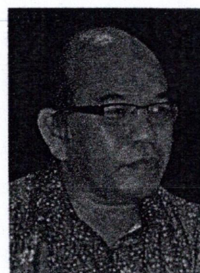
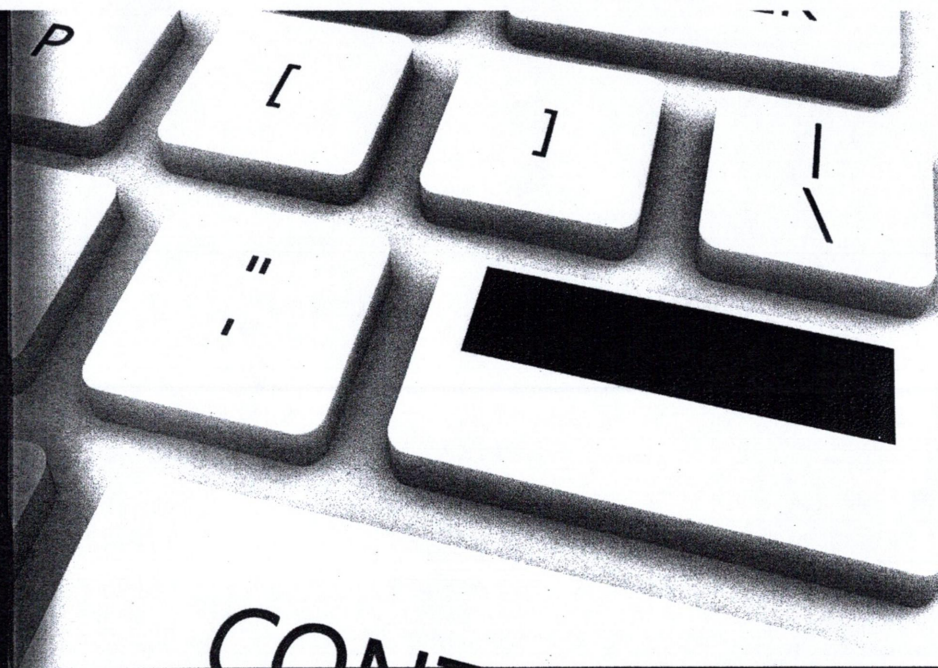
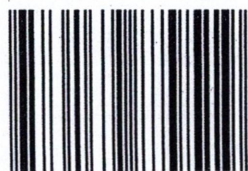


was really pure, only a matter of blasphemy of religion so that the settlement could be through court or mediation. During the current era of reform in Indonesia, the case of religious blasphemy is politicized into a political case as happened in the case of Basuki Tjahaja Purnama (Ahok) at the 2017 Jakarta governor election. So as to draw the attention of the Indonesian Muslims by mass demonstration on 2 December 2016 or better known as Demonstration 212 with the number of demonstrators more than seven hundred thousand. The demonstration of Islam is very influential on the electability Ahok who are racing in the election of regional heads in the province of Jakarta.




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BLASPHEMY DISCOURSE

Definition of Blasphemy

In this study the author will use the word blasphemy to refer all statements that contain contempting the God and also defamation of religious symbols. The author will try to explain the word from the understanding given by the celestial, Judeo-Christian and Islamic religions.

The word blasphemy comes from Ancient Greek which means *speaking evil* in Judeo-Christian tradition the word refers to verbal expressions that oppose or insult sacred values or beliefs. The concept of blasphemy actually has not become a standard understanding. This concept evolved from the notion of the Judeo-Christian tradition which is defined as the derogatory phrases of God to the statements that can fuel the emotions of certain religious communities. The concept of blasphemy varies depending on the

limiting freedom of expression. Religion, according to them, uses the pretext of blasphemy, heresy, polytheism, taboos and so on to silence their minds. That, too, in their perception, the clerics only limit the right to understand religion to religious authorities (ulama, priest, etc.). The religion becomes ugly and it is positioned as a inhibiting freedom (Zarkasyi, 2010).

The core problem is in each worldview. In the West religions have their own minds. Its history, is always clashing with Western society, especially scientific community. Meanwhile, in Islam, defamation of religion is the same as religious humiliation. The term religious humiliation is known as *sabb ad-diin* (Febriadi, 2016). The humiliation involves defamation of the source of Islamic law, that is, the Qur'an and the hadith and turning away from the laws that exist in both; contempt against God and His apostle. In Islam, contempt for religion contradicts the Qur'an and hadith.

Bowker (2000) states that blasphemy in Islam is defined as "The expression of contempt for God, the Prophet Mohammad, the angels, or the traditional religious explications of revelation constitute the offence." The scope of blasphemy objects in Islam is wider. If God, the Angel Prophet or the verses of al-

Quran is insulted, shame can be categorized as a form of blasphemy. The Islamic concept of blasphemy reaches for things that are not only related to religious symbols but also misleading interpretations of true dogma. Blasphemy in Islam is reflected in the scope of islamic jurisprudence, theology and mistisicm (Eliade, 1986).

The issue of blasphemy is not new in Islamic history. In the last three decades, Muslims have experienced it several times. Among those which later became a global issue, for example, the case of Salman Rushdie with *Satanic Verses*, Danish cartoons in the Danish newspaper *Jyllands-Posten*, the movie *Innocence of Muslims*, the movement al-Quran burning in America, to the last cartoon about Muhammad in *Charlie Hebdo* magazines, published in France.

With regard to the blasphemy, the response from contemporary Muslims is quite diverse: from the silent ignorant, holding peaceful protests, dead fatwa or death threats, until murder takes place. And after the assassination, immediately raised a debate or discussion of who is most responsible for it; whether it represents Islam; whether Islamic teachings can be compatible with *free speech* that is the basic value of

people who give meaning to it (The Encyclopedia of Religion, 1986, vol. II).

In the Jewish context, blasphemy is an affront to God, as opposed to the term *birkat hashem* (praising God's name). Blasphemy means reviling God. In Hebrew it is known as *birkat hashem*, literally blessing [euphemism for cursing] the Name [of God]. The one guilty of this offense is called a blasphemer (www.myjewishlearning.com).

According to Leary (1981) the insulting punishment of God is the death penalty. Punishment is given to provide a deterrent effect on the perpetrators of this blasphemy. In the Jewish tradition, blasphemy objects are related only to God alone and not to others. This means that if the verbal expressions are insulting tone symbols of religion other than God cannot be said as a form of blasphemy: "Reviling" sacred customs, beliefs, and institutions, whether of Judaism itself the Temple, to sacerdotal hierarchy, particular rituals, or holy dogmas did not constitute blasphemy (Eliade, 1986: 238).

The above blasphemy concept in the Jewish tradition is limited to contempt against God. The concept of blasphemy in the Christian tradition finds the basis of its legitimacy from Moses' advice in the

exodus letter which reads, "*You shall not revile God*". The form of punishment that will be given is based on the person who claims that someone who insulted God must be put to death or stone-throwing (Eliade 1986: 239).

Blasphemy at a later stage is often used in the Christian tradition, while the Jewish tradition is somewhat narrowed in scope. In the dictionary of *The Oxford of World Religious* (Bowker, 2000: 152) notes that blasphemy in a Christian context is defined as: "*Impious or profane talk, especially against God: and in many legal systems, the offence of reviling God or Jesus Christ or an established church.*" The object of blasphemy in this definition is defamation or contempt against God, Jesus Christ or the Church. A statement is considered a blasphemy if it aims to give a sense of shock or to destroy certain moral institutions of society and ignite the sensibility of time (Eliade, 1986).

For example, as happened in Britain in 1977, the *Editor Gay News* was accused of being a blasphemer of Christianity for publishing poems depicting Jesus as a homosexual man. This incident was regarded as the most successful blasphemy persecution since 1922, and it shows how difficult it is to apply a constitutionally correct definition to punish a

statement that is considered as a form of defamation or not (Bowker, 2000: 153).

In Christian thought, the scope of the concept of blasphemy is vast. Cursing, challenging, rejecting and insulting Jesus include blasphemy. Attributing the evil nature of any creation of God or the *Holy Spirit* that moves the soul of Jesus can be categorized as blasphemy. Refusing Jesus incarnation or regarding Jesus as an ordinary human also includes blasphemy. Blasphemy became the most used concept by Christians primarily as a tool to attack other groups in one religion. In the four centuries of its development, Christianity tried to define itself and develop its concept of faith.

Blasphemy is a term used for blasphemy in the West. The word blasphemy in the *Online Etymology Dictionary* (Douglas Harper, 2001) is referred to as derived from French, *blasfemie*; originally from the Latin *blasphemia* or even from the Greece *blasphmein*. It means irreligious, statements, words of evil or painful, sometimes also mean stupid. The definitive blasphemy is an offensive or despicable crime or shows harassment or lack of respect for God, his religion, his teachings, and his writings. It also means an insult to something considered sacred

(Merriam-Webster's Dictionary of Law, 1996). According to *The American Heritage*, blasphemy is an activity, statement, writing that is an insult, irreligion, about God or something else that is sacred.

Blasphemy came into the English language in the 13th century, and for the first several hundred years of its life had but a single meaning, "the act of insulting or showing contempt or lack of reverence for God." By the early 17th century it began to be applied figuratively to irreverence for things held in great respect that were not necessarily divine in nature, as in the phrase, "a blasphemy against friendship." Blasphemy shares a root with blame; both words may be traced to the Greek *blasphēmein* ("to speak ill of, blaspheme"). Despite the fact that these words are connected, they have diverged sufficiently over the centuries that the meanings are now quite distinct.

In the *Random House Dictionary* and *The American Heritage* consider someone as God or claim to have God-like qualities including blasphemy. *The Easton Bible Dictionary* (1897) is even more detailed. Blasphemy includes denying the existence of the Holy Spirit, the Bible, the *Jesusness* of Jesus or the miracle of Jesus as a demonic power. Only the problem is that secular liberals accuse adherents of religions of

scrutiny, such as the case of Yusman Roy, Gus Jari, Teguh Santosa and Suryodingrat ends with mediation.

Especially the case of Ahok, the blasphemy that is done closely related to the political nuance, because mass pressure is very unusual happened on December 2, 2016. Where at that time hundreds of thousands of Muslims gathered in Monas demand Ahok prosecuted. We can understand that behind the demand there is a political agenda of Muslims, so that Ahok can not run for Jakarta Governor.

2

BLASPHEMY, LAWS AND POLITICS

Blasphemy and Laws

Indonesia is admired for successfully combining Islam and democracy. The police officially declared Basuki Tjahaja Purnama, (Christian politician and governor of Jakarta), to be a suspect in the case of religious blasphemy. Mr. Purnama was found guilty, known as Ahok, facing up to two years in prison. The case came in response to complaints filed by hardline Islamists and threatens to do lasting damage to Indonesia's democracy. It has also focused attention on the country's blasphemy laws (www.economist.com accessed 08 June 2018).

Long before the case arose, on October 20, 2009 a group of people briefly applied for a judicial review of Law Number 1 / PNPS / 1965 on Prevention of Abuse and / or Blasphemy to the Constitutional Court (MK). There are about 37 witnesses imported, ranging from Arswendo Atmowiloto, Franz Magnis Suseno, Luthfi

Assyaukanie, J.E. Sahetapy, Soetandyo, to Hasyim Muzadi. However, the Court dropped the verdict to refuse the petitioner's petition.

The substance of the petition regarding political configuration in the era of guided democracy is authoritarian and centralized in the hands of Sukarno. At that time the party and legislative life was weak, on the contrary the President as chief executive was very strong. The position of Parliament then becomes very weak. The government can no longer be dropped.

Therefore the applicant requested that this law be revoked. They thought Sukarno was bound in an emergency situation, and the Religious Defamation Law was indeed temporary, so it could be revoked because it was no longer relevant. Article 156a is considered to have a framework of articles that lead the state's defense of God. Whereas there should be boundaries where the state should not intervene about religious life because religion is in the private sphere.

The rule protects the God believed by 6 religions: Buddhism, Islam, Christianity, Catholicism, Hinduism, and Confucius. Six religions are the majority recognized by the state through article 29 paragraph 2 of the 1945 Constitution. Precisely the

religion or beliefs of minorities who are more vulnerable to being attacked are not even protected.

Setara Institute Research Director Ismail Hasani (2016) argues, the interpretation of article 156a is interpretable. Practice can be very flexible and easily abused arbitrarily. According to Hasani, so far, the article related to religious blasphemy always caused a commotion led by the complainants. The case is always accompanied by mass pressure. This means the case never stands alone as a event. But there was following by mass pressure.

The article also clashed with the International Covenant on Civil and Political Rights ratified by Law No.12 of 2005. The contents of Article 18 of the Law relate to protecting freedom of thought, conscience, and religion. However, in the Draft of the Criminal Code (RKUHP), the government actually divides Articles 156 and 156a into 6 articles. The rule is inserted in Chapter VII RKUHP, related to criminal acts against religion and religious life, consisting of articles 348 to 353. In Ahok's case, according to Zainal Abidin Bagir in his article, "*Supremasi Hukum untuk Penista Agama*" (The Supremacy of Law for Religious Blashpemer, 2017) revealed not a few figures, officials, politicians and even police who praised the protest

Therefore, a number of individuals and non-governmental human rights organizations such as Imparsial, Elsham, Indonesian Legal Aid Association of PBHI and YLBHI Indonesian Legal Aid Foundation on February 4, 2010 requested the Indonesian government, under Susilo Bambang Yudhoyono (SBY), to revoke the law in the trial of judicial review of the blasphemy law in the Constitutional Court.

In addition to contradicting the principles of human rights and tolerance, the main reason why they ask to revoke the law is because it becomes the basis and clarifies the practices of violence against a number of groups or adherents of the stream considered to be in conflict with major religious groups. An example is the violence that occurred in the Ahmadiyya group (www.dw.com, 4 February 2010).

However, it was rejected by the Indonesian government. The main reason is that the Act is considered to be a guardian of harmony and to soak up wider conflict. If the law is revoked, there will be conflict between fellow religions. In fact, as noted by Andreas Harsono, a researcher at Human Rights Watch (HRW), at least 8 people have been entangled in the New Order regime in power and experienced a

significant accumulation process after the New Order regime, as many as 130 cases.

The abrogation of this blasphemy law was also called by Amnesty International in a press conference entitled Trial of Confidence in Jakarta on November 21, 2014. Papang Hidayat, Amnesty International researcher, mentions not only Ahmadiyah groups but also Shia groups in Sampang, East Java, become victims of acts of violence because this article.

The request for the abolition of the law was also reiterated by Usman Hamid, Director of Amnesty International Indonesia, last week (5 April 2018) to the Indonesian government under the leadership of Joko Widodo. Not only asking for the abolition, he also regretted the Supreme Court's decision to reject Ahok's Judicial Review (PK) application on March 26, 2018. According to Usman Hamid, "the Court lost the opportunity to rectify an unjust penalty in the presence of a religious blasphemy law" (tempo.co, April 6, 2018). In other words, Ahok became one of the victims of the Act.

ironically, however, he considered blasphemy not merely proven to have done so, but the existence of a political force of the masses to press the police on the grounds of blasphemy for him to be imprisoned.

wave against the controversial speech of Jakarta Governor Basuki Tjahaja Purnama (Ahok).

Groups that mobilize or support demos come from a vast spectrum, ranging from very moderate to so-called hardliners, their final demands are the same, demanding that Ahok be processed on the legal path, fairly and equitably.

The rule of law for the sake of justice is of course civilized, democratic and moderate. Problem solving through legal channels should be praised, if the alternative is a violent response. However, especially in the case of blasphemy, there are many reasons to doubt that the call is the best way to solve the problem, and may not promise justice (Bagir, 2017).

The main cause according to Bagir (2017) is that this event (Ahok's remark and the framing of the event as a blasphemy of religion), if in court, most likely refers to Article 156A of the Criminal Code. This is part of the "rubber" articles of crimes against public order in the Criminal Code. Article added in 1969 on the order of Law 1 / PNPS / 1965 has a very strong political value. The original target was to limit the flow of beliefs that were primarily in competition with Islamic political forces in the 1950s and 1960s.

In addition to such a wide range of implementation, another problem is the very poor standard of proof of such cases. Cases prosecuted under Article 156A usually use a haphazard proof method, with the election of obscure expert witnesses (case in 2012, a person who is presented as a witness of a religious scholar does not even graduate from school). Blasphemy is not just a different statement, but as Article 156A states-must be hostile, abusive or defamatory, even there must be intent for people not to embrace any religion

Is he considered insulting to Islam, or scholars? What he criticized was the Muslims he called lying to the voters of Jakarta using verse 51 of al-Maidah. Is such a Muslim identical with Islam, while many scholars and translations of the Quran provide different interpretations.

Law No. 1 of 1965 on Abuse and / or Blasphemy is a "rubber" article that can ensnare anyone who becomes a victim, and, on the one hand, can be played by anyone as long as it has the power to suppress through demonstrations on the street.

Thousands of members of the FPI and other hardline groups to protest en masse in Jakarta and various other cities throughout Indonesia against Ahok. They are demanding that Ahok answer for his alleged blasphemous words against the Islamic holy book of Quran.

3

THE IMPACT OF BLASPHEMY OVER CREDIBILITY AND ELECTABILITY JAKARTA GOVERNOR

On 15 November 2016, the Criminal Investigation Police set off Governor Basuki Tjahaja Purnama alias Ahok as a suspect in the case of defamation of religion. Ahok charged under Criminal Code Article 156 A matter of pollution and Defamation of Religion and the Law on Electronic Transaction Information Article 28 paragraph 2 No. 11 of 2008. Determination Ahok as a suspect in a case of blasphemy is a new chapter for the incumbent in the election battle of Jakarta. Many observers are predicting electability Ahok will decrease. In fact, there are many institutions released the survey findings that support Ahok-Djarot slumped sharply post-determination of the suspect.

The decision to being Ashok suspected withdraw the contra against Ahok. Most of them asses, the decision is only a little healing to the feelings of Muslims being injured. Due the status of the suspect is not desirable, but Ahok arrested and imprisoned. Not surprisingly, the alliance of Muslims who are members of the Guards National Movement MUI Fatwa (GNPF-MUI) will return rally on December 2, 2016. Meanwhile, the other party assesses the status of the suspect is a form of criminalization of Ahok since the decision of suspect as a result of the pressure of Islamic mass. However, the police denied and confirmed that it has been working professionally and away from political intervention.

In a democratic country, the decision actually produced by government institutions must be respected. This is how democracy works. Of course, it can not satisfy all the circles. Whatever decision of Ahok matter, all parties must accept gracefully (Adi Prayitno, 2016).

Muslim organizations reacted and fused with the idea of the National Guard Movement MUI Fatwa (GNPF-MUI) against Ahok held the rally. Muslim scholars and so many preachers, religious teachers and clerics, merged into a demonstration, protesting

the abuse and visited the office of Criminal Investigation, urged Ahok immediately arrested, tried and imprisoned.

They agree this is not a matter of like and dislike against any race or religion incumbent, it is obvious that Ahok blasphemed the Quran, insulting and harassing scholars of the Ummah. This demonstration underlying MUI Official opinion that Ahok had insulted the Quran and insulting clerics who have legal standing. Violation of the sanctity of Al-Quran consequences of the death penalty in Islamic Law (Dewan Dakwah News, 2016), and imprisonment by Applicable Law (UU No 1/PNPS/1965 dan KUHP Ps 156a).

The demonstration conducted by the Muslims certainly have an effect on the political situation prior elections of governor of Jakarta. According to Burhanuddin Muhtadi (2016), the majority of voters in Jakarta are Muslims (about 85%). That mean, the candidate for governor won without the support of Muslim voters. However, the ethnic composition of the people in Jakarta more heterogeneous.

As the majority, Javanese voters reached (37%), followed by Betawi (28%), and Sundanese (15%) as well as dozens of ethnic proportion, but the number is

small. The elections in Jakarta on 2007 and 2012, religion is not a determining factor in the choice, but the ethnic variable always has an electoral impact. However, the coefficient of the ethnic effect is smaller than the variable performance of the incumbent. The incumbent performance in the public eye is always consistent for explaining electability.

In other words, people in Jakarta on the earlier election, rationality being basis in determining the choice. Socio-economic factors can beat the racist effect and not had a huge impact on the previous election. Census BPS said that the majority of people in Jakarta are high school educated to above (52.7 percent), even people completing his university reached 13.5 percent, far from the national average. Their income levels are also much higher than other provinces.

According to Muhtadi (2016), the political map of Jakarta today shows the meaningful. From the release of credible surveys, the satisfaction of the citizens of Jakarta to the performance Ahok as incumbent fairly high (range 70-75%), despite at the time he caught a case of blasphemy. Residents also appreciated the performance of the incumbent against flooding. The governor's performance in the areas of

education, health, and facilities and other infrastructure is also positive. Although still not satisfied in overcome the traffics, residents saw a concrete effort provincial government to build mass transportation facilities.

On October 14, 2016, at least thousands of people demonstrated in Jakarta City Hall with the flag of the National Movement Guards Fatwa (GNPF) MUI. They demanded Ahok immediately detained on allegations blasphemy the religion. The mass denouncing Ahok and they marched back on November 4, 2016. The amount exceeded the capacity of the Istiqlal Mosque, about 200 thousand people from various parts of Indonesia. On December 2, 2016, back thousands of Muslims held a demonstration at a central point at the National Monument (Monas), exceeding the previous demonstration. Even this is an incredible amount of post-turbulence of 1998-1999.

This paper is a case study of electability Ahok election of Jakarta. Local elections have been deliberately based their case of defamation of religion. So, the question to be answered is how electability Ahok once named as a suspect blasphemy? What is the impact of the Muslims facing this situation?

Background of Basuki Tjahaja Purnama

Basuki Tjahaja Purnama is Chinese descent, named Chinese Tjung Ban Hok, or more friendly known as Ahok, who was born in Manggar Belitung, June 22, 1966. He was born of a father named Indra Tjahaja Purnama (Tjun Kim Nam) and mother named Buniarti Ning (Boen Nen Tjauw) Christian. Basuki married to Veronika Tan blessed with three children, Sean Nicolas, Natania, and David Albeneer (Purnama, 2008: 11).

Previous Ahok is a member of the House of Representatives Commission II period 2009-2014 from the Golkar Party, but resigned in 2012 after running for vice governor of Jakarta for Election 2012. He had also served as Regent of the East Pacific Islands 2005-2006 period. He is the first ethnic Chinese who became Regent of East Belitung, a popular local designation by the acronym Beltim district.

In 2012, he ran for vice governor of Jakarta paired with Joko Widodo, the mayor of Solo. Basuki also the older brother of dr. Basuri Tjahaja Purnama, M.Gizi.Sp.GK., Regent of East Pacific Islands (East Belitung) for the period 2010-2015. In Jakarta gubernatorial 2012, they won the elections with a percentage of 53.82% of the vote. The couple was

nominated by the Indonesian Democratic Party of Struggle (PDI-P) and the Great Indonesia Movement Party (Gerindra).

Tjahaja Basuki Purnama or are familiar with the origin of the name are the politicians Ahok Billiton. He became a partner Jokowi in Jakarta Governor Election 2012. In elections in 2012, and Ahok Jokowi elected governor and vice-governor of Jakarta. Previously, she served as Regent of East Belitung replace Saleh Usman.

Ahok born in the Pacific Islands on June 29, 1966. He was the first child of the couple Indra Tjahaja Purnama and Buniarti Ningsing which is Chinese-Indonesian descent. Together with a third brother, Ahok spent his childhood in the village of hanging, East Pacific Islands, to finish high school first. After that, Ahok moved to Jakarta to continue his education. In Jakarta, Ahok draw Sciences at Trisakti University by taking the Department of Geology at the Faculty of Engineering; Mineral. After graduating and getting a degree Geological Engineers, in 1989 Ahok back to the Islands and established CV Panda engaged in mining contractor PT Timah.

Two years later, Ahok continued his studies at the College of Management Prasetiya Mulya. After

42.04%. Instead Ahok's performance been very good but it is not enough to capital victory in the second round elections. A number of surveys show that people are more likely to choose leaders based on religion and programme. There are at least three factors that affect the defeat of Ahok.

First, the case of blasphemy that befell Ahok became one of the most influential things to the incumbent's fall. Religious politics with the call of not choosing non-Muslim leaders is effective enough to assassinated Ahok's character. *Secondly*, as some surveyors indicated that the number of coalition parties supporting Ahok-Djarot is not a decisive victory. It was proven by the winning coalition of Gerindra and PKS in the elections that took place in the second rounds. *Third*, the occurrence of the distribution of basic foods by the Ahok camp to the voting community, is also considered the cause of the defeat of Ahok-Djarot.

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