



MONOPOLIZING RELIGIOUS BLASPHEMY LAW INTERPRETATION IN INDONESIA: The Strategy of Lawfare and the Exercise of power

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Abstract

The article explores the process of monopolizing Blasphemy law interpretation by several Islamist groups and its impact on the freedom of religion in Indonesia. Even though the result of blasphemy cases in the national context is predictable, the local context shows a different dynamic. This article examines several religious blasphemy cases locally, such as Otto Radjasa's in Balikpapan, Sukmawati's in Jakarta, and Ganjar Pranowo's in Central Java. It seeks to answer how has religious blasphemy been defined and interpreted by the Islamist group and how each interest has influenced the group interpretation and strategy to bring the offenders of the blasphemy law to the jail. It argues that monopolizing the law interpretation consists of two main strategies: first, by using lawfare against the political rivals, and second, by employing the exercise power while taking financial advantages from the offenders. The article contributes to the academic discussion on the exercise of power and hegemony in influencing the blasphemy law interpretation in Muslims majority countries.

Keywords: *Religious Blasphemy, Islamists, Power, Hegemony*

Abstrak

Penelitian ini mengulas proses monopoli interpretasi aturan penistaan oleh sejumlah kelompok Islamis. Meskipun kasus penistaan yang terjadi dalam konteks nasional cukup besar, seperti yang terjadi dengan kasus Basuki Tjahaja Purnama, mantan Gubernur Jakarta, namun dalam konteks lokal menunjukkan dinamika yang beragam dan tidak melulu berakhir seperti kasus Ahok tersebut. Sehingga, tulisan ini pun berusaha untuk mengkaji beberapa kasus penistaan agama, seperti yang dialami oleh Otto Radjasa di Balikpapan, Sukmawati di Jakarta dan Ganjar Pranowo di Jawa Tengah. Tulisan ini hadir untuk menjawab perihal pemahaman mengenai penistaan agama yang didefinisikan dan diinterpretasikan oleh kelompok-kelompok Islamis, seperti front pembela Islam (FPI). Selain itu tulisan ini pun mengulas mengenai bagaimana masing-masing kepentingan mempengaruhi interpretasi kelompok dan strategi untuk membawa pihak yang disangkakan untuk dipenjara. Tulisan ini berargumen bahwa monopoli interpretasi legal berlatar dua strategi, yaitu hukum menjadi wahana untuk menghadapi rival politik, dan yang kedua sebagai alat untuk mengolah power sekaligus mengambil keuntungan dari pihak yang dituduh. Tulisan ini berkontribusi pada diskusi akademik mengenai power dan hegemoni yang bekerja dalam mempengaruhi interpretasi hukum, terkait hukum penistaan agama di negara dengan mayoritas penduduknya adalah muslim.

Kata Kunci: *Penistaan Agama, Islamist, Power, Hegemoni.*

A. Introduction

There have been several religious blasphemy accusations following Ahok case who was jailed in 2017. These blasphemy cases occurred in several places ahead of the 2019 Indonesian presidential election yesterday. Three cases need to note here are Otto Rajasa's, Sukmawati's and Ganjar Pranowo's. Otto Rajasa case happened in 2017 in Balikpapan where he was

sentenced to jail. Meanwhile, Sukmawati Soekarnoputri's and Ganjar Pranowo's were nearly brought to the court by Islamist groups insisting that both have committed religious blasphemy. However, the last two cases ended outside the court. The Ganjar Pranowo case was even weirdly settled; in which the Indonesian Muslims Forum revoked their claim against Pranowo that they have vigorously reported to the police. We will go more detail later on, yet we want to emphasize that Indonesians have witnessed the growing of religious blasphemy accusation trend, after the Muslims group, such as *Front Pembela Islam* (FPI, Islamic Defender Front), *Gerakan Nasional Pengawal Fatwa Majelis Ulama Indonesia* (GNPF-MUI, National Movement to Safeguard the Indonesian Ulama Councils Fatwa), and those participating in 212 mass rally successfully pressured the Government to put Ahok in jail. What interesting is that how those groups above were able to pressure and then try to influence, if not monopolize, authorities and civilians interpretation of religious blasphemy law in Indonesia, that has been problematized by human right advocates contending that the law violates right and freedom of expression. Some argued that the law does not clearly define what it means by religious blasphemy so that its interpretation and implementation might be influenced by those who have power to hegemonize the discourse. In short, this study explores how and why Islamists groups are able to pressure and monopolize religious blasphemy law interpretation. In what condition the groups are successful enough to bring the case to the court and how does it become their strategy to show the existence?

The questions above are based on the observation on several religious blasphemy cases both through media and direct interview with the accused during 2017-2018, especially those happening after Ahok case, such as Otto Rajasa, Sukamawati, Ganjar, and Joshua. We collected the data by interviewing actors and involving in the discussion on Otto's case, listening and watching the debate between actors in Indonesian TV program, such as Indonesian Lawyers Club and "*Dua Sisi*" talk show. Besides, We also documented news articles from several online media, like

Tempo, Tribun, Kompas, and other medias, and looked at religious blasphemy case data between 1965-2011 collected by Setara Institute, Wahid Institute, and the Center for the Study of Religion and Culture, collected by Crouch.

The study contributes to the global discussion on the relationship between law and religion, especially in Muslims majority countries, where religious blasphemy law exists and has led to putting lots of people in jail. The phenomenon has led human right advocates critically raise their opinion and movement. Such contribution will help students, scholars, and activists understand blasphemy case in Indonesia, especially after Ahok case and those happening at the local level. We took those cases as a sample because we want to show the interesting phenomena after Ahok's cases.

B. The discourse on Religious Blasphemy

Religious blasphemy law exists not only in Muslims world but also in other western secular countries. As reported by Pew Research Center that roughly one-fifth of European nations and a third of countries in Americas have laws against blasphemy. However, the law may differ from those in Muslims countries even though share similar features, where they agree that a blasphemy is a form of injury hurting themselves, although they may disagree on what it means by "injures." Saba Mahmood, a cultural anthropologist, found that blasphemy is perceived as that hurting and causing "physical injury," meaning that it is a intolerable offense hurting both God and the faithful community. Thus, it is not surprising that the law remains a capital offense in theocratic nation like Pakistan, and a crime with prison sentence in other Muslims majority countries.¹ In general, the law has become a tool to put those perceived committing blasphemy in jail. However, it is important to see the context allowing this law supporters to monopolize the interpretation and enforcement of the law, and how it is enforced whether or not based on an objective Court.

1 The Conversation US, "Blasphemy Isn't Just A Problem In The Muslim World," *Huffington Post* (blog), May 2, 2017, https://www.huffingtonpost.com/entry/blasphemy-isnt-just-a-problem-in-the-muslim-world_us_5908a246e4b084f59b49fce1.

In Indonesia, blasphemy law is represented by the existence of Law No. 1/PNPS/1965 on preventing the abuse of religion, in which it explicitly recognizes six religions, such as Islam, Catholic, Protestant, Hindu, Buddha, and Confucianism. Besides, the article 156 a, talking about who can be defined as blasphemy doers and the potential sentences for those who are proven doing this defamation, was also added into Indonesian Criminal code. There were attempts to propose a judicial review in Constitutional Court by several Non-Government Organizations and figures, such as Abdurrahman Wahid, Desantara, and other human right advocates. However, the Court has rejected all proposals, insisting that the law represents Pancasila as State's ideology.

There are a lot of scholars have made contribution by offering views and questions on the issue of religious blasphemy, especially in Indonesia, in the context of relation between religion, state, and constitution. Crouch, who has rapidly conducted researches on religious blasphemy case in Indonesia including its debate in Constitutional Court, contended that the law existence is a religious difference practice by the state that has been unsuccessfully challenged by the groups above. She argued that the aim of unsuccessful was the state's desire on maintaining its blasphemy policy, and to have the fragile yet negotiable practice of religious difference. These two main reasons have led the Court to reject all those proposals, by considering the political aspect of the law existence and enforcement. This then retains the law to exist that means there will be more people to be easily accused for religious blasphemy either or not brought to the Court.²

Furthermore, Crouch continued exploring her critical analysis on several submissions by the applicants proposing the judicial review of Blasphemy Law and the Court's historical decision. As the proposals were rejected, it shows the position of the Court insisting that the law is valid, in the sense that it does not contravene religious freedom concept and should

2 Melissa Crouch, "Constitutionalism, Islam and the Practice of Religious Deference: The Case of the Indonesian Constitutional Court," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, March 7, 2016), <https://papers.ssrn.com/abstract=2744394>.

be retained for the sake of Indonesian diverse society. It also, moreover, tells us that the Court retains its authority to ban groups considered deviant and differentiates between myth and religion, which consequently lets religious leaders to monitor religious “deficiency.” This is, as contended, is to maintain social order. These Crouch’s studies explore the relationship between religion, state, and law.³

Tim Lindsey, in the “Routledge Handbook of Contemporary Indonesia,” discussed how Constitutional Court interpreted and implement the article in Indonesian Constitution explaining about religious freedom. In this context, he found that the Court insisted that article 28 E, 29, and 28I (1) is not a human right that cannot be limited under any circumstances, following the rejection of the Court on the applicant’s proposal of judicial review. This can be seen as the right that the Court kept to deal with religious issue, such as religious orthodoxy interpretation, where it suggested the Government to refer to leading *ulama* organization. he categorized groups having contestation in influencing public policy as well as Court decision into pluralists, who proposed the law judicial review contending that it violates human right and religious freedom, and Islamists, who support the law and its enforcement and are seriously condemning groups perceived as deviants. Both are, as lindsey explained, constructing their claims in terms of appeals to the state and its legal framework, rather than in terms of a creation of Islamic state.⁴ This study helps me understand the dynamic of state’s encounter with two groups; pluralists and Islamists, and how they deal with them.

Moreover, Telle stated in her article that the blasphemy lawfare and its trials in Indonesia are part of religion-making in post 1998. he argued that democracy has given civilians a

3 Melissa Crouch, “Law and Religion in Indonesia: The Constitutional Court and the Blasphemy Law,” SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, May 5, 2012), <https://papers.ssrn.com/abstract=2051371>.

4 Tim lindsey, “Islamization, Law, and the Indonesia Courts,” in *Routledge Handbook of Contemporary Indonesia* (London; New York: Routledge, 2018), 231–234. see also; Robert W Hefner and Routledge, *Routledge Handbook of Contemporary Indonesia* (London; New York: Routledge, 2018).

space and opportunities to engage more with blasphemy case. The law inspires conservative muslims group to investigate suspected cases of heresy, which is the consequence of regulation.

In the understanding of Goldstein and Meyer towards issue of Islamist lawfare tactics in targeting free speech, they perceive this concept is more pay attention on how the relation between political aspect and law become a tool for targeting the political opponent. They perceive that “Traditionally, lawfare tactics have been used to obtain moral advantages over the enemy in the court of public opinion”⁵. They wrote that argument based on their research in several places such like in United States, Canada and Europe. In addition, they perceive this case is exist because the democracy system provided big stage for the free speech. However in the other hand that condition also try to be refused, especially if there is opinion from non-muslim related muslim’s religious teaching. Hence, religious lawfare are breads suspicion and division among other.⁶

A very good illustration by Menchik of how religious orthodoxy in Indonesia is attempted and implemented shows us why the state and Court insisted on retaining this law and this has given the space for civilians to attack other minorities, based on heresy and blasphemy accusation. The law and its enforcement is part of this religious orthodoxy, where Sunni Muslims hegemonies what the truest Islam is. He introduced a term “Godly nationalism” to describe how Muslims in Indonesia in general define “being Muslims” and “nationalists”. Godly nationalism demands the state’s citizens to believe in God yet ambivalent about which God it is. It is, moreover, an imagined community, as he borrowed from Anderson, bonded by orthodoxy theism especially Islam, mobilized through the state in corporation with religious organization in society. This happened since Indonesia

5 Goldstein and Meyer, ““Legal Jihad”: How Islamist Lawfare Tactics Are targeting Free Speech,” *ILSA Journal of International and Comparative Law* Vol. 15.2 (2009): 395–409

6 Kari Telle, “Faith on Trial: Blasphemy and ‘Lawfare’ in Indonesia,” *Ethnos* 83, no. 2 (March 15, 2018): 371–91, <https://doi.org/10.1080/00141844.2017.1282973>.

witnessed the democracy transition followed by heterodox faith, rather than individual religious freedom increase. Here the state works with vigilante groups and civil society seeking to live in the country where belief in God is overlapping concern.⁷

Looking at these whole researches in one map, this study takes its position to explain how civil society encounter with this religious blasphemy law, specifically how they use and interpret it, while other have focused more on the relationship between the law and the state. This study then contributes to give an alternative to help us comprehend the dynamic of society in grass root level, more specifically in local context, such as Otto’s case.

1. Religious Blasphemy Trend

If we look at the data of religious blasphemy case trend as Crouch illustrated, we see that less than ten cases were brought before the Court during 1966-1998, which then increased at least 47 cases, or 120 people convicted in post New Order. The Court process have been often accompanied by the Islamists groups demonstration and protest, followed by intimidation and mobilization of greater numbers of communities. Having PNPS Law, the accused are mostly charged based on the article 156a, Criminal Code.⁸ As Crouch found that religious blasphemy cases experienced a new trend in post 1998, it mostly targeted individuals, minorities, or small local groups with no international network.⁹

Year	Number of Cases
1965-2000	10
2000	1
2001	2
2002	-

7 Jeremy Menchik, “Productive Intolerance: Godly Nationalism in Indonesia,” *Comparative Studies in Society and History* 56, no. 3 (July 2014): 591–621, <https://doi.org/10.1017/S0010417514000267>.

8 Melissa Crouch, “Law and Religion in Indonesia.”

9 Melissa Crouch, “Law and Religion in Indonesia Conflict and the Courts in West Java” (London: Routledge, 2014).

2003	1
2004	1
2005	2
2006	5
2007	3
2008	7
2009	8
2010	3
2011	4
Total	7

Table 1: Number of Lawsuits under Article 156a of the Penal Code.¹⁰

A small number of cases happened outside Java island, while the rest occurred in Java, especially in its West province that had the most lawsuits, knowing that it is where Darul Islam originated. So the data we took from Crouch research below shows us the location of lawsuit under 156a.

Location	Number of Lawsuits
West Java	12
Jakarta	9
Central Java	5
East Java	5
South Sulawesi	2
West Sumatra	2
West Nusa Tenggara	2
Central Sulawesi	1
Central Sumatra	1
East Nusa Tenggara	1
Maluku	1
North Sumatra	1
Riau	1
South Sumatra	1

Table 2: Location of the Lawsuits¹¹

¹⁰ Melissa Crouch, "Law and Religion in Indonesia," 12.

¹¹ Crouch, 12.

Blasphemy law was intended to protect religion from any offense or anything considered threatening both ideologies and traditions. The supporters of the law also contended that it is in favor of religious freedom. Interestingly, the data illustrates that most people accused were Christians. This leads us to the question, “who can or have power to define religious blasphemy? Can minority such as a Christian accuse a Muslim who is perceived as Blasphemy doer, and pressure the Court and police to put the accused in Jail?” This then has led the human right advocates to problematize the law, by claiming that it violates human right and religious freedom instead of protecting them, based on the article 28E of Indonesian Constitution. Hence, applications have been proposed for judicial review, even though the Constitutional Court had rejected them insisting that the law does not contrast with the state’s Constitution.

Religion	Number of Accused
Christianity	61
Islam	49
Other religions (including indigenous religions)	4
Unknown	6
Total	120

Table 3: Self-confessed Religious identity of the Accused¹²

2. Blasphemy and Lawfare

Telle has inspired this study to see more how the law has been used to against political rival, called lawfare. This concept is helpful in seeing blasphemy cases after Ahok lawsuit in Jakarta. It seems like there has been growing awareness of charging those who are considered blasphemy doers and put them in jail not only to “protect religion” from offenses and threats but also to against political rivalry. This part explores briefly several blasphemy cases happening to Sukmawati and Ganjar Pranowo. Why both cases are chosen? Because they have similarity in which both are

¹² Crouch, 13.

public figure, Ganjar Pranowo is a Governor of Central Java whereas Sukmawati is Soekarno's daughter. In addition, both of them have a relations with Megawati Soekarnoputri, the leader of the ruling party, Indonesian Democratic Party of Struggle (PDIP). Certainly their position can be perceived as the target of political attack from political opponents. Showing both of them as example is almost represent how politization of religious blasphemy law is used by Islamist group to do Lawfare to different parties.

Now let us see religious defamation case after Ahok was jailed, due to blasphemy charge, followed by demonstrations and protests in several places of Indonesia, including Jakarta as the Capital city, where protesters met, expressed their feeling, anger, and demanded the law enforcer to have him prisoned. The case has brought this religious blasphemy phenomenon to the stage where vigilante groups were in pation of seeking people perceived as blasphemy doers and insulting *ulama*. Safenet documented roughly 59 people underwent persecution by these groups, after Ahok was jailed, which they called "Ahok effect." Surprisingly Rizieq, Islamic Defender Front leader who were actively protesting and pressuring the Court to jail Ahok, was charged as suspect under pornography law following his sex scandal with Firza Husein where their WhatsApp chat spread in the internet. Many people gave comment on this issue through their social media, including Fiera Lovita, a doctor working in one of hospitals in Solok. Responding this, FPI in local area intimidated and pressured her to apologize and sign a letter stating he will not insult *ulama* anymore. Meanwhile, this was not the end since they posted her photos on Facebook stating that he is the *ulama* and religious insulter. This happened in several places where FPI found a person in social media perceived insulting Rizieq and came after him/her pressuring and intimidating him/her.¹³

13 Marselinus Gual. "Korban Persekusi The Ahok Effect Tercatat Mencapai 59 Orang," CNN Indonesia, accessed August 1, 2017, <https://www.cnnindonesia.com/nasional/20170601163649-20-218744/korban-persekusi-the-ahok-effect-tercatat-mencapai-59-orang/>; Kompas Cyber Media, "Kisah Fiera Lovita, Korban Persekusi yang Dituduh Menghina Tokoh Ormas," KOMPAS.com, June 1, 2017, <https://>

Another case happened in Balikpapan where doctor Otto Rajasa was sentenced 2 years prison and fines, 50 million Rupiah, under article 18 of ITE law 2008 after FPI had reported him insulting Islam by his Facebook status.

However, we will discuss this more later on since the case is quite unique, and now let us talk more about other cases as well which are very interesting, such as Sukmawati, Ganjar, and Rocky Gerung cases. The lawsuits tell us how religious blasphemy trend has shifted to not only as attempt to protect religion from any offenses but also as a lawfare, to pressure and “fight” political rivals.

Sukmawati, the first Indonesian President’s daughter, read a poem she made quite long time ago yet became controversial after many had listened to it live or through internet. She read it in the event “29th years Anne Avantie Berkarya” Indonesian Fashion Week 2018, in which the poem was considered insulting Islam by comparing (Kidung) Javanese song and azan.

*“Aku Tak Tahu Syariat Islam
Yang Ku Tahu sari konde Ibu Indonesia sangatlah Indah
Lebih cantik dari cadar dirimu
Gerai tekukan rambut suci
Sesuci kain pembungkus ujudmu
Rasa ciptanya sangatlah beraneka
Menyatu dengan kodrat alam sekitar
Jari Jemarinya berbau getah hutan
Peluh tersentuh angin laut*

*Lihatlah ibu Indonesia
Saat penglihatanmu semakin asing
Supaya kau dapat mengingat
Kecantikan asli dari bangsamu
Jika kau ingin menjadi cantik, sehat, berbudi dan kreatif
Selamat datang di duniaku, bumi Ibu Indonesia.*

*Aku tak tahu syariat Islam
Yang kutahu suara kidung Ibu Indonesia, sangatlah elok
Lebih merdu dari alunan azan mu
Gemulai gerak tarinya adalah ibadah
Semumi irama puja kepada Illahi
Nafas doanya berpadu cipta 'Helai demi helai benang
tertenun
Lelehan demi lelehan damar mengalun
Canting menggores ayat-ayat alam surgawi*

*Pandanglah Ibu Indonesia
Saat pandanganmu semakin pudar
Supaya kau dapat mengetahui kemolekan sejati dari
bangsamu
Sudah sejak dahulu kala riwayat bangsa beradab ini
cinta dan hormat kepada ibu Indonesia dan kaumnya”¹⁴.*

However, she insisted it was not SARA (*Suku, Agama, Ras dan Antar Golongan*) meaning that she did not intend to disrespect or insult Islam. This consequently led 212 alumni brotherhood to claim that she has insulted Islam, thus they reported her to the police to be processed in the Court, and stating that Sukmawati has disgraced Islam worse than Ahok did. This was because, they explained, the poem was clear enough rather than multi-interpretational that it compares *azan* and *kidung*.

At least there are 14 lawsuits that addressed towards Sukmawati¹⁵. Eventhough the accusation came from several parties that commonly based on Islam, but it is difficult enough to disavow that they have simmilar motivation related to politics. This situation can be felt because the timing of the suing that near to general election agenda. One example that

14 Yaspen Martinus. “*Isi Lengkap Puisi Sukmawati Sukarnoputri yang Dilaporkan ke Polisi*” Wartakota tribunnews, accessed July 1, 2019 <https://wartakota.tribunnews.com/2018/04/03/ini-isi-lengkap-puisi-sukmawati-sukarnoputri-yang-dilaporkan-ke-polisi>

15 Martahan Sohuturon. “*Puisi Sukmawati Soekarnoputri Berbuah 14 laporan Polisi*”. Accessed November 12 2019. <https://www.cnnindonesia.com/nasional/20180405211030-12-288686/puisi-sukmawati-soekarnoputri-berbuah-14-laporan-polisi>.

can be seen to see how the accusation have relation with political issue is how the accusation addressed by Anzor Youth Movement in East Java then got response and instruction from central assembly of Anzor Youth Movement and also *Pengurus Besar Nahdlatul Ulama*. Those two organizations gave instruction to Anzor Youth Movement in East Java to revoke their accusation¹⁶.

In addition, the relation of Sukmawati as the young sister of Megawati, cannot be denied. Pragmatically, the position of Sukmawati as Megawati's sister certainly bring up the slit that potential to be used by political opponents. This issue potentially make a bad effect for the ruling parties, if the political opponent are able to use it to get attention from society. Especially after Ahok's case, where the existence of religious symbol in public sphere is extremely clear¹⁷. It is to naive to ignore the political issue in this case because the existence of several parties, that commonly have strong affiliation with supporter of challenger candidate in 2019 presidential election. For instance, the existence of 212 alumni brotherhood and also several forums that clearly stated that they supporters of Prabowo. Therefore we can say that the using of the article 156, 156 a *Kitab Undang-undang Hukum Pidana (KUHP)* that talking about religious blasphemy and article 16 *Undang-undang Nomor 40 Tahun 2016*, talking about eradication of race and ethnic discrimination¹⁸, actually just a way to evoke simmilar sentiment that happened to Ahok.

On another occasion, Ganjar Pranowo, the Gouverneur

16 Achmad Faizal. "GP Anzor Jatim: Sukmawati Minta Maaf, Kami diperintah Cabut Laporan". Accessed November 12 2019. <https://regional.kompas.com/read/2018/04/07/07292231/gp-ansor-jatim-sukmawati-minta-maaf-kami-diperintah-cabut-laporan>

17 Marcus Mietzner and Burhanuddin Muhtadi, "The Mobilisation of intolerance and its trajectories: Indonesian Muslim's view of religious minorities and ethnic Chinese" in "Contentious Belonging: The Place of Minorities in Indonesia" ed. Greg Fealy and Ronit Ricci (Singapore: ISEAS Publishing, 2019)

18 Martahan Shohuron "Puisi Sukmawati Soekarnoputri Berbuah 14 laporan" Polisi. Accessed November 12 2019. <https://www.cnnindonesia.com/nasional/20180405211030-12-288686/puisi-sukmawati-soekarnoputri-berbuah-14-laporan-polisi>.

of Central Java, read a poem that was perceived offending Islam which risen a critique from FUIB (Forum Umat Islam Bersatu) and then planned to charge and report him to the police.

*“Kau ini bagaimana...
Kau bilang aku merdeka
Tapi kau memilikikan untukku segalanya*

*Kau ini bagaimana...
Kau suruh aku berfkir
Aku berfikir kau tuduh aku kafir
Aku harus bagaimana...
Kau suruh aku bergerak
Aku bergerak kau waspadai*

*Kau bilang jangan banyak tingkah
Aku diam saja kau tuduh aku apatis*

*Kau ini bagaimana...
Kau suruh aku memegang prinsip
Aku memegang prinsip
Kau tuduh aku kaku*

*Kau ini bagaimana...
Kau suruh aku toleran
Aku toleran kau tuduh aku plin-plan*

*Aku harus bagaimana...
Kau suruh aku bekerja
Aku bekerja kau ganggu aku*

*Kau ini bagaimana
Kau suruh aku taqwa
Tapi khotbah keagamaanmu membuatku sakit jiwa*

*Kau suruh aku mengikutimu
Langkahmu tak jelas arahnya*

*Aku harus bagaimana
Aku kau suruh menghormati hukum
Kebijaksanaanmu menyepelkannya”
Aku kau suruh berdisiplin
Kau mencontohkan yang lain*

*Kau bilang Tuhan sangat dekat
Kau sendiri memanggil-manggilnya dengan pengeras
suara setiap saat*

*Kau bilang kau suka damai
Kau ajak aku setiap hari bertikai*

*Aku harus bagaimana
Aku kau suruh membangun
Aku membangun kau merusakkannya*

*Aku kau suruh menabung
Aku menabung kau menghabiskannya*

*Kau suruh aku menggarap sawah
Sawahku kau tanami rumah-rumah*

*Kau bilang aku harus punya rumah
Aku punya rumah kau meratakannya dengan tanah*

*Aku harus bagaimana
Aku kau larang berjudi
permainan spekulasimu menjadi-jadi*

*Aku kau suruh bertanggungjawab
kau sendiri terus berucap Wallahu A’lam Bis Showab*

*Kau ini bagaimana..
Aku kau suruh jujur
Aku jujur kau tipu aku*

*Kau suruh aku sabar
Aku sabar kau injak tengkukku*

*Aku kau suruh memilihmu sebagai wakilku
Sudah ku pilih kau bertindak sendiri semaumu*

*Kau bilang kau selalu memikirkanku
Aku sapa saja kau merasa terganggu*

*Kau ini bagaimana..
Kau bilang bicaralah
Aku bicara kau bilang aku ceriwis*

*Kau bilang kritiklah
Aku kritik kau marah*

*Kau bilang carikan alternatifnya
Aku kasih alternative kau bilang jangan mendikte saja*

*Kau ini bagaimana
Aku bilang terserah kau
Kau tak mau*

*Aku bilang terserah kita
Kau tak suka*

*Aku bilang terserah aku
Kau memakiku*

*Kau ini bagaimana
Atau aku harus bagaimana¹⁹*

Ganjar as the incumbent candidate of central java governor, read this poetry in middle of March 2018. He read it in Rosi talkshow, in Kompas TV. At that time the election of central java governor is close to voting time, therefore it was too difficult to deny the motivation of FUIB has relation to political context. This argument had been also stated by

19 Haris Fadhil. "Ini Puisi Gus Mus yang Heboh Usai Dibacakan Ganjar". accessed November 12 2019. <https://news.detik.com/berita/d-3960025/ini-puisi-gus-mus-yang-heboh-usai-dibacakan-ganjar>

tirto.id media in their report. Tirto.id stated it not only based on observation but also based on statement of Abdul Mu'ti, the General Secretary of *Pimpinan Pusat Muhammadiyah*. He said religion issue is always exploited for political interest and in this context the political interest factor is more dominant than religion sentiment²⁰.

However, the FUIB then canceled their charge, knowing that Gus Mus was the author of that poem. Gus Mus, a religious leader, preacher, writer, with Nahdlatul Ulama background, was fortunately the one writing the poem in a very long time ago. Rahmat, the leader of FUIB, stated that the revocation of lawsuit was happened because that poem was created by Gus Mus, who is the senior clergy and also part of *Mustasyar* of Nahdlatul Ulama organization²¹. He even asked apologize to Gus Mus, family of Gus Mus and Nahdlatul Ulama society for his plan to sue the poem read by Ganjar. Another reason to cancel it was because the poem is not as clear as the one Sukmawati wrote in the sense that it clearly mentioned *azan*.²²

3. Blasphemy as The Strategy of Existence

This part discusses the Otto case happening in Balikpapan in 2017. The phenomenon is very interesting since FPI and other vigilante groups does not really exist in public

20 Andrian Pratama Taher. "*Batal Laporkan Ganjar Soal Puisi, FUIB Punya Kepentingan Politik?*" Accessed November 12 2019. <https://tirto.id/cHC6>

21 Priska Sari Pratiwi. "*batal laporkan Ganjar, FUIB Minta Maaf ke Gus Mus Soal Puisi*". accessed November 12 2019 <https://www.cnnindonesia.com/nasional/20180410145403-12-289723/batal-laporkan-ganjar-fuib-minta-maaf-ke-gus-mus-soal-puisi>

22 Ali Anwar, "*Alumni 212: Sukmawati Soekarnoputri Lebih Parah Daripada Ahok*," Tempo, April 6, 2018, <https://metro.tempo.co/read/1076993/alumni-212-sukmawati-soekarnoputri-lebih-parah-daripada-ahok>; I. Wayan Agus Purnomo, "*Sukmawati Senang Polisi Hentikan Kasus Puisinya*," Tempo, June 18, 2018, <https://nasional.tempo.co/read/1098790/sukmawati-senang-polisi-hentikan-kasus-puisinya>; Samsudhuha Wildansyah, "*FUIB Minta Maaf Ke NU-Gus Mus Soal Puisi Yang Dibacakan Ganjar*," detiknews, accessed August 7, 2018, <https://news.detik.com/read/2018/04/10/150021/3963566/10/ fuib-minta-maaf-ke-nu-gus-mus-soal-puisi-yang-dibacakan-ganjar>.

sphere, yet involved in pressuring the Court process. Yet they received a rejection from local groups, like *Gerakan Pemuda Asli Kalimantan* (GEPAK) and other religious organization such as Indonesian Muslims Student Movement (PMII) and Ansor Youth Movement.²³ However, as Beittinger-Lee argued in her study on paramilitary groups in Indonesia, following the implementation of regional autonomy, local context becomes important element to see in order to comprehend why vigilante act happens in certain area and does not in other areas. Hence, seeing what happen in Balikpapan is as important as understanding Jakarta case.

Let us see more detail what happen in Balikpapan, based on my fieldwork in 2017. Even though the case is related to Jakarta, Solok, and other cases happening in other areas, local response was little bit different. FPI, for instance, has seen Otto for several time and offered help, regarding the Court process, such as giving legal aid by providing expert witnesses. It is interesting to see FPI in Jakarta struggled to put Ahok, as considered as a blasphemy doer, in jail. Meanwhile in the case of Otto, a help was offered to a blasphemy doer accused by FPI in Balikpapan. Furthermore, they fortunately had a good narration to justify this strategy, which was to repent Otto. As we study, this became their strategy to show the existence and to exercise power in public sphere.

The case of Otto Rajasa bin Supomo, a Medical Doctor, happened in 2017. This case happened because he upload a comment in social media facebook, related the issue of 212's action in 2016. He posted his critique in the cynical way related to the invitation and the wish of some people to gather all Indonesian's muslim in Jakarta. Eventhough he is Muslim, he has a different point of view in perceiving ahok's case. He has a different opinion as well in perceiving issue of "aksi Bela Islam" which is familiar with "212's action". In his comment he said..."*Ibadah haji paket hemat ada di Jakarta. Ibadah tawaf mengelilingi Kabah bisa diganti mengelingi Masjid Istiqlal, ibadah melempar jumroh bisa diganti dengan melempar foto Ahok. Ibadah mencium Hajr Aswad bisa*

23 Heyder Affan, "Mengapa Warga Balikpapan Menolak FPI Dan GNPF-MUI?," *BBC Indonesia*, January 11, 2017, sec. Indonesia, <http://www.bbc.com/indonesia/indonesia-38584535>.

diganti mencium mobilnya Rizieq²⁴”. In the context of satire, He perceived the 212’s action as like *Haj* Pilgrimage to Mecca but in the cheap price. He said *Tawaf* or religious practicing circumambulate *Ka’bah* can be change with Istiqlal, throw *Jumroh* with throw Ahok’s picture and kiss the *Hajr Aswad* with kiss the Rizieq’s car.

The other comments that also become a problem for Indonesian Ulema Concil (MUI) in Balikpapan is his statement about fasting for the kids. He said..“*Kalian puasa ikut siapa? Nabi Muhammad puasa umur 49 tahun. Sekarang anak-anak kecil masih masa pertumbuhan, belum akil baligh sudah dipaksa untuk puasa, terus kalian ikuti siapa?*”²⁵. He perceive that Muhammad prophet start fasting in 49 years old. Therefore we supposedly giving lesson about fasting not for the little child, because they are in the growth period. If any person still do it to their kid, he questioning who are they followed?.

Two comments above are small part from all of Otto’s comment that deliberately he brought up to fight for tolerance issue. Because of this, the Indonesian government then invited him in 2016 to have lunch together with Presiden Joko Widodo in the palace²⁶. Like two sides of coin, his movement also brought up a problem for him. He got many censures and dislikes for his critique towards intolerance issue. The aim is because of his comments made a commotion in the social media. Some people perceived what has he done not only as harrasment but also a blasphemy to Islam.

Through Balikpapan district court, MUI Balikpapan then proposed a lawsuit toward otto Rajasa. MUI sued Otto had done religious blasphemy. MUI denounced this case with using Technology and Information laws (UU ITE), that talks about transmitting hate information and hostility

24 Gunawan. “Gara-gara status facebook, Dokter Otto Divonis 2 tahun Penjara” Accessed October 22 2019 <https://www.benarnews.org/indonesian/berita/otto-rajasa-facebook-07262017145924.html>

25 Muhammadiyah Fachri Ramdhani. “Kasus Penodaan Agama, Vonis sama-sama 2 Tahun Dokter Otto Rajasa Berniat Temani Ahok di Penjara” Accessed October 22 2019 <https://medan.tribunnews.com/2017/07/30/kasus-penodaan-agama-vonis-sama-sama-2-tahun-dokter-otto-rajasa-berniat-temani-ahok-di-penjara?page=4>

26 *Ibid*

based on ethnic, religion, race and groups (SARA), with 6 years punishment threat in jail. Balikpapan district court eventually passed sentence in July 26th 2017. The court convicted Otto Rajasa and passed sentence for two years to him and 50 million fine, or subsidiary 1 month in jailed²⁷.

In this case we perceive the interesting thing, that is how Otto case became an important moment for FPI to exercise power and existence while trying to reach benefits by offering help to Otto. What kind of benefit that they seek? Otto support is also important for them, including financial support, knowing this man's job is a medical doctor. FPI in Balikpapan has struggled the best they could since existing in public sphere responding religious issue, is very important to them on the one hand, while taking advantages on the other hand. Thus, their strategy might be extremely different from those in Jakarta.

When FPI in Jakarta and other places insits the law enforcement agencies to jail the "religious blasphemers", FPI in Balikpapan doing something different. FPI Balikpapan offered help for the "religious defector" to solve his case. The most interesting thing in this case is how the FPI perceiving Otto Rajasa. FPI perceiving Otto only as a person that must be invited to repent. In Otto's case, FPI does not do hurl invective or loud naration as like they done when they faced other parties that considered guilty. FPI Balikpapan as like pretend to show cooperative attitude in responding Otto's case.

The statement of FPI Balikpapan that wants to help Otto, "the blasphemers", to repent, seemingly presenting a movement strategy of FPI in Balikpapan. As like aforementioned, the organization of FPI Balikpapan does not have establishment like FPI in Java²⁸. It makes them has to

27 Nalendro Priambodo. "Divonis 2 tahun Penjara Karena Penodaan Agama Dokter ini Minta Masyarakat Jangan Berfikir Kritis". Accessed April 15 2019. <https://kaltim.tribunnews.com/2017/07/26/divonis-2-tahun-penjara-karena-penodaan-agama-dokter-ini-minta-masyarakat-jangan-berpikir-kritis>

28 Hari Widyantoro. "Penodaan Agama dan dinamika lokal di Balikpapan" Accessed March 26 2019 <https://crcs.ugm.ac.id/fpi-penodaan-agama-dan-dinamika-lokal-di-balikpapan/>

find a support for their existence in the public space and to be recognized by people in Balikpapan²⁹. In this context, FPI Balikpapan seemingly presenting the politics of existence in supporting their presence in Kalimantan, especially in Balikpapan. The politics of religion that they play in the issue of religious blasphemy in Balikpapan is different with the other places.

Besides, new civil group appeared during the Court proceeding wearing t-shirt written on their backs, "Borneo Muslim Army." Several informants said these people are used to be around the Court, yet this was the first time they wore the uniform. We never even saw the group in other cities of East Kalimantan such as Samarinda, its Capital city. Almost every civil society, paramilitary, and other types of civil movement has branches all over Indonesia, or at least at districts around where they originate. The fact is this kind of radical religious civil movement who are vigilante does not really exist in public places of Balikpapan, responding the issue consistently. Those who often appear in public are nationalist civil society such as Laskar Merah Putih, Pemuda Pancasila, and other local paramilitaries such as Gerakan Pemuda Kalimantan, Laskar Pelindung Adat Dayak Kalimantan, Laskar Antasari, and etc.

C. Conclusion

As we illustrate from the very beginning that the cases we have described above is a process of monopolizing religious blasphemy interpretation that happen after Ahok case. To monopoly certain group must have power relation to hegemonize the discourse, particularly on religious blasphemy, and then pressure, force, and influence public policy, law, and the process of Court. Furthermore, the process of monopolizing the law interpretation consists of, as we found, two strategies. First is as lawfare against political rival such as Ganjar Pranowo who is PDIP cadre and Central Java Governor incumbent at that time. The last is to exercise the power while taking advantages such as what happen to Otto case.

29 *Ibid*

As a lawfare, groups like FPI and other vigilante groups are PDIP rival indeed that can be seen and indicated from lots of things, one of them is Ahok case. Ahok who were Jakarta Governor was supported by PDIP coalition as well as Jokowi who had become a president. Realizing that the strategy worked and succeed to personate Ahok for blasphemy charge, this influenced and inspired both the same groups or different vigilante groups in other parts of Indonesia to use the law against their political rival. The funny thing was that the accusation toward Ganjar Pranowo was uncalculated and premature in the sense that the vigilante groups did not observe at first the context, what poem that Ganjar read, and who the author is. The plan to charge him was announced in the media yet canceled knowing that the author is Gus Mus. Imagine if Gus Mus had not been the author, the charge would have been continued. This shows the rising trend of using blasphemy law after Ahok case, especially to oppose the political rival.

The last is as a strategy to show the existence and exercise power, such as that happening in Balikpapan, Otto's case. The different strategy from those FPI in Jakarta shows us that the blasphemy law has been a tool for them to take an advantage from the one considered a blasphemy doer. The offer of legal aid proposed by FPI is an indication that they also needed Otto, regarding financial support to hold their event and program, such as collective breakfast in Ramadhan with orphanages.

The question is, with this trend, do we see the power to hegemony the discourse, and then monopoly the religious blasphemy law interpretation is getting increased time to time? As the definition of blasphemy is becoming more blur in the sense that it can target those who are weak, in terms of political position, this gives chance to Islamists, including vigilante groups to exercise their power by using the law, while taking advantages from the case.

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