

ISA REGIONAL GUEST LECTURE

# BLASPHEMY AND THE QUEST FOR JUSTICE IN INDONESIA

## LEGAL PLURALISM, HUMAN RIGHTS AND SOCIAL CONFLICTS

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The Republic of Indonesia acknowledges several legal systems including national law, Islamic law and, customary law. In this context of legal pluralism, legal cases can be tried in different ways. The paper focuses on blasphemy cases that increased significantly in the post-Suharto era, i.e. since 1998. The most prominent one was the case of Basuki Tjahaja Purnama, popularly called Ahok, the then governor of Indonesia's capital Jakarta. Ahok is an Indonesian of Chinese descent and a Christian who was accused of insulting the Qur'an in one of his campaign speeches. His case was tried during the campaign for his re-election, which was a bitter contest characterized by identity politics that he eventually lost. Shortly afterwards, in May 2017, he was sentenced to two years in prison by a district court in Jakarta. In addition, the paper analyzes blasphemy cases that were not handled by national law, but by Islamic or customary law, such as cases in the province of Aceh, where Islamic law is widely applied, and in the province of Bali that has a Hindu majority population. Focusing on these diverse cases, the paper shows that blasphemy can be treated very differently in Indonesia having consequences for the application of human rights and the resolution of social conflicts. It will particularly examine regional differences, the role of political and religious authorities as well as the state's attempt to control religion through the blasphemy law. Overall, the analysis presented in the paper is guided by the critical question of whether the quest for justice in blasphemy cases can be fulfilled by the legal systems that do exist in Indonesia today.



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