

Free sharia law implementation in indonesia argumentative essay sample

[Religion](#), [Islam](#)



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Indonesia over time has been described as democratic power house of East Asia Nation States, mostly by western countries, until in recent times that the position has been questioned by many. The earlier description had been attributed to the country's tolerance of diversity in terms of racial and ethnical lines, which allowed even the minority to have their say in situations that majority had their way. Almost all the countries and States in the world have laws, rules, and regulations that govern and determine how issues and affairs are conducted within and without their territorial borders, which has determine directly and indirectly the day to day conducting and running of affairs in such places and regions. Humanity is diversified along many lines that include but not limited to tribe, religion, race, and ancestry, geographical regions among others that has made mankind appreciated and unique. Laws and rules that have been used to determine many issues that touch either on political, social or economic matters have been obtained and borrowed from many sources that include religion, treaties and agreements, traditional practices rules among others sources. It is observed that in most countries that people observe and practice Islam religion, it has provided the basis under which most of their laws have originated from. The religious laws have provided the framework under which other laws and rules have been formulated from in many countries, and Indonesia is no exception. However, it has been observed that such rules have not favored and tolerated all in the sense that they are discriminatory to those who do not observe and subscribe to the same religion, as well as its application in regard to different genders are biased. My goal in this paper is to prove and show why application of Sharia law in Indonesia should be withdrawn because it

discourages and hinders growth and development of democratic tenets by encouraging radicalism, discrimination against women as well as non-Muslims.

Over the recent past, Indonesia has witnessed an increased debate over application of Sharia law in the country. There have been numerous studies conducted to get the views of the people about introduction and application of the law in many of the provinces, and it is observed from the responses and findings of such studies that many people are ready for it (Feener 17). It is imperative to note that majority of the people of Indonesia practice and observe Islam as their religion, and it is on record as the most popular religion in the country. This is the reason given by most researchers to try and explain their findings in the conducted studies and research. Religion in general has played a great part that has shaped many other issues in a country that range from politics and also economics. In some instances, religion has determined who succeeds in politics or not, irrespective of their policies and ideologies regarding development and governance. Many politicians have exploited religion to work either in their favor or against their opponents and competitors, and these have been the key issue and reasons as to why we have witnessed many violence and wars that are religiously affiliated. Religion and politics are two different issues that must be separated by all means and must never be used as the source and basis for any conflict (Machmudi 32).

Aceh as a province in Indonesia has been home to Muslims since the 13th century. It is noted to be among the first places where Islam religion was introduced in the entire Asian continent, and it has been practiced since then

to date. Due to its long time history about Islam, Sharia law is appended to their penal code in the year 2001 (Hefner 12). It is important to note that Sharia law pertaining to family issues and rights since the early 1990's has been in use in the whole of Indonesia, and this is because the central government recognized the fact that majority of the people practiced and observed Islam as a religion. Aceh province experienced a nearly thirty years of civil war between its independent fighters and government forces, and historians have noted that this is the period that sharia law was born and reinforced in the province. Sharia is described as a series of principles that guide Muslims in their daily lives that also regulates their personal lives. Sharia law also makes available punishment for infractions of the penal code. This is observed and practiced in most parts of Indonesia, but what makes Aceh exceptional and unique in terms of its application is that it has allowed also for corporal punishment. Islam as religion is also divided into sects that are mostly dominated by Sunni and Shiite Muslims. The two sects it is noted differ from interpretation of the doctrines and beliefs of Islamic teachings, and it has been observed also to have been part and reason for the continued violence witnessed in many Islamic nations over many decades such as realized in the country of Iraq. The existence of sects has also led to varied and different Interpretations as well as application of Sharia law in many places and regions including Indonesia (20). There are many other minority groups that have been affected by application of Sharia law in Indonesia that include Christians, Bahais, Sufis, and Ahmadiyyans who have faced discrimination and punishment by Sharia rules and laws.

Sharia law in itself is discriminatory against women. It observes and treats

women as subjects of men and Sharia law do not treat the two genders equally with respect, fairness and just (Tanthowi 8). This is among many reasons that I am of the opinion that it should be discouraged and not applied in the entire country of Indonesia, and even few places and regions that it is practiced, it has to be withdrawn and replaced with more or less fair law, and rules that treat humanity in a just manner without discrimination of any kind of gender, race, tribe or religion. In the contemporary world, international organizations and institutions have been brought up to promote and enhance humanity irrespective of gender or religion among other ethnic attributes. International human rights groups have over the decades fought against rules and laws that oppress certain part or section in the society. Sharia law introduction in Indonesia will reverse all the gains that have been realized over the years that tend to promote human rights not only in that country, but also in the entire world. It is pointed out that women find it difficult to adhere to Sharia law despite the fact that it is discriminatory in nature and touches on all aspects of their lives (Drexler 54). Dictating the kind of clothing to put on and wear irrespective of weather conditions or climatic conditions. It is important to note that clothing designs and styles are made in consideration of certain conditions for instance weather, where by clothing designed for summer, winter, spring and autumn for instance vary, and the purpose is to make the wearer comfortable and enjoy life. But with sharia law, this gain and freedom of choice is under threat in the sense that it dictates and authorizes what to be put on especially by women, but does not dictate the same to the opposite gender of male. This in simple terms means the law is discriminatory in itself and retrogressive.

Many feminists have come up and raised their voices against the law, and have contradicted and challenged some part of the law that they feel are repressive and discriminatory. The sad part is that it has been applied even to those who do not subscribe to that faith and those beliefs, for instance Christians women. Wearing of the veil by women has also been forced to all women. Those who are noted to lack the veil irrespective of their religion have been discriminated to openly and harassed, and this has forced some women to put the veil on to avoid the harassment and discrimination that they have seen their fellow women undergo through (Salim 25). Being forced to do something or out of the fear that you will undergo punishment is against human rights values and ethics, and therefore, it must be discouraged by all means. Women who work in engineering firms and in the mountain slopes in the coffee fields, due to Sharia law are forced to wear long robes. It is observed that such kind of clothes are a source of accidents, and is against safety rules and regulations that conduct the practice of such professions, but they put them on due to Sharia law and hence they are forced to put their lives at risk, and ignore safety precautions and steps. It is also noted that such kind of rules has discouraged women from pursuing certain career lines because they have to choose between religion demands and professional ethics and demand (Delaistre 27). This has gone against the international phenomenon and ideology of women empowerment, where by laws and rules that oppressed and discouraged women from actively participating in the development of their nation were repealed, and removed in many places and regions in the world. As a result of such ideology, there have been observed increased in women participating in development

matters worldwide, and Indonesia women must be part of this great step and revolution, which can only be realized by repealing the Sharia law not only in Aceh province but across the entire nation. Sharia law also discourages women from singing and dancing.

Singing and dancing are artistic talents that are God given, and can be used as a source for income generation and wealth creation. However, with sharia law, Indonesian women cannot participate in such activities, and this in my opinion is retrogressive and unjust. Sharia law touches of many issues against women that state to them how to behave in public, when being around men and a curfew at night. All the stated issues conflicts with freedom and human rights that is signed by many nations and international institutions such as the United Nations (UN) which Indonesia is part of. In the contemporary world, people work in a 24 hour economy, and therefore, they work day and night. By imposing curfew against women at night, it limits and discourages them from being part of the active production that has steered the country forward in terms of economic growth. The world is moving and growing at a faster rate and all the genders are involved, therefore, Indonesia risks being left behind with the introduction of Sharia law (Salim 17). In Aceh province, in the recent times a rule was introduced that ban women from straddling motorcycles when riding behind a man. Human rights groups and activists opposed the introduction of the rule but in vain. The rule allows for women to sit sidesaddle, and this it is pointed out to be dangerous on motorcycle, as it increases the risk of accidents and compromises the safety of the women. The rule further categorically states that the women should not hold on to the driver even when in emergency situation. This

further puts the life of the women in more danger because there is no any scientific reason and explanation of such kind of steps and actions, and therefore Sharia law in Indonesia will only pull the country backwards. In Aceh, in cinemas, it is recorded to be on the decreases and most have closed their operation because the government has burned them for the reason of promoting contact between the sexes. This means that the law discourages growth and development of businesses, and this has along term negative effect in the economy of the country (Drexler 31). It not only discourages local investors who are interested in such kind of investments, but also foreign investors.

Non-Muslims have also been affected negatively by introduction of Sharia law in Indonesia. Christians among other minority groups have been a target of discrimination, harassment and illegitimate punishment since the law has been generalized, and is interpreted in whole without consideration of other minority groups who do not conform and subscribe to the Muslim faith (22). Opportunities that range from employment and jobs as well as distribution of resources it is seen to be done along religious lines, and those who come from a different faith, and sometimes even gender, have been denied such kind of opportunities. Even to those who observe Islamic teaching but from different sects, they have in some instances undergone the same treatment. There has been an observed increase in the number of churches closed in Indonesia because of the harsh conditions and frustrations that Christians have faced with the increased introduction of Sharia law in many parts of Indonesia. The criteria for building a house of worship have been tightened by the current leadership led by president Susilo, and this has only meant

that other religions and faith that do not conform to Islam are being eliminated indirectly by government, especially with the introduction of Sharia law (Tanthowi 12). Some Christian schools for instance have been forced to provide Islamic education to their Muslims students and those that do not comply have been threatened to be closed down. For instance the Blitar City Administration of East Java threatened to close down six catholic schools for their refusal to provide Islamic lessons to their Muslims students, and this compelled some of the schools to provide Islamic teachers for their Muslims students.

Educational institutions among other related establishments are supposed to eliminate any bias that might arise from religious practices or similar concerns. This is because such issues might interfere with the main goal and objective of such institutions and divert intended goals that mostly is to empower their students with skills and knowledge, which will help them and empower them deal with the challenges that the community faces, and make the society a better place than it is currently. It is also on record that Islamist militant burned down two churches in the year 2010, the month of September, and an elderly Christian who tried to defend the church was stabbed and badly injured in Indonesia. It is also on record that Indonesia has witnessed in the recent past many organizations that exceed a hundred and fifty, which are religiously motivated that limit the privileges and rights bestowed to the minority not only by the government, but also international agreements about human rights, privileges and respect (Hefner 19). Despite the majority of the Indonesian citizens being Muslims, non- Muslims who happen to be the minority have to be respected, and given equal

opportunities and chances like their Muslim partners, and this can only be realized by withdrawing Sharia law that is noted to be on the increase in many other provinces.

Strict adherence and following of Sharia law presents a possibility of radicalization, and with radicalization it presents a possibility of increased terrorist threats not only in the Indonesia country, but also the entire world.

In the recent world, the threat of terrorism is on the increase and it has made it a global affair. The reason attributed to these increases has been increased radicalization among the Muslims population and community.

Indonesia has witnessed such related terrorist attacks such as one realized on Bali terrorist attack. It is imperative to note that terrorism in general affects many sectors of the economy and society negatively, and this if it happens to Indonesia will take it backwards in many sectors. Radicalization has led to increased Islamist Militants who have jeopardized peaceful existence between and among different religious groups of the world.

Islamist militants have committed crimes against religious minorities, and this has turned the image of Indonesia negatively not only in the Asia region, but also in the international community (Machmudi 52). With increased radicalization, and the threat of terrorism, there has been observed restrictions in hotels, embassies, and restaurants among other places, and this has affected businesses negatively in the sense it has increased cost of operation by providing tight security measures, and at the same time it has discouraged people and potential clients from visiting such areas. In the long run it is the economy of Indonesia that is affected negatively, and while other nations and states in the regions will be moving forward, Indonesia will

stagnate in growth and development simply because of the Sharia law that it has introduced. Radicalization has led to rise of a group that is Al-Qaeda affiliated called Jemaah Islamiyah in Indonesia, and it has been involved in terrorist attacks in the region (Feener 28). It is also noted that one sect of the Islam faithful has encouraged radicalization and do not tolerate other religions including different sect from the same Islamic religion. This has not only increased and hindered peace in the world but it has led to great loss and damage of life and property in the world.

In Aceh province as a result of sharia law, it has led to formation of religious police who are concerned with implementation and reinforcement of sharia law. The religious police watch over proceedings during the prayer session, and they force people to attend to mosques during prayer times as well as cracking on drinkers and gamblers. Application of sharia law in Indonesia has also been condemned as biased in the sense that rich people in society have gone against the demands of sharia law, but they have gone unpunished since due to their financial position and muscle, they have manipulated and compromised the authorities responsible for reinforcing such rules. This has made the law appear questionable in terms of its application and it has made some people to describe it as oppressive, and targeting only the poor in the society with their poverty (Feener 10).

In implementation of sharia law, those who strictly observe the rules to the later have been described as “ traditionalist” while those who have tolerated and incorporated some attributes that tend to eliminate the reprisal and oppressions realized from the law have been termed as “ modernists”. The central government has a role to play in the implementation of such policies

and regulations. The central government is responsible for formulating rules that treat all its citizens equally, and gives each individual affair and just chance to realize full potential. Such kind of rules have to consider both the minority and majority groups in the society, and therefore, introduction of Sharia law due its discriminatory nature has to be discouraged by the central government (Salim 42). Governance and religion are two different issues that should not be allowed to be mixed, and each should be treated differently and with a lot of caution. Indonesia's central government should not allow sharia law to be spread to other parts of the country.

In Aceh province, the parliament voted in an article that allowed for amputation of the hand for those involved in rape cases, and stoning to death for adulterous lovers, but the governor of Aceh refused signing the bill into law. Those who had advocated for passing the law have threatened to change the gubernatorial leadership in the coming elections because of the action and step that the current leader took. For a crime called Khalwat, where men and women who might be friends and too close with each other, are punished with nine lashes with a stick. Sharia law in the international community is practiced in a limited number of countries mostly in the Middle East. However, there has been a general observation that the law is oppressive and a discriminatory in nature especially in relation to the way it treats and regards women as subjects in many aspects of the world (Delaistre 9). There has been an increased and observed rebellion against the law especially by feminists. For instance in Saudi Arabia, women are not allowed to drive and this sparked a lot of debate and condemnation of the law, since in the current and contemporary world where there is increased

globalization and human interaction in many sectors of life, Sharia law only takes people backwards in terms of development and growth because in the global village where there is interdependence on each other in many issues, religion should never be a factor that will determine the growth and development of humanity.

In conclusion, sharia law in Indonesia will affect it in many negative ways. Women are affected the most in the sense that the law limits and restricts them in many spheres of their lives, therefore, affecting their human rights and freedom. The reasons given in such decisions are not rational and not only take Indonesia backwards, but also the international community in the efforts and strides that have been made on promoting democracy and human rights in the world. Minority group's interests are also under threat with the implementation of such laws as well as increased threat caused by radicalization. It would be interesting to note what other scholars and people say about Sharia law being introduced in any country that has not been practicing it, and their arguments and views would add to the knowledge that already exists concerning the topic and discussion.

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