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Vol. 28, No. 1, 2020

Contents

Revisiting Southeast Asian Civil Islam: Moderate Muslims and Indonesia's Democracy Paradox

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Abstract: There has been an intensive scholarly debate about the development of Indonesia's post-New Order democracy. Some scholars have lauded Indonesia's surprisingly successful transition to democratic consolidation, while others have disputed such a notion, arguing that Indonesia's democratic process tends to be stagnant and even regressive. However, the absence of a progressive civil society as a result of the increasingly dominant position of oligarchic political elites in the structure of state power and democratic institutions, are a number of important factors that encourage the decline of democracy. This article investigates the conditions that drive the role of moderate Islamic organizations (or what Hefner calls a civil Islam) were declining rather than increasing in fighting for a democratic agenda. Referring to the research data obtained through interviews, documentation and case studies on Nahdlatul Ulama (NU) activism - the largest moderate Islamic organization in a predominantly Muslim country (Indonesia), this article argues that the decline of civil Islamic organizations is closely related to socio-political fragmentation and the strengthening of the conservative wing within moderate Islamic organizations. At the same time, the decline of the organization which had a glorious reputation as a champion of tolerance, pluralism, and democracy in the 1980-1990s had implications for the regression of Indonesian democracy marked by, among other things, the exclusion of religious minority groups such as Shi'a from the public sphere.

Key Words: Nahdlatul Ulama, Civil Islam, Religious Freedom, Public Sphere and Democracy

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Absstrak: Terdapat perdebatan hangat di kalangan ahli sarjana berkaitan dengan perkembangan demokrasi di Indonesia pasca-Orde Baru. Sebahagian daripada ahli sarjana tersebut memuji kejayaan peralihan Indonesia ke arah penyatuan demokrasi. Sebahagian ahli sarjana yang lain pula membantah kenyataan di atas dan berpendapat bahawa proses demokrasi di Indonesia tidak berkembang sama sekali, malah ia semakin merosot. Mereka ini berpendapat bahawa ketiadaan masyarakat awam yang progresif berpunca daripada pertambahan pengaruh elit politik oligarki dalam struktur pemerintahan negara serta institusi- institusi demokrasi, merupakan faktor penting yang mendorong kepada kejatuhan demokrasi. Kertas kerja ini mengkaji keadaan-keadaan yang menyumbang kepada kemerosotan peranan Organisasi Islam Moderat (atau apa yang disebut oleh Hefner sebagai Islam awam/ sivil) berbanding peningkatan di dalam meperjuangkan agenda-agenda demokrasi. Merujuk kepada data yang diperolehi daripada temu bual, dokumentasi, dan juga kajian kes mengenai gerak kerja Nahdlatul Ulama (NU) -sebuah organisasi Islam moderat terbesar di negara yang majoriti penduduknya adalah Muslim; Indonesia--, kertas kerja ini mendapati bahawa kemerosotan peranan reformasi organisasi Islam Awam berkait rapat dengan fragmentasi/pembahagian dan pengukuhan sayap/ barisan konservatif terutama sekali pada bahagian organisasi dalaman Islam moderat itu sendiri. Pada masa yang sama, kemunduran organisasi yang terkenal (yang memiliki reputasi cemerlang) sebagai pejuang toleransi, pluralisme, dan demokrasi pada zaman 1980-1990an, yang memberi kesan kepada kemunduran demokrasi Indonesia yang dikenali oleh, di antaranya, pengecualian kelompok minoriti agama seperti Syiah dari tempat awam.

Kata Kunci: Nahdlatul Ulama (NU), Islam Awam, Kebebasan Beragama, Tempat Awam dan Demokrasi

Introduction

The correlation between civil society and democracy have always triggered intensive debate among experts with some considering civil society to have progressive or reformist power to drive social change and democratization. In other words, there is an argument that civil society plays an important role in controlling, balancing and fighting against the dominance of state power (Cohen and Arato, 1992), driving political trust, political discussion and growing political efficacy (Almond and Verba, 1963), facilitating, communicating and mediating society and state's interest through a number of mechanisms (Schmitter, 1997). Other groups explain that the between civil society and democracy is not causal; that a strong civil society will certainly lead to democratic maturation while weak civil society will lead to democratic decline or

failure. However, not all civil societies are liberal-progressive and appear as - borrowing Gramsci's term – an organic intellectual movement that struggles for the public interest. In fact, many civil society groups show their conservative political attitudes by backing the ruling class (Richard Robinson, 2004). Other evidence shows that the democratization process does not automatically run smoothly even if there exists a strong reformist civil society. Ndegwa and Clark's study, for example, shows that civil agents successfully drive democratization when they become part of a social movement, and their success is determined by political availability (Ndegwa, 1994: 19-36; Clarke, 1998).

Experts have been paying serious attention to the development of civil society and democracy in the Muslim world. Some experts have argued that civil societies and Muslims have an incompatible relationship. Elie Kedourie (1992) argues that Muslim teachings, norms, attitudes and behaviors have shaped Muslim's typical and far-from-modern political views. A similar opinion is proposed by Bernard Lewis (2002) who stated that Islam is understood by its followers as a perfect system which regulates all aspects of a Muslim's life on the basis of God's law (Sharia). Therefore, secularism, as an important factor in modern social and political life, cannot emerge and develop among Muslim societies. As stated by Huntington, such conditions forces Muslims, to take up an exclusive attitude and so, are reluctant to learn from other political systems. Huntington (1997) argues that democratic failures in Muslim States is caused, among other reasons, by non-friendly Islamic cultural perceptions and peoples' opinions of liberal Western concepts. Although there are groups of Islamic liberals, they will still be hostile to Western political culture.

There is a belief that Islam and democracy are not compatible and that civil society, which is an important factor for the consolidation of a democracy, cannot emerge in Muslim society (Schmitter, 1997). Indeed, there are some concepts of 'Islamic civil society' such as *zakat* and *Sadaqah* (Islamic philanthropy) institutions which could form a basis for civil society growth. However, secular civil society, which is not built based on Islamic norms and law, is something alien to Islamic tradition. Ernest Gellner observed (1994) that the non-existence of strong civil society in the Muslim world is caused more by the character of Muslim societies where social solidarity is created based on a combination of Islamic and ethnic solidarity. It is this social solidarity that validates and

strengthens the State instead of bringing out relatively autonomous and independent civil society groups.

However, a few experts have more positive views in regards to the correlation between Islamic civil society and democracy. Effendy (1998), Abdillah (1999) and Hefner (2000), for example, believe that Muslim elites generally have positive opinions of, and attitude towards democracy. Hefner, by introducing the concept of 'Civil Islam', has been able to explain the development of democracy in the Muslim world, especially Indonesia. In his opinion, civil Islam plays an important role in developing civil culture, increasing political participation, balancing and even overthrowing the power of Suharto's authoritarian regime through the 1998 reform movement (Hefner, 2000). Similar opinion is presented by Saiful Mujani (2007) who explained that the existence of Islam (in Indonesia) is not in conflict with democracy. Instead of being in conflict with democracy, Islam has made important contributions towards a growing democracy in Indonesia following the New Order. Eventually, the question of Islam supporting democracy or otherwise will largely depend on the social agents that play an important role in determining the inclusive or authoritarian truth of a religion (Bayat, 2011).

This article argues that even though the existence of civil society is an important element for the success of democracy, the correlation between both is not always linear. In fact, there is an argument that civil society is both pluralistic and dynamic. Although civil society is derived from civil organizations that are known to be progressive, their progressive roles cannot be displayed in all situations. As an example, this viewpoint could be applied to Nahdlatul Ulama (NU) which is a moderate and tolerant Islamic organization (Barton, 2002), actor of civil Islam (Hefner, 2000), leading pillar of democracy and civil society (Bruinessen, 2004, 2008, 2012) with over 90 million Muslim members in Indonesia. As a representation of an Islamic civil society organization with a moderate religious ideology, it is important to study NU's history and their contribution to the development of democracy in Indonesia. The fact that NU struggled for tolerance, pluralism, human rights (HAM), and democracy in the 1980s to the 1990s (Bush, 2009; Mietzner, 2009; Fealy, 2007) is a reasonable reason to make it a challenging research subject. It is on this organization's shoulder that Islam in Indonesia has been successfully displayed as a compatible value, norm and cultural

system to democracy. It is also thanks to NU that in the long run, Islam in Indonesia has been widely known as friendly, tolerant, moderate and democratic. In other words, according to Martin van Bruinessen's (2013) Islam practiced in Indonesia became popularly known as smiling Islam.

Despite NU having the status of a progressive Islamic civil society organization, it has not been as successful in constantly maintaining the struggle for democracy. Many experts criticized NU's contribution to the struggle for democracy agenda since the organization has not been as progressive as in the 1980s to the 1990s. Although freedom has bee gained due to the lack of a repressive regime after the New Order, NU was not cohesively consolidated as a progressive civil society agent. Instead of undergoing consolidation, the organization fragmented into groups with not only varied, but contradictory struggles in politics and other interests. In addition, the group lost its authoritative patron with the death of Aburrahman Wahid, thus making it more difficult for NU to face a revival of conservative groups within itself (Fealy, 2007; Aspinall, 1998).

However, the decline of Islamic civil society's progressive role led to a decline in democracy in Indonesia after the New Order. Many scholars have explained that not only has development of democracy after the New Order become stagnant, instead it has regressed. Indonesia's democracy indexes in 1998, 1999, and 2005, particularly in terms of civil freedom and citizen's political rights, have been stagnant at second and third place respectively. Between 2006 and 2010, the Freedom House detected a decline in civil freedoms with similar opinions shared by a number of institutions such as Polity IV Index and World Bank. These organizations have assumed a decline in Indonesian civil freedom, minority rights, governance accountability, and others (Mietzner, 2012).

This paper examines the dynamics of Islamic civil society's role in the struggle for a democratic agenda in Indonesia after the New Order. Using the Nahdlatul Ulama (NU) organization in Jember (East Java) as a case study, this research discovered that agents of this moderate Islamic organization played roles that may not be considered to be progressive. The organization's consistent struggle for tolerance, pluralism and religious freedom, particularly for minority groups in public space, has not been as prominent than in the 1980s-1990s. Research suggests

that there are at least two main factors that have caused a decline in NU's progressive role; firstly, fragmentation and political contestation followed by the rise of religious conservatives among the Indonesian Muslim community. Due to the progressive role of Islamic civil society seriously declining, there has been democratic deconsolidation which has been marked by the exclusion of religious minority groups from the Islamic public space.

Nahdlatul Ulama (NU) as Civil Islam

Nahdlatul Ulama (NU) is an Islamic traditionalist organization established by *ulama pesantren* (the religious leader of traditional Islamic boarding school). This organization was formed in response to a number of important events such as political change in the Middle East in 1924 related to the abolition of the Caliphate by Turkey, Wahabi's attack on Mecca, and the traditionalist ulama's disappointment at the Al-Islam congress in Bandung (a meeting between reformer organizations which dispatched delegates consisting of two individual reformers to Mecca). This congress did not respond to Kyai Wahab Hasbullah's recommendation to have the traditionalists' proposal of religious practice brought to the Indonesian delegates. The reformers' rejection triggered the traditionalists to establish an organization - Nahdlatul Ulama - to represent traditional Islam on January 31, 1926 (Feillard, 1999).

From the day of its formation, Nahdlatul Ulama became the largest religious and social organization in Indonesia. Nahdlatul Ulama organized activities that eventually allowed it to build connections with contacts in the social, cultural, economic, or religious fields. Since most of its followers were rural Muslims, many of NU's activities were orientated towards developing and empowering these rural Muslims. In addition, for ease of access to supporters and other Muslims, NU administrators at the central level developed branches at regional levels. In 1933, it was predicted that there were up to 40,000 NU members with a source from the Dutch Government stating that 400 Kyai had joined the organization. In 1935, the number of NU members shot up to 67,000 people distributed throughout its 76 branches. In 1938, NU had 99 registered branches with 100,000 members with the number of branches increasing to 120 during the Japanese Occupation (Fealy, 1998). From its founding, the PBNU (NU's Executive Board) has branches in nearly all regions from the provincial level (PWNU/Regional Administrator

of NU) to the regency level (PCNU/ District Board of NU), the sub-district level (MWCNU/Branch Area Assembly of NU), and even at the village level (Sub-Branch NU). In addition, Nahdlatul Ulama formed autonomous bodies and agencies that are both structurally and culturally affiliated to it. These bodies and agencies include *Muslimat* (NU Women's Organization), *Fatayat* (NU Younger Women's Organization), *Ansor* (The Young Men's Branch of NU), among others. In 2019, up to 90 to 120 million members were estimated to participate in the Nahdlatul Ulama (Wikipedia.org/wiki/Nahdlatul_Ulama; http://muslimedianews.com/2014/05/jumlah-warga-nu-83-juta-jiwa-di.html).

Nahdlatul Ulama's status as an Islamic civil society organization shifted in line with the radical measures initiated by the organization's elites to form NU into a political party during its congress in Palembang at the end of April 1952. Nahdlatul Ulama's roll was reoriented due to political conflict between the traditionalists and the modernists in the Islamic political party, Masyumi. The political competition between the two groups led to alienation of the traditionalists from Masyumi party's power structure. Experts have opined that it was the appointment of Fakih Usman, a modernist from Muhammadiyah, as Minister of Religious Affairs in April 1952, which triggered a schism in the relationship between the traditionalists and the modernists. In its standing as a political party, NU dealt with many political practices and successfully placed third in the General Elections of 1955 and 1971 (Feillard, 1999; Bush, 2009). Nahdlatul Ulama would later come face to face with the result of the New Order regime's policy (1980s) regarding simplification of political parties into only three parties: PDI (Indonesian Democratic Party of Struggle), PPP (United Development Party), and Golkar (the State Political Party under the New Order). All Islam based parties, including NU, were forced to merge into the PPP. It is in this period of time that political conflicts involving the traditionalists and the modernists were repeated. It is due to these political conflicts that led to internal competition within NU between political and cultural oriented *ulama*. Eventually. in its congress in Situbondo (1984), a resolution was worked out for NU to return to its *khittah* (guidelines, basis) as a social-religious or Islamic civil organization (Feillard, 1999; Bruinessen, 2013; Bush, 2009).

As a part of Nahdlatul Ulama at the central level, NU Jember (East Java) –which is the focus of this study - has the same social-political

dynamics as its parent organization. NU Jember's status repeatedly shifted from being an Islamic civil organization since its establishment in 1934 to a political party in 1952, and then returned to its role as an Islamic civil organization in 1984. It was after returning to its *khittah* as an Islamic civil organization that NU Jember's organizational dynamics were more in touch with social, educational and religious activism. NU Jember, from mid-1980 to 1990, was fully involved in social empowerment programs, the struggle for human rights, gender equality, tolerance, pluralism and democratization promoted by elites at the national level. It would be under the leadership of two progressive ulama, K.H. Achmad Siddiq/ *Syuriah* Chairman (from Jember) and K.H. Abdurrahman Wahid/ *Tanfidziyah* Chairman (from Jombang), that NU, both at the central and local levels like Jember, became a progressive Islamic civil organization which played an important role in driving social change and the democratization process. In the 1998 reform movement promoted by students and civil society reformers, NU played an important role in mass actions which led to the abdication of Suharto (Hefner, 2000; Bush, 2009).

NU Jember has successfully positioned itself as the biggest and most complex Islamic civil organization with a leadership structure consisting of a chairman of *Tanfidziyah* (Administrative Council) and *Syuriah* (Supreme Council). Its branches exist in sub-districts and sub-branches in villages throughout Jember Regency. It has various organizations, including *Muslimat*, *Fatayat*, *Ansor*, GMNU (Young Generation of NU), PMII (Indonesian Students Association), IPNU (Union of NU Students) and IPPNU (Union of NU Girl Students), ISNU (Union of NU Bachelors), and Indonesia Muslim Labor Union (Sarbumusi). It has established educational foundations such as *Lembaga Ma'arif* (Institute of Education of NU) and RMI (Pesantren Institute), as well as the *Tariqah Naqsabandiyah wa Qadariyah* network with thousands of followers. Its members manage more than a hundred *madrasah* and schools, dozens of *pesantren*, some Islamic higher schools, academies, colleges, and universities. *Lakpesdam* (Institute for the Study and Development Human Resources) and *Lajnah Bahtsul Masail* (Committee for Religious Problem Solving) are often involved in social empowerment programs.

In practice, NU Jember offers its members shared religious experiences and discourse, including study, prayer and religious

activities. It is also highly concerned with strengthening Islamic teachings *Ahlus Sunnah wal Jama'ah An-Nahdliyah* (those who follow any of the four *mazhab* and is used by traditionalist Muslims to differentiate themselves from modernist Muslims) through various activities and forums such as the two-week routine study at the PCNU office, *ḥalaqah* (religious discussion forum)*, bahtsul masail* (religious problem solving)*,* and publication of books. These shared life experiences make communication easier and, under appropriate conditions, may encourage trust. Nahdlatul Ulama also gives members opportunities to develop their leadership and organizational skills. Successes in building networks and collecting money from various governmental institutions and the private sector raised confidence in the altruism among the Jember people, and empowered local leaders.

In addition to the above NU Jember offers members opportunities to learn how to participate in political activities such as General Elections, Presidential Elections, and Regional Elections. During the New Order, NU Jember used a contra-hegemonic or compromising model. Nahdlatul Ulama change of political attitude throughout the New Order era, like that of NU at the national level, also taught its members how to adapt to the existing political system. NU's ever-changing political attitude is often criticized by Western experts and modernists as a form of political opportunism. Ernst Ultecht calls it a political party with ultra-high opportunism while Mochtar Naim pointed at NU's tendency to be opportunistic in the political scene. Daniel Lev considers NU's opportunism to be understandable. However, there are many experts who consider NU's political attitude as flexible in response to existing changes (Utrecht, 1959; Naim, 1952; Lev, 1966; Fealy, 1998).

The existence of NU Jember, in addition to its role in society, certainly gives high hope for the development of democracy at a local level. After the New Order, the executive leadership in the organization's body has been held by intellectual elites with cosmopolitan discourse - K.H. Muhyidin Abdusshomad (2000-2010) and K.H. Abdullah Syamsul Arifin (2010-present). Under the leadership of these intellectuals, NU's interaction with those in positions of power, and with society in general, was not always progressive. However, NU Jember also has other weaknesses as a "free school of democracy". Banfield's description of *amoral familism* in Italia represents a world view which is prevalent in the NU community. There are often problems with a lack of transparency,

nepotism, collusion and corruption in Nahdlatul Ulama and its affiliated organizations. In addition, gossip has spread of perverted government assistance, structural elites becoming pragmatic in politics, and so on.

Fragmented Civil Islam

In the post-Suharto years, NU Jember became involved in political activism. NU Jember's involvement in encouraging PBNU to establish its own political party and harmonization with the National Awakening Party (PKB) shows that the Islamic civil organization is involved in the establishment of primordially patterned political parties. The emergence of PKB, and other religious based parties, may be understood as Muslims' response to existing chances for participation in directing politics following the New Order. Subjectively, formation of a political party cannot be separated from individual and communal interests. According to Smith, religious-based parties emerge in response to latent and actual conflicts existing in a multi-religion society in order to protect communal interests. Religious communities become politicized in conflict situations even if the real issues are social, political, and economic (Latif, 2005: 403).

More interestingly, the initiators and supporters of the NU based political party formation are the intellectuals and activists who have been actively involved in social change and democratization movements in the 1980s-1990s. Among the reformist intellectual-activist elites are K.H. Muhid Muzadi (one of the fathers of *khittah*), K.H. Muhyidin Abdusshomad (religious elite and gender acivist), K.H. Wasil Sarbini (pluralism activist), K.H. Yusuf Muhammad (leader of *pesantren* Darus Solah), and most of NU's progressive young intellectuals-activists. What they desire is an inclusive, pluralist and nationalist political party. An administrator of NU and supprter of PKB stated that:

> "…….not merely random political party, we desire a format of party which is truly inclusive, pluralist and nationalist. Through such a platform, the political party established by NU is expected to become a reformist political party which participates in struggle for realization of democratic socio-political life in Indonesia. In other words, it is not an Islamic party, but a party which is driven, motivated and guided by *diniyyah* (religious) measures (interview wih K.H. Muhid Muzadi, 15/12/2016).

Meanwhile, PKB's success in maintaining its votes in the first ranking, or the first three rankings at a minimum, in General Election since the reform (1999-2014) cannot be separated from the relationship with its support base in NU. In the 1999 election, for example, PKB gained 498,989 votes (DPRD II), 500,602 votes (DPRD I), and 406,410 votes (DPR RI). Due to these votes, PKB has had 17 representatives (DPRD II), 3 representatives (DPRD I), and 3 representatives (DPR RI). Nationally, PKB gained 13,336,963 or 12.6 percent out of 105,845,937 votes and successfully took up fourth place in terms of largest political parties. In the 2004 legislative election, PKB successfully maintained its first ranking with 487,894 votes, with PDI-P coming second with 222,244 votes, then Golkar Party in third place with 174,929 votes, PPP in fourth place with 126,533 votes, and the Democrat Party in fifth place with 77,027 votes. Due to PKB crumbling since 2004, votes for any NU political parties declined sharply; in the 2009 election PKB ranked third with PKNU, which is a fragment of PKB. Meanwhile, the first and second rankings are Democrat Party (9 seats) and PDI-P (8 seats) respectively (KPUD Jember, 2010).

Existence of political parties have not been strategized to be used political instruments in the struggle for democratic agenda. Instead of being used as a political instrument to struggle for tolerance, pluralism, religious freedom, civil rights and other democratic agenda, a political party serves more an instrument of political practice. NU politicians have been fighting over control of PKB and over access to local power since 2000. There has been clear indication that NU politicians and activists are dominated by practical-pragmatic interests, most of which are liberal, in the sense of not formally integrating religious and State institutions as imagined by the Islamists (Fealy, 2019). However, their conservative-pragmatic political attitude and behavior cannot be denied.

It should be noted that NU political party based civil organizations are full of short-term instead of long-term political relationships. Political deals in determining legislative, regent and vice regent candidates in regional head elections show its primordial-transactional character. It is a public secret that candidates who are like to be placed on a ticket as a potential official, bureaucrat and potential regent or vice regent from NU-PKB must submit a dowry, especially in the form of material or power reward. There are not many objective agendas in regards to public interest generated from such a relational pattern which is later

used as a common platform to forge alliances with strategic groups in the struggle for a democratic agenda (Evers & Schiel, 1968).

Moreover, many NU based Islamic civil organizations are coopted by the ruling regime and politicians with pragmatic interests. Multiple administrations in NU have made such organizations, utilized by politicians, as political practice instruments. For example, some political party administrators could also serve as administrators of a NU branch or sub-branch; the leaders of *Ansor* and *Sarbumusi* also serve as chairman of certain political parties. Since NU based organization elites are also active in local politics, they use their institution as an instrument to mobilize the masses (Abdul Qodim, 22/10/2017; Nur Hasan, 1/11/2017). Such conditions makes various NU civil associations not only unable to be autonomous and independent, but also ripe to be coopted by those in power. The NU civil associations can even become fragmented into various groups with their varied agenda, orientation, and political interests in conflict with each other (Hadiz, 2009). Politically, many of the civil associations choose to build relationships with the ruling regime. Others would not take the same path nor would they perform anything that is worthy to society. In the end, there would be a few groups that would take the initiative to develop a reform movement in one form or another (Abdul Qodim, 22/10/2017; Ahmad Taufik, 1/11/2017).

Conservative Turn

One of the serious challenges faced by progressive Islamic civil society agents like NU is the rise of religious intolerance and discriminative attitudes towards minority groups. Surprisingly, these conservative groups gained momentum to grow and rise in the freedom era after the New Order. Although their number is not high, their existence has strong influence both at NU's *jamiyyah* (organization) and *jama'ah* (community) levels. More noteworthy is that these conservative groups have a greater influence on public and political life compared to their actual number in the NU community. In the PCNU Jember organizational structure, conservative elites occupy important positions that include leaders of *Syuriyah, Tanfiziyah,* to autonomous bodies such as *LBM, Lakpesdam,* among others. These groups have great influence in the formation of Islamic discourse among *nahdliyin* (traditionalist Muslim community). There are at least three issues that concerns the NU's

conservative wing: *first,* the strengthening of *Aswaja* doctrine; *second,* fight against radicalism and Islamic liberalism; and *third,* regulation of sharia based religious life.

Undoubtedly, NU's conservative wing has become nearly militant in the strengthening and defending of *Aswaja,* particularly from attacks by Islamic fundamental-radical groups such as Wahabi and Salafi. However, the they tend to make the formulation and movement of *Aswaja* conservative and normative due to their highly textual and dogmatic interpretation of NU's principle teaching. In the end, *Aswaja* is only made into a standard and rigid theological doctrine and dogma. This is clearly different from the interpretation of the progressive group which formulated *Aswaja* not jutt as a doctrine, but as a methodological way of thinking and as a movement to solve various issues from an Islamic, national and humanitarian perspective. In practice, the conservative group has taken the position opposite to the idea of Islamic democracy fought for by the progressive group in areas such as human rights, gender equality, pluralism, and the like (interview with Abdul Qodim, 22/10/2017; Kyai Noor Harisudin, 5/3/2018).

Lembaga Bahtsul Masail (LBM) is noted as being NU's most aggressive and militant structural institution to confirm *Aswaja* and fight against the fundamental-radical groups that often discredit NU followers' religious practices and rituals. The institution, which is filled with NU youths, has helped gain NU Jember a reputation as the avant-garde of *Aswaja* at regional and national levels. They have successfully established the *Aswaja* Centre which serves as the center for study and transformation of *Aswaja* doctrines. Routine weekly *Aswaja* study, *bahtsul masail*, bulletin publications, books about NU and *Aswaja,,* as well as online news media are a number of products due to activities by LBM and *Aswaja* Centre. This institution has even successfully introduced a popular *Aswaja* defender (Kyai Idrus Romli) who is actively traveling throughout various areas, and even overseas, in promoting *Aswaja* and countering Salafi-Wahabi teaching (Interview with kyai Noor Harisudin, 5/3/2018).

LBM has also successfully made a breakthrough in fighting against *nahdliyin* liberal-progressive groups. They restricted the influence, progress, and movement of progressive NU intellectuals-activists both in the NU administration and among *nahdliyin*. Although there

are several NU liberal-progressive minded youths in the PCNU administration, they do not have nearly enough power and chances to transform their Islamic democratic ideas. Pluralistic, religious freedom, or ideas of tolerance and anti-sectarianism, which are concerns of progressive *nahdliyin*s thinking and struggle have no place in NU. Moreover, those who are vocal and non-accommodating towards the thinking of conservative elites must accept the bitter fate of getting kicked out of the PCNU administration (interview with Nur Hasan and Ahmad Taufik, 1/11/2017). Such conditions strengthens the view that the Islamic revival, particularly the rise of fundamentalism, would seem to further reduce the likelihood of democratic development (Hashemi, 2009: 30).

The NU conservative group has a high desire to widen its influence, particularly at the PBNU level. They are looking towards capturing the NU administration so that they are not dominated by the moderate-progressive group. Therefore, in NU's 32th National Congress in Makasar (2010), LBM maneuvered to block liberal-progressive elites from controlling PBNU. Through the FKM *(Forum Kyai Muda/Young Kyai Forum)* of East Java, LBM gained support of some ulama from East Java for a "*tabayun* forum" to adjudicate NU leading figures deemed as liberal. These figures were K.H. Said Aqiel Siradj with his allegedly Syi'ah-biased thinking and Ulil Absor Abdalla as the activist of Liberal Islam Network (JIL) (2009), in *Pesantren* Bumi Sholawat, Sidoarjo (East Java). At the end of the *Tabayun* (Clarification) Forum, a resolution was agreed up which stated that the ideals of the two NU figures did not confirm to the teachings of NU's real *Aswaja*. The ideas of these two figures were also deemed to be misleading and endangering NU's young generation. They also recommend the two figures return to the correct path of *Aswaja* teachings as stated in NU's decision. There are eight items of conclusion in the *Tabayun* Forum, particularly in the Ulil case in regards to the "liberalization of belief taught by JIL that all religions are equal, and of pluralism are contradictory to the faith of Islam *Ahlussunnah Waljamaah*" (http://dutamasyarakat.com/artikel-24244-jil-tak-bisa-dikaitkan-dengan-nu-.html)

Together with other conservative elements like MUI, the *nahdliyin* conservative group is also involved in arranging religious life which tends to be sectarian and non-pluralist. For example, in religious nuance conflict cases such as the destruction of *pesantren* Rabbani by a group

of mainstream Muslims (2012), and the Sunni-Syi'ah conflict in Puger, Jember (2012), the *nahdliyin* conservatives cooperated with the Regency Government, security forces (Polri/TNI), Ministry of Religious Affairs of Jember Regency, FKUB, and MUI to find a resolution to the conflict by disregarding pluralist values. Collectively-institutionally, the conservative group issues fatwas and written agreements for religious figures who develop Shia and other non-mainstream Islamic teachings to repent and return to the correct Islamic teachings under *Aswaja* (NU online, 2012).

There is also the LPAI (Institution of Islamic Morality Development) which militantly struggles for morality and sectarianism issues, particularly anti-Christianity sentiment. As stated by the leader of this moralist-symbolic-religious organization, K.H. Hamid Hasbullah (7/2/2018), this organization was established at a time of anti-Christianization sentiment since the ulama in Jember are very concerned about the development of Christianity as well as establishment of their places of worship. Additionally, LPAI is also concerned with enforcement of religious morality in public spaces, particularly in relation to problems such as prostitution, pornography, and the like. This moral institution often mobilizes the masses for demonstrations, and the sweeping closure of places identified as sources of immorality.

In practice, LPAI not only uses *dakwah* media, it also utilizes power as its instrument. These proponents of morality do not only actively mobilize the masses for demonstrations and forcefully closing immoral places, they also actively influence local government and legislative (DPRD) policies that regulate society's morals pursuant to Sharia principles. The implementation of Anti-Immorality Local Regulation were realized in the closure of immoral places is the achievement of this symbolic-moralist-religious group. They also successfully encouraged the ruling regime to make Regent Regulation on the Al-Qur'an reading and writing program and obligations for female students of public schools (SMP/Junior High School to SMA/Senior High School) to wear clothes categorized as 'covering intimate parts' into the education curriculum of schools (interview, Kyai Hamid Hasbullah 16/9/2017; Samanhudi, 9/10/2017; Abdul Latif, 29/10/2017).

Not contently with merely forging alliances with the ruling powers, the NU conservative group also successfully cooperates with local

security forces. With support from the state security force, enforcing their moralist-religious agenda is more effective and efficiently due to a perception of legitimacy by a state institution. It is also through state instruments that various tensions related to differences in views and faith, which are strengthening in Jember, may be easily settled. In their opinion, it is natural that the state plays a role in controlling various immoral places and various emerging faiths which, according to LPAI and MUI fatwas, are contradictory to correct Islamic teachings. Religion has legitimized power in such a way that religion itself is under the power of the state. Borrowing Foucault's term, both state and religion mutually defend or become part of the same regime of truth. Consequently, religion does not hold full autonomy anymore since it is subordinated into State power (Dhakidae, 2003).

Implication for Religious Freedom

However, the strengthening influence of conservative groups, both in public and political spaces, significantly leads to declining role of progressive Islamic civil society agents in struggles for democratic agenda at the local level. Therefore, it is understandable that it is not easy for the progressive group to take a central role in influencing public opinion and government policy. In regards to the political process, they also find it limited in determining the format of local power to be more – borrowing Hefner's term— civilized. Quoting Hefner's (2000) opinion, a civilized government will also be responsible for strengthening civil society, acting through civil ways, and ensuring public rights such as freedom of religion and expression without discrimination. Democracy cannot run properly without state, society, and political elites' acceptance of the principles underlying the freedom of speech, association and religion (Hefner, 2000; Lipset, 1994).

It is important to note that freedom may be guaranteed if citizens are tolerant to different beliefs followed by other citizens. Normatively, citizens must have equal opportunity to achieve their respective objectives pursuant to their social, cultural, religious and political interests. These differences will be problematic if there is no tolerance or willingness to accept differences. It should be acknowledged that tolerance is, in actuality, not identical to democracy; instead, tolerance is believed to be an important factor to make democracy work (Sullivan, Pierson, and Marcus, 1982; Mujani, 2007). In the context of Indonesia

after the New Order, the rise of religious intolerance and discriminative attitudes has been strengthening from the early 2000s and has become a serious threat to democratic consolidation. Many experts argue that the state, society and Islam in Indonesia after the New Order are more conservative and intolerant than in previous periods (Mietzner, 2013; Menchik, 2019; Hefner, 2019).

Meanwhile, the cases in Jember may be stated as non-exception. Local government's role in making inclusive policy regarding, for example religious freedom, is not impressive. The local government is deemed not to have strong commitment to guaranteeing religious freedom, particularly for religious minorities. The local government is closer to the conservative Muslims, including those among *nahdliyin,* than the progressive Muslims. In the period of Regent Samsul Hadi (2000-2005), the government was almost successful in making Sharia based local regulations in response to pressure by conservative group's to follow the "Religious Jember" idea. An investigation discovered that that the *nahdiyin* conservative group generally did not object to Sharia based local regulation. It should be noted that they stated, "No to Islamic State, Yes to Sharia Local Regulation". The survey conducted by the Freedom Institute also confirms that the perception of the form of state is relatively clear. Almost all respondents answered that Indonesia is not an Islamic state. Some respondents stated that UUD does not state Islam as the basis of the state. This opinion does not really change in two surveys, from 76% (2007) to 72% (2008) (Fauzi & Mujani, 2009).

It is the same with the local government under M.Z.A. Djalal's leadership. This Regent of the second and third period is also close to conservative groups, especially *nahdliyin.* Regarding religious policy, he is also not as good as the previous Regent since a number of Sharia based Local Regulations and Regent Regulations were enacted in response to his constituents from the conservative *nahdliyin.* Among the concerned Local Regulations are the *Perda Anti-maksiat* (Anti-immoral local regulation) which was followed by the closing of prostitution centers in Puger sub-district (2005), the Regent Regulation of formalization of Al-Qur'an Reading and Writing and Muslim Clothing for SLTP and SLTA students through school curriculum, among others. The result of surveys conducted by the Freedom Institute confirms that most of the political and religious elites in Jember (80.0% (2007) and 84 % (2008)) argue that prostitution must be regulated. Meanwhile, only 20.0%

(2007) and 16.0 % (2008) consider it unnecessary. They also argue that if prostitution is not prohibited with existing Criminal Codes, what is needed is regulation based on Islamic law (60.0% (2007) and 76% (2008)). They argued that it is sufficient for this issue to be regulated with Criminal Codes (36.0% (2007) and 24% (2008) (Fauzi & Mujani, 2009).

In cooperation with MUI, the local government could play a discriminative role in regulating various ethno-religious conflicts. It is commonly known that MUI issued a strict fatwa that Shia is considered a non-Islamic group with heretic teaching. In this context, the government's reluctance to effectively protect a religious minority opens the chance for the conservative and radical groups to perform discriminative and even repressive acts against other minorities (Mietzner, 2012; Hamayotsu, 2013).

Meanwhile, the liberal-progressive group has limited access to traditional institutions (such as NU *pesantren*, kyai and organization), and other state based religious organization (such as MUI) since they are generally critical of traditional religious authorities as well as their conservative interpretation of Islam. Moreover, the progressive groups, particularly from NU, have limited access and networks with strong politicians in the parliament, government and other state institutions. This condition makes them unable to play optimal roles in struggle for their tolerance, pluralism, religious freedom, and democracy agenda (Hamayotsu, 2013). Empirically, the marginality of NU reformist elements in power and decision making domains, as in the cases in Jember, may be observed from the following informant's statement:

> public intellectuals and activists from among *santri* who have critical discourse basis are not involved much in power management. Recruitment of human resources by new ruling regime is still based on a principle of political contribution instead of competence. They who have critical discourse, idealistic ideas and professional competence are not much *kanggo* (red: used) by ruling regime. They lose competition to bureaucrats, politicians and those who contribute to winning the ruling power. This involvement of mediocre individuals confirms even more the fact that power management is no longer an event of strengthening "meritocracy" (governance by those capable), but becomes the catalyst for "mediocrity"

(governance by those mediocre (interview with Ahmad
Taufik, 1/11/2017)

Local governments after the New Order also tends to prioritize religious
policy which emphasizes social stability instead of arrangement of
religious life based on tolerance, pluralism and/or democracy principles.
This confirms the fact that the government's commitment to giving
religious protection and freedom, particularly to minority groups such
as Shia, is not really high. Based on the cases in Jember, there is an
interesting lesson that a small conservative group has the capability
to influence public and political life. Similar cases have taken place in
various areas with sectarian conflicts such as Sampang (Madura) where
conservative groups have important influence and roles in influencing
discriminative public policies (IPAC, 2016; Mustamir, 2015; Wahyudi,
2015). The dominance of these conservative groups certainly limits the
capability of Islamic liberal-progressive civil society to promote Islamic
democratic ideas. In such a context, it is not impossible that religion
is often interpreted and implemented pursuant to the interpretation of
conservative groups. According to Hefner, without freedom, religion is
clearly at risk of getting corrupted by groups claiming to be defenders
of faith (Hefner, 2013).

Conclusion

This article has shown that, contrary to some accounts, the decline
of civil Islam activism in Post New Order Indonesia was not only
due to the domination of oligarchical political elites in governmental
power structures as well as democratic institutions. On the contrary,
the emergence of new non-powerful political regimes as a result of
democratic elections, as was the case in Jember, did not automatically
provide great opportunities for progressive Islamic civil groups to
consolidate their forces. Instead, research data has demonstrated that
their activism was declining rather than increasing due to social and
political fragmentation. As a civil Islam organization, NU is prone
to political temptation by indirectly getting involved in local power
contests and political intervention from agents in local governments.
Similarly, many administrators of organizations which are structurally
or culturally affiliated to NU, such as *Muslimat, Fatayat, Ansor,* and
others are involved in competition and fight over local power.

Other factors with important contribution to deconsolidating the progressive role of civil Islam after the New Order is the strengthening of the conservative wing of this internal organization. This corresponds to the strengthening of conservatism in the community and in Indonesian Muslims in general. However, the strengthening authority of NU's conservative wing marks their dominance over the progressive wing's power in this Islamic civil organization's body. Although there is no open conflict between the conservative faction and the progressive faction in NU, as was the case in 1980s, the progressive group's decline in prestige and reputation is due to their political defeat in the democratization agenda versus Islamization.

The strengthening influence and role of the conservative groups in NU, however, is implicated in the declining quality of democracy, especially in regards to tolerance and freedom in religion, particularly for the minority groups. Instead of being protected and having freedom to express their religious belief in a public space, minority groups remain in subordinate positions. The cases of sectarian violence experienced by the minority groups, such as the religious violence case regarding the Shia community in Jember in 2012, is the indicator of strengthening intolerance in the public space in this era of democracy after the New Order.

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