

THE IMPACT OF HIZB UT-TAHRIR'S 2017
DISSOLUTION ON ITS POLITICAL ACTIVITIES IN
INDONESIA

BY

HASBI ASWAR

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Department of Political Science
Kulliyyah of Islamic Revealed Knowledge and Human
Sciences
International Islamic University Malaysia

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ABSTRACT

Hizb ut-Tahrir is an Islamic transnational political group that has experienced many kinds of state repressive policies in many countries however all of these do not succeed to end this group political activity. Indeed, this group has expanded today to over 40 states with millions of members and supporters. Indonesia is one of the countries that recently decided to respond to this group coercively after this group has been free to carry out its activities in Indonesia for many years, including obtaining legal acknowledgment from the state. This research is a case study research that aims to identify the impact of state repression on Hizb ut-Tahrir's political activities in Indonesia by explaining various state actions against Hizb ut Tahrir Indonesia and HTI's responses to this. In doing this, data is collected through interviews with members of Hizb ut-Tahrir in Indonesia as well as a collection of literature from the government, media, and HT's publication. This study used the theory of political opportunity structure to analyze the effect of state policies on the existence of HTI and its activities in Indonesia. This research found that the state carried out several types of repression against HTI such as issuing extraordinary laws; stigmatizing HTI as an anti-Pancasila and radical group; and intimidating those who join HTI by giving a warning for punishment. To respond to the state's actions, HT used two strategies, firstly, changing the arena of resistance where HTI fought through the court to challenge the state policy and countered the state narratives by the Internet and social media. Secondly, changing the group identities where HTI members formed groups, communities, or movements such as students, lawyers, women, clerics (Ulema) or preachers, and young people. The changing of Hizb ut-Tahrir's strategy in Indonesia is to continue its political and ideological works without being disturbed by the regime and other counter-movements against it. With a social movement approach, this research concluded that state repression does not necessarily end the existence of a movement; rather it can seek other strategies to maintain its political struggle. In the Indonesian context, the state repression has proven not to kill HT, in fact, this group is still alive but with different faces and places of action. After all, this research contributes to integrating the social movement approaches on the issue of political Islam that has long been narrowly analyzed through security analyzes.

خلاصة البحث

حزب التحرير جماعة سياسية إسلامية عابرة للحدود، عانت من أنواع عديدة من سياسات الدولة القمعية في العديد من البلدان على الرغم من أن كل هذه لم تنجح في إنهاء نشاط هذه المجموعة السياسي. في الواقع، توسعت هذه المجموعة اليوم إلى أكثر من أربعين دولة تضم ملايين الأعضاء والمؤيدين. إندونيسيا هي إحدى الدول التي قررت مؤخراً الرد على هذه المجموعة بشكل قسري بعد أن كانت هذه المجموعة حرة في تنفيذ أنشطتها في إندونيسيا لسنوات عديدة، بما في ذلك الحصول على اعترافات قانونية من الدولة. هذا البحث عبارة عن دراسة حالة بحثية تهدف إلى تحديد تأثير قمع الدولة على الأنشطة السياسية لحزب التحرير في إندونيسيا من خلال شرح إجراءات الدولة المختلفة ضد حزب التحرير إندونيسيا ورد فعل حزب التحرير على ذلك. عند القيام بذلك، يتم جمع البيانات من خلال مقابلات مع أعضاء حزب التحرير في إندونيسيا بالإضافة إلى مجموعة من الأدبيات من الحكومة ووسائل الإعلام ومنشورات حزب التحرير. استخدمت هذه الدراسة نظرية هيكل الفرصة السياسية لتحليل تأثير سياسات الدولة على وجود حزب التحرير وأنشطتها في إندونيسيا. وجد هذا البحث أن الدولة قامت بعدة أنواع من القمع ضد حزب التحرير مثل إصدار قوانين استثنائية؛ ووصم حزب التحرير بأنه ضد الإيديولوجية الإندونيسية والجماعة المتطرفة؛ وتهيب من ينضم إلى حزب التحرير بالتحذير بالعقاب. للرد على تصرفات الدولة، استخدم حزب التحرير استراتيجيتين: أولاً، تغيير ساحة المقاومة حيث قاتل حزب التحرير من خلال المحكمة لتحدي سياسة الدول، كما تتصدى لروايات الدولة عبر الإنترنت ووسائل التواصل الاجتماعي. ثانياً، تغيير هويات المجموعة حيث شكل أعضاء حزب التحرير مجموعات أو مجتمعات أو حركات مثل مجموعات الطلاب والمحامين والنساء والعلماء والدعاة والشباب. يتمثل تغيير استراتيجية حزب التحرير في إندونيسيا في مواصلة أعماله السياسية والأيدولوجية دون إزعاج من قبل النظام وغيره من الحركات المضادة ضده. من خلال نهج الحركة الاجتماعية، خلص هذا البحث إلى أن قمع الدولة لا ينهي بالضرورة وجود الحركة. بدلاً من ذلك، يمكنها البحث عن استراتيجيات أخرى للحفاظ على نضالها السياسي. في السياق الإندونيسي، ثبت أن قمع الدولة لم يقتل حزب التحرير، في الواقع، هذه المجموعة لا تزال على قيد الحياة ولكن بوجوه وأماكن عمل مختلفة. يساهم هذا البحث في دمج مقاربات الحركة الاجتماعية في قضية الإسلام السياسي التي طالما تم تحليلها بشكل ضيق من خلال المنهج الأمني.

APPROVAL PAGE

The thesis of Student's Name has been approved by the following:

Danial Mohd Yusof

Rohana Abdul Hamid

Name 3
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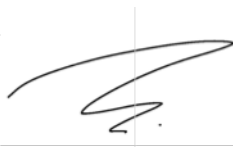
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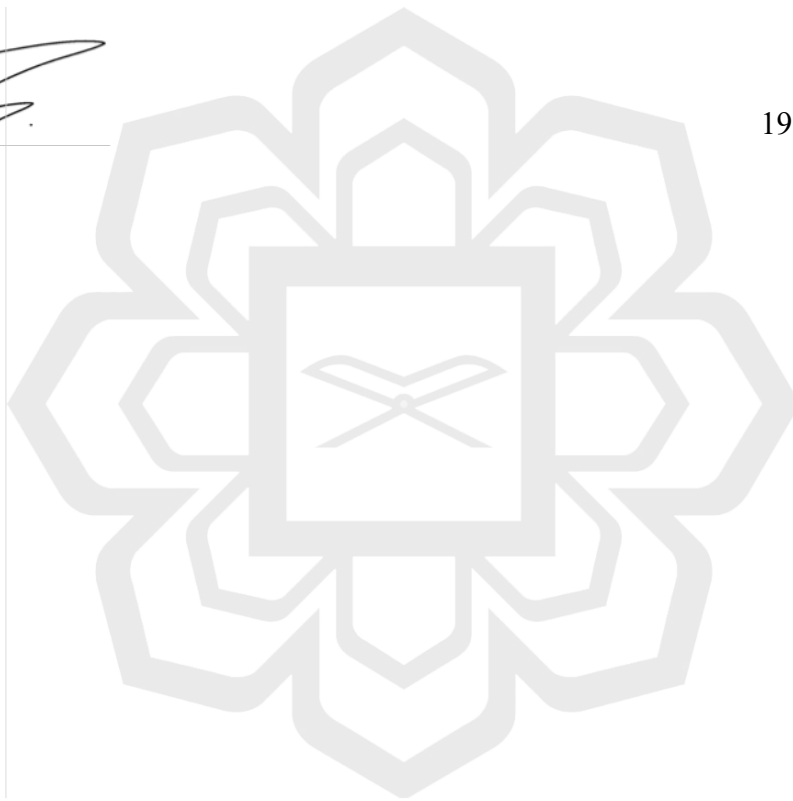
DECLARATION

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LIST OF ABBREVIATIONS

ABIM	Angkatan Belia Islam Malaysia
AJI	Aliansi Jurnalis Independen
AKP	Adelele Ve Kalkinma Partisi (AKP)
BIN	Badan Intelijen Negara
BKLDK	Badan Koordinasi Lembaga Dakwah Kampus
BNPT	Badan Nasional Penanggulangan Terorisme
BPIP	Badan Pembinaan Ideologi Pancasila
DENSUS 88	Detasemen Khusus 88
DPD RI	Dewan Perwakilan Daerah Republik Indonesia
FPI	Front Pembela Islam
FUI	Forum Umat Islam
GNPF-MUI	Gerakan Nasional Pembela Fatwa-MUI
GP	Gema Pembebasan
GPANSHOR	Gerakan Pemuda Anshor
HT	Hizb ut-Tahrir
HTI	Hizb ut-Tahrir Indonesia
HTM	Hizb ut-Tahrir Malaysia
ILF	Islamic Lawyers Forum
IMU	The Islamic Movement of Uzbekistan
ISIL	Islamic State of Iraq and Levant
ITP	Indonesia Tanpa Pacaran
MABES TNI	Markas Besar Tentara Nasional Indonesia
MMI	Majelis Mujahidin Indonesia
MONAS	Monumen Nasional
MUI	Majelis Ulama Indonesia
NGOs	Non-Governmental Organizations
NU	Nahdlatul Ulama
NKRI	Negara Kesatuan Republik Indonesia
PAS	Parti Islam Se-Malaysia
PBNU	Pengurus Besar Nahdlatul Ulama
PILKADA	Pemilihan Kepala Daerah
PERPPU	Peraturan Pemerintah Pengganti Undang-Undang
PKS	Partai Keadilan Sejahtera
PTUN	Pengadilan Tata Usaha Negara
KEMENKUMHAM	Kementerian Hukum dan Ham

LBH
LKU
LPOI
PAN
UU ORMAS
YLBHI

Pelita Umat Lembaga Bantuan Hukum Pelita Umat
Lajnah Khusus Ulama
Lembaga Persahabatan Ormas Islam
Partai Amanat Nasional
Undang – Undang Organisasi Kemasyarakatan
Yayasan Lembaga Bantuan Hukum Indonesia



CHAPTER ONE

INTRODUCTION

1.1 INTRODUCTION

On July 19, 2017, the Indonesian government announced to revoke the legal status of Hizb ut-Tahrir Indonesia. The government considered the ideology of Hizb ut-Tahrir and its political activities as against the ideology and constitution of the Indonesian state (Erdianto, 2017b). This policy was made after the government issued a presidential decree on civil society in Indonesia on 12 July 2017. This decree replaced the 2013's regulation on non-governmental organizations that are considered obsolete and not accommodating steps needed to prevent existential threats in Indonesia. The decision will also shorten the long process in 2013 of the law to dissolve NGOs. For some observers, this decision is considered to give the president greater power to ban a group that is considered a threat to national security (Tisnadibrata, 2017).

Hizb ut-Tahrir is a transnational Islamic movement that is growing in Indonesia. This group was founded in Palestine by Sheikh Taqiuddin an-Nabhani in 1948 in Jerusalem and declared officially as the legal political party in Jordan in 1953. The main purpose of this group political struggle is to rebuild the Islamic political system called the Caliphate (Khilafah State) as the only method to implement the Islam Shariah and as the only solution to the current multidimensional crisis in the modern world caused by secular and capitalist ideology (Hizb ut-Tahrir, 1953). In the discourse of the global Islamic movement, HT is classified as a radical or fundamentalist group because of its ideas are similar to other radical groups such as anti-democracy, liberalism, human rights, pluralism and to pursue the implementation of Islamic law in a country (M. Rabasa et al., 2004, pp. 7–9).

To date, this group has worked in more than 40 countries across continents including in the Middle Eastern countries, European, North American, Australia, African, Central Asian, and Southeast Asian countries. In some countries, HT is free to carry out its political activities such as in Australia, Europe and in the US, but most Muslim countries dissolve this group. Especially in Central Asia, HT faced a hard situation as the political regimes treated this group's members severely such as imprisonment, torture and even kill its members.

In Indonesia, Hizb ut-Tahrir (HTI) has existed since the 1980s. At that time, the group's political activities were carried out clandestinely as an underground movement until Indonesian politics reformed in 1998 from authoritarianism to liberal democracy. This new political sphere has also created a new political opportunity for HTI (Muhtadi, 2009). From 2000 to 2017, HTI has freely and openly held its political agendas in Indonesia such as conducting seminars, international conferences, demonstrations, talk show; publishing books, magazines, and websites. As a legitimate and registered civil society in Indonesia, the Indonesian government used to invite HTI as a representative of the Muslim community to give input for political issues in Indonesia.

In 2017, the Indonesian government decided to dissolve this group for several reasons where HT was perceived as a threat to the Indonesian political security and stability and against Indonesian ideology (Pancasila). A few months before the policy was announced, the agendas of Hizb ut-Tahrir in many places were canceled due to oppositions from several groups in Indonesia, especially from Nahdlatul Ulama and its youth wings, Gerakan *Pemuda Ansor* (Youth Movement of Ansor) and Barisan Ansor Serbaguna (Banser – *Multipurpose Ansor Front*). Nahdlatul Ulama (NU) is known as the main opposition to HT ideas and political activities in Indonesia. Nonetheless, NU

has never openly and officially announced its political and religious positions against HT until 2017 where NU and its allies have proactively countered HT's activities in many places of Indonesia. NU was also involved in urging the government to make new regulations on NGOs and to support HT's ban in Indonesia.

Nahdlatul Ulama is a traditional Islamic group as well as the largest Muslim group that has around 8 million followers in Indonesia. This group has stated that Islam and nationalism, democracy and human rights do not contrast with one another. That is why, for this group, the current Islamic transnational group and ideas, such as Hizb ut-Tahrir threatens Indonesian national security. The idea of Khilafah is also rejected by Nahdlatul Ulama (Aswar, 2016).

The state policy toward Hizb ut-Tahrir sparked controversy within Indonesian people, the pro regime figures and parties argued it has been a right policy that state dissolve Hizb ut-Tahrir. Even said that it has already been too late to take that action. On the one hand, many human right activists, figures, and political observers or analysts warned that, even though HTI poses a threat toward Indonesian democracy, the way the state treats this group also violates the democratic principle of Indonesia since the government did not decide the policy through judicial process. Furthermore, the ideological narratives constructed by the state also can be used as a political tool by the regime to arbitrarily suppress the opposition. As a result, state action can contribute to the regression of Indonesian democracy.

1.2 STATEMENT OF THE PROBLEM

The government's coercive policy on Hizb ut-Tahrir is not a new issue in global politics. Besides Indonesia, there have been 13 countries that decided to ban this group for national security reasons. Some other countries are still considering taking action on

this group. The action taken by many governments could be perceived as a proper action considering the effort of Hizb ut-Tahrir not only as an opposition for the existing regimes but also threatening the concept of modern state by rejecting democracy and nationalism.

In 2017, Indonesian government decided to dissolve this group after HTI got a legal status as an Islamic group in Indonesia in 2006. This action, according to the state, was to diminish the threat of Hizb ut-Tahrir and to protect the unity of Indonesia. As a result of the state's action, HT's existence and activities will be different than before 2017 where this group freely and actively worked within Indonesian society. In social movement studies, the state's dissolution policy toward HTI is categorized as the state repression which can affect the existence or mobilization of a movement.

State repression can have several impacts to a movement where a movement can decrease its mobilization or stop its actions; a movement can change to be more militant and increase its mobilization; or a movement can change its strategies to survive. As an example, Hizb ut-Tahrir in Uzbekistan that for a long time has been repressed by the government but the impact is that, HT becomes more popular and it contributed to the growth of the HT movement and radicalized HT members on the other hand (ICG, 2003). This study aims to discuss the impact of the state's repressive policies to HT's political activities in Indonesia.

1.3 SIGNIFICANCE OF THE STUDY

The study of religion as variable as part of the study of social movements has been growing today although it still remains marginalized in this discipline. According to Donatella Della Porta (2006), there are some reasons for the marginalization of religion in social movement studies: firstly, the domination of secular logic in social sciences

kept the attention of researchers or scientists away from religious roles and variables. Secondly, most social movement scholars analyzed the experiences of social movements in the western world. Only a few paid attentions at the other countries notably in the Muslim world. Thirdly, the study on social movement in the context of Political Islam is analyzed most commonly through its violent forms (Karagiannis, 2010, p. xi).

The study of Hizb ut-Tahrir as an Islamic social movement also attracts the attention of scholars today where many scholars have tried to explore this movement's political behavior and its political ideologies. Nonetheless, studies emphasizing social movement approaches only looked mostly at the experience of HT in Central Asia, Europe and the Middle East like the works of Michael Karagiannis (2006). The study of HT from the social movement perspective in Southeast Asia is also still very limited. Muhammad Nawab Mohammad Osman (2010) is now starting to utilize social movement approach to analyze HT in Malaysia and Indonesia. Hence, this research is also part of the academic contributions in introducing the use of social movement approach on the issue of political Islam, and the Islamic political groups; most specifically in analyzing Hizb ut-Tahrir in Indonesia.

1.4 RESEARCH QUESTIONS

Hizb ut-Tahrir is a global Islamic movement that is pursuing to unite all Islamic countries into an Islamic state called the khilafah (Pan-Islamic Caliphate). This narrative is propagated in more than 40 countries in the world. In some countries, HT's political activities receive broad support from the Muslim community but, in other countries, HT is considered as a threat and dangerous group because of its radical thought which is anti-democratic, anti-nationalism and pursuing Islamist agenda. As a

result, HT was then banned, and prosecuted in these countries. Now there are 13 countries that have produced legal decisions to ban HT and Indonesia will be the 14th country in the process of banning this group. To discuss the problem of the relationship between state policy and HTI, several questions will be addressed, namely:

1. How does Hizb ut-Tahrir Indonesia work to struggle for its political ideas in Indonesia?
2. What is the reason for the state to dissolve Hizb ut-Tahrir Indonesia in 2017?
3. How Hizb ut-Tahrir continues its political activities after being dissolved in 2017?

1.5 RESEARCH OBJECTIVES

1. To explain the historical development and political strategy of Hizb ut-Tahrir in Indonesia.
2. To analyze the reason behind the state policy to dissolve Hizb ut-Tahrir Indonesia in 2017.
3. To analyze the impact of the state policy toward Hizb ut-Tahrir's mobilization in Indonesia.

1.6 LITERATURE REVIEW

Hizb ut-Tahrir has now become a global Islamic group that has grown in more than forty countries and has around millions of supporters throughout the world. This group was first established in 1948 by a Palestinian jurist, Sheikh Taqi al-Din al-Nabhani (1909-1977). Unlike other Islamic groups, this group declared itself as a political party (Hizb ut-Tahrir - liberation party), which worked politically within Muslims to restore Muslim unity under the banner of the khilafah state as the only state that could fully

implement Sharia Islam as the only constitution and law. This group also prohibits the adoption of Western ideas (nationalism, capitalism, patriotism, socialism, sectarianism, etc.) in the Muslim world because they are considered as *Kufr* (infidel) ideas. According to HT, *Kufr's* ideas and thoughts were also part of the root causes of decline of Islamic civilization (Hizb ut-Tahrir, 1953, pp. 4–6). The idea of the Caliphate and the rejection of western ideas became a tool for HT to spread its ideas in many countries, to gather support and recruit new members. These ideas are discussed in many forums, seminars, discussions, and published through online media, books, magazines, leaflets and so on.

Hizb ut-Tahrir in Indonesia (HTI) has existed for more than 20 years in carrying out its political activities in Indonesia. Almost every year, this group holds national conferences or seminars attended by hundreds of thousands of people throughout Indonesia. Indonesia could be considered as a unique country because of its open position to Hizb ut-Tahrir, though at the same time in many other countries this group was banned, oppressed and suspected of being a threat and dangerous group. On 19 July 2017, the government of Joko Widodo revoked the legal status of HTI. To this day, this group is still carrying out a legal process to oppose the government's decision.

In the context of social movement studies, Hizb ut-Tahrir can be categorized as a movement seen from its activities that aim to change the social and political condition in the Muslim world with revolutionary change. The emergence of Hizb ut-Tahrir and its narratives at the global level has attracted many actors to analyze this group's state of nature as well as how to respond to this group's political activities.

The existence of Hizb ut-Tahrir is the part of global phenomenon when Islam is an emerging issue that also plays important work in many current world issues starting from conflicts in the Muslim world i.e, Palestine, Myanmar, and in Xinjiang. On the other hand, many Muslim state actors used religious narratives and agendas in their

foreign policy actions. There is also increasing number of international Muslim figures and groups including political Islamic movements who play in the global or international politics. Islamic phenomenon in politics and international relations attracted scholars and researchers to analyze it. Many even contended that the rise of religion in politics today is caused by the failure of secularism or as a challenger of secularism.

In terms of political Islam, Quintan Wiktorowics (2004), Hadiz (2010) and Karagiannis (2010) have criticized the dominant perspectives in discussing this issue that mostly studied on its ideology, structure of organization, goals and the history or by using the international security perspective or security-oriented analysis that explained political Islam from the issue of terrorism and violent (Hadiz, 2010; Karagiannis, 2010; Wiktorowicz, 2004).

In the social movement studies, according Donatella Della Porta (2010), addressing religion-driven groups is still rare that actually there are so many religious groups such as Catholic and Protestant in the Europe, Black Church in the United States, and liberation theology in Latin America who played to advocate issues in their countries. For him, there are some reasons of the laxity of scholar's attention for religious social movement: First, the domination of secular perspective of political science that undermine the religious variable; Second, social movement studies mostly are put the Western as the object of study whereas other regions are very few including in the Muslim countries; Third, using social movement approach to study political Islam almost analyzed from its violent behaviours (Karagiannis, 2010, p. xi).

The use of monolithic or totalising narratives on political Islamic according to Asef Bayat (2005) will result in ignoring and preventing other alternatives narratives in understanding Islamism phenomena. In fact, Bayat (2005) argued that social

movements approach can broaden the people understanding on Political Islam by looking the external and internal factors that can affect the movement's existence and action (Bayat, 2005).

Regardless many critics on social movement studies in relation with religious variable, there is in fact emerging attention of the research that try to discern Islam and Islamic movement from social movement approaches. Ziad Mansour (2001) has for example studied Muslim Brotherhood in Egypt from political opportunity perspectives that he argued, eventhough the repressive behaviour of state closed this group opportunities, it can still potential to mobilize within people who were in distrust with the political regime that under british political control; delegitimation of Wafd Party as the dominant party; and the creation of Israel in 1948 (Munson, 2001).

An anthology edited by Quintan Wiktorowicz (2004), *Islamic Activism: A Social Movement Theory Approach* is considered as a manifesto that tried to look the social movement phenomena in the Muslim World from the lens of social movement approaches (Meijer, 2005). All of the movements inspired by Islamic symbols and identities according to Wiktorowicz (2004) could be placed as the phenomena of Islamic activism (social movement) regardless of the idea that they pursue (political or spirituality) and the method of their actions, violence or non-violence. There are eleven articles in this anthology that discussed various social movements phenomena in The Muslim majority countries in the Middle East and North Africa, such as in Egypt, Algeria, Palestine, Turkey, Yemen, Iran and Bahrain. These issues are discussed with the main approaches in social movement studies including political opportunities structures theory, Resource Mobilization theory, and framing theory (Wiktorowicz, 2004).

Mohammed M. Hafez (2004) a contributor in this book for example analyzed the changing action of political Islam in Algeria from peaceful and inclusive to exclusive and violent. This change is explained by the changing political opportunity in this state that was opened in 1989 that caused the Islamic Salvation Front (FIS) got popularity and win the 1991 election. This political context changed after the regime rejected the election and banned FIS, including arresting this party's members. The repressive conditions changed the behaviour of Islamic activists and groups to be more exclusive and changed their behaviour toward the regime and supporters with violence actions grouped under the banner of the Armed Islamic Group (GIA) (Hafez, 2004).

Robinson (2004) in another chapter, discussed mobilization of Hamas in Palestine with three social movement approaches: political opportunity structures that analyzed the political context in that region that opened opportunities for Hamas to mobilize. For instance, the change of Israel Policy after the won of Likud party in the 1977 that focused to contain PLO and gave chances for anti PLO to rise; The emergence and success of Iranian revolution in 1979, the rise of Hezbollah in Lebanon in the 1980s, Intifada 1988, and the Oslo Accords in the 1993 also gave Hamas that possibility to act.

The second approach is mobilization theory that discussed the strategy of Hamas to get support and followers from Palestinian people that mainly come from Mosque, education and health Institution established by Hamas networks; and the third is framing theory that elaborated how Hamas persuaded people to stand with its political activities such as the status of Palestinian Land that belongs to Muslim, and Islam as the only solution for Palestine (Robinson, 2004).

Gwenn Okruhlik (2004), on the one hand, focused to highlight the framing theory to discuss the critics and protests from Independent salafi ulama toward Saudi Regime after Gulf War 1991. The critics were around the rejection of the US military

base in the kingdom, the corruption and malfunction as well as the violation of Islamic tradition in that regime. The many critics toward the state responded by repression to several figures including Aidh Al-Qarni, Salman Al Awdah and Safar Hawali who were among the main oppositional scholars in Saudi Arabia (Okruhlik, 2004). The other work was done by Michael Karagiannis (2009) who analyzed Hizballah in Lebanon from framing theory in social movement focusing on the three elements: diagnostic, prognostic and motivational dimension that he explained the dominant islamist narrative rooted from Shi'i doctrine in constructing this group's frame (Karagiannis, 2009).

The use of social movement perspective in analyzing islamic mobilization in the Muslim world in reality are mostly studied the Middle Eastern countries and the North Africa comparing to the other places such as in South East Asian region that actually has actually the home of the majority of Muslim in the world. Despite the fact that so many Islamic movements exist and work in that region, in the Philippines, Thailand, Malaysia, Myanmar, Singapore and Indonesia.

In South East Asia, the work by Julie Chernov Hwang (2009) is only some of the efforts to understand the Islamism phenomena from social movement perspectives. This work analyzed the relation between the degree of state institutionalization for political participation, the state capacity, the Islamist mobilization and the external factors or forces. This study argued that the effective participatory state will highly affect the mobilization style of Islamism that will use formal channels, whereas the radical or violent group will not have any space to act and to win support from the people. In contrast, the increase of violent mobilization of Islamism is caused by poor state capacity and the limited opportunity for political participation. This concept then is used to examine several Muslim countries including Malaysia and Indonesia.