

**MUSLIM-CHRISTIAN RELATIONSHIPS
IN INDONESIAN REFORM ERA WITHIN THE
FRAMEWORK OF DEMOCRACY:
CASE STUDY OF BANDUNG, BEKASI
AND BOGOR (1998-2015)**

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UNIVERSITI SAINS MALAYSIA

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by

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LIST OF ABBREVIATIONS

AGAP	Aliansi Gabungan Anti Pemurtadan (Alliance of Anti Apostate Agencies)
AMIN	Angowuloa Masehi Indonesia Nias
ASG	Abu Sayyaf Gorups
BAP	Barisan Anti Pemurtadan (Anti Apostate Front)
BJP	Bharatiya Janata Party
BPS	Biro Pusat Statistik (Central Bureau of Statistics)
CSO	Civil Society Organization
DI/NII	Darul Islam/Negara Islam Indonesia (Home of Islam/ Islamic State of Indonesia)
FGBMFI	Full Gospel Business Men's Fellowship International
FIB	Front Islam Bersatu (Islamic Union Front)
FMPU	Forum Majelis Peduli Umat (Muslim Solidarity Forum)
FKAW	Forum Komunikasi Ahlunnah Waljamaah (The Ahlunnah Wal Jamaah Forum)
FKKJ	Forum Komunikasi Kristiani Jakarta (The Jakarta Christian Communication Forum)
FKUB	Forum Kerukunan Umat Beragama (Inter-religious Harmony Forum)
FORKAMI	Forum Komunikasi Muslim Indonesia (The Communication Forum of Indonesian Muslims)
FPI	Front Pembela Islam (Islamic Defender Front)
FUI	Forum Umat Islam (Forum of Islamic People),
GARIS	Gerakan Reformis Islam (Islamic Reformist Movement)
BNKP	Banua Niha Kriso Protestan
GBI	Gereja Bethel Indonesia (Bethel Indonesia Church)
GBIS	Gereja Bethel Injil Sepenuh (Bethel Injili Sepenuh Church)
GBKP	Gereja Batak Karo Protestan (The Batak-Karo Protestan Church)
GIA	Gereja Isa Almasih (Isa Almasih Church)

GIDI	Gereja Injili di Indonesia (Injili Church of Indonesia)
GITJ	Gereja Injili Tanah Jawa (Injili Church of Java Land)
GKE	Gereja Kalimantan Evangelis (Evangelist Church of Kalimantan)
GKI	Gereja Kristen Indonesia (The Indonesian Christian Church)
GKI Papua	Gereja Kristen Indonesia Papua (Indonesian Christian Church of Papua)
GKJ	Gereja Kristen Jawa (Javanese Christian Church)
GKJW	Gereja Kristen Jawi Wetan (East Javanese Christian Church)
GKLI	Gereja Kristen Luther Indonesia (Christian Luther Church of Indonesia)
GKMI	Gereja Kristen Muria Indonesia (GKMI) (Muria Christian Church of Indonesia)
GKPA	Gereja Kristen Protestan Angkola (Christian Protestant Church of Angkola)
GKPI	Gereja Kristen Protestan Indonesia (Christian Protestant Church of Indonesia)
GKPM	Gereja Kristen Protestan Mentawai (Christian Protestant Church of Mentawai)
GKPS	Gereja Kristen Protestan Simalungun
GKP	Gereja Kristen Pasundan (Pasundan Christian Church)
GKPB	Gereja Kristen Protestan Bali (Bali Christian Protestant Church)
GKSJA	Gereja Kristen Sidang Jemaat Allah (Christian Church of Sidang Jemaat Allah)
GKS	Gereja Kristen Sumba (Sumba Christian Church)
GKSS	Gereja Kristen Sulawesi Selatan (South Sulawesi Christian Church)
GKST	Gereja Kristen Sulawesi Tengah (Christian Church of Central Sulawesi)
GKY	Gereja Kristus Yesus (Jesus Christ Church)
GMI	Gereja Methodist Indonesia (Methodist Church of Indonesia)

GMIH	Gereja Masehi Injili di Halmahera (Masehi Injili Church in Halmahera)
GMIM	Gereja Masehi Injili di Minahasa (The Masehi Injili Church in Minahasa)
GMIT	Gereja Masehi Injili di Timor (The Masehi Injili Church in Timor)
GMIST	Gereja Masehi Injili di Sangihe Talaud (Masehi Injili Church in Sangihe Talaud)
GPDI	Gereja Pantekosta di Indonesia (Pantekosta Church of Indonesia)
GPKB	Gereja Punguan Kristen Batak (Punguan Christian Church of Batak)
GPM	Gereja Protestan Maluku (Maluku Christian Church)
GEPSULTRA	Gereja Protestan Sulawesi Utara (North Sulawesi Protestant Church)
GSRKI	Gereja Sidang Roh Kudus Indonesia (Sidang Roh Kudus Church of Indonesia)
GTI	Gereja Tiberias Indonesia (Tiberias Church of Indonesia)
HINRAF	Hindus Right Action Force
HKBP	Huria Kristen Batak Protestan
HKI	Huria Kristen Indonesia
HRW	Human Rights Watch
HTI	Hizbut Tahrir Indonesia
ICCPR	The International Covenant on Civil and Political Rights
ICMI	Ikatan Cendekiawan Muslim Indonesia (The Indonesian Muslim Intellectual Association)
IMB	Ijin Mendirikan Bangunan (Building Construction Permit)
IPMAS	Indeks Pembangunan Masyarakat (People Development Index)
ISA	Internal Security Acts
ISIS	Islamic State of Iraq and Sham
JAI	Jemaah Ahmadiyah Indonesia (Ahmadiyah Group of Indonesia)

JI	Jemaah Islamiyah
JKI	Jemaat Kristen Indonesia
KESBANGPOL	Kesatuan Bangsa dan Politik (Directorate of National Unity and Politics)
KISDI	Komite Internasional Solidaritas Dunia Islam (International Committee of Islamic World Solidarity),
KOMINDA	Komunitas Intelijen Daerah (Regional Intelligent Community)
KOMNAS HAM	Komite Nasional Hak Asasi Manusia (National Commission on Human Rights)
KWI	Konferensi Waligereja Indonesia (Bishops' Conference of Indonesia)
LDII	Lembaga Dakwah Islam Indonesia (The Islamic Dakwah Institute of Indonesia)
PAKEM	Pengawasan Aliran Kepercayaan di Masyarakat (Supervision on Beliefs in the Society)
PERSIS	Persatuan Islam (The Union of Islam)
PDIP	Partai Demokrasi Indonesia perjuangan (The Indonesian Democratic Party of Struggle),
PGI	Persekutuan Gereja-gereja di Indonesia (Council of Churches in Indonesia)
PTUN	Peradilan Tata Usaha Negara (The State Administration Court)
MATAKIN	Majelis Tinggi Agama Khonghucu Indonesia (Higher Board of Indonesian Confucianism)
MMI	Majelis Mujahidin Indonesia (The Mujahedeen Council of Indonesia)
MPR	Majelis Permusyawaratan Rakyat (People Assembly)
MUI	Majelis Ulama Indonesia (Indonesian Ulemas Council)
NGO	Non-Governmental Organization
NU	Nahdlatul Ulama
PERTI	Persatuan Tarbiyah Islamiyah (The Union of Islamic Education)
PBM	Peraturan Bersama Menteri (Joint Ministerial Decree)

Polri	Kepolisian Republik Indonesia (The Indonesia National Police)
PUB	Perlindungan Umat Beragama (The Protection of Religious Adherents)
RSS	Rashtriya Swayamsevak Sangh
RT	Rukun Tetangga (Sub-neighborhood Organisation)
RW	Rukun Warga (Neighborhood Organization)
Satpol PP	Satuan Polisi Pamong Praja (Regional Police Unit For Security and Order)
SI	Setara Institute
SKB	Surat Keputusan Bersama (Joint Decree)
TNI	Tentara Nasional Indonesia (The Indonesian Military)
UDHR	The Universal Declaration of Human Rights
USCRIF	United State Commission on International Religious Freedom
UNCHR	United Nations Commission on Human Rights
UNESCO	United Nations on Educational, Scientific and Cultural Organization
UNHRC	United Nations Human Rights Council
UPR	Universal Periodic Review
UUD 1945	Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (The 1945 Indonesian Constitution)
VHP	Vishwa Hindu Parishad
WCRC	World Communion of Reformed Churches
WI	Wahid Institute

**HUBUNGAN MASYARAKAT MUSLIM-KRISTIAN PADA ERA
REFORMASI DI INDONESIA DALAM KERANGKA DEMOKRASI:
KAJIAN KES BANDUNG, BEKASI DAN BOGOR (1998-2015)**

ABSTRAK

Hubungan yang aman antara masyarakat Muslim dan Kristian di Indonesia telah dicemari dengan isu ketidaktoleransian agama serta halangan untuk beribadat dalam bentuk serangan, pengharaman dan penutupan gereja-gereja yang berlaku di Bandung, Bekasi dan Bogor. Ironinya, kebanyakan halangan ini berlaku semasa era Reformasi yang sepatutnya lebih menggalakkan hak asasi manusia dan mengamalkan sistem disentralisasi. Tesis ini cuba untuk menjelaskan faktor-faktor halangan beribadat semasa era reformasi dan cara bagaimana kerajaan demokratik serta organisasi antarabangsa berhadapan dengan halangan seperti ini. Penyelidikan ini menggunakan kaedah penyelidikan kualitatif yang meliputi kajian kes, kajian sejarah dan triangulasi. Dengan menggunakan teori-teori demokrasi dan demokratisasi, desentralisasi, dan peranan organisasi antarabangsa dalam mempromosikan hak-hak asasi manusia, kajian ini mendapati bahawa hubungan masyarakat Muslim-Kristian telah dicemari dengan persepsi ancaman resiprokal sejak pertembungan pertama iaitu keraguan terhadap Kristianisasi serta keraguan akan pembentukan Negara Islam. Ditambah dengan kebangkitan kumpulan-kumpulan Islam radikal, peraturan-peraturan yang bercanggah, ketidakpedulian kerajaan untuk mengambil langkah tegas dan pengurusan yang lemah terhadap isu denominasi dalam kalangan penganut Kristian. Dalam situasi ini, organisasi antarabangsa memastikan kerajaan melaksanakan komitmen untuk mempromosikan kebebasan beragama yang dalam praktiknya bercanggah dengan prinsip keharmonian agama di Indonesia.

**MUSLIM-CHRISTIAN RELATIONSHIPS IN INDONESIAN REFORM ERA
WITHIN THE FRAMEWORK OF DEMOCRACY: CASE STUDY
OF BANDUNG, BEKASI AND BOGOR (1998-2015)**

ABSTRACT

A relatively peaceful relationship between Muslims and Christians in Indonesia has been dotted by religious intolerance and worship restrictions in the form of churches destruction, bannings and closures, which mostly happened in Bandung, Bekasi and Bogor. Ironically, the majority of restrictions occurred in the Reform era, where the political system should have promoted human rights and practices of decentralized system. Against this background, this thesis seeks the explaining factors of worship restriction in Indonesian Reform era and how a democratic government coupled with international organizations deals with such restrictions. To answer the questions, this research utilizes qualitative methodology including the case studies, historical studies and triangulation method. By employing theories of democracy and democratization, decentralization, human rights and the role of international organization in promoting human rights, this study finds that Muslim-Christian relationship in Indonesia have been spoiled by reciprocal threat perception since their first encounter in terms of the suspicion of Christianization *vis a vis* the suspicion of the establishment of an Islamic state. This is in addition to the rise of radical Islamic groups, the obscurity on delegation of authority in decentralization system and the contradicting regulations, the ignorance of government to take firm measures, and the poor management on the issue of denominations within Christian adherents. In such situation, the United Nations plays its role in ensuring the state to fulfill their commitments in the promotion of religious freedom, which in practices conflicts with the principle of religious harmony in Indonesia.

CHAPTER 1

INTRODUCTION

1.1 Background

What is to be found in democracy? An ancient Greek philosopher, Aristotle (350 BC), has put an important foundation of democracy when he said that democracy has coexisted with the enactment of liberty and equality, which then becomes the central element of human rights. The conception of democracy keeps developing and now many countries in the world claim themselves to have become democratic states. Influenced by western political scientists, (Beetham, 2000; Smith, 2003; Sikink, 1993; Norman, 2005) state leaders believe that a democratic political system is an essential basis for the enforcement, promotion and protection of human rights, including the religious freedom and right to exercise its worships. This research mainly discusses about the role of democratic states in promoting religious freedom and right to exercise religious practices.

Although democracy and human rights are inseparable, the practices of human rights promotion and protection in some democratic states, like in Indonesia, perform a reality that is far from ideal. It is true that the international community and national authorities have a comprehensive and legal basis for human rights promotion and protection, which includes the religious freedom. Yet as reported by some non-government organizations, both local and international, the implementation remains problematic. Apparently, there is a gap between the policy made by central governments and its implementation by local governments. This research therefore deeply elaborates the issue of an antagonistic relationship¹ between the majority

¹ Terminology of antagonistic relationship is used to describe the mutual threat perception and dicourse between Muslims and Christians in certain part of Indonesia, particularly in West Java Province. In this research the antagonistic relationship will be further explained by looking at the

Muslims and minority Christians in Indonesia, which is endorsed by the local government and followed by worship restrictions as explained later, in our modern democratic era.

Interestingly, worship restrictions in Indonesia come together with the democratic transition in the country. The political system changing from an authoritarian into a more democratic state in the late 1990s has raised hopes to its people that they would have enjoyed greater human rights promotion and protection, including the freedom of thought, union, speech, religion and practices of worship. With regards to the freedom of speech, expression and union, Indonesian people may perceive it as a stimulation to establish non-governmental organizations in order to perform a significant role of civil society in democratic states. The establishment of civil societies on one hand contributes positively to democratic political system of Indonesia. But, on the other hand the increasing numbers of civil societies group leaves a bulk of problems at the social, political and cultural spheres, including the inter-faiths relationship.

As confirmed by Bahtiar Effendy (2003), rather than responding to the Indonesian democratic transition, some movements emerged as instruments to actively express and uphold radical ideology using religious symbolisms. Their interest is shown by articulating their own truth and many times are materialized in destructive methods against every situation or behavior that is not in accordance with their belief. This accordingly creates what so-called religious intolerance perpetrated by some militant and/or hardline groups towards other religious groups in particular areas in Indonesia. Following up the idea, this study will explore more on the relationship between Indonesian Muslims and Christians, by looking at some

religious intolerance that are perpetrated by different religious group one to another, followed by worship restrictions conducted by the local government and security apparatus.

relevant cases of worship restriction, which are supported by the local governments particularly in Bandung, Bekasi and Bogor. This study also discusses the role of United Nations (UN) in dealing with such worship restrictions in Indonesia, by utilizing the concept of human rights protection coupled with the elimination of all forms of intolerance and discrimination based on religion or belief, and analyze the different perspective between the UN and Indonesian government with regards to the issue of worship restrictions in this country.

1.2 Problem Statement

International communities believe that democratic states shall fully respect, protect and promote the fundamental human rights deriving from the inherent dignity of human beings.² They acknowledge that human rights are embedded and inseparable from a human being since one was born. Furthermore, state leaders agree to promote and protect the rights of every individual, everywhere in the world when they are committed to respect and ratified international treaties mainly The Universal Declaration of Human Rights (UDHR) and The International Covenant on Civil and Political Rights (ICCPR).

One component of human rights that should be respected, protected and promoted by the international law is freedom of religion and right to practice its belief. At the bottom line, the UN Charter admits that religion is a personal attribute and analogous to sex, race, language or other status of human beings (Dickson, 1995). Therefore, its freedom is considered as one of inalienable rights and it would

² As far as “fundamental human rights” is concerned, the Preamble Charter of the United Nations clearly states that all nations reaffirm faith in fundamental human rights, in the dignity and worth of the human being, in the equal rights of men and women and of nations large and small. To make it clear, The United Nations High Commissioner for Human Rights initially acknowledged and used the term of fundamental human rights in the International Covenant on Civil and Political Rights (ICCPR), entry into force in 23 March 1976, which refers to freedoms and rights deriving from inherent dignity of the human person.

be unjust to discriminate the freedom of religion, coupled with the freedom to implement its worship from any other fundamental human rights such as the right to life, speech, union and security. As mentioned in the article 18 of ICCPR, the international law guarantees that:

“Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”

This clause describes how signatory states are obliged to promote, protect and respect the religious freedom as well as the worship freedom of their citizens.

Although international communities eventually acknowledge the significance of the protection of religious freedom in 1948, a few centuries before the birth of UDHR and ICCPR some states had previously applied the principles. The First Amendment of the US Constitution, ratified on 15 of December 1791, is a good example. Also known as the US Bill of Rights, the constitution explicitly declares the foundation of the new established-state. The US Congress believes in the separation of state and religion, yet they respect and protect the freedom of religion and worship practices.³ As far as religious freedom is concerned, the US Supreme Court also confirmed that the government should not inhibit freedom of religion and its practices as Chief Justice Burger (US Supreme Court, 1971) stated:

“Every analysis in this area must begin with consideration of the cumulative criteria developed by the Court over many years. Three such tests may be gleaned from our cases. First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion; finally, the statute must not foster and excessive government Entanglement with religion.”

³ The First Amendment of the US Bill of Rights stated, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Most Western European countries also applied the principle of the detachment of religion autonomy and the state authority. Yet, they legally promote and respect the right to religion and to worship. The separation of state and church power in many spectrums - from giving special and sovereign status to Catholic Church in Italy, as well as authority to levy taxes on its members in Germany's churches to an implementation of non-interference principle from the government to the religious sphere and vice versa in French (US Bureau of Democracy, 2011) - most likely limited the role of favorable religion in government's decision. Nonetheless, as written in the constitution of most European countries, governments put significant efforts to the protection of religious freedom and its practices. However, in some European states including Belgium, France, Germany, Hungary, Italy, Latvia, Sweden and the United Kingdom, the implementation is distorted as a low level of religious intolerance, particularly a sentiment of anti-Semitism and anti-Muslim is occurring. (US Bureau of Democracy, Human Rights and Labor, 2013)

Regarding the religious intolerance practices, states in Middle East region performed a moderate to higher level of religious harassment. Although the governments provide a set of codes and policies to protect religious freedom and worships practices, the public practices of minor religion group remain restricted, particularly after the Arab Spring in 2012. While the constitution declares equal rights and duties for all citizens, discrimination towards minor religious groups such as Ahmadi Moslems, Jews and Christians continues to happen. Moreover, authorities in a number of countries, including Saudi Arabia, Libya, Qatar, Morocco, Lebanon, Iraq and Egypt are likely to ban minorities group from practicing their faith. In some countries in which the Sunni branch of Islam made up the majority of the population, or otherwise held political power, authorities targeted Shi'ite and other members of

minorities for discrimination. Based on the report made by Woodrow Wilson International Center for Scholars, the restriction and/or abuse toward minor religious groups are not only conducted by the members of society but also approved by their leaders. (US Report, 2014)

In Asia Pacific, government's restriction towards registered and unregistered religious groups remains high. Chinese authorities, for example, continue to strictly regulate the religious activities of Uighur Muslims and Tibetan Monks. They sentenced one Uighur Muslim to ten years in jail for selling religious material, detained Catholic clergy that is not affiliated with the government "Catholic Patriotic Association," and indicted seven Christians accused of being members of a banned group. Similarly, North Korean authorities discourage organized religious activities, except those controlled by the officers. A severe restriction for religious reasons, including the arrest and murder of members of underground churches continued to happen. The apprehension of individuals for their beliefs also happen in Vietnam, such as experienced by Hoa Hao activists. In Myanmar, although the government maintains the freedom of religion, favorable toward certain religion, Theravada Buddhism, over other religions persists. Furthermore, Muslims from Rohingya minority group continue to experience violence and severe legal, economic, educational and social discrimination in Myanmar. (US Bureau of Democracy, Human Rights and Labor, 2013)

The political system in Middle Eastern states, which mostly implement the absolutism monarchies and constitutional monarchies, to a greater extent influences the government to restrict and limit the religious freedom of their people. This situation is worsened by the latest situation of civil unrest due to anti-government sentiment. Like those of absolutism monarchy countries, the government in

communist countries such as China, North Korea and Vietnam also apply severe restrictions towards minority groups based on religious matters. In addition, religious activities in Myanmar, who has been controlled by the repressive authoritarian military regimes since 1962, remains under-pressure. The government imposes severe restrictions on certain religious activities but shows preference for Theravada Buddhism.

Interestingly, religious harassment in the current Indonesia shows that a democratic state has yet to experience religious freedom. The Indonesian government, which underwent a change of political system from authoritarian to democracy in late 1990s, seems likely to encounter difficulties in facilitating a range of public and individual's rights, including the religious freedom and right to worship practices. In thirty-two years of authoritarian New Order era under Soeharto, there were about ten churches closed and banned by the government (see Figure 3.2). This number drastically increased in Indonesian Reform Era, as more than six hundred churches and other Christian institutions have been destroyed, closed and banned from 1998 to 2015. (Wahid Institute Reports, 2009-2016, Setara Intitute Reports, 2007-2011, PGI Reports 2004-2011, Forum Komunikasi Kristiani Jakarta Report 1945-2015) This is not to mention the twenty-four incidents of bombing explosion by terrorist group against churches in some areas of Indonesia on Christmas Eve in 2000, (Gunawan, 2006) and socio-religious conflicts that occurred in Poso and Ambon, in which almost two hundred churches and twenty-eight mosques had been attacked between 1998 and 2002. (Kampschulte, 2001; Damanik, 2003; Pieris, 2004, Lay 2009)

As a matter of fact, Indonesia, who has been a member of United Nations (UN) since 1950, is bound by and therefore shall respect and subject to the Universal

Declaration of Human Rights (UDHR) as well as the International Covenant on Civil and Political Rights (ICCPR). During the Reform Era, Indonesia has finally ratified the ICCPR through the Law No. 12/2005. Nevertheless, the commitment to promote and protect its people's rights has been initially performed by the government through *Pancasila*⁴ and its constitution *Undang-undang Dasar* (UUD) 1945 as well as the Law No. 26/2000 regarding the Courts of Human Rights and the Law No. 39/1999 regarding Human Rights.

Indonesian Constitution or also known as UUD 1945 clearly stipulates all people's rights that should be protected and promoted equally by the government. These basic rights include the right to have equal position before law (Art. 27 verse 1), right to have a feasible job (Art. 27 verse 2), freedom of expression, speech and union (Art. 28), right to education (Art. 28C verse 1) and freedom of belief and right to conduct its practices (Art. 28E verse 1 and 2, Art. 29 verse 1 and 2). These fundamental human rights are then regulated in more detail in separate laws. To confirm its commitment in protecting its citizen's rights, the Indonesian government launched Law No. 39/1999 regarding human rights and Law No. 26/2000 regarding the courts of human rights, both of which were published in reform era. According to Law No. 39/1999, Article 4 and 22, Indonesian government acknowledges and guarantees religious freedom as well as rights to practice the worship as included of basic human rights.

The above Laws also indicates the commitment of Indonesian government to protect and promote freedom of religion of its people and their worship practices as well as to ensure that no religious harassment acts shall be conducted towards any

⁴ Pancasila is believed as the foundation of the nation and the Indonesian people's way of life, which includes five basic principles of the nation, such as: (1) Believe in the One Supreme God, (2) Just and civilized humanity, (3) The unity of Indonesia, (4) Democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives, and (5) Social justice for all of the people of Indonesia.

particular acknowledged religious groups. Nonetheless the facts about church building destruction, bannings and closures, which will be described as worship restrictions in this research, showed that the current Indonesian government is less likely to protect and promote the freedom of belief and its worship particularly towards minority groups. From collected data we might say that after a long period of relatively good relationships between Islam and Christian societies under Soeharto's authoritarian regime, Indonesia then experienced a changing and worsened pattern of religious tolerance and religious freedom in the Reform Era (June 1998 - now).

The implementation of religious freedom in Indonesia becomes complicated when it involves the issue of majority and minority groups. The alleged favorable policies from government to support majority in order to get their votes in return in the end exaggerates the problematic situation. Local government in Bandung, Bekasi and Bogor, for example, are objected with a number of Christian churches conducting their religious activities after some Islamic movements and/or local residents openly performed their rejection against some churches and other Christian institutions. Even in some cases, although central government through the Supreme Court has allowed the practice of church activities, the local governments refused to comply. The cases are relevant to HKBP (Batak Christian Protestant Church) Filadelfia in Mustika Jaya, Bekasi and GKI (Indonesia Christian Church) Yasmin in Bogor. (Human Rights Watch World Report, 2015)

Although many publications have discussed the dynamic relationship between Muslim and Christian societies in Indonesia and their vulnerable interconnection since their initial encounter, the brutish religious intolerance activities that followed by worship restrictions from the local government yet appeared until the last two

decades. Presumably, the transformation of Indonesia political system in the end of 1990s gave impacts to the changing of Muslim-Christian relationships. A vibrant changing from an authoritarian regime to a more democratic state to a greater extent requires a lot of changes in many spectrums; from political aspect to religious life and from government system to social life order. This dynamic situation consequently changes the relationship between Muslims and Christians in particular areas of Indonesia.

The relationship between Muslims and Christians as well as worship restrictions in Indonesia, particularly those applied to Christians and their worship places in Bandung, Bekasi and Bogor, have also attracted international attention. As reported by Human Rights Watch Group (HRWG) published in 2015, Indonesian government has failed to protect the religious freedom and its worship practices for its people when two Christian congregations in West Java province, namely GKI Yasmin in Bogor and HKBP Filadelfia in Bekasi, continue to worship in private houses and lately in front of *Istana Merdeka* (Merdeka Palace) Jakarta, one of Presidential Palaces in Indonesia, in every two weeks. The congregations use these sites as their worship places since the local governments refused to comply with the Supreme Court decisions ordering them to issue building permits to the congregations.

1.3 Research Questions

By looking at the above facts, this research will mainly analyze the explaining factors of local government's worship restrictions, which contrast to central government's law, and the role of international human rights organization's active role in dealing with such issues. Therefore, this research will deeply elaborate the discussions of:

1. How does Muslims-Christians relationship in Indonesian relate to worship restrictions in Bandung, Bekasi and Bogor in the era of reformation?
2. What is the role of democratic government, both central and local governments, in dealing with the current Muslims-Christians relationship?
3. How does an international organization, particularly the United Nations Human Rights Council (UNHRC), play its role in dealing with the cases of worship restriction in Indonesia?

1.4 Research Objectives

This research mainly aims:

1. To explain the connectivity between Muslims-Christians relationship in Indonesian Reform Era and the worship restriction in Bandung, Bekasi and Bogor.
2. To identify the role of democratic government, both central and local governments, in dealing with current Muslims-Christians relationship.
3. To analyze the role of international human rights organizations, particularly the United Nations Human Rights Council, in dealing with the cases of worship restriction in Indonesia, particularly in Bandung, Bekasi and Bogor.

1.5 Scope and Limitation

This research mainly analyzes the explaining factors of Muslims and Christians relationship, materialized in mutual threat perception as well as worship restrictions in Indonesian Reform Era and elaborate how a democratic government and the international organizations deal with such violations on religious freedom. This study assumes that relationship between Muslims and Christians is worsened in Indonesian

Reform Era due to religious intolerance and violent acts based of religion/belief perpetrated by hardline groups that developed well in line with the freedom of union in the Era of Reformation. Their actions were then followed by worship restriction policies launched by local governments who have greater authorities in the decentralization system, yet contradicted to the fundamental human rights, international laws and Indonesian Constitution of UUD 1945.

With regards to the Indonesian government, this study will analyze two different units of government: the central and local governments. The role of government in the current Indonesian democratic political system is vital as they involve in policy-making, policy implementation as well as policy enforcement. Ideally, the central and local government implement the same policies, rules and regulations. Yet, this study performs and explains why in some cases the central and local governments applied contradictive rules with regards to religious freedom and the establishment of worship places, particularly in Bandung, Bekasi and Bogor.

Since Indonesia consists of over four hundred districts, ninety-eight cities and thirty-four provinces, this research will accordingly use relevant cases mainly from cities and districts in Bandung, Bekasi and Bogor, which are part of West Java Province. These administrative regions are chosen due to: firstly, the dynamic of Muslims-Christians relationship is significant in this area. Like in many other cities in Indonesia, Bandung, Bekasi and Bogor occupied by majority Muslims and minority Christians. During Soeharto's regime, the relationship between Muslims and Christians in these regions was relatively conducive and peaceful. There were a very limited number of churches destroyed by certain groups, and no worship restriction activities by the government. Nonetheless, after the democratic transition, the situation rapidly changed. From 1998 to 2015, there were more than eighty

churches in Bandung, eighty-seven churches in Bekasi and eighteen churches in Bogor, which had been destroyed, banned and/or closed. (See Appendix A, B, C and D) Setara Institute's report regarding Tolerant City Index in 2015 has also confirmed that Bogor, Bekasi and Bandung were in the top six of the lowest tolerance city in Indonesia. (Setara Institute, 2015)

Secondly and most importantly, some cases of religious intolerance and church destruction conducted by hardline groups in Bandung, Bekasi and Bogor has led to further enactment-of-restrictions policy on church activities and worship services by the local government. There were also reports of religious violence and intolerance in other parts of Indonesia such as those, which happened in Poso and Ambon during Muslims-Christians conflicts in late 1990s and early 2000s, or in Medan and Jakarta in the earlier days of democratic transition in Indonesia. Yet, the local government coupled with religious leaders succeeded to settle the tension and there is neither such a favoring of policies towards certain religious groups nor worship restrictions.

1.6 Significance of the Study

As this study will elaborate about the current Muslims-Christians relationship in Indonesia and explaining factors of worship restrictions in some regions of Indonesia during its Reform Era, this can be of importance to some parties in several aspects, such as:

- a. There are many discussions and publications regarding Muslims-Christians relationship in Indonesia, most of which describe their relationship in the Colonial era, Independence period, *Orde Lama* (Old Order) and *Orde Baru* (New Order). This study will mainly discuss the relationship between Muslims and Christians in Indonesia currently, which has undergone a

democratic transition, particularly in Bandung, Bekasi and Bogor, materialized in church destructions and worship restrictions. In essence, this research will develop the knowledge of Muslim-Christian relationships in Indonesia in the current situation, with its particular socio-religious and political context.

- b. This study will explain the root causes of antagonistic relationship between Muslims and Christians in particular areas of Indonesia. Therefore this text will give inputs to government, both central and local governments in formulating, promoting and implementing policies with regards to the freedom of religion and conflict management caused by religion by looking at the local context.
- c. Although many publications have delivered constructive ideas how to maintain and enhance religious harmony, particularly between Muslim and Christian societies in Indonesia, the tension remains high in Bandung, Bekasi and Bogor. The unsettled tension between Muslims and Christians in those regions can easily change into physical abusive conflicts and violence at any time. Although there is no prescription-fits-all, this study can be considered as one of solutions for government and civil society organizations to deal with the antagonistic relationship between Muslims and Christians. This is important particularly when they look for a better way to maintain peace and religious harmony between different civilizations in big cities within democratic states.
- d. The study about democratic transition, promotion of human rights and the role of international human rights organizations will enrich the theoretical debate on democracy as well as human rights promotion particularly those

related to religion freedom and tolerance. This part will be useful for scholars, government, human rights activists and international organizations, mainly those who are dealing with religious intolerance between majority and minority groups in the so-called Muslim majority-populated countries and democratic states.

1.7 Operational Definitions

1.7.1 Worship Restrictions

International treaties confirm that freedom of religion or beliefs is inseparable with the freedoms to worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes. Universal Declaration of Human Rights (Art. 18) and International Covenant on Civil and Political Rights (ICCPR, Art. 18), justify that everyone shall have the right to freedom of religion which includes freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. Moreover, the UN Resolution No. 36/55 of 25th November 1981 regarding the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief has also confirmed that freedom of religion and freedom to manifest his religion or belief in worship, observance, practice and teaching should be fully respected and guaranteed by all states. (Art. 1)

It confirms that all states shall take effective measures in order: (1) to prevent and eliminate discrimination on the ground of religions or beliefs (2) to enact or rescind legislation where necessary to prohibit any such discrimination, and (3) to combat intolerance on the ground of religions or other beliefs. With regards

discrimination on the grounds of religion and worship restrictions, the International Religious Freedom Act of 1998, published in the 105th US Congress clearly defines worship restrictions as several activities including: (1) to severely restrict or prohibit the freedom to study, believe, observe and freely practice the religious faith of their choice; (2) to have severe prohibitions against construction and repair of places of worship; (3) to deny others of the right to assemble and relegation of religious communities to illegal status; (4) to expedite prohibitions against the pursuit of education or public office; (5) to have prohibitions against publishing, distributing or possessing religious literature and materials; (6) to make severe and violent forms of religious persecution such as detention, torture, beatings, forced marriage, rape, imprisonment, enslavement, mass resettlement and death merely for the peaceful belief in, change of or practice of their faith; and (7) to instigate widespread, systematic and heinous under totalitarian governments and in countries with militant, politicized religious majorities. (Sec. 2.4 – 2.6)

Furthermore, the International Religious Freedom Act of 1998 also discusses about the perpetrators of worship restrictions, which are the governments; including the government-sponsored and government-tolerated violations. Among the many forms of such violations are state-sponsored slander campaigns, confiscation of property, surveillance by security police, including by special divisions of “religious police.” (Sec. 2.4) However, the UN Resolution No A/RES/51/93 regarding Elimination of all Forms of Religious Intolerance, launched on 28th of February 1997, has expanded and recognized the perpetrators not only the government, but also other instances that may conduct hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance. (Art. 4)

From the above definition, we can say that worship restriction can be explained from the behavior, activities and perpetrators. This study mainly uses the definition by looking at two dimensions; first are the policies and activities that were launched and committed by the government which restrict and prohibit certain religious groups from conducting their worship activities, and second is all of the efforts and intolerant acts perpetrated by radical groups to stop minority religious groups' worship activities (mainly the Christians), such as threatening, intimidating, destroying, burning, stoning and exploding their worship places which has been allowed, tolerated and/or supported by the local government and security apparatus. The supports from local government can be seen through policies launched and/or activities to let the violence happen as well as to support the restriction against Christians' activities and worship after they received the report or protest from hardline groups.

This research finds that supports mainly from local governments to worship restrictions are in various forms such as: (1) to tolerate and let the local residents, radicals and militant groups to perpetrate religious intolerance and/or violence such as churches destruction and worship activities ban, (2) to ignore their role for giving protection, accommodation, facilitation to the congregations and/or the worship places (3), to ban the construction of new worship buildings, (4) to withdraw, to abrogate and to reject the permit letter of the worship places launched by central government and (5) to close the existing worship places without giving solutions or alternative worship places.

1.7.2 Human Rights and International Human Rights Organizations

It is true that human rights can be understood from many perspectives and remains debated up to now. Its discussion is as old as the existence of human rights itself. Derived from Greek philosopher's notions of natural rights, some scholars such as Thomas Aquinas in *Summa Theologiae* (1265-1274), Hugo Grotius in *De Jurre Belli at Pacis* (1625) and Thomas Hobbes in *Leviathan* (1660) view human rights as divine entitlements. By using this notion, human rights are perceived as an inherent entitlement from God to every individual or human being since he or she was born. The conception of human rights then developed into something more than just natural rights. Coincided with the development of state idea, John Locke in *Two Treatises of Government* (1689) and Montesquieu in *The Spirit of the Laws* (1748) view human rights from the perspective of legal and political spheres, whereas Immanuel Kant in his *Perpetual Peace* (1795) developed the conception from a moral perspective. Thereafter, human rights can be discussed in broader numbers and substances.

Despite its lack of consensus, Burns Weston (1984) confirms that human rights like all normative traditions, is a product of its time. His view justifies different practices of human rights in many places. Although the diversity of cultural traditions, national political structures and levels of development accordingly lead to various definitions of human rights and its application, the pressure to respect, protect and promote human rights continues to come from international communities, including from states such as the United States and West European countries as well as the international organizations such the United Nations. (Kausikan, 1993) In many cases, human rights are used as a tool to suppress certain states to subject to favorable terms and conditions particularly in social and economic development.

As confirmed by Brian O'Day (2007) human rights are priority issues in democratic states. To support this idea, human rights activists and scholars believe that fundamental rights are inherent and inseparable to human beings. Accordingly, they are essential to be respected, protected and promoted, particularly by the government. Many scholars perceive that basic human rights include the rights to life and property, freedom of movement, expression and association, as well as rights to belief and to practice their faith. (Weston, 1984; Lauren, 2003; Shestack, 1998) In some states, like the US, religious freedom is put as the first freedom since it was the first freedom guaranteed by the US Constitution and the freedom that formed the foundation on which other freedoms were constructed. (Gaddy & Lynn, 2008)

Moreover, Gaddy and Lynn (2008) associate religious freedom with religious practices when defining religious freedom as a freedom to make decision about religion. This includes all activities to affirm, embrace and practice religion privately and publicly or to reflect it as a matter of conscience and conviction. Similarly Vickers (2008) concludes that based on dignity and equality, the freedom of religion is closely linked with the freedom from discrimination on grounds of religion and accommodation of religious practices. From all of these conceptions we may say that freedom of religion, including the freedom to practice their religion as well as the freedom from discrimination simply based on religion, is inseparable and part of human beings' basic rights.

Throughout its development, many international organizations work in parallel with human rights, one of which is the United Nations (UN) and with its affiliations. This particular organization put the protection of human rights as the rationale of its establishment after going through a catastrophic time for human beings; the First and Second World War. Therefore the preamble of its Charter stated the main function of

the organization is “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.” This basic principle can also be perceived as a call for its memberstates and international communities to take responsibilities to respect, protect and promote human rights in various spectrums, ways and substances.

With regards to human rights protection and promotion, the UN has several bodies to perform its functions, namely High Commissioner for Human Rights, Human Rights Council, Human Rights Treaty Bodies, The UN Development Group’s Human Rights Mainstreaming Mechanism, and Special Advisors on the Prevention of Genocide and the Responsibility to Protect. These are in addition to UN Security Council, Secretary-General and UN Peace Operations that also have mandates to protect and promote human rights. Of these human rights, religious freedom is characterized by the UN Charter as a personal attribute analogous to race, sex and language and viewed as a natural phenomenon on the basis of which it would be unjust to discriminate such rights and freedoms. (Dickson, 1995)

1.7.3 Democracy and Democratic Government

Political scientists perceive that democracy is of the form of constitutional governments although the notion itself has provoked contentions. Plato (380 BC) in his book *Republic* defined democracy by looking at the inequality status of the ruler and its citizen, whereas Aristotle (350 BC) in *Politics* defined political institution or *polity* from the quantity of the rulers, the relationship between ruling class and the population, and whether or not equality and justice are applied. A good government, as concluded by Aristotle (350, BC), is established when the ruler could act on behalf of the population as a whole and for the benefit of all. From this conception, the

former US President, Abraham Lincoln then defined democracy as a form of “government of the people, by the people and for the people.” By saying this, Lincoln indeed has put a base to praise democracy since it defines the relationship between government and the people in equality.

In last century, democracy developed into a more popular political system particularly when United Nations on Educational, Scientific and Cultural Organization (UNESCO) published paper entitled “Philosophical Enquiry into Current Ideological Conflicts: The Meaning of Democracy.” With this paper, UN urged its member-states in 1949 to adopt the ideas of democracy. (Wright, 1949) Following UN calling, numerous countries with historical legacies of autocracy and dictatorship have subsequently moved towards democratic political system. Since then, Huntington’s (1991) idea about “*second and third wave of democracy*” occurred in states particularly is Asia and Africa, including Indonesia in the late of 1990s. Democratization has also entered Middle East since the incident of Arab Springs began in December 2010.

States in the world then claimed themselves as democratic states in many forms and variants. Some of them believe in direct democracy whereas others conduct representative democracy; some states decide to use parliamentary whereas the rest choose the presidential system; some states remains socialist and constitutional monarchy whereas others change into republic and liberal democracy. They decided to turn into a more democratic state through decentralization, privatization and bureaucratic modernization (Mendez, 2007). As mentioned by Mendez (2007:123) “No doubt such reforms have brought important benefits to societies.” Thus, many non-democratic countries attempt to change their political system into more democratic ones.

Nonetheless, whatever the form of democracy is, Dominguez and Jones (2007:8) argued that democratic regimes must serve their citizens. The notion of serving here can be associated with the obligation of the government to protect their citizen's fundamental rights. Further, Aristotle (350 BC) also explained that the foundation of democracy is liberty and equality to all citizens without distinguishing their gender, race, number, political standing, opinion and religion. It is thus important to place the promotion, respect and protection of human rights as the main role of democratic states. J. Brian O'Day (2007) from National Democratic Institute put accordingly human rights at the top of at least nine indicators of democracy and democratic system, namely: (1) civil, economic and social rights recognition, (2) civil and political participation, (3) political parties involvement, (4) the implementation of free and fair elections, (5) rule of law, (6) military and police control, (7) government accountability, (8) media engagement and (9) government responsiveness.

However, with all of those democracy indicators, it is a struggle for some developing countries to turn into democratic states and to implement all of the most basic indicators. It is why Pino and Wiatrowski (2006) mentioned that democracy and the implementation of all its attributes should be best considered as a process, in which states gradually experience transitions from the old authoritarian regime into a new democratic one. While experiencing the process of democratic transition, the outcome may become consolidated as happened in the United Kingdom. Yet it may also fail, weakly consolidated and potentially reverse such as those, which occurred in Latin America (Lipset, 1993) and to some extents, Indonesia. (Freedman, 2006)

1.7.4 Indonesian Reform Era

When former President Soeharto stepped down from his position in May 1998, it marked the beginning of a new period in Indonesian history. After being ruled for over three decades by Soeharto's authoritarian New Order regime, Indonesia embarked for a new phase called *Era Reformasi* or Reform Era. The country is now characterized by popular sovereignty manifested in direct parliamentary and presidential elections every five years after the successor of Soeharto, President BJ Habibie, published Law no. 2/1999 regarding Political Parties. It was also envisaged to be the starting period of democracy with more concern on human rights promotion and extensive autonomy, which would be transferred to the regions. The foundation of this transformation was formulated in the Law launched in 1999 and called for the transfer of administrative powers from the central government to the local or regional government (Law No. 22/1999 regarding Regional Autonomy) and the promotion of human rights (Law No 39/1999 regarding the Human Rights). (Achmad, 2012)

Regarding the extensive role of local government, Law No. 22/1999 confirms that the central government delegates almost all authorities to regional districts with exceptionals to matters connected to security and defence, foreign policy, fiscal and monetary, and religion issues. According to this Law, there are three types of power delegation from central to local government: decentralization, deconcentration and assistanceship task. Decentralization is transferring the power of governmental affairs from central government to the autonomy authorities. Deconcentration is delegating the authority of central government to the Governor as the representative of central government in regional area. Assistantship function means carrying out governmental affairs tasked to regional or local government with the obligation to be responsible to the tasking agency.

Along with human rights promotion and power delegation from central to local government, the process of decentralization was also accompanied by regional violence entrenched with ethnic or religious aspects. At the beginning of the transition, Indonesia entered a period of increasing violence in some regions; religious violence flared up in Medan, Jakarta, Maluku, Poso, while ethnic violence occurred in West Kalimantan. Moreover, there were three regions that rebelled against the central authorities and asked for independence, namely Aceh, Papua and East Timor. Whereas Aceh and Papua gained their special autonomy through negotiation, East Timor finally gained its independence in 1999 through a referendum. This situation was also exacerbated by a number of bomb attacks committed by a terrorist group called Jemaah Islamiyah Indonesia (JII) in several places including embassies, restaurants, airport, malls, hotels, police offices, churches and mosques in Jakarta, Bali and West Java. (Dijk, 2001)

1.8 Methodology

This study will conduct qualitative research design, particularly the case study approach. Most social researchers use qualitative method, including this research, as it emphasizes the importance of social and political context for understanding the social as well as political phenomenon. While the quantitative methods are likely to have very limited or possibly no contact with the people being studied to ensure the objectivity, qualitative methods requires an intensive period of contact with the participants being observed as well as non-participant groups to confirm the objectivity of this research. Qualitative methodology also encourages researchers to have close involvement in some social fields in order to gain information and important data. (Blaikie, 2010) Therefore, to understand the Muslim-Christian

relationship in Indonesian reformed era more comprehensively, the researcher made connections with related people such as officers of ministry of religious affairs, officers of local government, local leaders, religious leaders both from Islamic and Christian groups and other researchers from various research institutions that understand the issue and have made initial database on the similar issue.

As mentioned by Neuman (1997) social and political researchers perceive that the meaning of a social and political action depends on the context in which it appears. These scholars believe that social and/or political phenomenon is not a single factor. It always linked to other phenomenon. Thus, qualitative researchers concern to what came before or what surrounds the focus of the study and not look at the current situation *per se* as a single event. Although the context is critical, social political researchers also realize that the same events or behaviors can have different meanings in different cultures or historical eras. In the same way, this study tried to figure out the current Muslim-Christian relationship in Indonesia by looking at its historical background with different political situation, from the Dutch colonialization era to the Old Order and New Order era under Soeharto.

Furthermore, whereas quantitative methods usually collect specific information on a great many cases, qualitative researchers may use a case study approach in which they gather a large amount of information on one or a few cases. As concluded by some social and political scholars, case study methods have considerable advantages in studying complex phenomena. (Bennet & Elman, 2006; Mahoney & Goertz, 2006) The methods often involve interaction effects among many structural and agent-based variables, path dependencies, and strategic interaction among large numbers of actors across multiple levels of analysis with private information and strong incentives to bluff or deceive other actors. To get a complex and