

# **Securitisation, nationalism and democracy: The banning of Hizbut Tahrir Indonesia**

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Dr Christian Harijanto and Professor Farida Fozdar

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On 19 July 2017 the Indonesian government dissolved and banned Islamist group Hizbut Tahrir Indonesia (HTI). HTI advocates a shariah-based constitution, which is seen by the government as a challenge to Indonesian nationalist principles articulated by Pancasila. The first point in Pancasila, belief in one god, is a designed to be guarantee of religious diversity and protection against the imposition of shariah law within the Indonesian legal system. HTI's support for a shariah-based constitution, therefore, is seen as a threat to Indonesia's religious diversity. This concern has been raised by many, including the conservative Indonesian Ulema Council (Majelis Ulama Indonesia).

The government banned HTI through a Presidential Decree in Lieu of Law (Peraturan Pemerintah Pengganti Undang-Undang) known as Perppu. A Perppu is a legal mechanism under Article 22 of the National Constitution which can be issued by the President without consultation/approval of parliament. It is only available in emergency situations and must be approved by the parliament in the next sitting.

However, the use of the Perppu has created concerns about the potential for government to wield unbridled power to outlaw a social organisation critical of it. In a context of what scholar Greg Fealy calls increasing 'democratic regression' in Indonesia—which could be traced back to the second presidential term of former

President Susilo Bambang Yudhoyono in 2009—this is a challenging development for a country whose democratisation process only began in 1998.

We see the decision to ban HTI as a securitisation act by the government of President Joko Widodo. It is one among a series of illiberal acts by the government to curb the activities of illiberal organisations operating within the Indonesian territory. Widodo's presidency will end in 2024 and in the context of the general election in February next year, when a new president will be elected, it is not yet known whether this securitisation trend will continue under the next government.

## **On securitisation**

Securitisation is a term increasingly used to describe processes by which certain populations are targeted for special surveillance and legislative controls. It is commonly applied in Western contexts to particularly marginalised populations but is also a growing phenomenon in the 'Global South'. Before considering one such instance, it is worth spending a little time outlining the current state of securitisation theory.

Well-known securitisation theorist Thierry Balzacq and colleagues argue that studies of securitisation and related theories have moved beyond their origins in analyses of the speech act, with a focus on how public problems and certain populations are constructed as having a particular security character, how this construction gains collective acceptance as a threat, and how concomitant policy implications are normalised. Securitisation often results from 'leaders' efforts to understand and shape the world and to reconfigure '[a] just and good way of life'. But securitisation also exists as a set of practices, including policy; and often policy framed and enacted under 'emergency' or 'exceptional' circumstances. In essence, securitisation is about both the definition and management of security issues.

Numerous instances of 'executive unilateralism' have occurred, where the executive is seen to have 'an inherent authority to decide both that there is an emergency and

what measures are appropriate in responding to it'. Doing so, argue those in power, allows the rule of law to be preserved. In this article we use both the rhetoric and the practice-focused approaches to analyse how HTI was constructed as an existential threat to Indonesia, and thus banned using a process beyond the normal systems of democratic governance.

For the purpose of this article we focus on the performative aspect of securitisation, as elaborated by securitisation theorist Ole Wæver, involving the locutionary act (the act of saying something) and its effects, the consequent illocutionary and perlocutionary acts. Illocutionary acts, in securitisation theory, are the most important element of securitising speech acts due to their role in providing a label of security to certain issues in relations to certain threats.

We are also interested in securitisation as the politics of the extraordinary, as opposed to the mundane. In doing so we follow a securitisation scholar Michael Williams' line of argument that securitisation is an extra-political act (outside the normal political deliberation process) linked to an extraordinary event: the ban of HTI through an (extraordinary) government decree without deliberation in parliament. As opposed to Williams' optimistic representation of securitisation as a tool to advance progressive agendas, this article offers a less optimistic analysis of the relations between securitisation and democracy.

We do not enter the argument about whether HTI is or is not an existential threat (while recognising that it has been banned in dozens of countries). Rather we seek to explore the manner in which the decision to ban HTI was undertaken and the potential threat this very action poses to the existence of Indonesia as a democratic nation.

## **Indonesian politics: Islamism vs**

## nationalism

In his seminal work *The Religion of Java*, cultural anthropologist Clifford Geertz identified what would become a mainstream way to understand the political ideologies prevailing not only in Java but in Indonesia as a whole:

- *Abangan*—nominal Muslims who still adhere to pre-Islamic traditions and rituals,
- *Santri*—practicing Muslims; and
- *Priyayi*—upper-class Muslims who inhabit elite positions in the bureaucracy.

The book was published in 1960 during Soekarno's presidency and in this context we can see the first two categories inhabiting two main political ideologies: Islam (for *santri*) and nationalism (for *abangan*). While the Islamic political block at that time was based around Islamic political parties, the national political block revolved around nationalist, socialist and communist parties, with the *priyayi* element divided between these two political blocks. At the time of Soeharto, the same politics of *aliran* (ideological leaning) could be seen in national politics: that of Islam versus nationalist political parties.

After the fall of Soeharto in 1998, Indonesian politics started to welcome (again) social and political movements previously outlawed, most important of which were those with Islamist ideological leanings. At this point, it is important to differentiate between Islam as a religion and Islamism as, according to political scientist Basam Tibi, religionised politics.

While most Islamic political parties and social organisations in Indonesia recognise the state ideology of Pancasila as their basic ideology, more recent organisations have had a more Islamist agenda. HTI is one of these organisations with aspirations to transform Indonesia into a shariah-based state which would eventually merge into the authority of the global caliphate—it is fundamentally Islamist. It became an official organisation in 2000 but its activities in Indonesia commenced in the early

1980s, albeit under different formal names.

Older Islamic organisations and political parties have maintained their allegiance to the national ideology of Pancasila as their five guiding principles. Thus, the *aliran* politics in Indonesia post-1998 has pitted the nationalist block against an Islamist (rather than Islamic) block. This ideological dichotomy can still be observed in Indonesia's national politics where voters of Islamist leanings tend to reject liberal interpretations of democracy and the nationalist block under Joko Widodo using nondemocratic tools to address its concern with the rise of Islamism.

The growing competition between Islam and nationalism in Indonesian politics has been particularly obvious during the most recent two presidential elections, 2014 and 2019, where Widodo, the winner both times, was seen as a representative of the nationalist block; while his challenger Prabowo Subianto, Soeharto's former son-in-law, was touted as a candidate from the Islamist block, despite his background as a non-practising Muslim. This tension between the two political forces was exacerbated with massive Muslim mobilisation and demonstrations in late 2016 and early 2017 against the then acting governor of Jakarta who was of Chinese Christian background, Basuki Tjahaja Purnama (widely known as Ahok), who was accused of blasphemy against Islam. This was the political context surrounding the dissolution and banning of HTI in 2017.

## **The speech act and the 'politics of the extraordinary'**

Before the issuance of the Presidential Decree about HTI in July 2017, various high-level members of the Widodo government expressed concern about the growth of organisations that do not share the ideology of Pancasila. On 1 June 2016 the then Coordinating Minister for Political, Legal and Security Affairs, Luhut Binsar Pandjaitan, was quoted as saying, 'We all have to accept that Pancasila is our national ideology' (first author's translation). He went on to say that the government

was searching for a way to ensure that all social and political organisations in Indonesia adhere to this ideology and that no repressive means would be adopted to achieve this.

The then Minister for Religious Affairs, Lukman Hakim Saifuddin, on 30 November 2016 was even more blunt: ‘In Indonesia there can be no organisation that has an ideology opposed to Pancasila and the Constitution. All organisations must adhere to the mutually agreed rules of the game’ (first author’s translation). Considering the minister’s portfolio as well as his role as a leading cleric in the largest Islamic organisation in Indonesia, Nahdlatul Ulama, a significant distinction was being made between Islam and Islamism.

On 12 May 2017, Pandjaitan’s successor as Coordinating Minister for Political, Legal and Security Affairs, Wiranto, stated that he had received police reports from various locations in Indonesia where local organisations had opposed HTI’s presence. He then continued, ‘If we allow this to continue, the rejection will become bigger. [This will result in] horizontal conflicts [which] will endanger national security, unity, [the] unitary state of Indonesia, and national development that the [national] government has been actively pursuing’ (first author’s translation).

These statements are examples of ‘speech acts’ performed by ministers in Joko Widodo’s government preceding the dissolution and banning of HTI. From these, we can see the three types of ‘speech act’ affecting the securitisation of HTI, and Islamism in general. Core locutionary speech acts, include that:

- Indonesia has a national ideology: Pancasila;
- All organisations in Indonesia must abide by this ideology;
- Some organisations refuse to abide by this ideology; and
- The impact of non-compliance to this ideology is social chaos and disruption to the government’s development programs.

Collectively, these locutionary speech acts convey a national security risk if these organisations are allowed to continue to behave the way they do (illocutionary

speech act). A point often mentioned by these government ministers is that repression of non-Muslim minority rights has the potential to create demand for independence by provinces inhabited by majority non-Muslims, an ongoing issue since independence in 1945. Indeed, periods of national chaos caused by religious and ideological conflicts, such as the 1965 ideological and 1998 anti-Chinese riots, are often cited as a potential result of letting Islamist organisations continue to operate freely and without consequences.

Due to this fear, it is taken for granted that the public, as audience, is providing the government with a mandate to address this problem. A non-repressive yet assertive policy, according to this logic, is needed as a government response towards the perlocutionary speech act.

The government, through the statement of the Coordinating Minister for Politics, Law and Security Wiranto, argued three reasons for the issuing of the Presidential Decree in Lieu of Law No.2/2017:

- That the government is allowed by law to issue presidential decrees and that the issue of social organisations adopting an ideology other than Pancasila has created an emergency situation;
- That the existing Law No.17/2013 on Social Organisations was inadequate to address the problem; and
- That this inadequacy can (only) be addressed through a presidential decree.

The main issue is how the situation relating to HTI was constructed by political leaders as an emergency situation, i.e. whether it was critical enough to be elevated to a security issue that needed to be handled outside the regular democratic process. This was not adequately addressed by the government.

The presidential decree aims to address the inadequacy of Law (Undang-Undang) No.17/2013 on Social Organisations. Some of the most important changes implemented by the presidential decree were the obligation of social organisations to abide by the state ideology of Pancasila (Article 59 (4c)); and gave government

authority, without judicial process, to either issue a written warning to organisations who don't comply with Pancasila, force them to halt their activities, or cancel their legal status. In the case of HTI, the government decided to cancel their legal status. Without this decree, the government would have had to go through the court process to request a cancellation. Social organisations subject to this presidential decree do have the right to bring a complaint to the State Administrative Tribunal. HTI did this on 7 May 2018, but the tribunal decided in the government's favour.

On a more general level, government efforts to address Islamist challenges have been sporadic and unsystematic: accommodating them in some areas while enforcing coercive strategies in others. Moreover, looking at the experience of other countries in trying to exclude undemocratic elements outside regular deliberative, democratic and judicial processes shows the ineffectiveness of such policies. Such a ban risks ex-HTI members becoming more radicalised as a result. The further approval and formalisation of this presidential decree into Law No.16/2017 by the parliament in October 2017 with no change, shows the acceptance of the logic of securitisation offered by the government. This does not bode well for the future of the country's democracy.

## **Conclusion**

We have described the process of the dissolving and banning HTI by President Widodo's government in 2017 through a non-deliberative and unilateral state decision in the form of a presidential decree. We have shown the elements of securitisation at play in this process, through ministers':

- locutionary speech acts (where compliance with the national ideology of Pancasila is of priority);
- illocutionary speech acts (where fear of conflicts and national instability were invoked); and
- perlocutionary speech acts (whereby the government concludes it has a

mandate to address the issue of social organizations being non-compliant towards Pancasila).

The result was the presidential decree, the dissolution and banning of HTI, and the acceptance of the decree into a law in October 2017. Our understanding of this process should be placed in the context of conflict between political *aliran* in Indonesia between Islamism and nationalism and we should see this securitisation as an effort to create ideological and administrative discipline in the management of social organisations in Indonesia.

The impact of this securitisation, however, is worrying, not only in terms of potential further radicalisation of ex-HTI members as a response to the ban but also to the future of Indonesian democracy: even though a presidential decree in lieu of law needs to be approved by the parliament in its next sitting to become a law, its use in the first place undermines two important aspects of democracy in a democracy: the rule of law and normal process of parliamentary deliberation.

*Authors: Dr Christian Harijanto and Professor Farida Fozdar.*

*Image: Indonesia's President Joko Widodo. Credit: Number 10/Flickr. This image has been cropped.*