



CIVIC REASON

AND

HUMAN RIGHTS

PROMOTING FREEDOM OF RELIGIONS AND BELIEFS

SOURCE

ORGANISATION: THE SETARA INSTITUTE FOR DEMOCRACY AND PEACE RESOURCE PERSONS: BONAR
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CONTEXT & BACKGROUND:

WHICH ISSUE IS BEING ADDRESSED?

The SETARA Institute for Democracy and Peace promotes pluralism and tolerance in Indonesian society, with a special focus on freedom of religions and beliefs. Over the last decade, the SETARA Institute observed a polarisation in the theological debate on pluralism and religious freedom. *"In the past years, some Islamic groups, especially NU and Muhammadiyah¹, have used Islamic texts to explain how we should be tolerant and how we can promote pluralism. This approach raised heated debate due to theological differences within Islamic communities"*. SETARA argued that a shift was needed in the pluralism debate, namely a shift from a theologically-based discussion to one based on human rights. Since its establishment in 2007, the SETARA Institute develops various human rights-based programs to promote pluralism and tolerance in Indonesian society.

STRATEGY AND ACTIVITIES: HOW ARE YOU TRYING TO CHANGE THIS SITUATION?

One of the programs of the SETARA Institute entails human rights monitoring, particularly with regard to freedoms of religions and beliefs. The SETARA Institute deliberately uses a human rights perspective. SETARA believes that as a member of the United Nations, Indonesia has a duty to ratify and apply the International Covenant on Civil and Political Rights (ICCPR), which guarantees the human right to freedom of religion. SETARA also believes that an approach based on human rights is potentially more successful than a

theological approach when dealing with polarisation between religious groups. *"If you try to approach this issue based on Islamic theology, then different interpretations and debates will remain. Dialogue between both radical and moderate Muslims and other religions is important, but only to make them understand each others' positions. In order to promote respect for each other, we need an alternative perspective, one based on human rights. We believe that if human rights are applied through legal mechanisms, these rights will be respected by all individuals in Indonesia."* In addition to its annual report, the SETARA Institute published two thematic reviews in 2010, one regarding Christian places of worship and one regarding the Ahmadiyah community. *"With these reports, we want to make the public aware of the gravity of the situation. We send our reports to government institutions, MPs, religious organisations, NGOs, universities and to our network across Indonesia. It is our hope that after reading them, the recipients will take some action."*

SUCCESSSES AND CHALLENGES: WHAT HAVE YOU ENCOUNTERED ALONG THE WAY?

In the beginning it was difficult to influence the public debate, but gradually people are learning to appreciate a human rights perspective. The annual reports, thematic reviews and opinions of SETARA staff play an increasing role in the public debate. However, within certain Muslim communities, a human rights perspective remains controversial. *"Radical Muslim organisations still reject this perspective and claim that it is part of Western influence, liberal values and non-Islamic principles. But they are also aware of the consequences: this is a global era, and Indonesia is part of the international community. Other Islamic countries have accepted these issues. Perhaps there is something to be learned from that. With a human rights perspective, theological differences are not the primary area of concern in dialogue. All religions have commonalities and differences. We believe that we can push and work productively on common principles, and that it is better to avoid differences."*

CIVIC REASON: IN WHAT WAYS COULD THIS
EXAMPLE BE RELATED TO CIVIC REASON?

SETARA believes that public debates, grounded in civic reason, are better able to promote pluralism than public debates based on theological discourse. However, An-Na'im also emphasises the importance of internal discourse within Islamic communities. This discourse, promoting Islamic reform, would reconcile human rights with the religious commitments of Muslims and the various needs of society. Like An-Na'im, SETARA recognises the importance of the role of the state and the law in the promotion and facilitation of civic reason. *"In Indonesia there is no such thing as a complete separation between religions and the state. But the state should also refrain from excessive intervention in religious issues. The functional role of the state is to guarantee that all citizens and all groups can freely express their views, and choose or change their beliefs. The state must position itself amidst all faiths and religions in Indonesia. At some level, the state could support them to grow. SETARA believes that Indonesia needs regulations and legal mechanisms to arrange and explain the position and functions of the state, the duties of religious organisations and the rights and duties of citizens on the issue of freedom of religions and beliefs."*

SUGGESTIONS FOR DISCUSSION

- One of the ways in which SETARA promotes pluralism in Indonesia is through their annual reports on religious freedom, based on a human rights perspective. Do you think that raising awareness about human rights, monitoring of human rights and the publication of reports are good instruments with which to promote pluralism?
- *"We believe that if human rights are applied through legal mechanisms, they will be respected by all individuals in Indonesia."* This quote refers to one of the assumptions grounding SETARA's human rights approach: legal reforms based on human rights can contribute to social change and pluralism in society. What do you think are some of the strengths and weaknesses of this approach?
- The legitimacy of human rights is not acknowledged by all groups in Indonesian society. Apart from promoting civic reason in public debates, An-Na'im stresses the importance of internal discourse within Islamic communities in order to achieve Islamic reform and reconcile religious beliefs with human rights and civic reason. The SETARA Institute, however, believes that a theological debate about religious freedom is not very fruitful. It wishes to shift the debate to a human rights-based discourse. What do you think of this observation? Do you see possibilities and advantages of a theological discourse about the freedom of religions and beliefs?

¹ Nahdlatul Ulama (NU) and Muhammadiyah are the two major Muslim organisations in Indonesia, representing approximately 40 and 30 million Muslims.

