

# APOSTATE IN DEBATE: Prespective Elite Muhammadiyah of East Java

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## *Abstract*

*This paper is the result of field research, which wants to understand and map the elite view of Muhammadiyah East Java related to apostasy phenomenon in the frame of freedom of religion. The phenomenon of apostasy is a debate among movers and activists in the Muslim and Western worlds. The debate is sharpened when it is linked to issues of religious freedom as a point in the International Declaration of Human Rights and the response of OIC States implements the death penalty for apostates. The above issues arise in Indonesia, based on data from The Wahid Institute, East Java, including areas that still often occur intolerant action related freedom of religion (Shia-Sunni case in Sampang, FPI anarchism case in Lamongan). The action of intolerance is suspected to be an extension of the apostasy-related understanding, the more beginnings of theological problem now developing in socio-theological. Extension of meaning becomes the trigger of misunderstanding in society in responding to apostasy, even lead to violence in society. This condition is very dangerous for Indonesia multicultural country. Debate on the above issues occurred among the Muhammadiyah elite in understanding and addressing the issue of religious freedom (apostasy). The background of this study was developed through a qualitative research approach with the research subjects of Muhammadiyah East Java management, data collection techniques through interview method of snowball technique and library study, inductive triangulation-data analysis, through phenomenology theory framework, social elite and knowledge sociology. The results showed that among Muhammadiyah elites in relation to the phenomenon of freedom of religion (Apostasy), there are two currents of inclusive view and exclusive views flow. Differences in view due to differences in socio-theological and socio-cultural background. In principle disagree on the death penalty for the perpetrators of apostasy and still needed the Law Defamation of religion as a framework of inter-religious relationships.*

*Keyword: Apostasy, Perspective, Elite Muhammadiyah of East Java*

## **A. Introduction**

This article is based on the author's awareness of the rise of intolerance (violence) which is triggered by the understanding and attitude towards religious freedom that occurred in East Java. Such as tragedy of expulsion from hometown, house burning and even killing of Shia citizens by Sunni residents in Sampang East Java. This violent action is done because there is an understanding related to the Shi'i group that is considered off the mark of the Islamic teachings maistrem (Sunni) even considered to have apostatized from Islam, so they deserve expulsion and even killed. In addition there is also a religious violence carried out by FPI against some groups of people who are considered infidels for committing disobedience that must be aborted. And much more, based on the report of The Wahid Institute In 2014 the action of intolerance towards religious freedom in Indonesia is still rife. Forms of violations committed by non-state parties to religious freedom are found as follows: 15 hate crime events, 9 events of intimidation and threat of violence and for coercion of confidence occurred 2 events.<sup>1</sup> Reinforced by the International Religious Freedom Report published by the US Embassy in Indonesia in 2013, there have been a number of cases of coercion for apostasy committed by the government. In May 2013, the Minister of Religious Affairs attended a religious conversion of 20 members of

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<sup>1</sup>Read more, Annual Report on Religious Freedom of Belief and Intolerance 2014 New Government Heritage Debt, (Jakarta: The Wahid Instiute, 2014), 22

the Ahmadiyya Muslim community at Tasikmalaya, West Java, who openly pledge their commitment to follow Sunni Islam.<sup>2</sup>

From the above reality is interesting to study, First the existence of the expansion of the meaning of apostasy in society, the early more on the normative-theological category, that is the formal transfer from Islam to another religion or not religion (aties) shifted to the socio-theological meaning, Islam labeled apostates to different Islamic groups of thought or class. Secondly, the apostate debate in the perspective of religious freedom and Islamic law, which then led to a variety of perspectives and treatment of apostates. Thirdly, there is a disparity of understanding and attitudes of religious organizations (NU-Muhammadiyah-MUI which is considered to represent the Sunni group) against the phenomenon of apostasy, and the intolerant action perpetrated by the Sunni group in Sampang East Java. Departing from these issues, this paper focuses on trying to understand the views and attitudes of the elite Muhammadiyah East Java related to the phenomenon of apostasy, so it is expected to be mapping (typology) of his thinking.

Apostasy in the context of religious freedom is still a debate among the pros and cons of society even leads to violent acts (even murder) against the perpetrators. It can be observed from several reports and acts of violence against the issue of religious freedom.

The issue of apostasy finds its momentum when the Middle Eastern country's response makes and imposes the death penalty for apostasy. As in Mauritania, Nigeria, Sudan, Egypt, Syria, Jordan, Saudi Arabia, Iraq, Kuwait, Bahrain, Qatar, Oman, Iran, Bahrain, Qatar, Oman, Afghanistan, Pakistan, UAE and Malaysia.<sup>3</sup>

As can be seen on the map below:



The severity of the issue of apostasy is due to various factors, one of which is the religious factor (belief). Religion is an intrinsic and deeply personal matter between the individual and the "Creator" of God. This means that the authority has to know and understand one's beliefs only him and his God, so he is responsible for his belief. Any other person or party can not enter or interfere with the matter. As Abdul Karim Soroush sees, Faith is a very personal and private experience. We embrace an individual religion as we face death individually. The expression of faith is public, but the essence of faith is both unseen and private. True faith

<sup>2</sup>The United States Embassy in Indonesia, the "International Religious Freedom Report of 2013", <https://en.usembassy.gov/id/our-relationship-id/official-reports-id/report-kebebasan-beragama-internasional-2013/> (8/20/2016)

<sup>3</sup>These countries are incorporated in the Organization of Islamic Cooperation (OIC), in Angelina E. Theodorou, "Which Countries Still Outlaw Apostasy and Blasphemy", [www.pewresearch.org//2014/05/08](http://www.pewresearch.org//2014/05/08), (10/5/2016).

depends on individuality and freedom. The rejection of both is the same as rejecting faith. There can be no coercion in the faith ".<sup>4</sup>

Soroush's view, reinforced by Zakiyuddin that, the issue of religion as something that is important to humans. This concerns the ultimate human choice to believe (faith) or unbelief (disbelief) to something that is considered "ultim" in this life. Ultimately because of religion or no religion is not just a matter of belief, more than that Imani's decisions concerning the way of life and lead to death and accountability.<sup>5</sup>

Departing from the above thesis, it can be illustrated that the choice of religion or faith is a free-personal and private option including the choice of converting from one religion to another (apostasy). The conversion of religion according to Dawam Raharjo is not an apostate, but finds new awareness in religion. Changing religions is not kafir, kafir term does not mean other religion, but opponents of God's teachings. Freedom of religion means freedom to convert.<sup>6</sup>

Religious freedom is a natural right for all human beings. According to Khaled Aboul El Fadl, saying that the free choice is the grace of God and this grace is a key element of the ability to surrender before God, and therefore it means freedom to uphold God-saving values or reject the doing.<sup>7</sup> This means that freedom of religion is the essence of the nature that God gives to man and the mind serves to identify the free choice of human beings in religion.

But not all agree on the above thesis, that apostasy (including apostasy) is part of free choice under the pretext of religious freedom is part of personal-private or human autonomous freedom.<sup>8</sup> Because in religious Islam it is believed to be a "sacred covenant" between man and his God, so it is not easily denied or mocked, so for those who do the denial get a worthy reply (death penalty).<sup>9</sup>

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<sup>4</sup>Abdu Karim Soroush, Sues for Authority and Tradition of Religion, Translator, Abdullah Ali, (Jakarta: Mizan, 2002), 204

<sup>5</sup>Zakiyuddin Baidhawi, Religious Freedom Credo, (Jakarta: PSAP, 2005), 26 Dawam Raharjo, "Moving a religion does not mean apostasy", wordpress.com/2006/02/02/dawam-berger religion does not mean apostasy //, accessible (10/5/2016) Khaled Abou El Fadl, Save Islam from Muslim Puritan, Translator, Helmi Musthofa, (Jakarta: Serambi, 2005), 222-223

<sup>6</sup>This related debate is studied in depth by Tri Wahyu Hidayati, Freedom of Religion = Freedom of Religion (Salatiga, STAIN Salatiga Press & JP Books, 2008)

<sup>7</sup>The sacred covenant is contained in the Q.S.al-'Araf: 172, "And remember thy Lord took out from the sulbi (spine) of the descendants of Adam their offspring and God took witness of their spirits (saying) Is not I your Lord? They replied "Yes (We are our Lord), we testify", we do so) so that on the Day of Resurrection you do not say "Verily we were heedful of this" International human rights law is better known as Universal Declaration of Human Rights (UDHR). UDHR consists of 30 Articles Declared and Adopted by the UN General Assembly on 10 December 1948 and designated as UN Resolution No.217 A (III). In Article 18 UDHR, "Everyone has the right to freedom of thought, conscience, and religion, in this case including freedom to change religion or belief, with freedom to express religion or belief by teaching it, doing it, worshiping and obeying both alone and together others in public or in person ". See Universal Declaration of Human Rights at <http://www.un.org/overview/rights.html>. (10/5/2016).

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The debate gets crowded when apostasy issues are linked to the issue of human rights enforcement, especially regarding freedom of religion. Freedom of religion, including apostasy (apostasy) is a part of human rights guaranteed and protected by international law.<sup>10</sup> While in the study of classical fiqh (Imam Madhab), apostasy behavior is considered as a violation (blasphemy religion) who must get the toughest punishment of the death penalty.

The issue of apostasy other than related to freedom of religion, pros and cons also occur related to the status of the perpetrators of apostasy. There are some who are pro against death penalty for apostates and some who reject the death penalty. Like the support group of the death penalty, arguing that Islam is a sacred covenant with Allah SWT is not to be mocked or denied, so that if anyone denies it has violated the sacred commitment, so the proper punishment for them is the toughest punishment of death.<sup>11</sup>

One of the arguments that is often used by the supporters of capital punishment is that man from birth has brought the nature of "God", as well as other instincts that are innate since man is in the womb. The nature of "God" departs from the primordial agreement between man and God when first the spirit is breathed into the human body. As in Q.S. al-'Araf: 172 "... Do you admit that I am your Lord? Then man replied, true I testify You are our Lord ". The nature of god is the main doctrine of Islam and it is recognized by all Muslims.

The death penalty for perpetrators of conversion, often based on several verses of the Qur'an and hadith. Among them is Q.S. Al-Baqarah: 217. "He who rebels among you from his religion, then dies in disbelief, they are the vain in the world and in the heavens and they are the inhabitants of hell, they abide therein". And Q.S An-Nahl: 106 "Whoever disbelieves in Allah after he has faith, except those who are forced to disbelieve but his heart is still in the faith but the one who stretches out his chest for disbelief, the wrath of Allah is upon him and for him a great punishment".<sup>12</sup>

While the hadith that is often used as the basis of the death penalty of apostates is:

First, the hadith narrated by Ibn 'Abbas: "Indeed, Ali had burned a group of people, so (when the news) came to Ibn 'Abbas, he said: if I am in that position then will not burn them, for Rasul SAW said: do not torture people like the torment of Allah SWT, killing them because the Apostle also said: whoever changes his religion (apostasy) then kill the person ".

Second, the hadith narrated by Abdullah ibn Mas'ud: "It is not Halal the blood of a Muslim who has testified that there is no god who is entitled to worship unless Allah and I are the messengers of Allah, except from the following three persons: one who renounces Islam and leaves his jama'ah, married but adulterous, who killed others. In addition to the above argumentation, the criminalization of perpetrators of apostasy is often based on the historical background of the riddah war in the time of Caliph Abu Bakr as-Siddiq.

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express religion or belief by teaching it, doing it, worshiping and obeying both alone and together others in public or in person ". See Universal Declaration of Human Rights at <http://www.un.org/overview/rights.html>. (10/5/2016).

<sup>10</sup>The Wahid Institute, Annual Report on Religious Freedom, Belief and Intolerance 2014, (Jakarta: The Wahid Institute, 2014), 9

<sup>11</sup>In the classic jurisprudence study Jumhur Ulama agrees to the perpetrators of apostasy either to join the enemy or not, the law is killed either men or women. While the Hanafi school of slaughter for apostate men, for apostate women is not executed. Read more, Taha Jabir Alalwani, Apostasy in Islam: A Historical and Scriptural Analysis, (London: The International Institute of Islamic Thought, 2011), 97-117 and read, Hasbi Ash-Shiddieqy, Fiqh Islam; has the power of elatis, complete, round and complete, (Jakarta: Star Month, 1975), 87-88

<sup>12</sup>Zakiyuddin Baidhawi, The Credo of Religious Freedom, 23 Al-Quran, 2: 217 ibid. 16: 106

This war happened at the beginning of the government of Abu Bakr as-Siddiq between the years 11-12 H / 632-633 M. The motivation of the war riddah caused by the factor of some Muslims refused to pay zakat, did not recognize the authority of the government of Abu Bakr as-Siddiq, escape from the government of Abu Bakr as-Siddiq lawful, take over the prophethood, tribal dispute in the struggle for power and influence from the foreign (Persian-Roman). Broadly speaking it can be said that the background of the riddah war is more to describe the external (political) issue than the internal matter of faith (theology).

Some other Islamic thinkers have a different view, that apostasy is a part of religious freedom guaranteed by Allah SWT in the Qur'an: 256, "La Ikraha fi'l-Din" ("there is no compulsion in belief (religious) and guaranteed in democracy and human rights system Zakiyuddin insists that religion or non-religion is a private and individual choice The verse "La Ikraha fi 'l-Din" guarantees the privacy of every individual in the choice of religion or non-religion, and the choice goes to the will and power of the human who decide it.

According to him, religious law is voluntary as it is in the QS. An-Nisa: 94. This verse affirms that religion is a voluntary law, also the attitude of judging whether a person is a believer or an unbeliever is not a domain of human authority. Judging the faith and kufr is entirely Allah's prerogative right. Takfir and coercion on a path against different people is a usurpation of God's authority. This model man by Khaled Abou el-Fadl is called "true secular" and authoritarian.

The death penalty for apostates is considered part of political manipulation to defend the power of its critics. These critics are often labeled or labeled as apostates. Thus, according to Nasr Hamid Abu Zayd quoted Rumadi, asserted that the punishment of religion and apostasy is more used to prevent the reformation of Muslim society. While Abdullah Saeed in the "Rethinking of Classical Muslim Law of Apostasy and the Death Penalty", emphasizes the importance of understanding the Islamic context in the early and post-Prophet Muhammad period when apostate law is treated. The context is in an atmosphere of armed conflict between Muslims and non-Muslims. In that context, apostasy is interpreted as out of Islam to cooperate against Islam. Thus apostasy is a kind of betrayal.

The objection to the death penalty for my apostate's palad was also made by Abdullah Ahmed An-Na'im, that he objected if kemurtadaan is a crime or is considered wrong according to the rules of shari'a law. So that the apostate must get another punishment, because this opinion is against the QS. Al-Baqaroh: 217, QS. Al-Nisa: 90, QS. Al-Maidah: 54-59, QS. Al-Nahl: 108, QS. Muhammad: 25. The Qur'an condemns apostasy but does not specify the legal consequences of this act. In the Qur'an it is clear that some situations that describe apostates can live alive in the Muslim community (Surat al-Nisa ': 137). Even when he found a woman killed, he said: "Why is this woman murdered?" Ibn Abbas himself once said: "Apostate women are only imprisoned, not killed, even in war situations.

Al-Naim said if it is true that the Koran establishes the death penalty for apostates, then that person does not continue to live in the Muslim community to repeat the same crime. But the jurists use Hadith to establish the death penalty for apostates and other legal consequences such as the abolition of inheritance rights from and for apostates. For him, the death penalty for apostates other than incompatible with the principle of religious freedom emphasized in the Qur'an, also problematic mengadung against the concept of apostasy in the classical fiqh that is, the lack of clarity or weakness of the concept and the basic legal uncertainty in konsukwensi basic law that must be accepted who reneged because he was considered a major crime.

The source of the vagueness and weakness of the concept of apostasy is actually related to its definition and punishment and its proximity to the concept of kufr, zindiq and hypocrisy (hypocrit). Therefore, according to Na'im, to minimize the punishment of apostates in Muslim countries, it is necessary continuous education process to publish the idea of pluralism and sustainable. Although it is impossible to eliminate the negative social implications of the principles of Islamic law (fiqh). The law of apostasy in traditional fiqh can not be maintained morally and politically so that it should not be implemented by the state or Islamic society.

By listening to all these facts, illustrating that the issue of apostasy has become a serious issue for the enforcement of human rights, especially regarding religious freedom guaranteed independence from the pressure of any authority. According to Abd. Muqosith, the concept of apostasy is currently facing serious challenges amidst people who support religious freedom. Modern societies tend to hold that the choice of a person to enter or leave a religion is a private matter that should not be interfered with by any authority. While the fiqh of Islam (Imam Madhab) more criminalize the apostate.

Controversy is caused by the concept of human rights and Islamic fiqh there are fundamental differences in epistemology associated freedom of religious standards. In the construction of human rights freedom of religion is understood as a freedom to choose and apostasy (apostasy) in accordance with the conviction and stance without any parties may mix it. While in the concept of Islamic jurisprudence, freedom of religion is understood as the freedom of man to choose the religion of "no coercion" according to his belief, not on the freedom of religious conversion.

Controversy over the meaning and reality of religious freedom including apostasy becomes a serious debate (pro-contra) among the public. In the context of religious elites in Indonesia, the discourse of pluralism, liberalism and secularism stabbed in it the discourse of religious freedom (apostasy) is also much talked about. The response is evident from the attitude of the Indonesian Ulema Council (MUI) at the 7th National Conference (Munas), 27-29 July 2005 which issued a false fatwa against secularism, pluralism and liberalism (sepilis). This fatwa is also very much on the issue of religious freedom (apostasy), because this issue is closely related to the issue of religious pluralism. But in reality the attitude of the MUI Ulama to the issue of religious freedom praxis is not single but varied.

Some figures from religious social organizations also provide a very religious response to the issue of religious freedom (apostasy). Muhammadiyah as one of the religious organizations has addressed various responses. Some Muhammadiyah leaders gave positive responses to the issue of religious freedom and some refused. Based on Biyanto mapping, can be found figures such as Dawam Raharjo, Ahmad Syafi'i Ma'arif, Amin Abdullah, Abdul Munir Mulkhan, Moeslim Abdurrahman, Zakiyuddin Baydhawi, Fuad Fanani, Zuly Qadir can be said to represent Muhammadiyah thinkers who appreciate the religious freedom discourse.

The group then initiated a freedom of thought movement and raised contemporary global Islamic studies in Muhammadiyah. As in the book Thematic Thematic Tafsir About Interreligious Social Relations, this work is the result of Munas Tarjih and Development of Islamic Thought (PPI) which contains one of them related to social attitudes toward non-Muslim and religious marriages. And the book Fiqh Diversity, this work is a collection of thoughts of Muhammadiyah thinkers who contain about contemporary global issues such as, freedom of religion, non-Muslim leadership, Multiculturalism and so on. While the rejecting thinkers such as Muhammad Muqoddas, Yunahar Ilyas, and Musthafa Kamal Pasha, Samsul Hidayat. According

to them the idea of pluralism, liberalism, religious freedom is considered to have been much troubling among Muhammadiyah.

The statement of the views among the Muhammadiyah elite above clearly justifies the existence of knowledge correlation with one's social background. So interesting to be observed more deeply to understand the construction of thought and typology of elite thought of Muhammadiyah especially in East Java in responding contemporary Islamic issues related to religious converts (murtad).

## **B. Research Methods**

The type of research is kualitatif research approach of phenomenology. Data collection uses interview technique and literature study. The subject of research is the elite of Muhammadiyah of East Java with Parreto elite theory approach. Location of research area of East Java. Data analysis using analysis of Islamic studies. Theoretical framework, the discourse of freedom of religion (freedom religion), especially the issue of apostasy (apostasy) becomes an interesting religious phenomenon and is busy debated (pros and cons) among the people. This is because religion is not just a belief system and worship, but religion is also one of the social life system, so in the history of human journey, religion becomes a basic need for ultimate survival, if anyone converts (murtad) into an attitude that is considered less common or even guilty of violating the fundamental.

This phenomenon is also found among Muhammadiyah, where there is a diversity of perceptions and attitudes towards the issue of religious freedom especially related to apostasy issues. So here the researchers need to describe several interrelated theories to understand the diversity of views and attitudes of the East Java Muhammadiyah elite against apostasy, namely: the theory of knowledge sociology, phenomenology and the theory of social elite.

First, the theory of sociology of knowledge. This approach is chosen because it is useful for explaining the social background that helps shape the paradigm and attitude of one person. In the study of the sociology of knowledge between knowledge and social eksistensi interrelated. The theory of sociology of knowledge developed by Karl Mannheim, by associating the sociology of knowledge with ideology and utopia. According to ideology is the future projection based on the current system, while utopia is a future forecast based on other systems. Therefore, knowledge that is not based on reality is called utopian, so according to human knowledge can not be separated from social existence (social excess). Conflict between ideology and utopia always takes place in society.

The theory of sociology of knowledge has also been used by scholars such as Peter L. Berger and Thomas Luckmann to introduce social construction theory by emphasizing the perspectives of the sociology of knowledge to understand the product of individual or group thinking. In his theory it is mentioned that reality (reality) is socially constructed and the knowledge of the sociology must analyze how the reality of knowledge occurs.

There is also Emile Durkheim's view that sociology can answer the most difficult philosophical questions to answer. The position is due to human knowledge not only from the product of human experience. Man is not born with certain mental categories applied to experience, but the categories are social creations. He says the sociology of knowledge is to explain our "true" knowledge within the framework of the social forces.

In addition to the above scholars, there is Michel Foucault who uses the term "Archeology of Knowledge" to trace the origin of human knowledge. Foucault holds that humanity science is a new discovery (21st century) and is lost if new systems of thought (knowledge) arise.

Foucault also explains how the relationship between knowledge products with power and knowledge. According to Foucault, the ideology (knowledge) of humans awakened was strongly influenced by the background of power. Ideology and its own support institutions do not contain the right or wrong categories, because every society and every age has its own ideological forms in which the truths are built. Truth is the achievement of knowledge systems that govern the social order which contains the techniques, values procedures, types of discourses, and developed technologies. The problem of "ideological truth" is always related to power relations in the social and political sphere. "Truth is not beyond power".

Among Muslim scholars, one who uses a sociological perspective on knowledge is Mohammed Arkoun. The sociology perspective is used when linking knowledge with language and power by using the method of "Criticism of Islamic Reason". A method of studying the origins and limits of a particular Islamic knowledge system. The purpose of this method is the attempt to free the thought of the limitations and clarity that hinder the progress of Muslims. So according to him, any product of thought (knowledge) can not be separated from the influence of language and history. This view illustrates that the sociological perspective on the construction of knowledge (thought) is very important.

### **C. Apostasy In Patiaan Elit Muhammadiyah East Java**

Understanding the results of the discussions and interviews of researchers with the elite of Muhammadiyah East Java related to some issues of apostasy phenomenon, which then penlitit and analysis, there are some things that researchers found. Broadly speaking, the thinking and understanding of Muhammadiyah elites in relation to the issues of apostate phenomena is very diverse, not single. The diversity of understanding and pemikiran, researchers look very closely related to the socio-cultural and socio-religious background of the elite Muhammadiyah of East Java. That is, the environmental background of the elite is crucial to the construction of thought and attitude. As Husserl's construction of human thought was awakened by its social construction. Man produces the social realience which then becomes paradigm, paradigm influencing social construction in society and social construction of the community contributes to the construction of community thinking.<sup>13</sup>

Departing from the theory of social construction latubs, social construction elite Muhammadiyah East Java related to understanding and attitude to the phenomenon of apostasy can not be separated from the great construction of Muhammadiyah religious thought, although in response the elite have different responses of thought and understanding. And this is natural because humans basically have an autonomous response to the social relay that surrounds it including the reality of apostasy that occurs in society. So it is very visible from the results of this study, although both are active in Muhammadiyah East Java and became Regional Leadership Muhammadiyah East Java.

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<sup>13</sup>Husserl, Fenomenology, Jakarta, 2000.



The results of discussions and interviews with the elite of Muhammadiyah East Java related to apostasy phenomenon, researchers can map thoughts and attitudes of the elite Muhammadiyah East Java as follows:

*First*, in relation to understanding the concept of "La Ikraha fi'l-Di n" (There is no compulsion in religion), substantially there is a tendency of thinking which is aligned among the elite Muhammadiyah of East Java, that is choosing religion is independent and independent choice. This is evident from some of the views of the Muhammadiyah elite in understanding the verse. That the verse shows God guarantees freedom of religion and should not be coerced faith, including converts is the right to freedom of belief, that it is his business with his Lord, we have no right to obstruct.<sup>14</sup> Reinforced by Sholihin, religion is a logical choice that is free choice so there is no coercion, because it is a belief in the heart that other people can not enter the area.<sup>15</sup> When a person has not yet determined the religion, especially Islam, it is still free. In the process of determining to elect a religion it is not permissible for outside parties to resort to coercion to enter their religion. It is therefore strictly forbidden in Islam to coerce people to convert to Islam and it violates human rights.<sup>16</sup> Emphasized by Saad Ibrahim, understand that Islam does not use power in doing da'wah or invite people. This verse also means the guarantee of freedom in choosing belief for all human beings, there is no compulsion in choosing religion.<sup>17</sup>

*Second*, while in understanding the meaning of "freedom of religion" (freedom religion) among the Muhammadiyah elite is different. Some understand the meaning of freedom of religion is free in choosing, determining including changing religions because it is the ultimate human right (ultim) between man and his God, anyone has no right to judge. As is the opinion, Zainuddin Maliki, everybody has the autonomy to make a choice for him or her. Basically man is the nature (holy) which at the end meet to the most holy (God). This means that human beings are basically acknowledging God's will. Beginning of human being is like a white tabularasa then when interacting with the environment this tabularasa start colored, so here God gives the sense to control the tabularasa earlier. So human beings have been given the ability to control, understand and determine attitudes including religion and choose religion and convert.<sup>18</sup>

So basically God Himself has given space autonomy to freedom of religion for man, to memlih his religion. Including the conversion of religion is part of the meaning of religious freedom, man is given full right to determine his belief. God has given us the depictions of the consequences of religious choice. If only God would want to Islam all human beings are not difficult but why not do. That means God actually gives the right of full freedom for human to choose. Moving that religion is a human prerogative right and held accountable before God not to a mass organization or human.<sup>19</sup>

Others, understanding the meaning of freedom of religion is freedom that is bound, meaning at the time of choosing a religion is free should not be forced, but if you have chosen religion (Islam) it must be consistent should not go out, if out there is a legal consequence. As Sholihin views, understanding the meaning of freedom of religion is free to choose or determine the best religious choice according to his beliefs. Freedom of religion does not mean free to move around at will. The conversion of religion is, in fact, the truth they have not found the

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<sup>14</sup>Maliki, interview, 29 Agustus 2017

<sup>15</sup>Sholihin, interview, 30 Agustus 2017

<sup>16</sup>Najib, interview, 20 Juli 2017

<sup>17</sup>Saad, interview, 20 Agustus 2017

<sup>18</sup>Maliki, Interview, 20 Agustus 2017

<sup>19</sup>ibid

truth that it is believed to be true, that person has found and has strong convictions that are difficult and not easily influenced or to convert. Religion is an individual matter with the God, not the business of man himself. In the context of freedom of religion is not understood as *kebebsan* to choose or *bergonta / change* religion, but free to choose or determine the best religion according to his belief.<sup>20</sup>

*Thirdly*, apostasy occurs not only happens, but there is a process that lies behind the behavior. From the results of the study, there is a similar view among the elite of Muhammadiyah of East Java in understanding the factors of the apostasy process. Researchers can map into two factors of people who convert, namely the internal factor of a religious conversion that occurs by a process of reflection, an understanding that is driven by awareness of the heart and the mind to convert another religion. External factors, namely the conversion of the dilator's religion, is influenced by external influences, ranging from economic, political, marital, and social.

And reinforced by Daim's opinion, the dominant factor of the proponents of converts is the factor of faith (belief) and this condition depends on the process of one's journey in life. Because in general Muslims in Indonesia this is Islam based on the descendants of parents before, little that comes from the process of learning or *kesadarn* discovery of religious truth. People converting is usually caused by a weak faith and a factor of superficiality in understanding their religious teachings. Economic limitations do not affect people to convert, but rather because of superficiality in understanding the religious arts, as long as the strong faith is not youthful unsteady and moved despite the economic and power *diiming lung*.<sup>21</sup> Meanwhile, according to Syamsuddin, the factor of people *pinda* religion driven by external factors namely poverty and romance, not due to get enlightenment of religion.<sup>22</sup>

*Fourth*, The sharp debate when apostate discourse is related to the status and position of the apostate in the socio-relief context. In classical Islamic studies, especially the study of Hadith and Fiqh, the perpetrators of apostasy are often punished as criminals (criminal) so it deserves to be punished formally, from the lightest law to the hardest of death. The results of this study indicate that there are differences of attitude toward the perpetrators of apostasy among the elite of Muhammadiyah of East Java.

Some have an open attitude (inclusive-tolerant), that is to let them (*murtad*) because it is the most personal matter with God, we have no right to judge or punish anything. They strongly disagree, hostile, alienate or criticize the perpetrators of apostasy, let alone put to death. As Zainuddin Maliki views, less agree if apostates are sentenced to death, because their judgment is right to judge, and to give a decision of truth and the quality of human belief is only Allah SWT. Humans have no right to punish their fellow human beings in relation to beliefs, because it is a sacred matter between him and his God. I am afraid that sentenced to death for being perverted or wrong, may even be *diakherat* he who is condemned. So *menurt* me humans or mass organizations do not have the right to execute a conviction, if it is done means they have distorted the authority of God.<sup>23</sup>

Apostasy is his right and there is no compulsion for him to return or not, because religion is a free personal choice and depends on him with his Lord. If there are families who are

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<sup>20</sup>Sholihin, Interview, 21 Juni 2017

<sup>21</sup>Daim, Interview, 20 Agustus 2017

<sup>22</sup>Syamsuddin, Interview, 20 Agustus 2017

<sup>23</sup>Maliki, Interview, 25 Agustus 2017

religious, as long as without paksaan and comes from the diversity of consciousness and he has grown up is up his own choice, even if we just pity, but we are not entitled to hostile or get rid of the family.<sup>24</sup> In another way, responding to an apostate must be punished for violating a sacred commitment. Although the punishment can not be done by individuals but must be done by the government legitimately. As Saad Ibrahim's opinion, the consistency of Islamic teachings is a commitment, meaning that when I enter and pledge to Islam then out or apostate, my menurt is violating the commitment, so there must be a consequence of violation of commitment that is punishment and the highest punishment is the law of death. The execution of the death penalty can only be done by an Islamic State, it can not be individual or community groups. So in the context of Indonesia the death penalty can not be done because Indonesia is not an Islamic State, so the Islamic Shari'a can not be treated including the law of apostasy. So if there is an apostate family, then I obstruct as much and as much as possible not to convert, but if it turns out to be converted we should not impose or oppress it or enmity it, because religion is an option.<sup>25</sup>

*Fifth*, Muhammadiyah has an important position related to religiousness in Indonesia. With the second largest number of members after NU and having the largest social network in Indonesia, it determines the image of Islam in Indonesia. Similarly, Muhammadiyah views and attitudes related to apostasy phenomena. Muhammadiyah's religious views and attitudes can not be separated by the views and attitudes of the Muhammadiyah elite. Because the elite position within a social group is very important and affects the attitude of a group, including the Muhammadiyah elite has an important and influential position in Muhammadiyah. This means that the pandangan and attitude of Muhammadiyah is determined by the attitude of the Muhammadiyah elite.

In this context, the elite of Muhammadiyah of East Java has similar perspectives regarding Muhammadiyah's position on apostate phenomena. Broadly speaking, the elite of Muhammadiyah, suggested that the Muhammadiyah da'wah position specifically take a strategic role on marginalized communities including vulnerable communities that are susceptible to conversion. According to Najib, the role of Da'wah Muhammadiyah has been less focused and concerned about the segment of apostate communities. So the sharpness of da'wah is required to all segments of the community and must be or a map related to the factors of conversion. This means that if the economic factor is the prioritasnya economic issues. In addition it is strengthening and raising LDK (special missionary organization) Muhammadiyah by sharpening the propagation of its mission to the weak marginal groups, the hedonist group that branded the religion only accessories.<sup>26</sup>

Najib's view, reinforced by Nur Kholis, which needs to be done by Muhammadiyah is the mapping of da'wah especially among the weak community. In addition, the da'wah of strengthening Islam by continuing to guide them. Because in principle Islam teaches justice, humanity, and rahmatilili alamin. Besides that also needs to be developed in Muhammadiyah is the strengthening of Christology study in the framework of science for Muhammadiyah dakwah stronger. And it is necessary to dissect the da'wah strategies undertaken by the missionaries.<sup>27</sup>

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<sup>24</sup>Maliki, Interview, 28 Agustus 2017

<sup>25</sup>Saad, Interview, 10 Agustus 2017

<sup>26</sup>Najib, Interview, 10 Juli 2017

<sup>27</sup>Kholis, Interview, 19 Agustus 2017

According to Jainuri, which needs to be forwarded by Muhammadiyah addressing the phenomenon of apostasy is developing community propaganda there is a special da'wah with the principle of keeping Muslims not to convert. The building of da'wah Muhammadiyah addressing the problem of apostasy is by the model of da'wah of enlightenment that is to provide solutions of the problems faced by the people especially the marginalized people.<sup>28</sup>

In general, the dominant issues faced by the lower community are economic, educational, social issues. These problems are often used as tools in the process of influencing people to convert. So in my opinion that need to be strengthened and renewed is the model of da'wah Muhammadiyah by strengthening the educational aspect as a pathway to strengthen understanding and learning process of Islam. Social and economic aspects as a pathway to meet the practical needs of marginalized people. This strategy is to keep people from converting.<sup>29</sup>

In addition Muhammadiyah needs to boost the da'wah community or cultural da'wah with the priority of community base groups that are prone to convert. So it takes a change of paradigm and methodology of Muhammadiyah dakwah by reislamisasi Muhammadiyah model that is Muhammadiyah religious reform is not Islamization or pengislaman others. Muhammadiyah religious reform which later became known as tajdid was actually born due to two factors, the first challenge of the decline of Muslims in the form of a mixture of tradition there is no need for special regulatory laws relating to converts. Because our country is based on Pancasila (Sila 1 Belief in One Supreme) and article 29 is the basis of religious freedom guaranteed rights and duties among the followers of religion. This means that the device of laws regulating various freedom issues already exists, the only thing that needs to be improved by the State is in terms of guaranteeing religious freedom. And the State should not be in intervention in the beliefs and differences of jurisprudence among religions. States should consistently protect freedom of religion including converts must be guaranteed and protected by the State, instead of discriminating against false and halal fatwas.<sup>30</sup>

#### **D. Conclusions**

From the above study can be concluded as follows:

1. Apostasy studies in the jurisprudence perspective (Islamic law) and human rights have different Aras. Apostasy in the perspective of fiqh is often in the input on the category of criminal law (jinayah) which has legal consequences for the perpetrators, from the lightest to the toughest laws of death. In the face of apostasy in the human rights perspective, apostate positions are placed in the position of religious freedom discourse in the context of international human rights.
2. Apostate discourse is closely related to the concept of the verse "La Ikraha fi 'l-Din. Elite Muhammadiyah tsecara there is a tendency of thinking harmonious among the elite Muhammadiyah East Java, namely choosing a religion is an independent and independent choice.
3. As for understanding the meaning of "freedom of religion" (freedom religion) among Muhammadiyah elite is different. Some understand the meaning of freedom of religion is free in choosing, determining including changing religions because it is the ultimate human right (ultim)

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<sup>28</sup>Jainuri, interview, 5 Agustus 2017.

<sup>29</sup>ibid)

<sup>30</sup>(Daim, interview).

between man and his God, anyone has no right to judge. And partly, to understand the meaning of freedom of religion is the freedom that is bound, meaning that when choosing a religion is free should not be forced, but if you have chosen religion (Islam) it must be consistent should not go out, if there exists the legal consequences.

4. The factors of the process of apostasy. Researchers can map into two factors of people who convert, namely the internal factor of a religious conversion that occurs by a process of reflection, an understanding that is driven by awareness of the heart and the mind to convert another religion. External factors, namely the conversion of the dilator's religion, is influenced by external influences, ranging from economic, political, marital, and social.

5. Related attitude to the perpetrators of apostates among the elite Muhammadiyah of East Java. Some have an open attitude (inclusive-tolerant), that is to let them (murtad) because it is the most personal matter with God, we have no right to judge or punish anything. They strongly disagree, hostile, alienate or criticize the perpetrators of apostasy, let alone put to death. In another way, responding to an apostate must be punished for violating a sacred commitment. Although the punishment can not be done by individuals but must be done by the government legitimately.

6. Broadly speaking, the elite of Muhammadiyah, suggested that Muhammadiyah's dakwah position in particular takes a strategic role on marginalized communities, including vulnerable communities that are susceptible to conversion by developing cultural da'wah models.

7. Related to the Law on religious blasphemy among the Muhammadiyah elite is also diverse. Some of the elite of Muhammadiyah of East Java, the status of Religious Blasphemy Law is less amenable and needs to be reviewed. And some other elites view the position of the Blasphemy Law is still very important and necessary in multicultural Indonesia. The position of religious defamation law is still very important and necessary in the context of plural society arrangement in Indonesia, because in plural society relations have high conflict potential so that it needs a set of rules as media solution if conflict occurs.

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