Case Study

The Sunni-Shia Conflict in Madura Indonesia: Judging Individual Faith as Blasphemy

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ABSTRACT

This research was driven by the fact that Shia presence and its involvement in sectarianism conflict in Indonesia had received little research attention. The research examines the ways in which this conflict is conceptualized within court decisions. The aim of this paper is to analyze the motives and the impact of the sectarian conflict in Madura 2011-2012, which was caused by allegations of religious wrongdoings. Although it can be interpreted that individual and group beliefs, along with their religious denominations are private rights, in Indonesian law, different religious denominations can be brought before the law and found to be committing serious offenses. This may arouse suspicion, inter-group tension, persecution, and social violence. In this socio-legal case study, data were collected using interviews and documentation. Analyzing the trial process of the case allows us to conclude that the Public Court announced Shia teachings as the source of conflict. The court found the perpetrators guilty of blasphemy for teaching a doctrine which is different from the common Sunni belief. The conclusion is that the state is still weak in safeguarding and protecting the basic rights of religious minorities.

Keywords: Blasphemy law, court verdict, individual faith, Sunni-Shia conflict

ARTICLE INFO

INTRODUCTION

Indonesia has experienced a fundamental

transition to democracy since the fall of Suharto in 1998 (Abuza, 2006). Initially, the euphoria of democracy grew in fear of bringing Indonesia down to a deeper economic and political crisis, accompanied by widespread social and religious conflicts (Künkler & Stepan, 2013). As stated by Wimmer (2003) and Brown and Diprose (2007), harmony between groups is not solely resulting directly from democracy. In view of extensive democratization, Indonesia is still experiencing high levels of violence and has been facing accusations of religious discrimination. During the early years of democratization, tensions along ethnic-religious lines may be heightened and may lead to communal violence. The security responsibilities during violence which is often triggered by and characterized as religious in nature, has been ostensibly transferred from the police and army to various civilian militias (Abuza, 2006; Barron & Sharpe, 2008; Collins, 2002; Davidson, 2005; Hasan, 2002). Islam in Indonesia has always been defined by tolerance, moderation, and pluralism (Abuza, 2006). However, there has been a dramatic increase in violence and discrimination against minority sects within Islam, which have left thousands dead (Varshney et al., 2008). Since 2006, Indonesia, as the world's most populous Muslim country, has reported high incidences of communal conflict annually (Künkler & Stepan, 2013). In February 2011, a group of 200 Sunnis devastated a Shia boarding school in Bangil Pasuruan, East Java and injured nine pupils.

Religious diversity is legally supported in Indonesia, but religious minorities are not convinced about their constitutional rights (Abdullah, 2003). The frequency of violence against religious minorities is implicitly driven by actors who continually echo hate speech and criticism of religious pluralism practices (Sakai & Isbah, 2014). This antagonistic attitude is largely in the Sunni denominations, which have diametrically opposed the Shiite teachings. This attitude, which was not explicitly demonstrated during the New Order (1966-1998) in power because of fears of the repression of the authorities, spread widely after the reform was opened (Barton, 2011; Crouch, 2011; Hefner, 2013; Regus, 2015). The violence justification of the perpetrators on this minority is very simple, that anyone who is deemed to have committed a crime in the six official religions of Indonesia is already blaspheming religion or committing religious deviance (Crouch, 2012). The simplicity of meaning and unclear purpose of the law on religious insults in Indonesia had made many victims prosecuted for the blasphemy (Crouch, 2012; Keane, 2009). Different from other religious studies, the construction of the concept of religious deviance and blasphemy is less clear, and is considered less necessary by contemporary philosophers (Tomes, 2010). Sunni-Shia conflicts, which usually emerge in the Middle East, have cultural, political, and ideological motifs.

Collier and Hoeffler's (2005) theory reveals that generally, in addition to the

period of peace, the possibility of conflict can be reduced along with improving the quality of life through development and economic growth. However, the reasons behind the Middle East conflicts may or may not apply in other Islamic countries (Collier & Hoeffler, 2005; Sørli et al., 2005). Lai (2006) stated that intra-Islamic differences, as well as the effects of domestic politics and religion were significant factors that cause conflict. Violence and tension related to inter-community problems in Indonesia have become a special focus among academics (Bertrand, 2004; Wilson, 2008; Barron et al., 2009; Tadjoeddin et al., 2001; Wilson, 2005). However, comparing to Ahmadiya (Burhani, 2014; Hicks, 2014), Shia-related developments and conflict in Indonesia, especially the assault on and the expulsion of a Shia community in Sampang, one of the districts on Madura Island, had received little research attention (Schäfer, 2015). Conflict does not happen in a single point in time. The Sampang trial process shows us how offended feelings can reflect a different way of thinking, and which can be considered as blasphemy. In line with Hasan's (2014) argument, heresy, blasphemy and apostasy cases in Indonesia are merely approached from a legal point of view. The frequency of cases of religious blasphemy makes Indonesia follow Pakistan's rigid footsteps with the possibility of capital punishment in implementing blasphemy law (Bayuni, 2011; Hassan, 2007). The government understands that heretical groups should be brought back to Sunni Islam as a means to end the conflict between the two denominations (Hasyim, 2011). The major challenges for a government are to manage religious diversity on the one side and to provide safety for religious minorities in the other. The aim of this paper is to analyze the motives and the impact of Sampang conflict from a legal point of view, notably regarding blasphemy law. By considering the research of Ginges and Atran (2009) on non-instrumental reasoning over sacred values, the trial process in the Sampang case allows us to predict the contexts in which people will be relatively rigid or flexible in their judgments and decisions over sacred values (Ginges & Atran, 2009).

This paper is important as it shows the contradiction in the face of Islam in Indonesia comprehensively. On the one hand, Islam in Indonesia is described as moderate and tolerant, while on the other hand, intolerance and violence against minority groups continue to occur. The objective of this paper is to describe the motives of the Sunni-Shia conflict in Sampang, Madura and the way in which the court sentences can interpret individual faith as blasphemy.

METHODS

In this socio-legal case study, the main data are the verdict of the Public Court in the case of blasphemy that was carried out by Tajul Muluk (Shia leader) and data sourced from the leader of the Shia community. This research is complemented by data sources in the form of the relevant local and international journals, including the

Journal of East Asian Studies, *Philosophy & Social Criticism*, *Asian Journal of Social Sciences*, *Harvard International Review*, *Jurnal Kawistara*, *Asian Survey*, *Conn. Int'l L*, and *The Review of Faith and International Affairs* published from 1994 to 2013. The data also came from *Kontras* (a non-government organization in Indonesia), reports and mass media reports from sources such as *The Jakarta Post*, www.antarajatim.com, and www.news.detik.com. Data was collected by document study techniques and unstructured interviews.

This research uses a qualitative research design to expose the Sunni-Shia conflict holistically in its real context. Data analysis is carried out through qualitative, descriptive, and interpretive methods. The data analysis process starts by reviewing all the data (results from court decision and interviews), reducing the data, and exposing the data, which is then interpreted. Finally, conclusions are drawn based on these interpretations.

Understanding the Conflict

Muslims in Madura are dominated by the Sunni-NU community that is known for moderate thoughts and non-violent habits. Although they are characterized as Sunni in tradition for generations, Fox (2004) stated that Indonesian Muslims had also been open to Shia religious ideas. Indonesia has long been known as a multicultural country, which makes tolerance and kinship between differences inherently in its culture (Crouch, 2011). Sunni is the predominant branch of Islam, with only around one

million Indonesians being Shia (Buehler, 2009; Formichi, 2014; Harun et al., 2011). Varshney et al. (2008) and Formichi (2014) estimated approximately 2.5 to 5 million Shia followers in Indonesia.

There is no official record regarding the first proliferated teachings of Shia in Madura. Sampang encountered Shia around the 1980s (Kontras Surabaya, 2012). Firstly, a *kiai* (Islamic cleric) named Ma'mun who lives in Nangkernang, Karanggayam, Sampang heard about the Iran revolution from his friend who lives there. After listening to a lot of stories about the Iranian revolution, Ma'mun was very inspired by the movement and admired Ayatollah Khomeini as the leader of that movement (Kazimi, 2006). The success of the Iran Islamic Revolution in toppling down the Pahlevi Monarchy in Iran encouraged Ma'mun to seriously study about Shia teachings although he realized that it would be hard to justify Shia leanings in Madura (Kontras Surabaya, 2012). Ma'mun did not openly claim himself as a Shia believer. His interest in the faith led him into sending his children,—Iklil al-Milal (42 years), Tajul Muluk (40 years), Roisul Hukama (36 years), and Umm Hanik—to learn Shia teachings in 1983 at YAPI (Yayasan Pesantren Islam/Islamic Boarding School Foundation) in Bangil Pasuruan, East Java. It has been publicly known that YAPI is a *pesantren* (Islamic boarding school) spreading Shia values (Zulkifli, 2009). In 1991, Ma'mun's children returned to Sampang. Among his children, Tajul Muluk (henceforth referred to as TM) was the only child who continued

his education at the Sunni Islamic school of Muhammad Sayyid Alwi al-Maliki in Saudi Arabia in 1993 (Kontras Surabaya, 2012). TM's education then was discontinued due to financial problems. However, TM remained in Arab Saudi as a worker who returned to Indonesia in 1999. Hence, YAPI seemed to have a remarkable influence in shaping Shia mindset in TM compared with his participation in the school of Alwi al-Maliki. Following his return, TM settled in his birthplace, the village of Karanggayam, Nangkernang Sampang. His presence was welcomed by the family and the surrounding society. A number of villagers who were also pupils of his father gave him land to set up a boarding school. In early 2004, the villagers who learned the Koran with TM, and Ma'mun helped him establish his residence which was also used as an Islamic boarding school. Eventually, a mosque and several classrooms for religious study activities were built as well. TM, together with his father distinguished his teaching approach, and made Shiahis focus. This small boarding school was later named Misbahul Huda, and its teachers consisted of TM and his fellow YAPI alumni (Kontras Surabaya, 2012). Moreover, TM was an active member in the Association of Shia Ahlul Bait Indonesia (IJABI/ Ikatan Jamaah Ahlulbait Indonesia). These facts were the main reasons of Sunni objections, which were mainly expressed by Karrar Shinhaji who is a relative of TM. The conflict started from the issue concerning the spread of this deviant faith of Islam disseminated by TM to the inhabitants of Karanggayam village.

As it is the case in many Muslim countries, the term deviant is simply defined as conducting activities that 'deviate' from the teachings of Indonesia's six state-sponsored religions (Crouch, 2011). The violence over Shia followers in Karanggayam and Blu'ruan village in Sampang regency occurred on December 29, 2011, and peaked on Aug. 27, 2012, when dozens of homes belonging to Shia followers led by TM were set alight and gutted by a mob (Kontras Surabaya, 2012). Furthermore, the TM Islamic boarding school was burned down. His followers were expelled into Sidoarjo regency (Boediwardhana, 2014). TM himself was sentenced to two years in prison due to a violation of the Article on religious blasphemy. These events were not originally and purely a conflict between Shia and Sunni. It all started with family problems that had gone too complicated. After the followers of both sides intervened, the family conflict grew wider ("Menteri Agama", 2012). The real Sunni-Shia conflict issues emerged later ("Kapolres Sampang", 2011).

Acts allegedly carried out by TM are principally related to Shia theology which was vulgarly exposed by using harsh language and in challenging other groups or sects. According to the indictment, the Shia theological values taught by TM concerns the *tahrif al-Qur'an* (distortion of Koran) and in the interpretations on the arrival of Imam al-Mahdi (The Messiah). In addition, TM was accused of the following actions (Tim ABI, 2012); (i) reading the two sentences of Shahada (confession of

Islamic faith) acknowledging Imam Ali ibn Abi Thalib, (ii) Uttering "kafir" (infidel) on Prophet Muhammad, his Companions, in-laws as well as wives, (iii) declaring *taqiyyah,* on the Sunni Muslim, and (iv) believing in the pillars of Islam and faith which are different from what the majority of Muslims (Sunnis) believe in. The pillars of faith in Sunni Islam are 5 (five), namely: (i) Tauhidullah/ ma'rifatullah (the one supreme God), (ii) Al-nubuwwah (prophethood), (iii) Al-imamat (leadership), (iv) Al-'adl (justice of God), and (v) Al-ma'ad (the day of judgment).

According to Shia doctrine, there are ten pillars of Islam, which are (i) Praying, (ii) Fasting, (iii) Zakat, (iv) *Khumus* (pay one fifth of the owned property), (v) *Hajj* (pilgrimage to the Holy lands of Mecca and Madina), (vi) *Amar ma'ruf nahi munkar* (commanding goodness and forbidding evil deeds), (vii) *Jihad* for the sake of God with their wealth, body and souls, (viii) Al-wilayah (abiding by the Islamic scholars and keeping away from (al-bara'ah) the enemies of imam and the Prophets, followers and lovers of the companions of Prophet Muhammad (referred to is the *Ahl al-Sunnah wa al-Jamaah* [Sunni]), (ix) *Al-fidha* (liberation), or freeing oneself from all wealth, body and lives for sake of obeying religious leaders, (which allows the followers to commit suicide for the sake of obedience to the leader, and (x) *Al-raji'ah*, the Shia *Imamiyah* believes that all human beings who have died will be revived by Imam Mahdhi before the Doomsday. Imam Mahdhi will prosecute revenge for the

companions of Prophet Muhammad and his followers that are Sunni. It also states that all people will die and wait for Doomsday.

Those Shia teachings were presented by TM at his residence in front of students and the people around his residence and mosques in that district. If they did not follow, or left after following Shia, they were judged as *murtad* (apostate), traitors and devils. The society around TM became restless due to the reaction that surrounded his doctrine as well as the pressure from scholars, the *ulama* and community leaders. As a result, there was a dispute or conflict between the teachings presented by TM with the teachings of Sunni Islam (*Ahl al-Sunnah wa al-Jamaah*), which were generally embraced by the society in Sampang. In the court, the attorneys concluded that the teachings spread by TM was a form of blasphemy and violation against Islam. This fact appropriates with Jones' (1980) argument that the most plausible defense of a blasphemy law is that it is necessary to protect religious believers from disrespectful behavior which offends their feelings.

RESULTS

This section explains the motives of conflict and the decision of the public court regarding the case of TM.

The Motives of Conflict

The background of this Sunni-Shia issue in Sampang can be grouped into two. First, the group who believed that the events of Sampang were caused by family problems while the other states that the conflict

happened because of Shia preachers' provocation that stated that the Qur'an as fake revelation and mocked the friends and wives of the Prophet. It fueled the anger of the people of Madura who were known as highly religious and considered Sunni fanatics (Kontras Surabaya, 2012). According to the Sampang Police Chief, Agus Santosa, the expulsion of Shia by the Sunni community was caused by *kiai* influences within the family. TM (Shia) and Roisul Hukama (Sunni) are brothers who are both religious leaders. They have followers, and students in the Islamic boarding schools (pesantren). The cause of public unrest is family conflict rather than conflict of faith. Early chronology of the problem was different. TM and Roisul Hukama are both alumni of the YAPI Pesantren. If this conflict is categorized as Shia matter, the two brothers are actually Shia cadres. In the midst of the people who did not agree with TM Shia teaching, suddenly there was a problem between TM and Roisul Hukama (henceforth referred to as Rois). The dispute was triggered by TM's decision that had matched one of the students in the *pesantren* (called Santri)— with his neighbor, Halima (aged 16), without the consent of Rois. Halima herself was a female student who studied in Rois's pesantren. For this reason, Rois felt disrespected (Kontras Surabaya, 2012). Later it was revealed that Rois's anger was not merely because of disrespect, but because of jealousy: Rois actually had planned to marry Halima (Kontras Surabaya 2012). Subsequently, Rois declared himself out of Shia, and then, he enthusiastically

opposed Shia teachings and provoked people to expel TM along with his students from Karanggayam village.

The root of the problem itself is considered a long process. On February 20, 2006, more than 50 scholars in Madura issued a statement that the Shia doctrine spread by TM in Madura was classified as Shia Ghulat (exaggerator)—the deviant faith of Shia based on the Sunni perspective. The typical Shia teachings that hurt the Sunni Muslims are doctrines critical of Prophet Muhammad and his noble companions (Husaini, 2012). In the case of the Shia conflict in Sampang, the State had been accused of failing to protect its citizens in the face of religious intolerance and violence (Hamayotsu, 2013). The rights of religious and ethnic minorities are routinely trampled. The dispute of Shia in Sampang has been a concern of many people, nationally and internationally. This is actually reasonable, considering that this Shia case is a matter of freedom of religion which is part of human rights. Human rights matters can easily be used as an entry point to criticize state policies that are considered less protective of the human rights of Shia followers.

In the case of TM, the court accused him of religious blasphemy as in Article 156 (a) of *Kitab Undang-undang Hukum Pidana* (KUHP/ Indonesia's Criminal Code). The Article forbids anyone from deliberately and publicly expressing feelings of hostility, hatred, or contempt against religions with the purpose of preventing others from adhering to any religion. It forbids anyone from disgracing a religion. The penalty

for violating Article 156(a) is a maximum of five years of imprisonment. Moreover, Indonesia's laws and policies, at both national and local levels, have produced many instances where members of one religion have persecuted the members of other religions or of other sects. TM—leader of the Shia community in Sampang—was brought to the Public Court of Sampang based on Indictment letter No. Reg. Case: PDM-34/SMPG/04/2012 dated 12 April 2012, with two counts.

First, TM was charged with hostile acts, abuse and in instigating religious violence in Indonesia. The intention of the sentence is that the other person does not adhere to any religion. The act was carried out between 2003 and December 29, 2011, and deliberately conducted in public. TM's act is stated in Article 156a of the National Criminal Code (Mahkamah Agung, 2012). Second, TM was also charged for forcing "other people to do, not to do, or allow, or do something unpleasant or with the threat of violence", which occurred between 2003 and 2012. This rule is regulated in Article 335 paragraph 1 of the KUHP.

This indictment is supported and strengthened by witnesses presented by prosecutors. The witnesses consisted of 10 people, plus 5 expert witnesses. Most witnesses did not follow the Shia order. One witness named Rois is the younger brother of TM. Rois knew about the teachings of Shia propagated by TM himself as he heard, saw, and studied their books. TM's case was led by judge Purnomo Amin Tjahjo accompanied by two judges, Sudira and

Syihabuddin. The judges decided that TM was guilty of committing the criminal act of 'essential desecration of Islam'. Judges convicted the defendant for two years imprisonment. Such decisions were based on the consideration of witness testimony and evidence presented by the Public Prosecutor and law counselor of TM.

The Verdict of Public Court

The main consideration of the judge's decision was that TM deliberately and publically expressed feelings or conducted actions that essentially mocked and abused a religion followed officially in Indonesia. In addition, he deliberately expressed feelings or conducted actions with the intention of making others not adhere to a religion. Those four criminal acts were actually alternative criminal acts, the evidence of one of which had been fulfilled (Mahkamah Agung, 2012). However, TM's accusations are open to different interpretations. Related to the definition of "deliberate", the judges stated that the law from KUHP did not explain the sense of purpose. According to the theory of law, defining certain actions as a deliberate act or not can be recognized based on three theories. First, the act is known and desired (combined theoretical knowledge and the will). The act is categorized as a deliberate act if the act is known and desired by the perpetrator; that is, the perpetrator knew that a certain act, if it were done, would lead to consequences that are prohibited by criminal law and expected the consequences of the actions. Second, the desired action (theory of the will), in which the deliberate actions

are said to be desired (to be done) by the perpetrator. It does not actually question whether or not the offender knows that certain actions performed will lead to a result which is prohibited. Third, the act is known (theory of knowledge). The theory states that a particular act is considered intentional if it is intentional and known by the perpetrator. The perpetrator knows that the act is prohibited by criminal law, and if done, will have consequences (Mudzakkir, 2004).

In determining the element of intent, the judges believed that the theory of knowledge most appropriately applied for Indonesia, was a minimum standard in the practice of law. For the moral juridical aspect, the theory of knowledge was more justifiable and practically easier to be implemented. By using the theory of knowledge, deliberateness in crimes against public order offense lies in the knowledge of the perpetrators of the action and its consequence that the perpetrator knew that the act, if done, would disturb public order or religious peace. In order to prove the deliberateness, it is sufficiently proven that the level of knowledge is according to the standards of common society (Mahkamah Agung, 2012). Regarding the words "in front of the public", the judges believed that the explanation of Article 1 of Law no. 1/PNPS of 1965 states that the words had been used generically in the draft of Criminal Law (Criminal Code). In the Criminal Code, there is no clear definition of "public", but according to the doctrine of "public", it can be interpreted as "that which can be viewed

by the public". Thus, an act carried out in public should not be done in a public place. It is, therefore, actually sufficient if there is a possibility for others to see the preaching.

It was revealed before the judges that in the years between 2004 and 2011, TM preached his teachings to the people around him. The teachings contradicted the beliefs embraced by the majority of local people. As a result, it caused unrest, conflicts and strong reaction within the society. In addition, preaching activities are in fact attended by another person as receiver/ listener of propaganda, and in public places (such as mosques, prayer rooms, or homes) where another person can see it. Thus, the sub-element "in front of the public" has been fulfilled. The judges considered that TM, as a religious leader, should probably know that his act could cause disruption of public order or disrupt the intra-religious peace. The judges believed that the doctrine taught by TM—as indicted by the prosecutor—proven by the fact of law was based on the suitability of the evidence brought by both the prosecutors and TM. Shia teachings of TM mainly revolved around the five pillars of faith; namely *tawhidullah/ ma'rifatullah* (the one supreme God), *al-nubuwwah* (prophethood), *al-imamat* (leadership), *al-'adl* (justice of god), and *al-ma'ad* (the Day of Judgment).

There are 9 pillars of Shia Islam, namely: prayer, fasting, *zakat*, *khumus* (pay one-fifth of the owned property), *Hajj*, enjoining unjust, *jihad* for the sake of God with one's wealth, body and souls, and *al-wilayah* (obedience to the *ulama*). The

other teachings are about two sentences of *shahada* (the Muslim profession of faith, there is no god but Allah, and Muhammad is the messenger of Allah). The Shia teaching of TM obliges *shahada* to entitle friends and in-laws and several wives of Prophet Muhammad as *kafir* (traitors). This trial testimony is based solely on witness testimony of Rois. Consequently, the judges argued that there is not enough evidence since it did not fulfill the minimum requirements of two valid pieces of evidence. The verdict regarding whether TM had taught that the Qur'an embraced by the Muslims today is not authentic (*tahrif al-Qur'an*) and somewhat inconclusive. In the Shia teaching, the authentic Qur'an is brought by Imam al-Mahdi al-Muntadhar who is currently invisible. In a public trial, there are some differences between the statements of witnesses brought by the prosecutor with the witnesses presented by TM's parties. For Sunni Muslims, the Qur'an is purely maintained (Qur'an, 15:9). However, the judges finally concluded that the doctrine taught by TM stated that the current Qur'an is not original and accused him with violation against Islam. The judges believed that *taqiyah* attitude (justified lying in Shia teaching), did not show the actual purpose. The trial concerns witnesses brought by TM who are siblings, students, and followers, as well as the notion of *taqiyah*.

In linking it with the truth of witnesses' testimony, in this case, the judges believed that these things can affect the inability of the credible witnesses. Thus, the witnesses submitted by TM were unacceptable and

the accusation of *taqiyyah* was not proven. Based on a brief exposure above about consideration, the judges sentenced TM for his spreading of the Shia doctrine, notably and particularly about the unauthenticity of Koran. Therefore, TM was charged with the blasphemy Article. The truth resulting in a court, it is merely a procedural justice and law. Therefore, this decision would definitely not necessarily be able to satisfy TM and his proponents. Hence, the relative claims of the court contrasts with the protection of free expression. Instead, this trial process shows us how a different way of thinking can be judged as blasphemy (Jones, 1980).

The trial process was contradictive. It viewed blasphemy as dangerous speech (Levy, 1995; Villa-Flores, 2006). Blasphemy can be classified into two types, active and passive (Nash, 2007). The passive blasphemy requires the harm caused by blasphemy which affects the whole community and it seeks restitution and redress. Active blasphemy requires individuals to demonstrate the actual harm they experienced. The Shia existence in Sampang did not actually harm the Sunnis. Nonetheless, the blasphemy is merely a 'verbal offense against the sacred' (Levy, 1995, p. 1). The settlement of this case has similarities with cases such as in Pakistan, using the court as a law enforcement agency for blasphemy. The implication, in addition to strengthen the religious views of the majority, is also to bully minorities not to make any opinion on state religion. (Forte, 1994). Kumekawa (2010) stated that the law grants the attorney the power to punish

heresy with jail and also the authority to ban religious groups that merely misrepresented state-sanctioned faiths.

DISCUSSION AND CONCLUSION

The Sampang Public Court's decision did not make the Shia followers retreat, neither did it dampen their spirit in what they believed was the truth. Instead, the decision made them more vibrant in preaching their faith. The followers of Shia have overwhelmingly experienced social pressure. The greatest pressure was on December 29, 2012, when the boarding house of TM was aggressively attacked and burned. TM, the leader of the Shia community, was eventually found guilty and sentenced to two years in prison for blasphemy. The conflict drove out 300 Karanggayam residents who are still living in emergency shelters in Sidoarjo Regency, East Java. Moreover, Shia followers had suffered even in the place where they were evacuated to. They could not work as they were living in a refugee camp. Children and women could not do their activities freely. In demanding for justice, in June and July 2013, some followers of Shia conducted long marches from the refugee camp to Jakarta in order to meet the president. These facts show that social violence in Indonesia is identified with vigilante or group fighting (Schäfer, 2015). Hence, implementing interreligious harmony in many areas in Indonesia, particularly for Muslims, continues to be a monumental task for the authorities.

The authorities have to enforce adequate policies and take steps to protect Islam from radicalism and intolerance. Sakai and Isbah (2014) and Susilo and Dalimunthe (2019) stated that the paradigm of conservatism had increasingly entered Islamic educational institutions in the last decade, not only seeking to deepen religious fundamentalism, but also vocally limiting the diversity of religious cultures at the grassroots. FKUB (Forum Kerukunan Umat Beragama/ Inter-Religious Harmony Forum) in Sampang have also played a role as a promoter and educator of the importance of religious harmony and acted as reconciler-mediator in resolving religious conflicts (Rokhmad, 2016). Thus, it is imperative for the authorities to prevent interpretations of Islam which are too conservative or literal and thus treat Shia Muslims with hostility. Local authorities did little to prevent the attacks and failed to prosecute those responsible. It is one of the most troubling aspects of these crimes (Kraince, 2009). Some of the most troubling instances of religious violence involve the harassment of religious minorities and the forcible closure of their places of worship. In the context of modern Islamic Indonesia, the government with the support of the national Muslim organizations should help heretical groups to be brought back to the true Islam ipso facto Sunni as a means to end the conflict between the two denominations (Hasyim, 2011). In the case of Sunni-Shia conflict, The Minister of Religious Affairs allegedly supported the forced conversion of Shia Muslims to Sunni Islam in a reconciliation program. It shows us that Islam is merely a practice of social theology, and in spite of influential

in politics, has not actively become a best practice in engaging in policy participation (Epley, 2010). Hence, the blasphemy law usually applies to perceived offenses against mainstream Islam and grants permission to the maintenance of Sunni domination (Kumekawa, 2010).

The harsh treatment from the majority brings even positive sympathy to Shia followers within the wider community. The decision of the public court indeed affects the public's view upon the teachings of Shia. However, this does not necessarily diminish their sympathy toward Shia followers who were expelled to and who suffer in the refugee camp. The real sympathy comes from institutions which are concerned about human rights issues. They actively support and regret the injustices committed by the state to minority groups. The sympathy of the public may bring them closer in understanding what and how Shia is. Such matters will increase the growing number of Shia followers. The moderate intellectuals, educated people, and the urban middle class are sympathetic to Shia. Even though they may not be Shia followers, they can understand the doctrines and rites of the Shia. Eventually, it is already a good sign for the development of the Shia. The teachings should be culture-sensitive, as a leader of a minority group, TM should have preached the teachings of Shia in a way that suits the culture of the local community. Jones (1980) stated that such controversy is greater when the purpose for which free expression is limited for group activity. Even though Indonesia's Constitution protects freedom

of religion through the blasphemy law and is purposively made for promoting religious harmony, state secularism, and the structures of religious pluralism (Breidlid, 2013; Feener, 2014). Regulations, precisely the laws of blasphemy, which should protect minority groups from various allegations, are even more often used as a tool to punish a person or certain minority group with blasphemy charges (Gunn, 2013; Harsono, 2012). Likewise, Forte (1994) and Uddin (2011) stated that the law against blasphemy had become a weapon against religious minorities in Indonesia. Law enforcers more often criminalized minority groups, such as Ahmadiyah and Shi'a, with charges derived from this blasphemy law. Thus, it seems logical to argue that the state has legitimatized violence against the minority community in Indonesia. This is related to many Indonesians facing religious discrimination and intolerant actions. In this line, Hamayotsu (2013) suggested that it must be addressed to maintain national commitment to protect the dignity of humanity, while ensuring healthy democracy through the creation of harmony and unity among groups.

It can be concluded that the Sampang Public Court announced a verdict that TM remained guilty of blasphemy for teaching a doctrine which is different from the common Sunni belief in the surrounding communities. He was sentenced to two years of imprisonment. At first, this case initially started from the reports of Rois to the police about Shia's beliefs and practices carried out by his brother, TM. In the

context of national interreligious harmony, Indonesian politics which is supposed to be secular and democratic, have instead been the main player in exploiting the freedoms of the post-Suharto period to violently harass less conservative Muslims and minority communities. This supports the argument that the crisis in modern-day Islam is seemingly exacerbated by the attempts of the Muslims to resist intrusions into their orthodox values. The national constitution has protected people so as to be able to practice their preferences for different values they hold sacred, but it is not necessarily free for them to show their individual differences in faith in Indonesia.

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