

## 15 In the state's stead? Vigilantism and policing of religious offence in Indonesia<sup>1</sup>

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It was an awkward encounter. Deputy National Police Chief Nanan Soekarna shifted in his seat as the popular talk-show host Najwa Shihab tried to extract a promise from Muhammad Al Khaththath, the secretary-general of the Forum of the Islamic Community (Forum Umat Islam, FUI), that his organisation would no longer conduct vigilante raids on food stalls in the upcoming fasting month.<sup>2</sup> Al Khaththath remained defiant. 'Raids are only conducted when citizens complain to us. If there is no response from the police [to stop the sale of food when Muslims are fasting], Islamic mass organisations [*ormas*] will be forced to act in their place', he asserted. When reminded of the newly passed *ormas* law,<sup>3</sup> which prohibits such raids, he lamented the limited law enforcement capacity of the police and insisted that citizens had the right to punish wrongdoers: 'Just think about it, even when we catch a thief, don't we beat him up?'

Unlike National Police Chief Timur Pradopo, who was known to be close to hardline Islamist organisations and frequently expressed his gratitude for their support in maintaining public order (*Tempo* 2010), Soekarna had a rocky relationship with these groups. Just a few days earlier, he had issued a stern warning to the *ormas*: 'Unofficial raids are

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1 Some of the analysis presented in this chapter has been previously published in Jaffrey and Mulyartono (2017).

2 The show, *Mata Najwa*, aired on Metro TV at 9:30 pm, 10 July 2013.

3 Law No. 17/2013 on Mass Organisations.

prohibited, and it is our duty to take action against anyone involved in anarchic activities' (Arnaz 2013).

That evening, however, Soekarna appeared more conciliatory. There was no mention of dire consequences, only gentle attempts to guide vigilantes' demands through the proper channels. He calmly explained that enforcing the law was the job of the police, and if officers were not responsive to citizens' complaints, they could be fired: 'With a policy of swiftly firing non-responsive police officers, the *ormas* really can trust us to get the job done'. This appeal for trust prompted even more indignation from Al Khaththath, who berated the police for not paying attention to issues that offended Muslim sensibilities. 'There would be no need for [our] raids if the police took preventative action', he claimed. 'That is why [we] are now pushing the police to conduct the raids.' On this point, the two men found common ground. Soekarna agreed that the vigilante organisations should work through the police, rather than in their stead. 'From now on, the duty of the *ormas* is to rebuke, rectify and warn [uncooperative] police officers, so that there is no need for violence', he concluded.

Hardline Islamist organisations that once operated on the political margins have emerged as formidable players in mainstream politics during the second decade of democratic rule in Indonesia. Previously notorious for their harassment of religious minorities and moral racketeering, these organisations are now undermining Indonesian democracy by polarising the public along religious lines and enforcing these divisions at the grassroots level through threats of mob violence. The brief encounter from 2013 described above illustrates two enduring factors that explain this transformation. First, hardline organisations are regulating a widening range of moral and religious offences in Indonesia by actively building on an existing template of widespread crime-control vigilantism that has broad social legitimacy. Second, the effectiveness of using vigilante violence as a tactic for enforcing a narrowly defined religious vision of society derives both from these organisations' direct punishment of transgressions, as well as from their ability to compel the state to do their bidding. While they cite lenient laws and low police capacity as motivations for taking the law into their own hands, in reality religious vigilantes draw on the presence and authority of state institutions to cow their victims into submission. This power to deploy the state apparatus in the service of their goals explains why hardline Islamist organisations have gained political influence without ever having to contest popular elections.

The deepening political polarisation in Indonesia involves two ideological camps: one that seeks to maintain the pluralist foundations

of Indonesian democracy, and another that demands a fundamental reconstitution of the polity to ensure a privileged position for the Muslim majority, by restricting the democratic rights of minorities. Successive electoral defeats suffered by the majoritarian camp have prevented it from translating its Islamist vision into constitutional change. However, this chapter argues that hardline organisations have adopted vigilantism against religious offence as an alternative mechanism for dismantling basic democratic freedoms from the bottom up.

In the first section of this chapter, I briefly recount how Islamist organisations brought the issue of blasphemy into the political spotlight. I show that while most attention has been paid to hardline groups, mainstream Islamic organisations have also used vigilante tactics to counter criticism. In the second section I explain the emergence of vigilantism as a tactic for regulating religious offence at the grassroots level, by taking a broader look at patterns of vigilante violence in Indonesia. I argue that Islamist organisations seek legitimacy for their actions by replicating an existing template of collective violence that is routinely used to punish criminal offences. In the third section I demonstrate that, contrary to existing theories that attribute mob violence to state absence, vigilantism in Indonesia has risen in tandem with a rapid expansion of the state's coercive presence. I explain that the perpetrators of vigilante violence leverage increasingly harsh state regulations and use their influence over local officials to intimidate their victims into submission. In the conclusion, I examine the implications of these findings for Indonesia's democracy. Although individual incidents tend to be small in scale, the cumulative impact of widespread vigilantism is rapidly narrowing the range of permissible behaviour for religious, social and sexual minorities. I argue that, far from discouraging mob violence, attempts to appease vigilantes by enacting a harsher legal code will only embolden them.

## **VIGILANTISM AND THE QUOTIDIAN EFFECTS OF POLITICAL POLARISATION**

### **A contentious election puts religious offence in the spotlight**

In 2016, three consecutive Defence of Islam (Aksi Bela Islam) rallies in Jakarta put the issue of religious offence in the political spotlight. Observers were taken aback by the social resonance of blasphemy accusations against Basuki Tjahaja Purnama ('Ahok'), Jakarta's Christian Chinese governor and the candidate favoured by President Joko Widodo in the upcoming gubernatorial election. Following his remarks about a verse of

the Qur'an (Al-Maidah 51) that is said to prohibit Muslims from voting for non-Muslim leaders, the notorious but politically marginal hardline mass organisation, the Islamic Defenders Front (Front Pembela Islam, FPI), accused Ahok of blasphemy and called for his immediate arrest.

Given the incumbent governor's popularity with voters and their appreciation of his efforts to improve public service delivery, these charges were initially considered a nuisance. After all, FPI had been campaigning against Ahok for a long time, first claiming that, as a *kafir* (infidel), he was not fit to lead a Muslim-majority province, and then lodging corruption and maladministration charges against him. While these previous efforts had failed to dampen Ahok's electoral prospects, the blasphemy accusations mobilised a sustained popular movement against him that not only changed the expected outcome of Jakarta's election, but also unleashed a new wave of vigilantism in Indonesia.

The movement, led by FPI, was soon endorsed by Indonesia's top Islamic clerical body, the Indonesian Council of Islamic Scholars (Majelis Ulama Indonesia, MUI), which issued a fatwa condemning Ahok as a blasphemer, even before a police investigation had been concluded. Some sections of Indonesia's mainstream Islamic organisations, Nahdlatul Ulama (NU) and Muhammadiyah, joined in the effort. This turned a small movement into a national political coalition (Gerakan Nasional Pembela Fatwa MUI, GNPf MUI) that was able to mobilise the largest mass protest in Indonesia's history (Fealy 2016). Ahok lost the election during a run-off, and within a few weeks a court had found him guilty of blasphemy and sentenced him to two years in prison.

Following this extraordinary show of force in the nation's capital, fears grew that Islamists were gaining ground in Indonesia (IPAC 2018). Local organisations, affiliated with or inspired by FPI, launched a series of mob attacks against religious minorities across Indonesia. In Bandung, such groups prohibited Christian residents from holding Christmas celebrations in public buildings (Halim and Dipa 2016). In the religiously diverse city of Yogyakarta, vigilantes vandalised advertising boards portraying hijab-wearing Muslim students attending a Christian university (Utama 2016). In Surabaya, FPI raided shopping malls to prevent Muslim employees from donning Christmas-themed clothes (Andriansyah 2016). In Medan, FPI copycats lodged blasphemy accusations against a Buddhist Chinese woman who had objected to the volume of the loudspeaker at her local mosque. Vigilantes demanded that the local MUI branch issue a fatwa against her and burned down several Buddhist temples in the process (Mulyartono et al. 2018).

### Vigilante mobs hunt for 'offenders' across the ideological spectrum

Vigilante attacks were expected to subside after Ahok's imprisonment. However, when the police charged FPI's firebrand leader, Habib Rizieq Shihab, in a pornography case, the organisation was armed with an excuse to protect the reputation of its leader, and found an opportunity to keep the issue of religious offence alive for the upcoming national elections in 2019. With Rizieq in self-imposed exile in Saudi Arabia, FPI members unleashed a new round of vigilante attacks on his critics. Data compiled by free speech advocacy network SAFEnet show that between January and June 2017, at least 59 people were subjected to intimidation by violent mobs after criticising FPI on social media (Purba 2017). Of the recorded cases, 34 took place in May, after the police named Rizieq a potential suspect. Initially most incidents occurred in Jakarta, but gradually the violence spread to other parts of the country.

Two cases in particular triggered a public outcry due to the blatant nature of the attacks. In the first incident, the victim was a 15-year-old boy from Jakarta, accused of posting offensive material about Rizieq on his Facebook page. A video of the attack, recorded by the perpetrators and shared widely on social media, shows the teenager surrounded by several men claiming affiliation with FPI. As the mob coerces him into reading an apology, the teenager is repeatedly told that other offenders have suffered a much worse fate. 'We at FPI still follow procedure but people can't contain themselves if their leader is insulted', they tell him. As if to demonstrate, two men strike the teenager's face while the crowd breaks into raucous laughter (*BeritaSatu* 2017). Clearly under duress, the victim and his mother sign the apology. Pictures of their ordeal were immediately posted on social media as proof of FPI's success in doling out swift punishment to transgressors, presumably in a bid to deter others from doing the same. The assault of a minor documented in the video triggered outrage from child protection groups and forced the police to temporarily arrest two FPI members. Shortly afterwards, however, the victim's family was evicted by their landlord, who feared there would be further reprisals from FPI (BBC Indonesia 2017).

The second incident involved a doctor in West Sumatra who had berated Rizieq in a Facebook post for fleeing abroad to dodge the legal process (*TribunJabar* 2017). The doctor was attacked by a group of FPI affiliates while she was driving home from work with her two small children. The mob demanded that she immediately post an apology on her social media page; otherwise, FPI members from the entire province would mobilise against her. Despite complying with this demand, she was called to her supervisor's office the following day, where leaders of the

local FPI chapter told her to sign another apology—the original retraction was not deemed sufficient. A second note of apology from the doctor, endorsed by the police, was publicised widely, along with a photograph of the doctor with the FPI leaders. Even so, she continued to receive threatening phone calls and visits from the group. Although the local police chief was suspended for mishandling the case, persistent threats from vigilantes eventually forced the victim to flee to Jakarta for safety.

FPI's religious offence charges were not reserved just for ordinary citizens who expressed criticism online; they were also used to coerce major mainstream publications. In May 2018, FPI attacked the Jakarta offices of *Tempo* magazine after accusing it of offending Muslims by publishing a satirical cartoon of Rizieq (Ridhoi 2018). In a televised event, FPI members could be seen inside the building, threatening the staff and demanding an immediate apology, which was eventually issued by the editor-in-chief.

Rightly noting the organisation's political interest in keeping this issue alive, observers have focused on the prominence of FPI in vigilante attacks against alleged instances of religious offence. However, the significance of vigilantism goes beyond the narrow political interests of any single organisation. Instead, it has become an increasingly common tactic for regulating religious offence, used by organisations from across the ideological spectrum. In fact, Indonesia's largest mainstream Islamic organisation, NU, also conducts online monitoring as part of an agreement with the Indonesian National Police (Polri) (Faizal 2016; NU Online 2016). Over the past few years, members of NU's youth militia, Banser, have identified and 'handled' several individuals accused of posting derogatory comments about NU's religious leaders (*kiai*). In November 2016, a housewife from Serpong, on the outskirts of Jakarta, was accused of insulting the revered NU *kiai* Maimun Zoebair (*Indonesia* n.d.). She had used crude words to dismiss his suggestion that Ahok's apology was sufficient to put the blasphemy matter to rest. Following a visit by Banser members, she was driven to Central Java, where she apologised to Maimun in person. A Jakarta resident who ridiculed a tweet by senior NU cleric Mustofa Bisri met with similar treatment (Batubara 2016). In January 2017, NU's cyber team tracked offensive comments about the organisation's leader, Said Aqil Siradj, to a man living in Jember. The man accused of causing the offence issued a public apology at a press conference arranged by the local Banser chapter (Mulyono 2017). Another man living in Jakarta initially refused to retract his allegedly offensive comments about the prominent Sufi cleric Habib Luthfi Yahya, but following a visit from local Banser personnel, he promptly signed a statement of apology and posted it on his social media page (Nafys 2017).

Members of Indonesia's second-largest Islamic organisation, Muhammadiyah, have taken a similar course. In May 2017, the organisation's youth wing in Sidoarjo, East Java, took issue with the online comments of a local man, accusing him of insulting two former leaders, Din Syamsuddin and Amien Rais. Members of the group took the man to a local police station, where he provided 'clarification' of his remarks and signed a written apology before posing for pictures with the group (Pwmu.co 2017).

The vigilante campaigns against religious offence by FPI, Muhammadiyah and NU target individuals with different identities and affiliations, according to the ideological vision of each organisation. The level of violence used or implied by these organisations also varies. There are no reports of NU or Muhammadiyah members punishing alleged offenders by engaging in the kind of physical assault seen in the video of FPI's attack on the Jakarta teenager. The scale of NU's and Muhammadiyah's efforts to regulate their critics is also much smaller than FPI's sustained campaign against its critics.

Despite the differing ideologies and levels of mobilisation of these organisations, however, the template of violence used to respond to religious offence is the same: the person accused of an offence is reported through a dedicated social media account; the offensive post is circulated until the accused is tracked down; and a group claiming affiliation with the offended organisation visits the accused and intimidates them into issuing an apology (Figure 15.1).<sup>4</sup> There is no attempt to conduct these proceedings in secrecy. On the contrary, the organisation's visit and the accused offender's apology are a highly publicised affair, with photographs and videos circulated widely on social media in order to deter others.

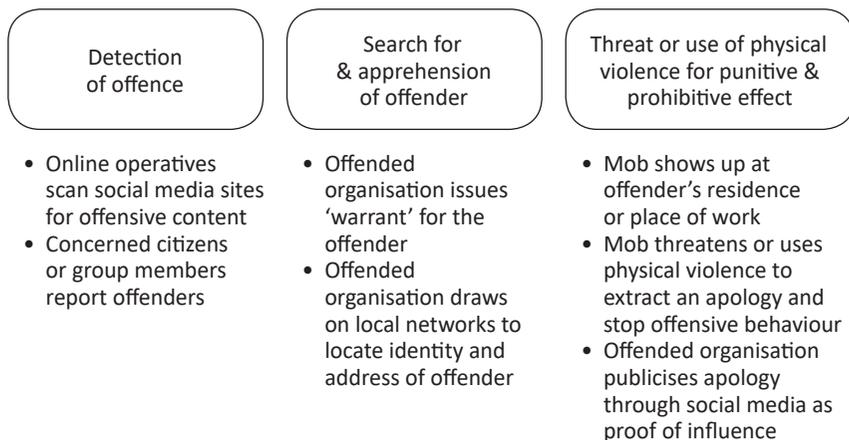
## **BUILDING ON A PREVALENT TEMPLATE OF VIOLENCE**

### **Growing political salience of hardline Islamist organisations**

Most existing studies focus on explaining the factors that drive the rise of hardline Islamist organisations in politics, but do not explain why vigilantism is increasingly their preferred mode of action. Some have

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4 Despite the Islamic organisations' claims that their members are acting spontaneously, human rights groups have provided evidence of the systematic and organised nature of their vigilante campaigns, equating them with the workings of a 'machine' (Andayani 2017).

*Figure 15.1 The three stages of vigilantism against religious offence*

pointed to longstanding structural factors, claiming that recent trends are a manifestation of deep-seated problems in Indonesia's nationalist narrative. Often erroneously understood as secular, Indonesia's national ideology is actually deeply religious and, consequently, the state recognises citizens' rights based on their religious affiliation, not as individuals (Menchik 2016). Thus, while the state extends formal recognition and protection to several religions, there is little tolerance for deviance from their established doctrines. This suggests that the regulation of religious offence through vigilantism is part of a broader contest between mainstream groups such as NU and Muhammadiyah, and hardline organisations such as FPI, to enforce the boundaries of acceptable religious conduct according to their particular interpretation of Islam. Another structural perspective locates the instrumental use of Islam in a longstanding political contest for wealth and power between oligarchs (Hadiz 2016). According to this view, the actions of groups like FPI are a manifestation of populism, meant to dislodge old, powerful interests and make space for new ones. Thus, vigilante organisations may employ religious messaging as a basis for popular appeal, but their activities are guided by material interests rather than doctrinal conviction.

In contrast, scholars of political behaviour locate the power of hardline Islamist organisations in changing public opinion. Human rights organisations and advocacy groups have long pointed to the increasingly intolerant views of the country's Muslim majority towards religious minorities (Human Rights Watch 2013). New survey data show

that the increased level of mobilisation for Islamist causes has less to do with rising levels of intolerance, however, than with the changing socio-economic profiles of people who subscribe to such views (Mietzner and Muhtadi 2018). Specifically, the data show that, on some indicators, the number of people expressing intolerant views about religious minorities actually declined in Indonesia between 2010 and 2016. However, people who express such views are increasingly likely to come from economically better-off backgrounds and do not require monetary incentives to attend large events. This shift in the core constituency of Islamist supporters has enabled more sustained mobilisation for Islamist causes. Although middle-class supporters tend to be peaceful, the need to sustain their engagement incentivises hardline organisations to keep the issue of religious offence alive through small but well-publicised attacks on alleged offenders.

Finally, a third perspective is that the increasing salience of hardline groups is driven by their political evolution (Arifianto 2017; Jones 2015; Mudhoffir 2017; Wilson 2015) and their ability to use social media to amplify their beliefs and mobilise supporters (Hamayotsu 2013). Proponents of this view claim that although ideology is important to FPI, its vigilante violence, mass mobilisation and campaigning are geared more towards improving the political fortunes of the organisation and its leaders. Its selection of allies in civil society and within the state, definition of enemies and use of tactics are based on a calculus about building the organisation's strength. Thus, FPI's activities during the Jakarta election and its acts of violence in the aftermath could be viewed as a dress rehearsal for future elections.

### Patterns of everyday vigilantism

While these perspectives on drivers of Islamist mobilisation are crucial for understanding the *motives* behind the recent actions of hardline organisations, they do not explain the choice of vigilantism as their main *tactic*. To grasp the social resonance of recent vigilante campaigns against religious offence, and why this tactic works, we need to examine how these organisations are adapting and replicating a template of coercion that is already widely used in everyday situations by ordinary Indonesians.

The general mode of vigilante action used by FPI, where mobs either demand enforcement of the law to their satisfaction or directly punish alleged transgressions, has long been rampant throughout Indonesia. Between 2005 and 2014, the National Violence Monitoring System (NVMS) recorded 33,627 victims of vigilante violence in 16 provinces that represent

50 per cent of Indonesia's population.<sup>5</sup> This estimate includes 1,659 people who died and many others who sustained serious injuries. To put these numbers in perspective, consider that communal riots and political clashes during the same period resulted in 10,433 victims, including 637 fatalities. This means that victims of vigilante violence are three times higher than casualties from all other forms of collective violence. In terms of trends, the data show a sharp rise in vigilantism since 2007. Between 2007 and 2014, vigilantism-related deaths increased by 56 per cent and incidents rose by 15 per cent (Figure 15.2).

Apart from a quantitative increase, the data indicate a qualitative shift: vigilantism in democratic Indonesia is directed against a much broader range of transgressions. Attacks against sorcerers are relatively few, but petty theft is still the leading trigger for crime control vigilantism. Alleged perpetrators of traffic accidents, rapes and assaults are also frequent targets. Most remarkable, however, is the increased targeting of people for moral and ideological 'offences'. These violations include fornication, adultery, homosexual relationships and raids to restrict the activities of minority religious communities. Overall, the data show that 79 per cent of vigilante attacks carried out between 2005 and 2014 targeted transgressions that were criminal offences, while the remaining 21 per cent of attacks targeted moral and ideological offences.

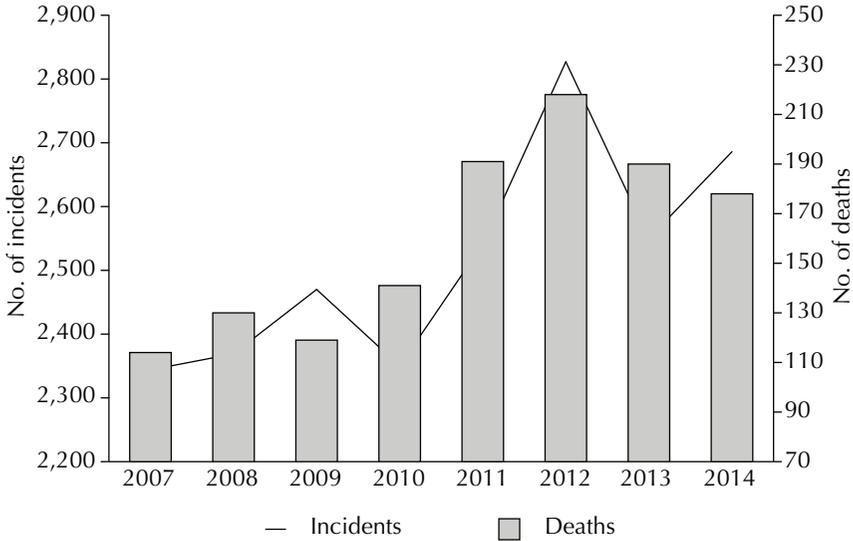
The NVMS data also show that over 88 per cent of all vigilante attacks are perpetrated by ordinary citizens who do not have a clear affiliation with vigilante organisations. But even though only a small number of incidents involve vigilante organisations, they tend to be high-profile attacks related to controversial issues. In contrast, ordinary residents tend to use vigilantism to deal with local issues that arise in their own neighbourhoods. This difference is reflected in the data: over 80 per cent of incidents of vigilante violence perpetrated by residents in 2005–14 were triggered by criminal offences. During the same period, vigilante organisations stayed away from punishing criminal offences and 80 per cent of their attacks were in response to moral and ideological offences.

Finally, in terms of geographic distribution, the data show that vigilantism is widespread but that it is unevenly distributed across Indonesia (Figure 15.3). All 245 districts covered in the NVMS dataset registered at least one incident of vigilante violence between 2005 and 2014, and 80 per cent of the districts recorded at least one lynching. However, the magnitude of the violence was highly skewed: 75 per cent

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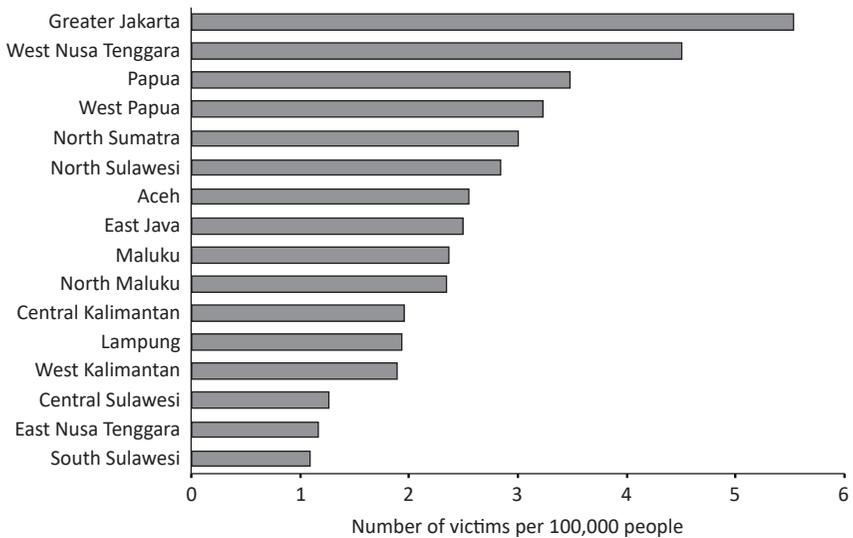
5 I led the team compiling the NVMS dataset between 2008 and 2013, in collaboration with Patrick Barron and Ashutosh Varshney. See Barron et al. (2016) for details of the collection process and methodology.

Figure 15.2 The rise of vigilante violence in democratic Indonesia, 2007–2014



Source: NVMS dataset.

Figure 15.3 Victims of vigilantism in districts by province, 2005–2014 (number per 100,000 people)



Source: NVMS dataset.

of all incidents and deaths related to vigilantism were concentrated in just 20 per cent of the districts. In the past, vigilante violence was mainly associated with the countryside, but it has gradually spread to Indonesia's modern urban centres. Even after controlling for the vast population disparity between urban and rural areas, the data show that, today, vigilantism is three times more likely to occur in urban districts than in rural districts.

Given the social legitimacy accorded to violent punishment of alleged criminals and social deviants by ordinary citizens, it is not surprising that FPI leaders justify their campaign by equating it with these everyday acts of vigilantism. Addressing the public outcry over his organisation's relentless harassment of Rizieq's critics, former FPI secretary-general Novel Bamukmin described the campaign against alleged offenders as follows:

We are helping law enforcement officers, not usurping their authority, so this is just assistance. Just like a thief, we catch one, we detain him and then we turn him over—aren't we all allowed to nab thieves? Aren't we allowed to catch pinchers? Aren't we allowed to arrest corrupters? It is just that simple. (BBC Indonesia 2017)

The next day, FPI's head of public relations, Slamet Maarif, used the same analogy to justify the organisation's persecution of alleged wrongdoers:

Let me give you an illustration, let's say that a motorbike thief is found by some residents. Do you want the residents to just let him go and then report him to the police? Can't we even detain him with the evidence? (CNN Indonesia 2017)

In a further attempt to replicate the vigilantism template during these campaigns, FPI made a concerted effort to send its 'local' members—who were not wearing the organisation's uniform or any other identifying markers—to deal with offenders. This shows that the organisation is aware of the fact that the residents of an area have more legitimacy than outsiders to accuse and punish local transgressors.

## **DRAWING STRENGTH FROM THE STATE**

### **The rise of vigilantism in tandem with state capacity**

The trends described above are not unique to Indonesia; vigilantism is taking centre stage in politics across the developing world, including in India, the Philippines, Bangladesh, Mexico and South Africa. There are two main explanations for vigilantism in the global literature. The dominant one is the state substitution hypothesis, which claims that

citizens adopt vigilantism as a means of managing their own security in order to cope with the inadequate provision of order by the state. This may be due to uneven reach of the state (Abrahams 1998; O'Donnell 1993), low coercive capacity of the state (Bates 2008; Kaldor 2007), discriminatory policing (Arias and Goldstein 2010; Auyero 2007) or a security shock that overwhelms the formal law enforcement apparatus (Bateson 2013; Higazi 2008). The second explanation is the critical citizenship hypothesis, which claims that vigilante violence is motivated by popular rejection of the law itself (Smith 2019). The rise of a liberal rights regime, often brought about by a democratic transition, results in greater restrictions being placed on the state's use of repressive measures. This may create a perception that the state is treating offenders too leniently, leading citizens to engage in vigilantism as a way of correcting the perceived liberal bias of the formal legal system.

In Indonesia, these two explanations of vigilantism are found both in the vernacular understanding of the issue and in scholarly analysis. Particularly brutal or contentious incidents of vigilantism that catch public attention are often lamented as having occurred because 'the state is absent' (*negara tidak hadir*). Vigilantes themselves are the first to blame biased and corrupt policing practices, claiming that they compel otherwise upstanding citizens to take the law into their own hands. A conversation about law enforcement with residents of a middle-class neighbourhood is unlikely to conclude without someone reciting the popular phrase, '*Hukum di Indonesia tumpul ke atas dan tajam ke bawah*': 'In Indonesia, the law is a sword that is blunt [accommodating] when striking upward [towards the wealthy] but sharp [harsh] when striking downward [towards the poor]'.

Scholars of Indonesian politics have explicitly linked vigilantism to ineffective state institutions and a lack of security. Studies have shown that in the parts of Indonesia where state security forces were absent during the New Order, citizens adopted vigilantism as their own means of regulating local order (Tajima 2014). Polri's own reports blame vigilantism on low levels of public trust in law enforcement agencies (Dermawan 2013). Some scholars have shown that vigilante justice is particularly prevalent in the Indonesian borderlands that lie beyond the state's reach (Eilenberg 2011), while others explain lynching in densely populated regions of Java as a 'dangerous and highly undesirable side effect of the withdrawing state' (Bakker 2017: 29).

The rise of vigilantism in Indonesia has also been described as a reaction to the heightened insecurity and institutional uncertainty accompanying the early years of democratic transition (Colombijn 2002; Djatal 2000; Welsh 2008). Several scholars have noted that communities

responded to conflicts by forming militias tasked with maintaining order during the crisis (Ryter 2002; Schulte Nordholt 2002; van Dijk 2001; Wilson 2006). Others show that the mass anxiety created by Suharto's sudden exit from power led to the lynching of hundreds of suspected sorcerers in East Java (known as 'ninja' killings), and subsequent reprisals (Herriman 2013, 2016).<sup>6</sup> Even in places that did not experience widespread chaos, such as Lombok, private crime-fighting militias (*pam swakarsa*) were formed with the explicit backing of local police and military (Telle 2014; Tyson 2013).

While state substitution theories may explain the spike in vigilantism during Indonesia's early transition years, they do not explain why vigilantism continues to flourish despite significant improvements in the country's overall security environment and a massive expansion of the national police force. The insecurity of the transition subsided after a combination of security interventions and peace deals brought Indonesia's ethno-communal conflicts and civil wars to an end. In the provinces worst affected by the violence, this led to a remarkable 79 per cent drop in the average number of violent deaths per annum, from 1,738 in the conflict period (1998–2003) to 365 in the post-conflict period (2004–2012) (Barron et al. 2016: 201). Today, Indonesia has one of the lowest homicide rates in the world, while levels of other types of violent crime have remained more or less constant.<sup>7</sup>

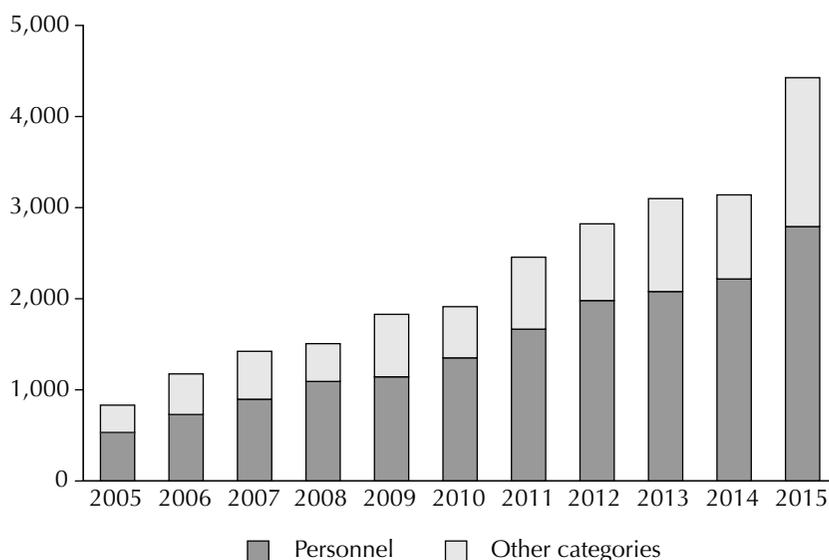
Most importantly, the formal separation of the roles of the military and the police in 1999 has resulted in a rapid expansion of the national police, in terms of both budget and personnel. Polri's budget increased fivefold between 2005 and 2015, from \$831 million to almost \$4.5 billion (Figure 15.4). More than two-thirds of the budget has been allocated to personnel expenses (salaries), leading to a dramatic increase in the strength of the police force. The number of police personnel rose from around 297,000 in 2004 (Siregar et al. 2015: 121) to more than 430,000 in 2015 (Jaya 2016), reducing the police-to-civilian ratio from 1:700 to 1:597. The main focus of reform efforts has been to expand the ground-level presence of the Community Guidance Unit (Satuan Pembinaan Masyarakat, Sat

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6 In 1999, mobs of attackers wearing ninja masks lynched hundreds of alleged sorcerers in Banyuwangi district and surrounding areas. This triggered reprisals from the country's largest Muslim organisation, NU, whose members were disproportionately targeted in these attacks. Roaming mobs of NU supporters apprehended and killed scores of individuals accused of being 'ninjas' before the police arrested the perpetrators and the chaos finally subsided.

7 According to the United Nations Office on Drugs and Crime, Indonesia recorded 0.5 homicides per 100,000 people in 2016, which was lower than the rate for Norway (0.51).

Figure 15.4 Budget of the Indonesian National Police (Polri), 2005–2015 (\$ million)



Source: Extracted from the central government's annual financial reports (Laporan Keuangan Pemerintah Pusat, LKPP) prepared by the National Audit Agency (Badan Pemeriksa Keuangan, BPK).

Binmas), which has received the largest share of new recruits (*Bangka-pos* 2018). Apart from these organisational improvements, public trust in law enforcement institutions is surprisingly high in Indonesia. In 2006, citizens reported a relatively high rate of trust in the police (65 per cent) and the judiciary (56 per cent). In 2011, the numbers remained stable at 65 per cent and 55 per cent, respectively.<sup>8</sup>

The 'leniency' of the law is routinely cited as a driving force for vigilantes. Lawmakers are quick to refer to the threat of vigilante violence when stipulating new criminal offences or prescribing harsher penalties for existing ones. For example, during the debate on revisions to the Criminal Code, the attorney general called for sorcery to be classified as a criminal offence in order to prevent vigilantism (Triyoga 2015). His deputy emphasised the need for stricter punishments for adultery, because 'this problem results in public anxiety that makes people take the law into their own hands, as the law does not regulate it' (Taufiqurrohman 2015).

8 Calculations by the author, based on Asian Barometer Survey, waves 2 and 3.

Apart from lawmakers, law enforcement officers also criticise what they call the law's 'new' preoccupation with human rights.<sup>9</sup>

Contrary to perceptions of excessive liberalisation of law enforcement in Indonesia, the legal system has in fact become harsher since the democratic transition. Civilian oversight has curbed the use of arbitrary detention, but torture and police shootings of criminals remain rife (Hernawan 2015; Pohlman 2008). Indonesia's democratically elected lawmakers have prescribed harsher penalties for existing criminal offences and substantially increased the number of legally punishable acts—from about 885 at the end of the New Order to more than 1,600 today (Akbari 2018). Using the powers invested in them by Indonesia's decentralisation laws, provincial and district governments have passed their own regional regulations (*peraturan daerah*, *perda*) criminalising a host of moral and social offences (Buehler 2016; Bush 2008). The most extreme case can be seen in Aceh province, where a dedicated unit of the municipal police enforces a set of Islamic regulations (Qanun Syariah) that stipulate stringent corporal punishments for fornication, adultery and homosexuality. Has the harsher regulation of morality by the state mollified Aceh's vigilantes? Far from it: NVMS data show that despite the enforcement of harsh punishments, the incidence of vigilantism against moral transgressions in Aceh is three times higher than the national average.

### **Victims trapped between prosecution and persecution**

What explains the rise of vigilantism in Indonesia alongside a significant expansion in the state's coercive presence and enactment of harsher laws? Contrary to the popular perception that the state is perennially 'absent' in Indonesia, local officials are not only present in cases of vigilantism, but also play a critical role in ensuring victims' compliance with vigilantes' demands. Consider the case of the Jakarta teenager described earlier: FPI gave the local neighbourhood head advance notice of its intentions and the entire encounter took place in his office (Qodar 2017). In the case of the doctor from West Sumatra, law enforcement authorities were also involved: an intelligence officer first warned the doctor about the impending visit from FPI; the subdistrict police chief facilitated and acted as a witness to her apology; and the district police chief, who was eventually removed from her post for her role in the case, met with the

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9 For a detailed discussion of how the focus on human rights is perceived to affect police officers' ability to maintain order, see Tajima (2014).

doctor several times to convince her that compliance with FPI's demands was necessary to guarantee her security (NET.Z 2017).

What explains this response to vigilantism? Two mutually reinforcing dynamics are at play. First, there are strong institutional incentives for law enforcement officers to push for semi-formal mediation of social disputes. The police are generally under pressure to de-clog the already overwhelmed criminal justice system. When faced with a mob, these bureaucratic concerns are compounded by the need to avoid a potentially embarrassing violent confrontation through negotiation. As a result, junior police officers are required to engage in 'problem solving' with communities to resolve disputes amicably (*secara kekeluargaan*) through dialogue (*musyawarah*) (Polri 2017). Typically, this involves holding a mediation session between the person accused of wrongdoing and the complainants, in the presence of other government officials. The accused signs a letter admitting guilt and promising not to repeat the offence, while the complainant signs a letter accepting any compensation that has been negotiated and promising not to press legal charges. All officials co-sign the stamped letters and the case is considered resolved.

This form of arbitration is mostly used to resolve disputes between individuals, such as petty theft, adultery, assault and traffic accidents. However, it is also becoming the routine method for settling religious disputes in which one party is either an individual or a religious minority with considerably less leverage than the other party (Panggabean and Ali-Fauzi 2015). In cases where one side is backed by a mob with a propensity to use violence, state officials explicitly cite the threat of violence as a reason to initiate mediation (Sasongko and Rahadian 2015). In dealing with recent cases of intimidation by FPI, the local police seem broadly to have followed this procedure.

Second, issuance of strict legislation to control online defamation (Postill and Saputro 2017), and harsher enforcement of existing blasphemy laws (Crouch 2012), have created strong incentives for people who have been accused of offences to agree to semi-formal mediations. Consider the alternative. Even if an individual is prepared to risk mob violence and refuses mediation, that person would face a lengthy legal investigation that is highly likely to result in an arraignment. According to data gathered by SAFEnet, 71 cases of defamation, filed with the police between 2008 and 2014, resulted in accused individuals being formally charged (SAFEnet 2014). To make matters worse for individuals accused of defaming religion, the same mob that demands an apology also mobilises to 'guard' (*kawal*) the legal process and ensure that a satisfactorily hefty sentence is doled out (Ramadhan 2017). Given widespread concerns about the susceptibility of the courts to this kind of pressure, the odds of a conviction are high

(Sihombing et al. 2012). At the same time, the offended organisation is likely to lean on employers and neighbours to impose social sanctions on the accused. Given these options, it is not difficult to see why accused individuals would rather resign themselves to the outcome of an unfair mediation than risk prosecution by the state.

## **CONCLUSION: DISMANTLING DEMOCRACY FROM THE BOTTOM UP**

Islamist campaigns to regulate religious offence through mob violence in Indonesia are deeply rooted in broader patterns of everyday vigilantism and the collusive relationships between local state agents and vigilantes. Although individual acts of vigilantism tend to be small in scale, cumulatively they pose two significant challenges to democratic institutions and practices in Indonesia. First, the selective nature of vigilantism and the use of spectacular acts of violence have proven to be an effective strategy for dismantling liberal rights from the bottom up. By punishing individual offenders through highly publicised use of violence, vigilantes demonstrate the cost of transgressing their mandated social order, inducing compliance from others in the community. Over time, these small but frequent acts of violence force citizens to conform to an increasingly narrow range of socially acceptable behaviour, gradually eroding their constitutionally guaranteed rights.

Second, the moral claims advanced by vigilantes to support their cause make their actions an effective form of violent lobbying. Unlike anarchists, who dispute the state's authority, or insurgents, who seek to usurp it, vigilantes pursue their goals by bending the state to their will, either by demanding harsher enforcement of existing laws or by seeking the enactment of new ones. In Indonesia, this is seen in the increasingly harsh enforcement of previously dormant blasphemy laws and in the rapid enactment of local laws regulating intrareligious doctrinal disputes, women's access to economic opportunities and citizens' sexual behaviour. However, these attempts by successive governments to appease vigilantes have only emboldened them further. If planned revisions to the Criminal Code that include stringent punishments for a range of moral and social offences are enacted, they are bound to prompt more violence from vigilantes seeking a 'satisfactory' interpretation of the law. Any efforts to curb religious and moral vigilantism in Indonesia must therefore address everyday forms of crime control vigilantism, by identifying and eliminating the factors that encourage collusive interactions between vigilantes and the state.

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