

Settlement Mode of The Violation Case on Freedom of Religious/Belief

When we look to the past, our founder of the country had realized the plurality of Indonesia. The Youth Pledge (Sumpah Pemuda) in 1928 is the manifest of the early politic to emphasize it. Like the decision of Indonesia to be in republic form is conceptually decree the equality of every citizen to have the same opportunity to contribute and maintain the peace of Indonesia. The republic form is meant to eliminate discrimination among many kinds of believers and also domination of a religion towards others. That commitment is extracted into Pancasila to be a foundation of philosophy of national life in Indonesia.

However, the wisdom *Bhinekha Tunggal Ika* (Unity in diversity), being a common roof of peace of all religion is by the new regime misinterpreted. The regime of authority interpreted that prosperity of nationality and patriarchy can only be achieved with uniformity. Besides, the solitaire governing had become the only interpreter of Pancasila. As a result, the further elaborations are made up merely for the sake of the continuance of their regime.

The new order regime deliberately decreed the uniformity to whole aspects of society including political view, organization, and even to the extent of religious belief which is an innate and absolute right of every

individual and should be under the nation's protection. The social building was used as an excuse by the regime in order to prevent any possible upheaval of diversity that would potentially occur among the society. As a result, the society did not have any chance to freely express their personal political, cultural and religious view. National stability and security was the regime's base of giving policy.

President Soeharto's fallacy (the head of the regime) had become the first step to democratic life. The main idea of democracy is giving special place for the aspiration of the society and determining the result of policy and application to them. Democracy is fully defined as an instrument of solution to answer problems of economy, peace, equality, civilization, tolerance and the determining norm towards other ideals. The structure of democracy which is only based on the vote of the majority is actually a dangerous threat towards the existence of plurality in the country.¹⁹⁰

Respecting and providing equality of every citizen is an absolute commitment for democracy and republic country. Unequal treatment due to minor quantity of a society is also a dangerous threat for the ideal of democracy. Indonesia, born as a republic country is a fruit from a diversity, then, would this country counted that it exist if its diversity is ignored?

In this part Setara Institue inspected how the government works, both in Capital and in Rular areas, in solving the violence of freedom of religious/ belief by focusing on three aspects which has become public's interest which are: the case of Ahmadiyah in West Nusa Tenggara (NTB), the case of GKI Yasmin in Bogor and the case of Shia in Sampang.

These cases have so far not got any clear solving. The modus offered by the country was only an instant solution just being in order to reduce conflict to spread broader. The country is very poor for innovation of solution. A fixed pattern that the government applied was to accommodate the request that claim themselves majority with the

190 Robertus Rober, *Demokrasi versus Toleransi dalam Beragama, Berkeyakinan, dan Berkonstitusi*, (Jakarta: SETARA Institute, 2009), p. 1-7.

excuse of maintaining peace and to prevent violence. The country then approached them separately, separate them from each other physically and territorially to prevent social clash. The easiest way to apply this method is by requesting the minor group to give in and to be willing to be relocated.

A. The Settlement of Ahmadiyah in NTB

The problem of Ahmadiyah in West Nusa Tenggara is one of many portraits of cases on Freedom of Religion and Beliefs which have no solution until today. The cases of freedom of religion and belief are not being the priority agenda to be solved soon by the government, even in regional or provincial level in West Nusa Tenggara (NTB). Moreover, those cases have continually occurred in some of regencies and cities in West Nusa Tenggara (NTB).

This is the portraits lack of seriousness of the government to take an initiative in order to prevent the anarchy actions that performed by a group of people or community, which does not like to the thought or belief from other. The emergence of these cases is the inability of the government as a form of state officials to provide a sense of security and freedoms of citizens to worship based on their religion and beliefs, likes stipulated in the 1945 Constitution. This constitution does not become the anvil to give sense of security and freedom to the citizens in actualizing their beliefs.

If seeing some cases about the freedom of religion and belief in NTB over the last few years, so Ahmadiyah is a group which were one of the most likely group to get treated unfairly, discriminated against, intimidated even to the extent of destruction and expulsion from their homes. This discriminatory treatment continues to happen, if not endless and still blurry road completion.

Until now, it has been nearly 7 years, most of Ahmadis who are victims still living in camps, dormitories Transito in Mataram, West Nusa Tenggara. They live in a building that is not feasible and crowded. Assistance from the local government had long stopped. They also do not get an Identity Card (KTP), on the grounds that they are staying

while in these locations. Whereas even having no ID cards, being inhibited their access to public facilities and social security issued by local governments.

1. The Settlement Proposed by the Local Government

Despite 7 years Ahmadiyah refugees forced to live in refugee camp, NTB provincial government still has not been able to find a way out of settlement. Initially there are two options that tried to be offered by the NTB provincial government: first, Ahmadiyah will be included in the transmigration program; second, the relocation to a *gili* (island) at the West Lombok regency, in order to avoid clashes with the opposing communities.

Both options ultimately fail to be implemented by the NTB Provincial Government. It is unclear why the migration option is canceled, but there are allegations of obstacles that faced by NTB provincial government in coordination with the Ministry of Manpower and Transmigration and the local government where Ahmadiyah refugee will be placed. While the relocation option, which initially had received a response from the Ahmadiyah. But after they conducted a survey to a predetermined location, apparently in the new location there are no decent facilities for occupancy, such as clean water, electricity, health centers, schools, and other public facilities. In addition they are also found that there are people already occupied the island and the ownership of the gili is not belong to West Lombok regency government but belong to a tourism businessman from Bali. Relocation option now no longer heard. There is no proven that show of West Lombok regency government seriousness to do the follow up.

In June of 2011, the Governor of West Nusa Tenggara, Dr. TGH. Zainul Majdi, MA, formulates third option for the solution: path of “dakwah” and formed a team consisting of representatives from the Religious Affairs Ministry of West Nusa Tenggara and some Tuan Guru (religious scholars) senior to resolve Ahmadiyah case.¹⁹¹

191 Suara NTB, *Gubernur Lebih Memilih Jalur Dakwah*. April 27, 2011

Coordination meeting was initiated by governor policies harmonizing team held in the governorates pavilion. The meeting was chaired by Dr. Zaini, inviting some religious leaders, community organization leader, Kesbangpoldagri, police, NTB Ministry of Religious Affairs, “attorney”, youth organizations and NGOs to formulate policy to be implemented based on NTB governor option of settlement. Other public figure that attend the meeting are; Prof.. Saiful Muslim, TGH. MZ Anwar, TGH. Husnudduad, TGH, Safwan Judge, Husni Tamrin, Rector Mataram Teachers’ Training College, Ridwan Masud, Muharor Iqbal, Chairman of GPI, Chairman ANSOR, KAMMI Chairman, Chief himmah NW.¹⁹²

Since late 2011, the working group (governor policies harmonizing team) which has been formed by the governor, start to apply the “dakwah” approach to the Ahmadiyah follower in Transito Mataram. Dakwah initially every Sunday become every month, by presenting religious leaders and academics as speakers. This program mission is to make Ahmadiyah believers return back to the “true islam” because Ahmadiyah beliefs considered as misguide beliefs.¹⁹³

2. The Respons of Ahmadiyah

Ahmadiyah in NTB basically not refusing the program and they are resigned to whatever option is offered by the local government, as long as they can live comfortably and safely. It was proved when there is an offer of relocation to one of *gili* (island), they then conducted a survey to the place to see if the location suitable for them to live, but in fact the place was far from proper place to live in.

Ustadz Ba’asir Ahmadi, one of the Ahmadiyah leaders criticized the plan that seen without any preparation West Lombok government that will relocate them to a remote island in the Sekotong Sub-District to West Lombok District. According to him, the relocation was not a proper solution, because it will strengthen the social discrimination.

192 *Ibid.*

193 Suara NTB, Jun2 24, 2011

Ba'asir also saw that this policy shows government's inability to resolve the cases of violence against Ahmadiyah. From 8 cases of violence against Ahmadiyah in NTB none of the perpetrators were brought to court.

The Ahmadiyah followers in Transito Mataram dormitory are waiting for the settlement from NTB provincial government and the central government. They live without any certainty. Government's program through "dakwah" by holding regular meetings for religious lectures was definitely not a proper solution. Person's religious preference is private matter and government cannot interfere that matter. For Ahmadiyah, religious lecture by some of religious leaders and intellectuals was not a problem, and they considered it as nothing more than a religious meeting and views exchange. Dakwah option will not change their beliefs.

Regardless the lack of concrete action towards the settlement for Ahmadiyah case in NTB, one thing to be noted is the attention of the NTB Department of Education to the condition of Ahmadiyah children living in refugee camps. Head of Education, Youth and Sports (*Dikpora*) West Nusa Tenggara, Drs. H. L. Shafi, MM. with his staff once visited Transito Mataram dormitory. He said Ahmadiyah follower's children who now live in the Transito Mejeluk Mataram dorms should continue their study. One of the ways is to facilitate Ahmadiyah follower by asking all the schools free them for the school fees whether it's the purchase cost of school uniforms, textbooks and so forth. On the other hand, some children Ahmadiyah follower said that they were still asked to pay for school uniforms and textbooks.¹⁹⁴

Dikpora (Education, Youth and Sports) NTB chief confirms "The school is not allowed to treat Ahmadiyah follower children differently from any other student". His intention to visit the Ahmadiyah children is to confirm whether they still continue their study or not.¹⁹⁵

194 Lombok Post: *Dikpora NTB Minta Warga Ahmadiyah Di Bebaskan Dari Biaya Sekolah*, On September 20, 2010

195 *Ibid.*

While head of Ahmadiyah refugees in Transito Mataram, Syahidin, said that there were 30 children who continue their school among refugee, such as in State Elementary School (SDN) 42 Mataram and State Junior High School (SMPN) 16 Mataram. Syahidin then give more detail information that 20 children still in elementary school, junior high and 7 were still 3 high schools. Some number of children forced to move from their previous school because they were badly treated by their friends after school hours such as beating. Syahidin said “In this new school, they feel comfortable to go to school with the same treatment as other student get. But the payment for school fee, purchasing textbooks and school uniforms still become burden for them.”¹⁹⁶

B. Settlement of GKI Yasmin Bogor Case

GKI Yasmin case received widespread attention, both nationally and internationally, because the problem is not only about freedom of worship and the establishment of worship house but also raising a big question mark for how it could this case happen. The case of legal decision form the highest court the Supreme Court can be easily overlooked and dismissed in a country with written institution.

Both the central government and the local government have repeatedly stated that the GKI Yasmin case is a law case, not a religion matter. If that’s true, then it actually happened in the case of GKI Yasmin is purely a legal dispute. Regardless the argument given, the decision that issued by the Supreme Court (MA) should be immediately obeyed by all the parties. But the fact show that the party who supposed to enforce and implement the law do the contrary by overlooked and dismissed the legal decision.

Struggle through the legal path to get the right that done by GKI Yasmin because they believe that the “konstitusi” guarantee for all citizen to get their right. They believe to democratic state that respects

196 The Interview result with The Refugee’s Leader of Ahmadiyah in Transito. October 2010

law and rights which later will resolve disputes between individuals or groups through peaceful way. And if there is no way out though the peaceful way, the legal path (law) will be the last options.

The case of GKI Yasmin is almost four years but there is no bright spot for the settlement. Various ways have taken the GKI Yasmin in order to make local government obey Supreme Court decision. They conduct hearings and report their cases to the number of parties, including a number of state institutions, such as the “Ombudsman” and the House of Representatives. Ombudsman strongly supports GKI Yasmin efforts and ombudsman issued a recommendation to the local government to obey the Supreme Court decision. Ombudsman even tried to mediate GKI Yasmin and local government (Bogor local government). But the mediation efforts were failed because the Mayor of Bogor refused to attend the meeting on April 2012.

On the other hand, House of representative has raised the GKI Yasmin issue several times in meetings with relevant government agencies such as the “Kementrian dalam Negeri”, Ministry of Religious Affairs, Police, the Ministry for Politics, and the Bogor Local Government. But there is no result for GKI Yasmin cases even the meeting was held.

1. Options for Settlement of the Central and Local Government

In a meeting between Home Ministry with the House of Representatives on February 8, 2012, the Home Minister Gamawan Fauzi promised to resolve the GKI Yasmin issue within 6 months. The solution offered was the “relocation” and he will also ensure the safety and comfort of the GKI Yasmin.¹⁹⁷

He said that Home Ministry will help the land acquisition if GKI Yasmin accept to do temporary relocation to the Harmoni Yasmin Centre which only 500 m away from the previous church. The Home Ministry has discussed thi several times with the head of

197 Detiknews, Mendagri Akan Berusaha Selesaikan Polemik GKI Yasmin dalam 6 Bulan, downloaded on Februari 8, 2012, <http://news.detik.com/read/2012/02/08/172956/1837684/10/>

local government (Bogor Local Government Head) and his staff, GKI Yasmin representatives and interfaith leaders. The process is almost to the final result and hopefully it will be implemented in the near future. GKI Yasmin issue is mere matter of *IMB* (building permit) and according to Law 32 of 2004 on the Regional Government and Government Regulation 38 of 2007 on Governmental Affairs Divisions which this domain is completely the Mayor's authority.¹⁹⁸

Home Minister's statement is strengthened by the West Java Province government, Ahmad Heryawan. He said that the GKI Yasmin case now handled by Home Ministry. However, he also confirms that West Java Province government is ready to help by giving fund from the 2013 local revenue and expenditure.

West Java Province is ready to help by giving Rp 10 billion for completion in 2013. Heryawan also said that the fund can be used for land acquisition for the new church building. Beside fund from province government, grants will also supplied by the local government for about Rp 2 billion.¹⁹⁹

Local government also said that they have prepared a location in Kota Paris at Jalan Dr. Sumeru. The local government will give the land for free to GKI Yasmin do that their church can be built there.

2. Suggestion from Presidential Advisory Council

Another option of settlement offered by Presidential Advisory Council (Wantimpres), Albert Hasibuan in the meeting with the representatives of GKI Yasmin (10/24/2012), he proposed that the GKI Yasmin dispute could be taken over by President Susilo Bambang Yudhoyono. The proposal was submitted to the president, but the decision still depends on the president. Besides that Albert also deliver solutions for the mosque to be built close to the GKI Yasmin building

198 <http://www.dpr.go.id/id/berita/pansus/2012/feb/09/3637/dpr-minta-seluruh-elemen-dilibatkan-dalam-penuntasan-kasus-gki-yasmin>

199 <http://www.tempo.co/read/news/2012/12/25/058450264/untuk-gki-yasmin-jawa-barat-siapkan-rp-10-miliar>

in Bogor as a symbol of religious harmony. The Church does not need to be relocated, GKI Yasmin remains in the original location, and then mosque will be built next to it.

After a meeting between the members of the GKI Yasmin and Presidential Advisory Council, President Susilo Bambang Yudhoyono had testified on GKI Yasmin case. He said the case should be resolved. The President said, he was informed that the local government is looking for new land for GKI Yasmin. The President asked head of local government head (bogor) and West Java head to ensure that the GKI Yasmin can do their pray as any other people in Indonesia.

3. Respons from GKI Yasmin

Relocation option submitted by the local government and central government as GKI Yasmin case settlement was rejected by the GKI Yasmin. There are several considerations: first, the GKI Yasmin would not have violated the law. GKI Yasmin struggles through legal path to enforce the ideals of the rule of law, if GKI Yasmin accept the relocation offer it means they betray the law itself. Secondly, their struggle is not only to get their right to worship but also as a symbol of the struggle of other minorities who face similar problems. Third, the GKI Yasmin did not want a similar incident experienced by HKBP Ciketing, Bekasi. Relocation option is just to blow away the issue, especially in the location at Jalan Dr. Sumeru, there is rejection from local residents. Fourth, the GKI Yasmin did not want the fund from expenditure and revenue from Province Government and local government which should be used for public needs not for GKI Yasmin case. GKI Yasmin parties can fund for the construction of houses of worship themselves.

Based on GKI Yasmin rejection to the settlement option we should consider several things in order not repeating the same case happen to HKBP Ciketing. When the HKBP Ciketing raised and become public attention, especially after violence case of stabbing to Lupida Simanjuntak happen, central government and local government (bekasi local government) promise HKBP to give them free land

for their church. Since the land still in proses of land acquisition, HKBP Ciketing been asked to relocate their church to multi-purpose building in the central part of Bekasi. Government promise is to make the multi-purpose building can be used by HKBP as worship house and free of charge. Then, after 3 years using the building, they have been asked to pay for some amount of money by the owners. Moreover, there is no any further information of the Promised Land for their new building till today. The local government of Bekasi does not ever want to see their representatives, and the central government also cannot do anything due to the case. While they already received a notification from the multi-purpose building that they cannot use the building anymore in 2014. It will raise a new problem because they said that if the case is like this, they will go back to their previous disputed worshipping house.

GKI Yasmin has no problem to undertake for the proposal from Presidential Advisory Council Staff, Albert Hasibuan to build mosque next to GKI Yasmin.²⁰⁰

4. New Phase: Government Intervention towards GKI case

Susilo Bambang Yudhoyono's government is well aware that cases of violations of religious freedom continued to increase in recent years is very detrimental to the image of his leadership. Several leading international human rights organizations such as Amnesty International and Human Rights Watch continue to highlight this issue. Even in the Universal Periodic Review session of the UN Human Rights Council held in Geneva, some states provide a number of recommendations in order to improve performance in Indonesia protection of religious freedom.

Some of the "lingkaran dalam" of the president tried to take the initiative to find settlement of violations of religious freedom in order to get public attention. This kind of settlement was unofficial and non-track.

200 http://www.perisai.net/berita/watimpres_usul_gki_yasmin_dibangun_bersebelahan_masjid#_axzz2LhyRn4O8

For example, the settlement of Ciketing case involve Susilo Bambang Yudoyono close friend in the military retired Lieutenant General, Luhut Panjaitan, who currently also serves a member of the Advisory Board of the Golkar Party. Luhut Panjaitan who then approach HKBP church leaders at its headquarters in Tarutung, North Sumatra, and also approached a number of activists HKBP Ciketing to accept relocation offers promised by the government.

HKBP is the largest church organizations in Southeast Asia. It has layered organizational structure and spread throughout Indonesia. Structure of the organization is divided by region. Small churches as HKBP is a part of higher structures and so forth.

HKBP church in “Orde Baru” era was being torn and dragged into sharp conflict due to intervention by the government at that time. Although the current reconciliation between the two camps have been established but the trauma by the government intervention continues to haunt.

HKBP supreme leader or commonly known as Ephorus accepted an offer for the relocation and because of that Pastor Lupida who reject the idea of relocation move him in order to provide services to another location HKBP.

Now, the same case seems is also happen as GKI Yasmin. Deadlock occurs because GKI Yasmin continues to refuse relocation offered by the government, making one of the “lingkaran dalam” President Susilo Bambang Yudoyono, who is also the member of the Presidential Advisory Council, took the initiative for the completion.

Tempo, January 28, 2013 revealed Tiopan Bernhard Silalahi actions towards the settlements of GKI yasmin. PAN’s former minister approached the board of Indonesian Churches Community (*PGI*) and the Working Committee of the Synod Council of the Indonesian Christian Church (GKI BPMS). TB Silalahi claimed to PGI and Sinode GKI that he came upon private initiative.

GKI as well HKBP also has a number of churches throughout Indonesia. GKI is one of the largest church organizations in Indonesia.

GKI Synod is the "parent" for numbers of GKI church in Indonesia.

TB Silalahi intention is unknown but GKI Synod, without involving the GKI Yasmin church, after it held a meeting with Bogor Local Government head. After the meeting, Bogor local government sent a letter to the GKI Synod 452.1/1845/huk. Its content is relocation offers. The local government provides the land at Jalan Semeru No. 33 as the new location.

Meanwhile, GKI Bogor Court, as the parent of Bapos Yasmin Church terminates GKI Yasmin church staff, and then GKI Yasmin said that they give all the authorities of settlement to GKI Synod. Then, GKI Synod issued a "form letter" to all members whose content is to takeover GKI Yasmin case. GKI synod informs that all publications concerning the GKI Yasmin must be approved by the Synod first.

To the management of PGI, GKI Synod sent a letter banning of worship across the palace since March 2012. GKI Synod will not be responsible if there is still the name of GKI Yasmin worship across the palace. GKI Synod also stated that responsibility for the GKI Yasmin has been taken over by GKI synod. All activities involving the GKI Yasmin that is not from Synod is not under the responsibility of the Synod.

In December 2012, the committee of GKI Synod held a working meeting. Regarding the GKI Yasmin, they make the decision as follows:

1. The Synod asked the head of Bogor local government obey the decision of the Supreme Court and the Ombudsman recommendation stating that the GKI Yasmin does not violate the law;
2. Synod requested to remove the "freezing" Yasmin church building permits.
3. Head of Bogor local government asked to open the church padlock.
4. Relocation will not be done.
5. If the fourth decision is implemented by the head of Bogor local government, the Synod will appreciate by not making the

land where Yasmin church as a place of worship.

To secure this decision, the GKI Synod issued threats to issue sanctions for recalcitrant of Yasmin church pastor.

5. GKI Yasmin Fight Back

Towards the decision of Synod to the GKI, GKI Yasmin church does the rejection. They criticized the attitude of the leaders of the GKI Synod that follow state intervention. Where as previously all of GKI Synod heads have one vision about the establishment of GKI Yasmin.

They rebutt that the opinion of GKI Synod leaders that some church will face several problems, as well as some of the locations where the GKI will be built will also face obstacle. It was just an unprove excuse made by GKI Synod leaders.

GKI Yasmin church would continue the fight for rights to build the house of worship and worship in front of the Presidential Palace to protest towards government, although the GKI Synod and prohibit this action and will not take responsibility for their action.

Meanwhile, the PGI as an organization for churches commnuty in Indonesia also regretted the steps taken by the Synod of the GKI, although they can not do much, because the relationship between the parent organizations of the Synod as the church with the PGI is not instructional. When Gomar Gultom Pastor met GKI Yasmin that were accompanied by a number of interfaith activist, General Secretary of PGI, promised to talk to GKI Synod. He also supports PGI Yasmin effort.

Seeing the reaction of GKI Yasmin supported by a network of interfaith activists and also seeing the attitude of PGI makes GKI Synod feels need to give an explanation of the steps they take. GKI Synod then invites number of institutions that widely known actively promote pluralism and always give support to GKI Yasmin to a dialogue.

The meeting between the members of the Working Committee of the Synod Assembly (BPMS) GKI with human rights activists, and

interfaith takes place in STT Jakarta, Jl. Proclamation No.. 27 Central Jakarta on January 30, 2013.

During the meeting, interfaith network which has been accompanied GKI Yasmin questioning attitude of BPMS since they found some odd things, such as meeting points with interfaith activist has been set previously, which refers to the points that the letter has been sent to the Head of Bogor Local Government.

Activists questioned BPMS for treating case of GKI Yasmin as only a church problem, not referred to the violation of human rights, the constitution and freedom of religion.

GKI Yasmin struggle mainly supported by publication media has become an icon of the fight for freedom of religion in Indonesia and inspire other groups who experienced the same thing to fight for their rights.

Violations of religious freedom are not only happen to the Christians but also people of other religions, including Islam also experiencing the same thing. Stop GKI Yasmin church struggle and accept the offer of relocation as well as change the function of the place for GKI Yasmin church would be a bad precedent for law enforcement struggles and religious tolerance in Indonesia.

BPMS GKI Synod at this the meeting was not giving much response to number interfaith activists and human rights comments. They just said they will consider all the comments and suggestion. But, GKI Synod officially also never revises or revokes the policy that has been issued. And settlement option that has been agreed by Synod and GKI previously is also left unclear.

C. Government Solution for Shia Sampang

The second attack towards Shia follower in Nangkrenang sub-village, Karang Gayam Omben, Sampang, on August 26, 2012 not only cause loss of life and loss of property owned by citizens of Islam Shia but also cause long-lasting trauma, especially for women and children. Hundreds of Shia follower were pushed away from their social and

cultural life and also forced to become refugees in GOR Sampang.

As of this report written they still survive in GOR Sampang with inadequate facilities. Food served always late, inadequate clean water supplies and many other problems. The volunteer from Non Governmental Organization (NGO) help them by providing social and psychological services to them, especially the children make them a little bit feel released.

Seven months living in refugee camps without any certainty of their fate lead to endless frustration. The desire of the majority Syaih followers were returning to their previous homes but District of Sampang continuously rejected the idea. Initially there was hope on the newly elected district head, KH Fannan Fadilah Hasib and his deputy Boediono. But this new district head are also unwilling to grant the wishes of Shia follower, because he thinks there are many local religious leaders who reject the return of Shia follower. Apart from that, he promised to continue to find the best solution.

Strong option to settle the case that choosed by district government of Sampang and East Java Province government is relocation. They continuously said that this is only temporary location while waiting for the case to calm down so that there will be no rejection anymore from the local community. That is why the East Java Province government initially offered temporary relocation to housing in Sidoarjo.

The question is, if the temporary relocation, how long they will be in the relocation camp? Moreover, if the reason claimed is there will be no rejection anymore from local society. Is Shia follower not considered as local community? Since Shia Sampang I cases till today there is no effort from the government to have them meet and reconcile between the two sides. Though, it is important to build understanding between the two parties in the future. It is seen that government has no strong intention to reconcile and choose the strategy to avoid clashes.

Now, there are efforts made by the National Human Rights Commission initiated the idea hunter (temporary shelter) which location is not far from the area where Shia follower had been residing. By staying slightly outside the Nangkrenang village, Islam Shia followers

are expected to return to farming in their fields. This idea, according to one commissioner of National Human Rights Commission, Imdadun Grace, has been discussed with several local dignitaries as well as with one of the NGOs assisting Shia follower.

Unfortunately this idea is rejected. Head of Sampang district who initially had considered the existence of the temporary shelter remain forbid Islam Shia to return back to their place of origin, the reason is that it could provoke clashes. He rejected the idea because there still local religious leaders opposed the idea.

Shia Follower Respons

Even in a very hard situation Shia follower strongly reject the idea of relocation and also for the idea of transmigration. Their demands were immediately being returned to their village in order to start a livelihood, evethough from zero.

According to one of the Shia representative, Iklil Milal, the most urgent now is revocation of MUI Sampang Fatwa that declared Shia is a misguide teachings. According to him, this fatwa is the cause of violence against Muslim Shia citizens. As long as the fatwa is not revoke the safety of Shia Islam are not guaranteed. Wherever they may will get violence action, because they are considered as a problem.

Nobody knows how long Islam Shia people will continue to live as refugee in GOR Sampang. The central government has stated that the settlement of Shia is East Java Provincial Government and the Government of Sampang responsibility. Yet seeing the government action, it seems that there will be no solution for the settlement in the near future. Even it seem that the settlement of Shia case will be postone in very long period of time as Ahmadiyah case that still live as refugee in Transito, Mataram, NTB. As long as the government is hiding by using the majority point of view, it will be always no way out for settlement. []

