelompok Cipayung Plus", <https://www.ristekbrin.go.id/kabar/kemenristekdikti-sosialisasikan-permenristekdikti-nomor-55-tahun-2018-tentang-pembinaan-ideologi-pancasila-kepada-kelompok-cipayung-plus/>; Agil Widi, "Menyambut Permenristekdikti Nomor 55 Tahun 2018", *Geotimes* 13 November 2018, <https://geotimes.co.id/opini/menyambut-permenristekdikti-nomor-55-tahun-2018/>; "Permenristekdikti 55/2018 Dianggap Kembalikan Semangat NKK/BKK Orba", *Tirto.id*, <https://tirto.id/c88N>

20 "Cegah Radikalisme, Nasir Minta Rektor Data Medsos Mahasiswa", <https://tirto.id/cegah-radikalisme-nasir-minta-rektor-da-ta-medsos-mahasiswa-ee8k> (26 July 2019); "Kontroversi Kemenristek Dikti Awasi Medsos Dosen dan Mahasiswa", <https://tirto.id/kontroversi-kemenristek-dikti-awasi-medsos-dosen-dan-mahasiswa-cMiq> (14 June 2018).

campus mosques more closely to the extent of changing the structure of its committee; and provided more services to new students arriving on campus, who often become targets of recruitment by religious organizations.²¹

Islamic Universities, which are administered by the Ministry of Religious Affairs, are more active in activities to counter religious radicalism. In addition to the massive training on religious moderation, discussed above, there is a few other policies which seem to be implemented quietly, since they have been controversial. One of them is the policy against *cadar* (full face-veil). In March 2018, the Rector of UIN Sunan Kalijaga Yogyakarta issued a regulation that basically bans *cadar*, justified in the name of fighting radicalism which has been spreading in the university, and supported by Islamic legal justifications.²² Later, because of the ensuing controversy, it was revoked. However, a similar regulation actually

has come into effect for new students through its code of conduct for students (covering many other issues), which new students have to sign upon being admitted. In general, many other Islamic universities have paid special attention to students' and lecturers' outfits, seen as an indicator of religious radicalism.

A similar regulation against the wearing of *cadar* has also been issued by the State Islamic University in Malang.²³ At State Islamic University of Bukittinggi, this issue has gone even further to court trials, when a lecturer who was fired because she wears *cadar* sued the university.²⁴

21 "UGM Melibatkan Para Dosen untuk Tangkal Maraknya Radikalisme", <https://nasional.tempo.co/read/880896/ugm-melibatkan-pa-ra-dosen-untuk-tangkal-maraknya-radikalisme/full&view=ok> (2 Juni 2017).

22 "Pelarangan *cadar* di UIN Sunan Kalijaga Yogyakarta ditiadakan akibat tekanan sosial?", <https://www.bbc.com/indonesia/indonesia-43370134> (13 March 2018).

23 See Muhammad Wildan, et.al., *Menanam Benih di Ladang Tandus*, CIS-Form UIN Sunan Kalijaga (2019), which is the result of a research by CIS-Form of Yogyakarta State Islamic University on the education of teachers of Islamic education. The research shows how the issue of *cadar* has been spread to many Islamic universities. A section about *cadar* in Malang State Islamic university is written by Fatimah Husein, "Tantangan Islamisme di Kampus Moderat: Program Studi Pendidikan Agama Islam UIN Maulana Malik Ibrahim dan Universitas Islam Malang", pp. 171-175. Available for download at <https://conveyindonesia.com/publication/buku/>.

24 See "Dipecat Gara-gara Bercadar, Dosen IAIN Bukittinggi Ajukan Perlawanan Hukum", <https://jatim.sindonews.com/read/7637/1/dipecat-garagara-bercadar-dosen-iaibukittinggi-ajukan-perlawanan-hukum-1551132135> (26 February 2019).

D. Other Relevant Policies

The counter-radicalization campaign by the government has recently gone even further. One such policy was a joint decree (*Surat Keputusan Bersama*) signed in November 2019 by eleven governmental ministries and agencies: MORA, Ministry of Education and Culture, Ministry of Justice and Human Rights, Ministry of Administrative and Bureaucratic Reform, National Intelligence Agency (BIN), National Counterterrorism Agency (BNPT), National Civil Service Agency (BKN), Implementation of State Ideology of Pancasila Agency (BPIP), and Commission for State Apparatus (KASN). The joint decree prohibits civil servants from expressing opinions that contain hate speech against Pancasila, the Constitution, *Bhinneka Tunggal Ika* (the country slogan, Unity in Diversity), and the government. They should not post nor share posts on social media, mobile apps or websites containing such expressions. This decree was followed by the launching of an online portal (at aduanasn.id) to enable the public to file complaints against civil servants who fulfil those criteria. The online portal specifies several acts that may be reported, including 11 actions under four categories: intolerant, anti-

Pancasila ideology, radicalism, and others.²⁵

Conclusion: Challenges Ahead

The increasing and expanding trend of government policies against radicalization can potentially reduce the spaces for radicalization in various sectors. However, a few notes are important to consider.

First, in most policies discussed above, radicalism is mostly understood as an issue of individual/personal (and mainly religious) beliefs. As such, it has to be addressed by offering alternative knowledge or beliefs, three of which are mentioned repeatedly: (1) the national ideology of Pancasila/civic education, (2) religious moderation, and (3) less prominently, local wisdom. In the literature on counter-radicalization, this approach falls under “counter-ideology”; other dimensions of counter-radicalization such as counter-grievance and counter-mobilization do not receive sufficient attention.²⁶ This focus on

²⁵ See <https://aduanasn.id/per-tanyaan-umum#>.

²⁶ Further analysis may be carried out by looking at the literature on radicalization and drivers of extremism which have been developed in the past few years. The three dimensions of counter-radicalization is one

ideational aspect of radicalization is obvious in MORA's *Moderasi Beragama*. A few programs which have been carried out have involved state institutions, including universities, offering education on the national ideology Pancasila and religious moderation or training of civil servants within MORA.

Beyond the issue of counter-ideology, another critique may be addressed to an inaccurate understanding of radicalism and a narrow focus on the personal beliefs and practices of those considered “radical”. Such narrow understanding has resulted in narrow-minded regulations that restrict outfits considered as indications of Islamic radicalism, such as the full face veil for women. Such a policy may even create a backlash, strengthening a sense of victimization.

Second, while many policies directly addressing radicalism were issued, a number of existing laws and regulations on religion have actually been criticized as engendering

intolerance. The most prominent example is the blasphemy law, which had existed since 1965 as part of the Penal Code but has been revitalized in the past 15 years. While CSO activists and academics have advocated for its annulment or at least its revision, to make it less discriminatory, a slightly different version of the blasphemy clause has been maintained in the draft Penal Code (latest version in August 2019). Another regulation that has been noted to breed intolerance is the one on building houses of worship. These law and regulations have been instrumentalized against religious minorities and facilitated mobilization of intolerant groups. In general, as shown in many international reports, these restrictive measures do not create harmony but intolerance, discrimination, or even persecution. This is another potential though indirect space for intervention which is open now, as both policies are currently being discussed.

Last but not least, understanding that in Indonesia the challenge of intolerance and radicalism that may lead to violent extremism comes mostly from religious communities, the strategy against them must be put in a broader context that, to say the least,

example of this analysis, taken from Alex P. Schmid, *Radicalisation, De-Radicalisation, Counter-Radicalisation: A Conceptual Discussion and Literature Review* (International Centre for Counterterrorism – The Hague Research Paper, 2013).

restricts the space for intolerance toward religious minorities and does not neglect Indonesia's constitutional commitment to the freedom of religion or belief. This means that policies regarding radicalization and violent extremism should not be seen as only linked to a narrow national security lens, but should be integrated into the broader question of governance of religion.



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