

Sharia in power: non-Muslims and the performance of Islamic politics in Aceh public sphere, Indonesia

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Abstract

A structural transformation of the public sphere in contemporary Aceh is marked by the monopoly over religious interpretations by the state and ulema through the enactment of Islamic sharia. This article examines the performance of Aceh's public sphere with reference to non-Muslim discourses in practising Islamic politics. The data were collected through observations, in-depth interviews, and a literature study. Based on the concept of multiple public spheres, this paper argues that the government's attempts to restrict the performance of public

sphere based on Islamic values and identities is not only unsuccessful but also triggers a counter-public sphere to emerge. The counterpublic has become an arena where its proponents promote their valuable ideas, negotiate identity, or resist realising aspirations. This study finds out that the visibility of public sphere is in layers and there may be no connections between one contingent and another, or they even contest. Although they may have similarities in being resistant to dominant narratives, the proponents of public sphere have many ways, perspectives, or strategies to share their ideas and increase their participation in the more prominent public sphere.

Transformasi struktural ruang publik dalam masyarakat Aceh kontemporer ditandai dengan monopoli penafsiran agama oleh negara dan ulama melalui pemberlakuan syariat Islam. Tulisan ini membahas performa ruang publik Aceh berdasarkan studi kasus diskursus non-Muslim dalam praktek politik Islam. Data lapangan dikumpulkan melalui observasi, wawancara mendalam dan studi literatur. Berdasarkan konsep multi-publik sphere tulisan berargumen bahwa upaya pemerintah membatasi tampilan ruang publik berdasarkan nilai dan identitas Islam bukan hanya tidak berhasil tetapi juga memantik kemunculan counterpublic. Ruang publik tandingan menjadi arena dimana para proponennya melakukan konsolidasi gagasan, negosiasi identitas atau pun resistensi dalam merealisasikan aspirasi. Tulisan menemukan bahwa visibilitas publik tandingan berlapis-lapis dan antara satu kontingen dengan kontingen yang lain terkadang tidak saling berhubungan, atau bahkan saling kontestasi. Kendati mereka terkadang memiliki kesamaan dalam resistensi pada narasi dominan, para proponent ruang publik tandingan memiliki beragam cara, sudut pandangan maupun strategi dalam mengungkapkan aspirasi dan partisipasi dalam ruang publik yang lebih besar.

Keywords: *Aceh public sphere; Sharia state; Islamic politics; Formalisation*

Introduction

Many studies have discussed the dynamics of Islamic sharia in Aceh. Arskal Salim,¹ Hasni Basri Siregar,² Moch. Nur Ichwan,³ and R. Micheal Feener⁴ discuss the legal and sociological aspects and the politics of institutionalising Islamic sharia. Their research emphasises that the formalisation of Islamic sharia is not mere aspirations but collective identities of Acehnese. David Kloos examined Muslims' experiences in one village in Banda Aceh where Islamic sharia functions as a basis for one to recover and rise up from slumps due to tsunami and political conflicts.⁵

Other scholars have examined gender relations, cultural resistance, or religious relations after Islamic sharia being implemented. Dina Afrianty,⁶

¹Arskal Salim, *Challenging the Secular State: The Islamization of Law in Modern Indonesia*, Honolulu: University of Hawai'i Press, 2008; Arskal Salim, "Dynamic Legal Pluralism in Indonesia: Contested Legal Orders in Contemporary Aceh", *The Journal of Legal Pluralism and Unofficial Law*, Volume 42, Number 61 (2010), 1-29.

²Hasni Basri Siregar, "Lessons Learned from the Implementation of Islamic Shari'ah Criminal Law in Aceh, Indonesia", *Journal of Law and Religion*, Volume 24, Number 1 (2008), 143-76.

³Moch. Nur Ichwan, "Official Ulema and the Politics of Re-Islamization: The Majelis Permusyawaratan Ulama, Shari'atization and Contested Authority in Post-New Order Aceh", *Journal of Islamic Studies*, Volume 22, Number 2 (2011), 183-214.

⁴R. Michael Feener, *Shari'a and Social Engineering: The Implementation of Islamic Law in Contemporary Aceh, Indonesia*, Oxford: Oxford University Press, 2013.

⁵David Kloos, *Becoming Better Muslims: Religious Authority and Ethical Improvement in Aceh, Indonesia*, Princeton and Oxford: Princeton University Press, 2018.

⁶Dina Afrianty, *Women and Sharia Law in Northern Indonesia: Local Women's NGOs and the Reform of Islamic Law in Aceh*, London: Routledge, 2015; Dina Afrianty, "Local Women's NGOs and the Reform of Islamic Law in Aceh: Case of MISPI," in R. Michael Feener, David Kloos, and Annemarie Samuels (eds.), *Islam and the Limits of the State: Reconfigurations of Practice, Community and Authority in Contemporary Aceh*, Leiden: Brill, 2016: 118-40.

Kristina Grossmann,⁷ Moch. Nur Ichwan,⁸ and Reed Taylor⁹ study the gender relations and Muslim women's negotiations to Islamic sharia in Aceh. Meanwhile, through a study of punk Muslims in Banda Aceh, Reza Idria explores the cultural resistance of a subaltern community toward Islamic sharia.¹⁰ Moch. Nur Ichwan, Arskal Salim, Eka Srimulyani, Muhamad Ansor et.al., and Yogi Febriandi focus on Muslim-Christian relations.¹¹ Those research studies underline that there are communities who also express their voices amidst the sharia domination.

This study examines the Aceh's public sphere with reference to the non-Muslims' discourses and the performance of Islamic politics. The

⁷Kristina Grossmann, "Women's Rights Activists and the Drafting Process of the Islamic Criminal Law Code (Qanun Jinayat)," in R. Michael Feener, David Kloos, and Annemarie Samuels (ed.), *Islam and the Limits of the State: Reconfigurations of Practice, Community and Authority in Contemporary Aceh*, Leiden: Brill, 2016: 87-117; Kristina Grossmann, "Muslim Female Activists and Sharia in Indonesia: Scopes of Acting in National and International Perspectives", *Review of Indonesian and Malaysian Affairs*, Volume 48, Number 1 (2014), 95-125.

⁸Moch. Nur Ichwan, "Forbidden Visibility: Queer Activism, Shari'a Spherem and Politics of Sexuality in Aceh", *Studia Islamika*, Volume 28, Number 2 (2021), 283-317.

⁹Reed Taylor, "Syariah as Heterotopia: Responses from Muslim Women in Aceh, Indonesia", *Religions*, Volume 6, Number 2 (2015), 566-93.

¹⁰Reza Idria, "Cultural Resistance to Shariatism in Aceh," in Kees van Dijk and Nico J.G. Kaptein (eds.), *Islam, Politics and Change: The Indonesian Experience after the Fall of Suharto*, Leiden: Leiden University Press, 2016, 247-68.

¹¹Muhammad Ansor and Yaser Amri, "Being Christians in the Acehese Way: Illiberal Citizenship and Women's Agency in the Islamic Public Sphere", *Journal of Indonesian Islam*, Volume 14, Number 1 (June 1, 2020), 77-112; Muhammad Ansor, Yaser Amri, and Ismail Fahmi Arrauf, "Under the Shadow of Sharia: Christian Muslim Relations from Acehese Christian Experience," *Komunitas*, Volume 8, Number 1 (2016), 125-34; Muhammad Ansor and Yaser Amri, "Beyond Pious Critical Agency: Women, Interfaith Marriage and Religious Conversion In Aceh", *Analisa*, Volume 1, Number 2 (2016), 217-38; Muhammad Ansor and Cut Intan Meutia, "Jilbab dan Reproduksi Identitas Perempuan Kristen Ruang Publik Sekolah Aceh", *Kawistara*, Volume 6, Number 2 (2016), 157-74; Muhammad Ansor, "Menjadi Seperti Beragama Lain': Jilbab dan Identitas Hibrid Mahasiswi Kristen Aceh", *Penamas*, Volume 29, Number 1 (2016), 11-30; Yogi Febriandi, Muhammad Ansor, and Nursiti Nursiti, "Seeking Justice Through Qanun Jinayat: The Narratives of Female Victims of Sexual Violence in Aceh, Indonesia", *QIJIS (Qudus International Journal of Islamic Studies)*, Volume 9, Number 1 (2021), 103-40; Moch Nur Ichwan, Arskal Salim, and Eka Srimulyani, "Islam and Dormant Citizenship: Soft Religious Ethno-Nationalism and Minorities in Aceh, Indonesia", *Islam and Christian-Muslim Relations*, Volume 31, Number 2 (2020), 215-40.

transformation of Aceh's public sphere after the reformation era was marker by hegemony and monopoly over Islamic interpretations by the state through formalising Islamic sharia. The data were collected through observations, in-depth interviews, and a literature study between 2013-2018. Based on the concept of multi public sphere,¹² authors argue that the state's attempt to restrict the performance of public sphere based on Islamic values and identities is not only unsuccessful but also triggers the emergence of counterpublic. It serves as an arena where its opponents solidify their ideas, negotiate identities, or become resistant to realising aspirations. The visibility of the counterpublic is in layers and that there may be no connections between one contingent and another, which sometimes are not interrelated or even contest. Although they may have similarities in being resistant to dominant narratives, the proponents of the counterpublic have their own ways, perspectives, and strategies in expressing their opinions and participate in a more prominent public sphere.

Aceh and the making of sharia state

The majority of Acehnese define the formalisation of Islamic sharia as a restoration of their political and cultural rights that have been missing.¹³ Aceh, in the 17th century in the collective memory of their people, is the biggest Islamic kingdom in the archipelago that have reached their golden

¹²Dale F. Eickelman and Armando Salvatore, "The Public Sphere and Muslim Identities", *European Journal of Sociology*, Volume 43, Number 1 (2002), 92-115; Charles Taylor, *Philosophical Arguments*, Cambridge, Massachussets, London, and England: Harvard University Press, 1995; Robert Asen, "Seeking the 'Counter' in Counterpublic", *Communication Theory*, Volume 10, Number 4 (2000), 424-46; Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," in Craig Calhoun (ed.), *Habermas and the Public Sphere*, Cambridge, Massachussets, and London: The MIT Press, 1992, 109-42.

¹³Ramli Cibro, "Syariat yang Bermakrifat," in Miswari (ed.), *Islam, Formalisasi Syariat Islam dan Post-Islamisme di Aceh*, Banda Aceh: Bandar Publishing, 2019, 122-23.

age after implementing Islamic sharia.¹⁴ Hasnil Basri Siregar argues that the period where Aceh was defeated by the Netherlands up to the formation of modern Indonesia was a turning point of Islamic sharia.¹⁵ Although the visibility in the cultural and spiritual arena of Aceh experiences flux and reflux, the Islamic identity has never been distorted.¹⁶

The narratives of Islamic sharia have never been suppressed from the Acehnese. The attempts to obtain a mandate on formalising Islamic sharia since post-independence Indonesia have been made in numerous ways: either war or diplomacy.¹⁷ Nazaruddin Sjamsuddin argues that one of the factors which trigger the republicans' riots is the aspiration of formalizing of sharia.¹⁸ The conflict between GAM (*Gerakan Aceh Merdeka*, or Free Aceh Movement) and the Indonesian government was not caused by Islamic sharia but by the separation of Aceh from Indonesia. Nevertheless, the aspiration of Islamic sharia among the GAM activists has never been extinguished. A number of ulema gain benefits from the conflict by proposing to formalize Islamic sharia.¹⁹ When the conflict between the GAM and the government has been escalated, the government issued Law

¹⁴Denys Lombard, *Kerajaan Aceh Jaman Sultan Iskandar Muda (1607-1636)*, Winarsih Arifin (ed.), Jakarta: Balai Pustaka, 1991; Amirul Hadi, *Islam and State in Sumatra: A Study of Seventeenth-Century Aceh*, Leiden and Boston: Brill, 2004.

¹⁵Siregar, "Lessons Learned from the Implementation"..., 149-50.

¹⁶Eric Eugene Morris, "Islam and Politics in Aceh: A Study of Center-Periphery Relations in Indonesia", Cornell University, 1983; Eric Morris, "Aceh: Social Revolution and Islamic Vision," in Audrey R. Kahin (ed.), *Regional Dynamics of the Indonesian Revolution: Unity from Diversity*, Honolulu: University of Hawai'i Press, 1985, 83-110.

¹⁷C. van Dijk, *Rebellion under the Banner of Islam: The Darul Islam in Indonesia*, Leiden: The Hague - Martinus Nijhoff, 1981.

¹⁸Nazaruddin Sjamsuddin, *Republican Revolt: A Study of the Acehnese Rebellion*, Singapore: ISEAS Press, 1985.

¹⁹Michelle Ann Miller, *Rebellion and Reform in Indonesia: Jakarta's Security and Autonomy Policies in Aceh*, New York: Routledge, 2009; Shane Joshua Barter, "Ulama, the State, and War: Community Islamic Leaders in the Aceh Conflict", *Contemporary Islam*, Volume 5, Number 1 (2011), 19-36; Arskal Salim, "'Sharia from below' in Aceh (1930s-1960s): Islamic Identity and the Right to Self-Determination with Comparative Reference to the Moro Islamic Liberation Front (MILF)", *Indonesia and the Malay World*, Volume 32, Number 92 (2004), 80-99.

18/2001 regulating Aceh to implement Islamic sharia.²⁰

The GAM activists and ulema did not reach a consensus in responding to the Islamic sharia formalisation. Muhammad Alkaf illustrates this as a tough competition between groups of ethnic and religious nationalism.²¹ The ethnic nationalism moves to manifest the leadership in Aceh over the territory that has a historical root with Aceh classical kingdom and demands for separation from Indonesia.²² On the other hand, religious nationalism demands more to give Aceh a special status to formalise Islamic sharia. The keyword formalisation of Islamic sharia was utilised by the ulema and Muslim intellectuals as a magical spell to gain support from the traditionalist Muslim community which can be considered as the biggest element of Acehnese Muslim.

Non-Muslims in the Aceh's public sphere

The visibility of Aceh's public sphere mobilises Islamic identity and prompts worries about the future of fulfilling the people's rights and religious freedom of non-Muslims. The worries may be reasonable owing to the fact that in the Aceh history, the sentiment and hostile narratives of non-Muslims have been growing, especially to Christians. It also has been recorded in the epos of Aceh war: the story of Acehnese fought against the Dutch by mobilising religion and nationalism as reasonings.²³

²⁰Afrianty, *Women and Sharia Law in Northern Indonesia...*, 60.

²¹Muhammad Alkaf, "Aceh Pasca 2005: Ruang Politik untuk Syariat Islam," in Miswari (ed.), *Islam, Formalisasi Syariat Islam dan Post-Islamisme di Aceh*, Banda Aceh: Bandar Publishing, 2019, 1-10.

²²Damien Kingsbury, "Islam and Political Secularism: Their Convergence in an Independence Struggle," *Centro Argentino de Estudios Internacionales*, 2006, 1, <http://www.caei.com.ar>; Damien Kingsbury, "The Free Aceh Movement: Islam and Democratization", *Journal of Contemporary Asia*, Volume 37, Number 2 (2007), 166-89.

²³Edwin Wieringa, "The Dream of the King and the Holy War against the Dutch: The 'Kôteubah' of the Acehnese Epic, 'Hikayat Prang Gômpeuni'", *Bulletin of the School of Oriental and African Studies, University of London*, Volume 61, Number 2 (1998), 298-308.

Non-Muslims in the history of the verandah of Mecca relate the story of 'kaphe' (*kafir*). The kaphe may be the invaders in the past, but in the more modern narratives in Aceh they are a threat to the Acehnese's purity of collective identity and Islamic faith.²⁴

Although the view of Acehnese being tolerant has been expressed through various academic publications, seminars, religious lectures, and other informal talks,²⁵ it can be said to be partially true. Restrictions on building worship places, articulations of non-Muslims religious identity in the public sphere, or pressure to adapt to Islamic sharia culture are among issues that affirm the view. Celebrations of Christmas and new year, for example, exemplify the condition where Islamic public sphere is maintained so that other activities of non-Muslim can be prevented. Therefore, every new year's eve, the authority and their related institutions, and ulema in Aceh mobilise their resources to ensure that the ummah are not participating in the events celebrating those moments.

The performance of Aceh's public sphere in the new year's eve is one of examples showing the dynamics of power relation between the state and two different religious communities. There may be differences in people's views and attitudes towards the tradition of celebrating the new year's, even in Langsa and Banda Aceh. However, the religious elites, some people, and government authority mobilise their resources to ensure that

²⁴Al Makin, "Islamic Acehnese Identity, Sharia, and Christianization Rumor: A Study of the Narratives of the Attack on the Bethel Church in Penauyong Banda Aceh", *Journal of Indonesian Islam*, Volume 10, Number 01 (2016), 1-36.

²⁵Mumtazul Fikri, "Islamic Shari'a and Religious Freedom on Non-Muslim: Study on Spiritual Education in Public Schools in Banda Aceh, Indonesia", *Educational Research International*, Volume 5, Number 1 (2016), 25-31; Deny Setiawan and Bahrul Khoir Amal, "Membangun Pemahaman Multikultural dan Multiagama Guna Menangkal Radikalisme di Aceh Singkil", *Al-Ulum*, Volume 16, Number 2 (2016), 348-67; Safrilsyah, "Non Muslim Under the Regulation of Islamic Law in Aceh Province," in Nur Kholis and Imas Maesaroh (ed.), *Annual International Conference on Islamic Studies XII*, Surabaya: IAIN Sunan Ampel Surabaya, 2012, 544-53.

the people are not celebrating a non-Islamic tradition whereas some others are celebrating happily. For the latter group, the celebration of new year's eve can be depicted as Saturnalia: a concept which according to James C. Scott is a form of a hidden transcript.²⁶ The new year's eve celebration in Scott's terms is a momentum for the lower class that is repressed to put up resistance and domination by the superior class.²⁷

The Aceh public sphere during new year's eve in 2018 was dominated by a discourse identifying the new year's eve celebration as a tradition violating Islamic sharia. A number of municipalities such as Banda Aceh and Langsa issued letters to prohibit the new year's eve celebration. Billboards containing happy new year greetings, and especially those including merry Christmas greetings, are prohibited. Friday prayer sermons near new year also deliver a message for the people not to celebrate the new year's eve with non-beneficial events and violating Islamic sharia. The call to make new year's eve quiet are also circulated through social media, spreading rapidly throughout Aceh's virtual world, and even Indonesia. On the contrary, during one of the Friday prayer sermons where the author joins, the *khatib* invited the people to attend *pengajian* and *zikr* in the new year's eve. However, this issue can be explained by Henri Lefebvre that the public space is an arena to articulate power and strengthen the ideology and identity of the dominant culture.²⁸

The construction of Aceh's public sphere cannot be separated from the role of dominant actors.²⁹ The alliance of modernist, traditionalist, and

²⁶James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts*, New Haven and London: Yale University Press, 1990, 202.

²⁷James C. Scott, *Weapons of the Weak: Everyday Forms of Resistance*, New Haven and London: Yale University Press, 1985.

²⁸Henri Lefebvre, *The Production of Space*, Oxford: Blackwell Publishing, 1991; Henri Lefebvre, *State, Space, World: Selected Essays*, Neil Brenner and Stuart Elden (ed.), Minneapolis and London: University of Minnesota Press, 2009.

²⁹Muhammad Ansor, "Being Woman in the Land of Shari'a: Politics of the Female Body, Piety and Resistance in Langsa, Aceh", *AlJami'ah*, Volume 52, Number 1 (2014), 59-83.

secularist Muslims are manifested in the islamization of the new year's eve. In Langsa, for examples, Ibrahim Latief, the head of Department of Islamic Law (DSI) of Langsa as a representative for the modernist Muslims, developed a policy that utilises bureaucracy to islamize the public space. The Dayahs' *santri* are participants who always join the zikr. Above all, Usman Abdullah, the mayor of Langsa, may be the determinant who enabled *pengajian* and zikr to be held. The alliance of the three Muslim groups, as elaborated above, shows that the state's domination and its apparatus to determine the visibility of public space.

The emergence of counterpublic

The counterpublic is an arena where its proponents both criticise injustice practices and fight for equality.³⁰ The counterpublic measure contests the establishment of discourses produced by the elites and those in power. The visibility of counterpublic may not always be the same.³¹ In fact, it may overlap one another and is contested.³² The public sphere can be symbolised as a group of nests where one nest is bigger than the others and where the smaller nests are attached.³³ Through that process, discursive practice is formed. Thus, reproducing the counter narratives through publishing ideas is not always uniformed between one person and another although they have similarities in positioning themselves vis

³⁰Alexandra Boutros, "Religion in the Afrosphere: The Constitution of a Blogging Counterpublic", *Journal of Communication Inquiry*, Volume 39, Number 4 (2015), 319-37; Zakiya Salime, "Embedded Counterpublics: Women and Islamic Revival in Morocco", *Frontiers: A Journal of Women Studies*, Volume 37, Number 3 (2016), 47-73.

³¹Robert Asen, "Critical Engagement through Public Sphere Scholarship", *Quarterly Journal of Speech* 101, Number 1 (2015), 132-44.

³²Dale F. Eickelman and Jon W. Anderson, "Refining Muslim Publics," in Dale F. Eickelman and Jon W. Anderson (ed.), *New Media in the Muslim World: The Emerging Public Sphere*, Bloomington and Indiana Polis: Indiana University Press, 2003, 1-18; Eickelman and Salvatore, "The Public Sphere and Muslim Identities..."

³³Taylor, *Philosophical Arguments...*

a vis dominative public sphere.

The emergence of the counterpublic is influenced by the social, cultural, and political conditions in each place. Several studies find that the visibility of public sphere in Europe is different from the dynamics of public sphere in an area where Muslims make up the majority.³⁴ And so does Aceh; the visibility of public sphere is influenced by the sociocultural conditions and power relations.³⁵ At least, progressive Muslim activists in Aceh use two counterpublic channels to oppose the Islamic sharia narrative and discriminations over non-Muslim citizenship rights. First is writing and publishing opinions on interfaith relations in the newspaper, magazines, online media, scientific articles published in journals, chapters, or books. Second, they conduct advocacy research to evaluate regulations related to the practices of relations among religions.

Critical knowledge productions

Only a few academicians and activists in Aceh show their resistance against intolerance to non-Muslim through published scientific articles. Teuku Kemal Fasya (b. 1975), Muhajir Al Fairusy (b. 1987), Teuku Muhammad Jaafar Sulaiman (b. 1979), Miswari (b. 1986), and Yogi Febriandi (b. 1993) are among intellectuals and activists in Aceh whose articles highlight religious intolerance. Two names mentioned first discuss Aceh's cultural values that can cultivate harmonious relations among religious believers while the latter three discuss intolerance under the name of Islamic sharia and reminisce the importance of revising the intolerant regulations.

Fasya is an Aceh columnist who has been publishing his opinions

³⁴Armando Salvatore, *The Public Sphere: Liberal Modernity, Catholicism, Islam*, New York: Palgrave Macmillan, 2007.

³⁵Teuku Muhammad Jaafar Sulaiman, "Robohnya Rumah Tuhan di Negeri Syariat: Perjuangan Hak Beribadah Gereja Bethel Indonesia di Kota Bandar Wisata Islam," in Mohammad Iqbal Ahnaf (ed.), *Praktik Pengelolaan Keragaman di Indonesia: Kontestasi dan Koeksistensi*, Banda Aceh: CRCS Universitas Gadjah Mada, 2015: 31-32.

intensively to the local or national newspapers. One of his articles highlights the conflict between Muslims and non-Muslims on establishing house of worship in Aceh Singkil. Fasya argues that religious conflict in Aceh Singkil, which leads to the burning of a church, is not a characteristic of people in these area.³⁶ Likewise, Al Fairusy contends that the religious conflict may not represent the identity of Aceh Singkil people since they have similar cultural roots and clans.³⁷ Writing an article for Fasya and Al Fairusy is one of the ways to rebuild the representations on moderate Acehnese Muslims as well as to confirm that intolerance is not a characteristic of Acehnese Muslims.

Miswari problematise the existence of Christians in Aceh by viewing from two opposite directions: perspectives of Christians and Muslims. For him, Christians in Aceh face many dilemmas in constructing their identity. Its because on the one hand, they want to be free to practice their religion, and on the other hand, there were many obstacles they should face due to Islamic sharia regulations. Meanwhile, the dilemma can also be seen when the non-Muslim issues are seen from the perspective of Muslims. Restrictions for non-Muslims to articulate their ideas, including building a church, aim to protect the rights of the majority Muslim community in areas that have constitutional guarantees to be treated preferentially in practising Islam. The dilemma leads to decisions on minority issues that should refer to the goodness of all parties with opposite aspirations.³⁸

Sulaiman is one of Aceh Institute activist that pays sufficient attention to

³⁶Teuku Kemal Fasya, "Memperbaiki Keberagamaan Singkil," *Kompas*, 2015.

³⁷Al Fairusy Muhajir, "“Karena Klan dan Marga Kami Berdamai: Model Kerukunan dan Rekonsiliasi Konflik Antar-Umat Beragama di Aceh Singkil”, *Al-Ijtima': International Journal of Government and Social Science*, Volume 1, Number 1 (2015), 41-42.

³⁸Miswari, "Mu'qilat AL-Aqāliyah AL-Masīḥīyah Fī Ḥudūd Balad AL-Sharī'ah AL-Islāmīyah", *Studia Islamika*, Volume 25, Number 2 (2018), 351-403.

the issue of intolerance in Aceh after the Islamic sharia being implemented.³⁹ According to Sulaiman, the regulation on religious relations in Aceh both the governor regulations number 25/2007 and number 4/2016 were issued based on the speciality of Aceh that has implemented Islamic sharia. He argues that building places of worship contradicts with the principles of managing diversity and the spirit of equality. Individuals in the context of state nation are places equally without being distinguished based on class, ethnicities, or religion. The performance of public sphere in Aceh shows the tendency of the authority and the elites to comprehend the concept of *lex specialis* based on the importance of power and the spirit of political identity.⁴⁰ It brings the minority as the target of discriminations in order to fulfil the aspirations of the majority.

Febriandi also highlights discriminations against non-Muslims in Aceh. Restrictions on occasions to compete in public position at the local level, regulations on building non-Muslim places of worship, restrictions on spaces to articulate collective religious identity, and non-Muslim students' access to rent a room are topics to be researched to transcribe narratives of citizenship for non-Muslims in Langsa.⁴¹ According to him, the root of the non-Muslim discriminations is the obsession to make Aceh to have a single collective identity i.e., an area that has implemented Islamic sharia.⁴² The non-Muslims' visibility is considered a disturbance for the harmony of being an Islamic area.

³⁹Teuku Muhammad Jaafar Sulaiman, "Dampak Qanun Terhadap Eksistensi Rumah Ibadah di Aceh," in Mohammad Iqbal Ahnaf et. al. (ed.), *Praktik Pengelolaan Keragaman di Indonesia: Konstruksi Identitas dan Ekskusi Sosial*, Yogyakarta: CRCS Universitas Gadjah Mada, 2018, 173-86.

⁴⁰Sulaiman, "Robohnya Rumah Tuhan"..., 27.

⁴¹Yogi Febriandi, "Stuck in Sharia Space: The Experiences of Christian Students to Reside in Langsa, Aceh", *AlJami'ah: Journal of Islamic Studies*, Volume 59, Number 1 (2021), 33-56.

⁴²Yogi Febriandi, "Identitas Tunggal dan Minoritas Non-Muslim di Kota Langsa," in Mohammad Iqbal Ahnaf et. al. (ed.), *Praktik Pengelolaan Keragaman di Indonesia: Konstruksi Identitas dan Ekskusi Sosial*, Yogyakarta: CRCS Universitas Gadjah Mada, 2018, 143-44.

Writing as a strategy to transcribe subaltern narratives illustrates an attempt of few scholars in Aceh to involve themselves in reproducing the counterpublic against the domination of Islamic public sphere. Instead of discussing the harmonious relations among religious believers, their writings explore narratives that indicate the practices of discriminations to non-Muslims. Febriandi's stance related to the issues is implicitly written on the way he explores the data by relying sources of information to students facing difficulties, which, based on the author's observations the position, is smaller compared to non-Muslim students who are accepted openly by Muslims in Langsa. Febriandi's article can uncover the process of differentiation of non-Muslims in the Islamic public sphere and show how campus intellectuals participate in producing the counterpublic. Febriandi attempts to evaluate solutions to intolerance in Aceh not by refusing the Islamic sharia but by strengthening the regulation and implementation of Islamic sharia to consider equality and religious freedom.⁴³

Similar to a post-colonial feminist, Gayatri C Spivak, who developed research based on indigenous perspectives,⁴⁴ academicians and activists in Aceh utilise research as a medium to trigger non-Muslims to speak. Their intellectuality can represent what Antonio Gramsci formulates as an organic intellectual that prioritises resistance against hegemony in the public sphere.⁴⁵ Gramsci divides intellectuals into two categories: organic and traditional intellectuals. Organic intellectuals are scholars who are

⁴³Yogi Febriandi, "Menyiasati Politik 'Kerukunan Agama' di Bawah Qanun Aceh," in Miswari (ed.), *Islam, Formalisasi Syariat Islam dan Post-Islamisme di Aceh*, Banda Aceh: Bandar Publishing, 2019, 112-14.

⁴⁴Gayatri Chakravorty Spivak, "Can the Subaltern Speak?," in Cary Nelson and Lawrence Grossberg (ed.), *Marxism and the Interpretation of Culture*, Urbana: University Illinois Press, 1988, 271-313; Aulrike Auga, "Decolonizing Public Space: A Challenge of Bonhoeffer's and Spivak's Concepts of Resistance, 'Religion' and 'Gender'", *Feminist Theology*, Volume 24, Number 1 (2015), 49-68.

⁴⁵Donal V. Kurtz, "Hegemony and Anthropology: Gramsci, Exegeses, Reinterpretations", *Critique of Anthropology*, Volume 16, Number 2 (1996), 103-35.

aware of classes, and actively mobilise their intellectual capacity to advocate for the people facing oppression and injustice.⁴⁶ On the other hand, traditional intellectuals divide scientific discourses from their social battle in their environment. The latter intellectuals emphasise a knowledge-based academic career in campus by maintaining limits between themselves as academicians and sociopolitical reality in their surroundings.

Advocacy through the non-governmental organizations

Counterpublic in Aceh is also reproduced through activism in non-governmental social organisations. Kristina Grossmann and Dina Afrianty show that the focus of the women activists in Aceh is to ensure that the legal products under the name of Islamic sharia are formulated based on the principles honouring gender equality and justice. They participate in reviewing academic articles, formulating Qanun draft, and overseeing the discussion at the legislative level, up to the legalisation. They also supervise the implementation or evaluation conceptually or practically.

Although they often find difficulties to reforming Islamic law and maximising gender equality and justice in the Islamic sharia regulations, their contributions deliver an important meaning. Muslim women activists' movement illustrates a model of women religious agency in Indonesian public sphere i.e. critical pious agency that combines the piety and critical attitudes in understanding religious doctrines.⁴⁷ Women activists believe that feminism and Islam are not opposite in manifesting gender equality and justice.

Aceh's women activists do not limit their movement only to reforming Islamic law to be gender equal but also on the issue of religious freedom

⁴⁶Antonio Gramsci, *Selection from the Prison Notebooks*, Quintin Hoare and Geoffrey Nowell Smith (ed.), New York: International Publishers Co, 1996.

⁴⁷Rachel Rinaldo, "Pious and Critical: Muslim Women Activists and the Question of Agency", *Gender & Society*, Volume 20, Number 10 (2014), 1-23.

by advocating the process of drafting regulations on religious relations and their implementations. Several women activists believe that the gender equal movement should not be limited to one religion only. Norma Manalu (b. 1980), a women activist affiliated with JMSPS (*Jaringan Masyarakat Sipil Peduli Syariah*, or Civil Network Concerned on Sharia), said that their focus is to manifest Islamic sharia that respect freedom, and gender equality and justice beyond race and religion. JMSPS does not provoke confrontations to Islamic sharia implementation. It is just they urge that the concept of Islamic sharia to be translated to numerous regulations in Aceh to achieve the goal of gender equal and justice.⁴⁸

JMSPS is one of the women organisations playing a significant role in reproducing the counterpublic by promoting inclusive and tolerant religious life. Based on the interview with Manalu, it is known that among the attempts to manifest those goals are by conducting evaluative research on the implementation of *Qanun* number 4/2016 on the principles of maintaining the harmony among religious believers and guidelines on building places of worship. The research conducted in 2018 aims at reviewing the negative impacts of the regulations to the harmony of intra-religious and inter-religious believers.⁴⁹

JMSPS research states that *Qanun* number 4/2016 emphasises more on harmony rather than religious freedom. The implementation of the *Qanun* in Aceh makes the non-Muslim minority as a party that should adapt themselves to the urge of the majority, Muslims. Many non-Muslim places of worship in Aceh are closed since the permission to build the places is not granted. The regulation (*Qanun*) is not only aimed at non-Muslims but also the Muslim

⁴⁸Afrianty, "Local Women's NGOs"...

⁴⁹Mirza Ardi, Sehat Ihsan Shadiqin, Yogi Febriandi, Aulia Kamal, Ramadhania, "Evaluasi Pelaksanaan Qanun Nomor 4 Tahun 2016 Tentang Pedoman Kerukunan Umat Beragama dan Pendirian Tempat Ibadah", Banda Aceh, 2018.

minority affected by the discriminations.⁵⁰ The politics of reconciliation to preserve diversity from the majority's perspective is a characteristic of communalism and tend to be discriminative to the minority.⁵¹

Reproducing the counterpublic through non-governmental organisations and academic-based advocacy are among the ways to deliver their aspirations and participate in politics through the mechanism of democracy. The constructed narratives imply resistance against mainstream narratives on formalising Islamic sharia. However, it is not done openly and in a confrontative way. Women activists reproduce counter narratives from within, for example, by doing collaborative research or forming an alliance with the state and religious figures. The counterpublic is attached to the mainstream public sphere since they cannot believe the confrontative strategy can be done in a dominative and hegemonic socio-cultural environment like in Aceh.⁵²

The visibility of the counterpublic is in layers and between one contingent and the others are often unrelated or even contested. Even though it has similarities in resistance against dominant narratives in the public sphere, the proponents of the counterpublic have numerous ways, perspectives, and strategies in delivering their aspirations and participating in the bigger public sphere. These findings are in line with the view of Robert Asen on multiple counterpublic. A diverse multi-counterpublic may be formed due to the complexity of social spaces and different cultures. Counterpublic emerge as a kind of public within a public sphere conceived as a multiplicity, which explains the diversity in power relations between

⁵⁰Ardi et al., "Evaluasi Pelaksanaan Qanun"...

⁵¹Ismail Fahmi Arrauf Nasution, "Minoritas dan Politik Perukunan (FKUB, Ideologi Toleransi dan Relasi Muslim-Kristen Aceh Tamiang)", *Substantia*, Volume 19, Number 1 (2017), 53-74.

⁵²Muhammad Ansor, "Post-Islamism and the Remaking of Islamic Public Sphere in Post-Reform Indonesia", *Studia Islamika*, Volume 23, Number 3 (2016), 471-515.

contingent and another.⁵³

Unlike Fraser, who argues that the subaltern community is the main proponent of the counterpublic,⁵⁴ our explanation points out different findings. Background and social classes as a support for the counterpublic occur not only in subaltern communities but also in the elites who speak for the subaltern communities.⁵⁵ The proponents of the counterpublic in the discourse of religious relations mostly are the middle-class activists or scholars. The majority of them are writers or activists affiliated with an academic institution or university: an issue signifies that they cannot be grouped to the subaltern communities. In fact, they are people speaking for the subaltern communities, i.e. non-Muslim minority.

The proponents of the counterpublic may be more relevant to be identified as organic intellectuals as how this category was introduced by Antonio Gramsci.⁵⁶ According to Gramsci, in one community, there are always people who fight for those being oppressed. Organic intellectuals are educated middle-class elites that are aware of classes. As depicted by Gramsci, organic intellectuals are academicians; they are critical to all forms of oppression, domination, and hegemony. The proponent organic intellectuals are actively involved in reproducing the discourses aiming at competing the dominant discourse produced by the state and their

⁵³Asen, "Seeking the 'Counter' in Counterpublic...", 424-46.

⁵⁴Fraser, "Rethinking the Public Sphere"...

⁵⁵Warner Michael, "Publics and Counterpublics", *Public Culture*, Volume 14, Number 1 (2002), 49-90; Mark R. Mullins, "Religious Minorities and the Public Sphere: Kagawa Toyohiko and Christian 'Counterpublics' in Modern Japanese Society," in Albert Welter and Jeffrey Newmark (ed.), *Religion, Culture, and the Public Sphere in China and Japan*, Singapore: Palgrave Macmillan, 2017, 173-203; Robert Asen, "Ideology, Materiality, and Counterpublicity: William E. Simon and the Rise of a Conservative Counterintelligentsia", *Quarterly Journal of Speech*, Volume 95, Number 3 (2009), 263-88.

⁵⁶Kurtz, "Hegemony and Anthropology: Gramsci, Exegeses, Reinterpretations"; Jean-Pierre Reed, "Theorist of Subaltern Subjectivity: Antonio Gramsci, Popular Beliefs, Political Passion, and Reciprocal Learning", *Critical Sociology*, Volume 39, Number 4 (2013), 561-91.

apparatus.⁵⁷

Conclusions

This study examines the performance of the public sphere in Aceh based on non-Muslim discourses in the arena of Islamic politics. This study revealed that the state's attempts to control the performances of the public sphere based on Islamic values and identities are not only failed but triggered the emergence of the counterpublic. The counterpublic has been an arena where the proponents consolidate their ideas, negotiate identities, or become resistant in realizing their aspirations. This study finds a way in which Muslim activists and academics in Aceh reproduce counterpublic as an effort to advocate the citizenship rights of non-Muslim communities. The paper also finds that between one activist or academic group with another, sometimes, are not connected or contested with each other. The proponents of the counterpublic have their respective ways, perspectives, or strategies in delivering their aspirations and participating in a larger public sphere.

Theoretically, the findings of this article have an impact on enriching the discourse of non-Muslims as minorities who face crises due to state management, which is driven by homogeneous Islamic ideology and identity. In more practical terms, this article can be used as an academic consideration for policymakers to encourage the formation of a democratic and just Islamic public sphere for non-Muslim minorities. Finally, as academic studies used to be, this article requires a response through further research. We recommend that future scholars pay attention to the experience of non-Muslims as minorities in public and counterpublic discourse and its implications for the configuration of democracy in Muslim-majority societies.

⁵⁷Gramsci, *Selection from the Prison Notebooks...*

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