

Indonesia Update Series

Contentious Belonging

The Place of Minorities in Indonesia

EDITED BY

GREG FEALY • RONIT RICCI

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Contentious Belonging

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ANU College of Asia and the Pacific's **Department of Political and Social Change** focuses on domestic politics, social processes and state-society relationships in Asia and the Pacific, and has a long-established interest in Indonesia.

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Contents

<i>Tables and figures</i>	vii
<i>Contributors</i>	ix
<i>Acknowledgments</i>	xi
<i>Glossary</i>	xiii

- | | | |
|---|--|---|
| 1 | Diversity and its discontents:
an overview of minority–majority relations in Indonesia
<i>Greg Fealy and Ronit Ricci</i> | 1 |
|---|--|---|

PART 1 HISTORY AND LAW

- | | | |
|---|--|----|
| 2 | Minorities in Indonesian history:
from ambiguous advantage to cantonisation
<i>Robert Cribb</i> | 19 |
| 3 | Minorities and discrimination in Indonesia:
the legal framework
<i>Tim Lindsey</i> | 36 |
| 4 | The Constitutional Court and minority rights:
analysing the recent homosexual sex and indigenous
belief cases
<i>Simon Butt</i> | 55 |

PART 2 DISABILITY

- | | | |
|---|--|----|
| 5 | Changing laws, changing attitudes:
the place of people with disability in Indonesia
<i>Thushara Dibley and Antoni Tsaputra</i> | 77 |
|---|--|----|

- 6 Disability inclusion in Indonesia:
the role of Islamic schools and universities in
inclusive education reform 95
Dina Afrianty

PART 3 SEXUALITY

- 7 Is the recent wave of homophobia in Indonesia unexpected? 113
Saskia E. Wieringa
- 8 Localising queer identities:
queer activisms and national belonging in Indonesia 133
Hendri Yulius Wijaya

PART 4 RELIGION AND ETHNICITY

- 9 The mobilisation of intolerance and its trajectories:
Indonesian Muslims' views of religious minorities and
ethnic Chinese 155
Marcus Mietzner and Burhanuddin Muhtadi
- 10 Disputes over places of worship in Indonesia:
evaluating the role of the Interreligious Harmony Forum 175
Ihsan Ali-Fauzi
- 11 Anti-Chinese sentiment and the 'return' of the *pribumi*
discourse 194
Charlotte Setijadi
- 12 Minority and advantage: the story of Sindhis in Indonesia 214
Maria Myutel
- 13 'Normalising' the Orang Rimba:
between mainstreaming, marginalising and respecting
indigenous culture 232
Butet Manurung

PART 5 REFLECTIONS

- 14 Manipulating minorities and majorities:
reflections on 'contentious belonging' 255
Sidney Jones
- Index* 267

Tables and figures

Tables

5.1	Overview of implementing regulations for Law No. 8/2018 on People with Disabilities	85
9.1	Share of Muslims objecting to non-Muslims occupying elected positions (%)	162
9.2	Share of Muslims objecting to non-Muslim governors, by educational level (%)	168
9.3	Share of Muslims objecting to non-Muslim places of worship, by educational level (%)	170

Figures

8.1	The Genderbread Person, version 4	148
9.1	Religio-cultural intolerance: share of Muslims objecting to non-Muslim ceremonies and places of worship (%)	163
9.2	Rates of Muslim prejudice towards ethnic Chinese (%)	165
11.1	Respondents' views on whether Chinese Indonesians are economically privileged (%)	206
11.2	Respondents' views on whether Chinese Indonesians are exclusive (%)	207
11.3	Respondents' views on whether 'It is inappropriate for <i>pribumi</i> Indonesians to intermarry with Chinese Indonesians', by religious background (%)	208
11.4	Respondents' views on whether 'Chinese Indonesians have their own religion that does not fit well in Indonesia', by religious background (%)	209

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Greg Fealy and Ronit Ricci

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Glossary

<i>adat</i>	custom or tradition; customary law, traditional law
<i>agama</i>	religion
Ahok	Basuki Tjahaja Purnama (former governor of Jakarta)
AILA	Aliansi Cinta Keluarga (Family Love Alliance)
<i>aliran kepercayaan</i>	‘stream of beliefs’; term for traditional religious beliefs that do not belong to one of the six officially recognised religions
AMAN	Aliansi Masyarakat Adat Nusantara (Alliance of Archipelagic Indigenous Peoples)
ANBTI	Aliansi Nasional Bhinneka Tunggal Ika (Unity in Diversity National Alliance)
<i>asas kekeluargaan</i>	family principle, family values
<i>asas tunggal</i>	sole basic principle
<i>asli</i>	authentic, indigenous, native
<i>banci</i>	transgender person
Bappenas	Badan Perencanaan Pembangunan Nasional (Ministry of National Development Planning)
Bhaiband	‘Brothers’; a subcaste of Hindu Sindhis
<i>Bhinneka Tunggal Ika</i>	‘Out of Many, One’, ‘Unity in Diversity’, ‘The Many Are One’
<i>bissu</i>	a gender category among the Bugis (South Sulawesi)
BJP	Bharatiya Janata Party
BKS Gereja	Badan Kerjasama Seluruh Gereja (All Churches Cooperation Agency)
BKSDA	Balai Konservasi Sumber Daya Alam (Natural Resource Conservation Agency)
BMA	Bombay Merchant Association
BPS	Badan Pusat Statistik (Statistics Indonesia), the central statistics agency
BRWA	Badan Registrasi Wilayah Adat (Ancestral Domain Registration Agency)

Budi Utomo	the first Indonesian nationalist organisation, founded in 1908
<i>cacat</i>	defect, deformity
<i>camat</i>	subdistrict head
CAPPA Foundation	Ecological Justice for People Foundation
CRPD	Convention on the Rights of Persons with Disabilities
<i>dakwah</i>	religious outreach, Islamic proselytising
Darul Islam	Islamist insurgent movement that rebelled against the Republic of Indonesia between 1948 and 1962 and declared Indonesia to be an Islamic state in 1949
<i>desa adat</i>	customary village
<i>difabel</i>	'diffability'; differently abled
<i>disabilitas</i>	disability
DPR	Dewan Perwakilan Rakyat (People's Representative Council), also known as 'House of Representatives' and as 'parliament'
DPRD	Dewan Perwakilan Rakyat Daerah (Regional People's Representative Council)
<i>dukun godong</i>	shaman in an Orang Rimba community
e-KTP	<i>kartu tanda penduduk elektronik</i> (electronic identity card)
FBR	Forum Betawi Rempug (Betawi Brotherhood Forum)
<i>fiqh</i>	Islamic jurisprudence or legal prescriptions
FJI	Front Jihad Islam (Islamic Jihad Front)
FKUB	Forum Kerukunan Umat Beragama (Interreligious Harmony Forum)
FLNKS	Front de Libération Nationale Kanak et Socialiste (Kanak and Socialist National Liberation Front)
FPI	Front Pembela Islam (Islamic Defenders Front)
FTM	female-to-male
Gerindra	Gerakan Indonesia Raya (Great Indonesia Movement)
Gerwani	Gerakan Wanita Indonesia (Indonesian Women's Movement)
GMIS	Gandhi Memorial International School
GMIT	Gereja Masehi Injili di Timor (Christian Evangelical Church in Timor)
GMS	Gandhi Memorial School
Golkar	Golongan Karya (the state political party under the New Order, and a major post-New Order party)
GPdI	Gereja Pantekosta di Indonesia (Pentecostal Church of Indonesia)
Guided Democracy	political system in place from 1957 to 1966 under President Sukarno

Hadith	report or account of the words and deeds of the Prophet Muhammad transmitted through a chain of narrators
<i>hajj</i>	the annual pilgrimage to Mecca
Hanura	Partai Hati Nurani Rakyat (People's Conscience Party)
HTI	Hizbut Tahrir Indonesia
IAIN	Institut Agama Islam Negeri (State Islamic Institute)
ICMI	Ikatan Cendekiawan Muslimin Indonesia (Indonesian Association of Muslim Intellectuals)
Indo	Indonesian of European descent
IPT 1965	International People's Tribunal on 1965 Crimes Against Humanity in Indonesia
<i>jilbab</i>	headscarf worn by Muslim women
Jokowi	(President) Joko Widodo
<i>kafir</i>	infidel
<i>kampung</i>	urban village
<i>kartu keluarga</i>	family card
KBM 1969	Surat Keputusan Bersama 1969 (Joint Decree 1969)
<i>kepercayaan</i>	'beliefs'; term for traditional religious beliefs that do not belong to one of the six officially recognised religions
Kesbangpol	Badan Kesatuan Bangsa dan Politik (Agency for the Protection of National Unity and Politics)
<i>Ketuhanan Yang Maha Esa</i>	Almighty God
<i>kitab kuning</i>	'yellow books' (a reference to the colour of the pages); commentaries on the Qur'an and Islamic law used as teaching texts in <i>pesantren</i>
KKI Warsi	Komunitas Konservasi Indonesia Warsi (Indonesian Conservation Community Warsi)
Koalisi Masyarakat 'Tolak PP Sapu Jagat'	People's Coalition to 'Reject the One-Size-Fits-All Government Regulation'
Komnas HAM	Komisi Nasional Hak Asasi Manusia (National Commission for Human Rights)
Kompak	Komunitas Peace Maker Kupang (Kupang Peacemaker Community)
Kopkamtib	Komando Operasi Pemulihan Keamanan dan Ketertiban (Operational Command for the Restoration of Security and Order)
KPI	Koalisi Perempuan Indonesia (Indonesian Women's Coalition)
KSP	Kantor Staf Presiden Republik Indonesia (Executive Office of the President of the Republic of Indonesia)
KTP	<i>kartu tanda penduduk</i> (identity card)
KUHP	Kitab Undang-Undang Pidana (Criminal Code)

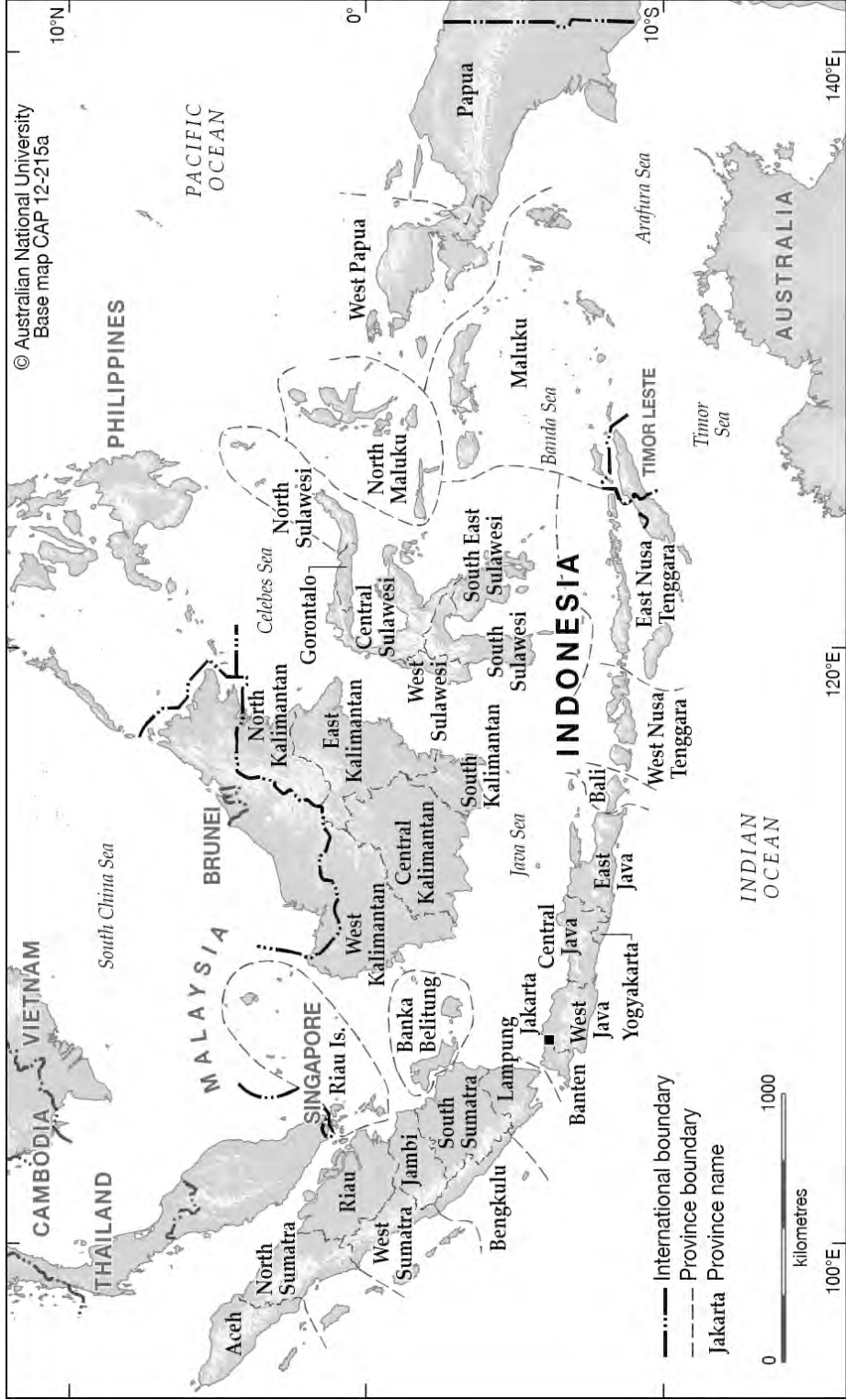
Laksusda	Pelaksana Khusus Daerah (Special Territorial Administrator)
LBH	Lembaga Bantuan Hukum (Legal Aid Office)
LEKRA	Lembaga Kebudayaan Rakyat (People's Cultural Institute)
Lemhannas	Lembaga Ketahanan Nasional Republik Indonesia (National Resilience Institute)
LGBT	lesbian, gay, bisexual and transgender
LGBTQI	lesbian, gay, bisexual, transgender, queer and intersex
LSI	Lembaga Survei Indonesia (Indonesian Survey Institute)
<i>madrasah</i>	Islamic school
<i>masyarakat adat</i>	'traditional' or 'customary' community
<i>masyarakat hukum adat</i>	customary law community
<i>masyarakat terasing</i>	isolated community
<i>masyarakat tertinggal</i>	'left-behind community'; underdeveloped or isolated community
Melindo	Melanesia Indonesia
MGS	Mahatma Gandhi School
MPR	Majelis Permusyawaratan Rakyat (People's Consultative Assembly), Indonesia's upper house
MSG	Melanesian Spearhead Group
MSM	men who have sex with men
MTF	male-to-female
MUI	Majelis Ulama Indonesia (Indonesian Council of Religious Scholars), founded in 1975
NasDem	Nasional Demokrat (National Democrats)
Nawacita	Nine Development Goals
<i>negara hukum</i>	rule of law
New Order	political system in place from 1966 to 1998 under President Suharto
NGO	non-government organisation
NKRI	Negara Kesatuan Republik Indonesia (Unitary State of the Republic of Indonesia)
<i>non-pribumi</i>	non-indigenous Indonesian
<i>orang</i>	person
Orang Rimba	People of the Jungle; Forest People
Pancasila	the five guiding principles of the Indonesian state: belief in God, humanitarianism, nationalism, democracy and social justice; or, in another formulation: belief in one supreme God, just and civilised humanity, national unity, democracy led by wisdom and prudence through consultation and representation, and social justice

PBM 2006	Peraturan Bersama Menteri 2006 (Joint Ministerial Regulation 2006)
PDI-P	Partai Demokrasi Indonesia-Perjuangan (Indonesian Democratic Party of Struggle)
<i>pemekaran</i>	'blossoming'; the subdivision of administrative regions to create new provinces, districts and subdistricts
<i>penghayat kepercayaan</i>	believer in an indigenous religion
Peranakan	Chinese Indonesians who have adopted local customs and assimilated into local communities
<i>peraturan</i>	regulation
<i>perda</i>	<i>peraturan daerah</i> (regional government regulation)
<i>pesantren</i>	Islamic boarding school
PKB	Partai Kebangkitan Bangsa (National Awakening Party)
PKH	Program Keluarga Harapan (Family Hope Program)
PKI	Partai Komunis Indonesia (Indonesian Communist Party)
PKMT	Pemukiman Kembali Masyarakat Terasing (Resettlement of Isolated Peoples)
PKS	Partai Keadilan Sejahtera (Prosperous Justice Party)
Pokja	Kelompok Kerja Undang-Undang Disabilitas (Working Group on the Disability Law)
<i>pornoaksi</i>	pornographic action/activities
PP	<i>peraturan pemerintah</i> (government decree or regulation)
PPP	Partai Persatuan Pembangunan (United Development Party)
PRC	People's Republic of China
<i>pribumi</i>	indigenous, native
Pribumi Party	Partai Priboemi
<i>priyayi</i>	traditional Javanese upper-class elite
<i>punakawan</i>	attendant to a main character in the Indic Mahabharata story
PUSAD Paramadina	Pusat Studi Agama dan Demokrasi (Center for the Study of Religion and Democracy in the Paramadina Foundation)
QUANGO	quasi-autonomous non-government organisation
Ramadan	ninth month of the Islamic calendar during which fasting is required
<i>reformasi</i>	'reform'; name for the post-Suharto period (since 1998)
Riskesdas	Riset Kesehatan Dasar (Basic Health Research)
<i>rombongan</i>	Orang Rimba clan
<i>rumah ibadat</i>	house of worship

SAD	Suku Anak Dalam (Tribes of the Interior; People from the Deep Jungle)
SARA	<i>suku, agama, ras dan antar golongan</i> (ethnicity, religion, race and intergroup)
SBKRI	Surat Bukti Kewarganegaraan Republik Indonesia (Proof of Indonesian Citizenship Document)
<i>sinetron</i>	commercial soap opera
SLB	<i>sekolah luar biasa</i> (special school)
Sobat KBB	Solidaritas Korban Pelanggaran Kebebasan Beragama dan Berkeyakinan (Solidarity of Victims of Violations of Religious Freedom and Belief)
SOGIE	sexual orientation, gender identity and gender expression
Suku Anak Dalam	Tribes of the Interior; People from the Deep Jungle
Susenas	Survei Sosio-Ekonomi Nasional (National Socio-Economic Survey)
Totok	China-born or Chinese residents in Indonesia who have not assimilated or only partially assimilated into local society
<i>Tuhan Yang Maha Esa</i>	Almighty God
<i>tumenggung</i>	chief of an Orang Rimba community
UIN	Universitas Islam Negeri (State Islamic University)
<i>ulama</i>	‘learned’; Islamic scholar(s)
ULMWP	United Liberation Movement for West Papua
<i>umrah</i>	pilgrimage to Mecca that can be undertaken at any time of the year
UN	United Nations
UNDP	United Nations Development Programme
US	United States
USAID	United States Agency for International Development
VOC	Vereenigde Oost-Indische Compagnie (United East India Company; Dutch East India Company)
<i>wadam</i>	<i>wanita Adam</i> (transgender person), from <i>wanita</i> and <i>Adam</i> and no longer common
<i>wandu</i>	(Javanese) transgender person
Wantimpres	Dewan Pertimbangan Presiden (Presidential Advisory Council)
<i>waria</i>	<i>wanita–pria</i> (woman–man), inadequately translated as ‘transgender women’
Warsi	<i>see</i> KKI Warsi

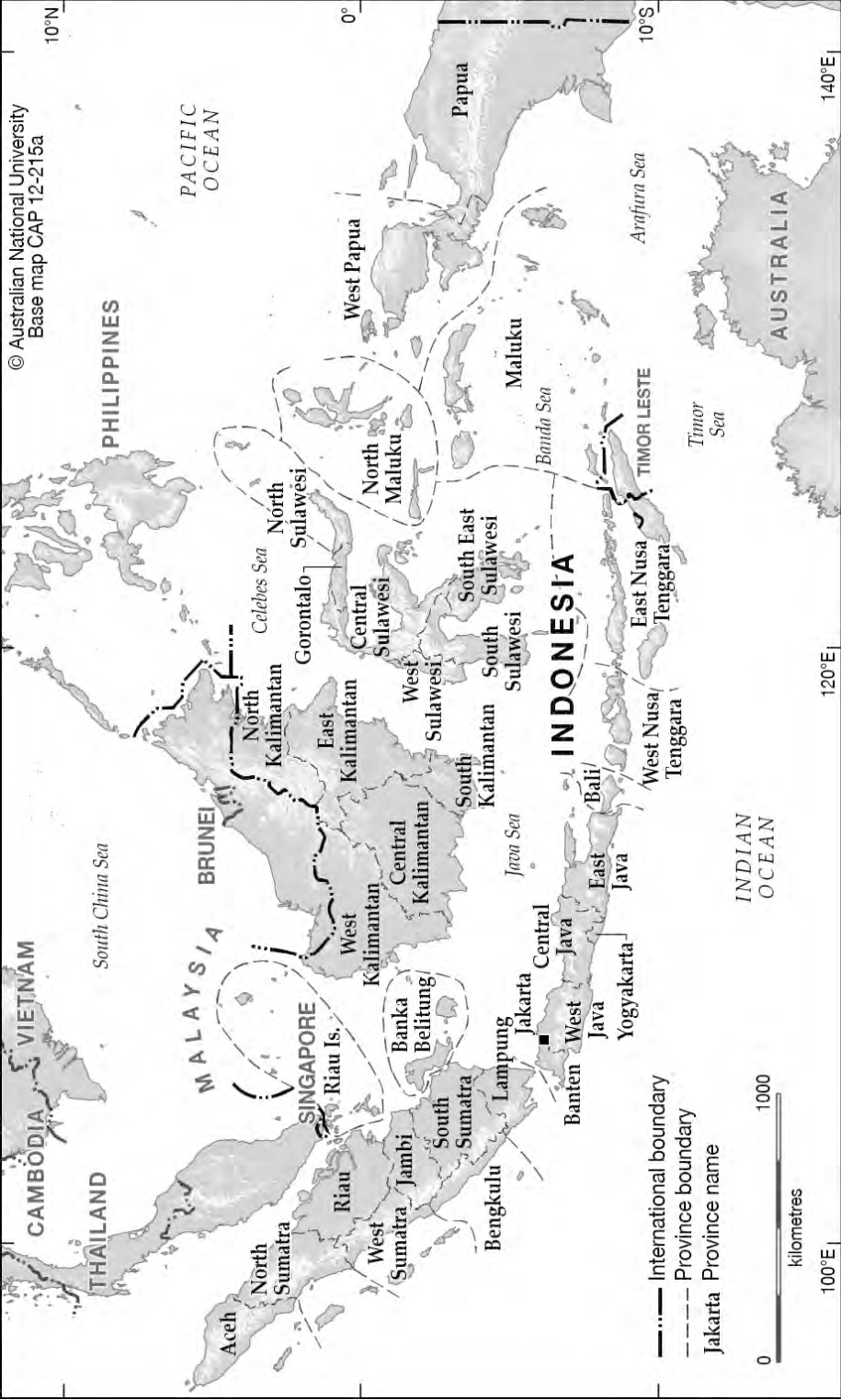
Currencies

\$	US dollar
Rp	Indonesian rupiah



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- International boundary
- - - Province boundary
- Jakarta Province name



1 Diversity and its discontents: an overview of minority–majority relations in Indonesia

Greg Fealy and Ronit Ricci

Indonesia has always perceived itself as being a tolerant, diverse and pluralist nation. As one of the most ethnically, religiously and culturally complex societies on earth, Indonesia has cast acceptance of difference and equality of rights and opportunities as a cornerstone of its existence. The nation's motto is *Bhinneka Tunggal Ika*, an Old Javanese phrase typically translated as 'Unity in Diversity' but perhaps more accurately rendered as 'Out of Many, One'. The motto implies that Indonesia not only embraces but also celebrates diversity. Founding president Sukarno set the tone in a speech in 1955 when he declared: 'This country, the Republic of Indonesia, does not belong to any group, nor to any religion, nor to any ethnic group, nor to any group with particular customs and traditions, but is the property of all of us from Sabang to Merauke! [i.e., from the further-most northwestern to southeastern points of the archipelago]' (quoted in Vatikiotis 2017: 157). In essence, he was claiming that all who lived within Indonesia's borders were owed the same rights and no single group had preference. More recently, presidents Susilo Bambang Yudhoyono (2004–14) and Joko Widodo (2014–) have made terms such as 'moderation', 'tolerance' and 'multiculturalism' central to their nation's international diplomacy. Yudhoyono, for example, declared at a Harvard address in 2009 that Indonesia was a 'bastion of freedom, tolerance and harmony' (Yudhoyono 2009) and stated at a high-level event in New York in 2013 that '[Indonesia] will always protect our minorities and ensure that no one suffers from discrimination' (Parlina and Aritonang 2013). In addition, and reflecting a broad sentiment, public opinion surveys have repeatedly shown that an overwhelming majority of Indonesians believe

their country to be tolerant and respectful of the rights of minorities (Fealy 2016: 120; Mietzner and Muhtadi in Chapter 9 of this volume).

But is this self-perception justified? In recent years Indonesia's reputation for tolerance and inclusivity has come under growing scrutiny from domestic and overseas civil society and human rights groups, the international media and the diplomatic community. Much of this scrutiny relates to the treatment of religious and ethnic minorities and of the country's lesbian, gay, bisexual and transgender (LGBT) communities. They have variously been subject to condemnation or denigration by other sections of society and political leaders, and in some cases have been the target of violent attack.

Sectarian incidents have been rising since the mid-2000s, drawing international media coverage. The most high-profile targets have been the minority Muslim sects, Ahmadiyah and Shi'a. Ahmadi mosques, schools and residences have been attacked and sometimes destroyed by opponents, often with tardy or reluctant intervention by law enforcement officials. The most serious attack occurred in Cikeusik in Banten province in 2011, when three Ahmadis were killed as police looked on. Videos of the attack went viral on social media and the incident was widely reported internationally. In other instances, many hundreds of Ahmadis have been harassed and displaced from their homes, with little effective government action to resolve their predicament. On a lesser scale, Shi'as have also been targets of intimidation and violence from groups within the Sunni majority. One Shi'a died in 2012 during an attack on his village in Sampang, East Java, and some 220 fellow Shi'a villagers were evacuated, with only those who agreed to 'convert' to Sunni Islam being repatriated to their village. Major Muslim organisations have called for both the Ahmadiyah and Shi'a sects to be banned, but so far the government has only restricted Ahmadi outreach activities.

Non-Muslim religious minorities such as Christians and Buddhists have also reported an elevated number of breaches of religious freedoms over the past decade and a half, a claim supported by human rights groups. Many dozens of minority houses of worship, most commonly churches but sometimes also temples, have been denied permits for construction or renovation by local authorities on questionable grounds or have been attacked by vigilantes from the local majority religion (see Chapter 10 of this volume by Ali-Fauzi). Moreover, numerous provincial and district administrations have sought to restrict the activities of minority faith congregations and local Ministry of Religious Affairs officials have pressured heterodox religious groups to become 'orthodox' in order to avoid problems in gaining identity cards and receiving related welfare and educational support.

National laws and regulations also affect the rights of religious minorities. Only six religions are recognised by the state: Islam, Catholicism, Protestantism, Hinduism, Buddhism and Confucianism. All other faiths are excluded from receiving state support and typically cannot be listed on official documentation. Thus, Indonesia's small number of Jewish and Baha'i citizens are often forced to choose one of the six official religions for listing on their identity documents. Near-insurmountable obstacles are also placed in the path of those seeking interfaith marriages. This is especially the case if someone from a minority faith is seeking to marry a Muslim. Although civil registration of such marriages is possible, the Ministry of Religious Affairs usually refuses to recognise marriages between Muslims and non-Muslims. Non-Muslims and heterodox Muslims have also fallen victim to the draconian 1965 Blasphemy Law, which has a broad and vaguely worded definition of the offence of insulting religion and religious authorities. This law has been the basis of an unprecedented number of prosecutions in the past decade and a half. Since 2004, more than 100 convictions have been recorded, with no defendant being acquitted (see Chapter 3 by Lindsey).

The most controversial blasphemy case was that involving Basuki Tjahaja Purnama (commonly known as Ahok), the governor of Jakarta. During that city's gubernatorial election campaign in late 2016 and early 2017, Ahok, a Chinese Christian, was accused of insulting the Qur'an and Islamic scholars (*ulama*) when he told a rally that Muslims could elect a non-Muslim leader despite some *ulama* stating that the Qur'an forbade this. His remarks drew widespread condemnation not only from Islamist groups, which had long objected to his governorship, but also from many mainstream Muslims. This led to unprecedented public protests, including one in early December 2016 that was estimated to have brought more than half a million demonstrators onto Jakarta's streets. The protests were accompanied by a massive social media campaign demanding that the governor be charged with, and jailed for, blasphemy.

A major feature of the anti-Ahok protests was their explicit anti-Chinese and anti-Christian tone. Senior Islamic leaders made frequent reference to Ahok's race and religion and some called for laws preventing members of a religious minority from holding executive positions in a majority-Muslim community, such as Jakarta. Vilification of Chinese Christians was especially virulent on social media platforms. The sheer intensity and spread of the outpouring against Ahok forced a reluctant government to prosecute him and to expedite his trial. Most of the trial proceedings were conducted during the election campaign. Ahok lost the election and shortly afterwards was found guilty of blasphemy and jailed for two years.

The impact of the Ahok case both within and outside Indonesia was significant. Many politicians from minorities, especially Chinese and Christians, worried that their own careers in public life were now far less certain as they too might be vulnerable to similar forms of attack. In addition, the events had a chilling effect on up-and-coming members of minority groups contemplating entry into politics. Foreign media also carried extensive reporting on the protests and the trial, with many journalists stating openly that the Ahok case was proof of growing racial and sectarian intolerance in Indonesia, driven particularly by the politics of rising Islamic conservatism (see Chapter 9 by Mietzner and Muhtadi and Chapter 11 by Setijadi).

The other major 'intolerance' issue that attracted global attention was the sharp rise of anti-homosexual and anti-transgender discourses from 2015 (see Chapter 7 by Wieringa and Chapter 8 by Wijaya). Beginning with a campaign by conservative Muslims to ban LGBT awareness and rights programs on campuses, the issue was taken up in early 2016 by a wide range of leaders from across the political and religious spectrums. Ministers and community figures denounced 'sexual deviancy' and advocated rehabilitation programs; universities began asking incoming students to sign declarations that they were not homosexual; and the Indonesian Psychiatrists Association classified homosexuality as a mental disorder, drawing objections from Western psychiatric organisations. Local authorities also began to arrest men for alleged homosexual activities, with two men in Aceh publicly caned after being found guilty of indecent behaviour by a sharia court.

The international response to these cases of intolerance towards religious, ethnic and sexual minorities has been increasingly critical. In early 2018, the UN high commissioner for human rights, Zeid Ra'ad al-Hussein, warned that he saw 'strains of intolerance seemingly alien to Indonesian culture that have made inroads here [in Indonesia]. The extremist views playing out in the political arena are deeply worrying, accompanied as they are by rising levels of incitement to discrimination, hatred or violence in various parts of the country' (OHCHR 2018).

Major human rights organisations such as Amnesty International and Human Rights Watch have also written damning reports on what they perceive to be Indonesia's worsening record on minority rights (Amnesty International 2018; Human Rights Watch 2018).

For all these reasons, it is timely to make a closer examination of minorities in Indonesia—their lives, struggles and aspirations, and the ways in which they may feel a sense of belonging, or not belonging, within Indonesian society. To explore this theme we consider the position and status of different minorities within the Indonesian state both across time and in the present day. Thinking about the place of minorities in Indonesia today

involves thinking about religion and ethnicity; about the gap between creating laws and implementing them; about how ideas and movements that have emerged far from Indonesia affect Indonesian perceptions; about Indonesia's place among the nations in comparative perspective; about the power of discourses to shape politics and everyday life; and more. This book discusses the complex historical and contemporary dimensions of Indonesia's minorities from a range of perspectives, including historical, legal, political, cultural, discursive and social. While much of the current commentary on Indonesia's treatment of minorities is highly critical, our purpose here is to provide a balanced, nuanced and rigorous assessment. Although there clearly are particular minorities that experience discrimination and persecution, this is not true of all minorities, or even for the entirety of a given minority community. In other words, Indonesia's treatment of minorities is neither uniform nor monolithic. Why is it that a certain minority in a particular location incurs the wrath of state officials or surrounding communities when other groups within the same minority are undisturbed or even embraced by the majority? And why might the standing of a particular minority change dramatically over a short span of time? What role do discourses about minorities, and especially shifting nomenclatures that refer to particular groups, play in their plight? These are some of the questions that the contributors to this book seek to answer.

The overarching theme of the volume is that of contentious belonging. Itself an ambiguous and hotly debated term, 'belonging' here encompasses not only citizenship and legal rights but also a more subtle sense of attachment, loyalty and community within a national framework that is more difficult to define and quantify. How strongly do members of minority groups feel that they belong to and occupy a place within Indonesia? To consider this theme we examine the ways in which Indonesia has conceived of the place of minorities within the nation and how it has dealt with its minorities in practice. As noted in the opening paragraph, Indonesia prides itself on being a nation that acknowledges and accommodates diversity. But as recent cases of intolerance make clear, there can be a large gap between aspiration and reality. Indeed, from the earliest days of discussing the idea of 'Indonesia' in the 1920s, the issue of who or what should be part of the independent post-colonial state has divided opinion. The emergent nationalist movement in the Dutch East Indies discussed at length how inclusive or exclusive the proposed nation should be. Should preference be given to or limits imposed upon particular religious or ethnic groups, or certain political ideologies or cultural orientations? Should Indonesia be a nation in which the rights and wishes of the majority take precedence over those of minorities, or should all who reside within its borders have equal rights? Consensus

on such issues proved elusive, whether for the nationalists of the colonial period or the political and community leaders who have shaped public debate since Indonesia's independence in 1945. In fact, for the best part of a century, debates about which minorities 'belong' in Indonesia and what position in society, law and politics they should be accorded have been ever-present.

IDENTIFYING MINORITIES

Determining who or what is a minority is far from straightforward. At one level, it can seem a simple matter of numbers and proportions. Dictionary definitions usually refer to minorities as being the 'smaller number or part, representing less than half of the whole' (Oxford English Dictionary) or as 'the smaller in number of two groups constituting a whole' (Merriam-Webster). Such numerical definitions appear to render minority status a clear-cut matter, but they fail to capture the complexity of lived experience and relations between groups of different sizes and power dynamics within a society. For this reason, many scholars have focused on such matters as the relative disadvantage borne by one category of people compared to the dominant group. This emphasis raises questions of equality of rights and opportunities and, more broadly, differential treatment and access to power within communities. For example, in apartheid-era South Africa, blacks were a numerical majority but manifestly subordinate to the much-smaller ruling white minority.

There is a large literature, especially in sociology and law, that attempts to provide more nuanced definitions of minorities. Much emphasis is given both to the qualities that a particular group may have that give rise to a self-perception of being a minority or to being classed as such by other groups, as well as to the nature of the relations between groups. Sociologists commonly define a minority as a group with observable characteristics or practices based on such things as gender or sexual orientation, religion, ethnicity or disability. For example, Wirth (1945: 347) defined a minority as

any group of people who, because of their physical or cultural characteristics, are singled out from the others in the society in which they live for differential and unequal treatment.

Membership of a minority group may be ascribed objectively by society or applied subjectively by members of a particular group. According to this view, minority identity is socially constructed. Perhaps the definition that comes closest to combining the numerical with the qualitative is that of the UN official and scholar Francesco Capotorti (1977: 96):

a group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members—being nationals of the State—possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.

Capotorti's focus was on religious and ethnic minorities but sexuality and disability could easily be added to his definition without undermining its cogency.

Such discussions about minority status have emerged repeatedly in an Indonesian context, arousing much dispute about the categorisation and characterisation of minorities. For example, although Ahmadiyah regards itself as part of the Islamic community and indeed has this legal status in Indonesia, a large majority of Indonesian Muslims—up to 78 per cent according to one opinion poll—believe Ahmadis are not Muslims (Fealy 2016: 119). Ahmadi leaders have strenuously opposed attempts by some religious affairs ministers to reclassify them as non-Muslims or to shift Ahmadiyah from the religion (*agama*) category to the lower status of a belief (*kepercayaan*). For Ahmadiyah, being a subgroup within the Muslim majority is theologically valid as well as legally preferable to being a stand-alone minority, much less a minority without an officially recognised religion. Conservative Islamist groups also declare Shi'a to lie outside the faith, although this is not a position held by major Islamic organisations.

A quite different inflection on the majority–minority discourse was apparent during the repressive years of Suharto's New Order regime (1966–98), when some Islamic leaders were wont to declare that the Muslim community was a majority with minority mentality—repeating a statement first made in 1980 by the Dutch sociologist W.F. Wertheim (see Chapter 2 by Cribb). In effect they were observing that, despite its vast numerical superiority, the Muslim community was marginalised by the regime and behaved as if it were a small part of the nation. In a similar vein, numerous feminist writers have argued that despite comprising about half of Indonesia's population, women are effectively a minority, such is their lack of political, economic and cultural power. Gay activists also contend that excessive focus on their sexual orientation casts them into the status of a small and often-reviled minority, thereby overlooking their role as full citizens and contributors to mainstream society.

The position with ethnic minorities is even more complicated, as their sense of belonging and allegiance may be diffuse. The Chinese, Arab, Euro-Indonesian (usually known as Indo) and Indian communities are all examples of minorities that have experienced major internal differences over relations with majority communities and the degree of identification with the nation. Each of these communities contains elements that identify

primarily, even exclusively, with Indonesia and regard themselves unequivocally as Indonesian citizens. But each also possesses groups that retain strong loyalties to and connections with their homelands, whether real or imagined. For instance, a majority of the Chinese minority (known as Peranakan) are thoroughly Indonesian-ised, linguistically, culturally and in terms of national allegiance, whereas many other Chinese Indonesians remain strongly oriented towards mainland China. Arab communities also contain groups who maintain close ties with Yemen, whence many of their forebears came. Until the recent conflict in Yemen, many Arab families sent their sons to study in Yemeni schools and colleges, and prominent Yemeni *ulama* are revered within Indonesian Arab circles. As Maria Myutel makes clear in Chapter 12 of this book, many Sindhis living in Indonesia continue to visit India regularly and retain substantial economic, kinship and cultural links there.

Perhaps most complex of all is the position of 'indigenous' Indonesians, a varied array of minorities, estimated to number in the millions, who regard themselves as being the original inhabitants of a region or as having much longer ties of settlement to and affinity with a locality than the majority communities. Some of these communities seek to remain isolated from mainstream communities. For example, the Orang Rimba (Forest People) of Jambi and Riau continue to preserve centuries-old practices of living deep within the forest and having minimal contact with outsiders rather than integrate into Indonesian society (see Chapter 13 by Manurung). Relatively few Orang Rimba know about Indonesia's national history or its legal and political structures—matters regarded as obligatory for other citizens. Their awareness and primary identity are largely directed inward, not towards the nation. The Orang Rimba do perceive themselves to be part of Indonesia but nonetheless seek to maintain a high degree of separation from the state.

Hence, the sense of 'belonging' in Indonesia takes markedly different forms within different minority groups. This can heavily influence majority attitudes to particular minorities. In general, those minority communities that display a high degree of cultural assimilation and conform to majority notions of loyalty to the Indonesian nation tend to be better received and less likely to attract suspicion and denigration. By contrast, those that maintain very distinctive cultural patterns or remain separate from the mainstream are more likely to be regarded with suspicion, resentment or condescension. Peranakan Chinese tend to be better received than Totok Chinese, who do not speak Indonesian or demonstrate cultural integration. Smaller, less conspicuous minorities, such as the Indians, are largely absent from national debates about belonging. Indigenous groups such as the Orang Rimba generate paternalistic sentiment as governments at the national and local levels seek to 'modernise'

these communities and integrate them more fully into national life. And so it is that relations between the majority and minorities can vary substantially, making the task of generalisation hazardous.

A GUIDE TO THE STRUCTURE OF THE BOOK

This volume is divided into five parts: history and law; disability; sexuality; religion and ethnicity; and a final set of reflections. In the following 13 chapters, the contributors explore diverse aspects of minority life in Indonesia. Taken together, the articles expand and deepen our understanding of Indonesia by highlighting and engaging critically with core themes of Indonesian life through the ‘minority lens’: the role of civil society, the stakes of political struggles, past and present discourses in the public sphere, integration versus separateness, justice and democracy, the malleability of collective categories and more.

Part 1 opens with a broad survey of the history of minorities in Indonesia by Robert Cribb. Although at present we tend to think of minorities as living under threat, the author suggests that minority status has at times carried advantages and even privilege. Above all, Cribb argues, minority status in Indonesia needs to be considered as a product of complex social and political forces that have shifted over time. He shows this by focusing on three groups: the Indo-Europeans, the Chinese, and the Islamists who have rejected the idea of a secular Indonesia. The latter’s growing self-confidence during the New Order’s later years, and especially after Suharto’s fall, has propelled them to centre stage in Indonesian society and politics. Cribb argues that, with this shift and the accompanying rise in intolerance towards various ‘others’ (with the Ahok case signalling a watershed moment), a new tendency towards cantonisation based on religious and ethnic identity has emerged. This poses a threat to the unity of the state and its historical embracing of plurality, as well as creating challenges for what Cribb terms the ‘new minorities’ (for example, indigenous groups, women, people with disabilities) that cannot readily be cantonised.

In Chapter 3, Tim Lindsey provides an overview of aspects of the complex legal framework regulating the treatment of minorities in Indonesia. Although the post-Suharto era began with aspirational and often impressive constitutional reform between 1999 and 2002, followed by policy debates (typically led by civil society) that produced sophisticated reform models based on global standards, the laws and regulations eventually produced by the government or the national legislature tend to be flawed or incomplete. Further complicating things has been a lack of compliance measures and sanctions as well as multiple enforcement challenges. All

this, plus a growing culture of intolerant Muslim majoritarianism, means that there is in fact no coherent framework for the protection of minorities, leaving them vulnerable to discrimination and abuse. To demonstrate this point, Lindsey surveys key laws and regulations relating to the treatment of disabled Indonesians, lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) Indonesians, religious minorities, customary (*adat*) communities and the ethnic Chinese. Lindsey concludes that the shortcomings of minority-related laws create major challenges for minorities, ensuring that ‘their “belonging” remains contentious legally as well as in other ways’.

In Chapter 4, Simon Butt examines Indonesia’s Constitutional Court, established in 2003, as an arena in which minorities can pursue their interests. To exemplify the workings of the court, he focuses on two cases handed down in 2017. The first touched on the interests of some of Indonesia’s LGBTQI community. Had the applicants, members of a conservative Muslim group, won, the court would effectively have outlawed consensual gay sex. Although the applicants did not win the case, Butt writes that the court’s very narrow decision (five judges rejected the application while four supported it) ‘does not bode well for the future of Indonesian pluralism’. The second case concerned the constitutional recognition of indigenous beliefs (*kepercayaan*), the followers of which have often suffered marginalisation and discrimination. The court’s decision to change the provisions of a statute that required the followers of indigenous religions to leave the religion column in their state-issued identity cards blank may be a step towards greater state recognition and support of indigenous minority religions. The decision represents an advance for religious freedom in Indonesia but nevertheless needs to be viewed with caution because its actual implications are far from clear. In his analysis of both cases Butt shows that, despite the Constitutional Court’s image as a protector of human rights and democracy, its work leaves much to be desired: its review powers are narrow, it has no formal powers of enforcement and its rulings are not retrospective. In addition, its decision-making process is far from transparent and its often-crude methods of balancing minority and majority rights ‘will rarely, if ever, permit acceptable levels of constitutional protection for minorities’.

Part 2 of the book, consisting of two chapters, focuses on disability. In Chapter 5, Thushara Dibley and Antoni Tsaputra begin by positing that being disabled in Indonesia has traditionally been seen as an impediment, a source of pity and a driver of acts of charity. Influenced by shifts in attitudes taking place elsewhere, Indonesian activists began to campaign for this ‘welfare’ approach to disability to be replaced with a ‘social model’ that prioritised the social structures that make it difficult for people with disability to participate in society. Ensuring that the principles of the

social model are put into practice in Indonesia, the authors argue, lies at the heart of why disability activists have remained so persistent in their pursuit of legislative and policy change. In their exploration of activists' role in bringing about change, Dibley and Tsaputra focus in particular on how activists have maintained pressure on the government since the passing of Law No. 8/2016 on People with Disabilities. While activists are deeply committed to ensuring that the ministerial and other regulations required to implement the Disability Law reflect the changing international norms, there has been considerable resistance from policy-makers to applying these ideas. Pragmatism and the notion of people with disability as requiring charitable assistance have prevailed throughout the process of implementing the Disability Law. Another impediment to implementing the law is the fact that, unlike other (sexual, ethnic, religious) minority groups, people with disability are advocating for an issue that is 'morally appealing but politically neutral', giving policy-makers little incentive to follow through on their promises. A final obstacle is the significant gap in access to disability services and information between Jakarta and other parts of the country.

In Chapter 6, Dina Afrianty analyses efforts to integrate people with disability into Indonesia's education system, especially the Islamic sector. Indonesians with disabilities continue to face significant difficulties in gaining entrance to the higher education sector due to barriers in the form of policy, funding and—above all—attitudes within the administration of higher education institutions. In recent years, however, gradual improvements have been evident. Beginning with the premise that cultural and religious beliefs play a role in shaping perceptions of people with disabilities and citing research showing that certain religious interpretations have contributed to discriminatory treatment, Afrianty argues that there is potential, nonetheless, for religious teachings to become a major source of social change. The intersection of faith-based cultural views and social practices, she suggests, could ultimately contribute to a dialogue about faith as a source of inclusive and pluralist beliefs and practices more broadly.

The two chapters that make up Part 3 of the book discuss the problems faced by sexual minorities in Indonesia. Saskia Wieringa argues in Chapter 7 that despite the widespread perception that Indonesia is relatively tolerant towards sexual minorities, heteronormativity has in fact always been the dominant regime. After querying how 'tolerant' in relation to same-sex practices the Indonesian archipelago actually was in the past, Wieringa provides examples of the homophobic campaign sweeping the country since 2015. Coming in the footsteps of a period in which LGBT issues gradually became more visible and sexual rights were discussed more openly in Indonesia after the fall of Suharto's military