THE ULAMA IN ACEH IN TIME OF CONFLICT, TSUNAMI AND PEACE PROCESS
AN ETHNOGRAPHIC APPROACH

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THE ULAMA IN ACEH IN TIME OF CONFLICT, TSUNAMI AND PEACE

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Aceh, the "Veranda of Mecca," has the reputation of being the most deeply Muslim region in Indonesia. Because of its traditional value system, ulama have had broad influence in Acehnese society. I describe the role of the ulama in Aceh as leaders of resistance to Dutch colonialism and show how their influence declined over the last thirty years. Since 1976 when the Free Aceh Movement (GAM) demanded independence from the Indonesian government, Aceh has been the site of a militarized conflict. During this time the role of the ulama declined as the authoritarian government of former president, Suharto (1967-1998) tried to co-opt their support and GAM demanded their allegiance. After a tsunami hit Aceh in December 2004, the government and GAM negotiated a peace accord. I describe the reemergence of ulama in post-tsunami Aceh and argue that they should be given a more significant role in reconstruction. If this happens, modern ulama could make reconstruction projects more effective and moderate how syariah is implemented in Aceh.

Approved:

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Chapter One: The Ulama of Aceh

_Jihad Fisabilillah_ (striving in the way of Allah) retains the old meaning of fighting a war against _kafir_ (infidel), but at the same time has come to have more complex meanings: It has also been interpreted to mean fighting against injustice and poverty, state violence, struggling to overcome ignorance, in addition to normative piety striving to practice Islam properly (Siapno, 1997, p 199).

For over sixty years (1873-1942) the Achenese fought a war of resistance to Dutch colonization. For almost thirty years the Free Aceh Movement (Gerakan Aceh Merdeka or GAM) fought against a form of internal colonization by the central government of Indonesia which expropriated the oil and gas resources of Aceh for its own uses leaving the Acehnese in poverty. These struggles were conceived as a form of jihad. In this context jihad was not simply a struggle against the unbeliever; it was a struggle against poverty, state violence, and injustice. Since peace accords were signed by the Indonesian government and GAM in the aftermath of a tsunami that took 180,000 lives in Aceh in December 2004, _jihad_ has begun to take on yet another meaning closer to “striving in the way of Allah.” In this new context in which Aceh has been promised autonomy, jihad has been conceived as implementation of Islamic law (_syariah_) by the government. The _ulama_ of Aceh were leaders of the resistance to Dutch colonialism, but during the long conflict between the Indonesian government and GAM their role as
community leaders was undermined. Today the *ulama* have a new role as the experts on *syariah*.

In June 2006, I will return to Indonesia to work at the International Organization for Migration (IOM) Indonesia Tsunami Emergency Relief Response Program as a program coordinator for human rights training for national police, including *syariah* police in Aceh. My research for this thesis was intended to help me understand the role of *ulama* as leaders in Acehnese society. I worked in Aceh as a journalist reporting for SBS Radio in Australia from 1998 to 2004. I learned that *ulama* were an important source for gathering information. During my research I also found that people looked to *ulama* for leadership during the years of conflict despite the fact that the *ulama* could do very little to help them. It became apparent to me that the *ulama* could play a role in bringing peace to Aceh.

In December 2005, when I was in Aceh working for IOM organizing focus group workshops to plan for human rights training, I suggested to IOM that *ulama* should be involved in the training. Almost twenty *Ulama* were included in our focus group. The participants were recommended by the Council of Ulama for Aceh, Majelis Permusyawaratan Ulama (MPU), the National Institute of Islamic Studies Ar Raniry, and local NGO activists and journalists with whom I had worked. The *ulama* who were invited were a mixture of young and older, modern and more traditional *ulama*. They were very active participants, often arguing among themselves. Mostly they wanted to talk about human rights abuses by the military in the past.

In planning the Human Rights Training Program there was debate among IOM staff about whether *syariah* police should be involved in the training that had originally
been intended for the national police. When we asked for the opinion of the ulama in the focus group, they recommended including the syariah police, but designing separate workshops for them because their duties were different—more focused on moral laws and only as applied to Muslims.

When IOM organized a meeting with the syariah police to talk about a training program in human rights, one of the syariah police said, “Human rights are not our problem. That is the responsibility of the government. We take care of drinking, gambling, adultery and daily life of Acehnese as Muslims.” The ulama who were at the meeting argued that there are human rights in Islam. Then the syariah police agreed to the training, but they said it would be necessary to get permission from the local government which supervised syariah police. When we included gender and women’s rights in the syllabus for the training, the syariah police rejected these topics. I realized then that the syariah police were resistant to discussing the issue of women under syariah.

To overcome this problem I suggested Training-of-Trainer (TOT) workshops to train young ulama and young Acehnese human rights activists to conduct workshops about gender and women’s rights for the syariah police. The training would not be successful if conducted by women trainers. They accepted this suggestion. The human rights workshops for the national police in Aceh and the syariah police will be conducted over three years from June 2006 to 2009. The project will cover all Aceh, including rural areas where traditional leaders, such as ulama and the village head, have more influence.

As I will be helping to design and conduct the ToT Workshops for ulama and NGO activists who will lead the workshops for the syariah police, I undertook this
research on the *ulama* of Aceh. This study is not only about the *ulama*, it is also for the *ulama*. The ultimate goal is to enhance the role *ulama* may have in bringing peace to Aceh and rebuilding the society.

The following question guided my research:
- What role did the *ulama* play during the conflict between the Free Aceh Movement (Gerakan Aceh Merdeka or GAM)?
- How did the tsunami affect the role of the *ulama* in Aceh?
- What was the role of the *ulama* in the peace negotiations that followed the tsunami?
- Have the *ulama* been involved the planning process for rebuilding in Aceh?
- What are the priorities for rebuilding in the view of the *ulama*?
- What is the view of the *ulama* about the application of *syariah* in Aceh?

When I returned to Aceh for this research from June to August, 2005 and during winter break in December 2005, I found that involving *ulama* as agents of peace and as stakeholders in the rebuilding process faced many challenges. Even though there has been a peace agreement, resolving the Aceh conflict will be a long and uncertain process. The involvement of the *ulama* is important not only for the Acehnese but also for the Indonesian people and the international community.

**Methodology**

Research was conducted using an ethnographic approach. The collection of data involved in-depth interviews and open-ended questions. The interviews were recorded and conducted in the Indonesian language. I used my contacts with local journalists and student activists to select *ulama* to interview and to gather other information. I made an
appointment with the *ulama* by cell phone (all the *ulama* had a cell phones) and explained that I had come to Aceh to conduct research about *ulama*. My NGO colleagues accompanied me during interviews and observation of the *ulama* because as a single woman I could not meet with *ulama* if I were not accompanied by another man or woman. I also conducted a focus group discussion with ten *ulama* at the Forum LSM office. My colleague Fakhrul Syah from Tifa Foundation, an Indonesian Human Rights NGO, helped me arrange this discussion. The discussion lasted for almost two hours and was relaxed and warm, with some joking. I observed the activities of two *ulama* in the *dayah* and community and their relationships with outsiders. In the *dayah* and community I conducted informal conversation interviews to get spontaneous responses from participants. The conversations were natural; the research participants may not even have realized that they were being interviewed.

I used publications, newspaper articles and books on the *ulama*, the Aceh conflict and the tsunami to verify, clarify and check data from interviews. I also used my own experiences when I was reporting on Aceh for SBS Australia Radio from 1997 to 2004.

This thesis is based on qualitative research which stresses the importance of context, setting and participants’ frames of reference (Marshall, 1999). Scholars have suggested that in studying controversial issues, qualitative methods are particularly appropriate. Below I detail why qualitative methods are most appropriate in this case:

- Trust between the researcher and participants are crucial before participants can be expected to honestly reveal their views about sensitive issues.
• Using qualitative methods, both researchers and participants are able to explore perceptions, feelings and rationalization of the issue through dialogue. These conditions cannot be achieved through traditional quantitative methods due to limitations such as the importance placed on detachment between the researcher and the participants, as well as the absence of norms of reciprocity between researcher and participants (Cooks & Descutner, 1994);

I used two of the four types of interview Tuckman recommended:

1. Informal conversational interviews: Questions emerge from the immediate context and are asked in the natural course of things; there is no predetermination of question topics or wording.

2. Interview guide approach: Topics and issues to be covered are specified in advance, in outline form; interviewer decides sequence and wording of question in the course of the interview. The topics that I tried to cover are listed above in my research questions.

Participants

I recruited ulama through recommendations from the community, NGOs, government officers and scholars. The participants of the study are Acehnese ulama involved in the planning and the rebuilding of Aceh. I interviewed twelve ulama in total. There was no difficulty in interviewing the ulama as long as I was accompanied by someone when I met them. I also interviewed the government official in charge of planning for the rebuilding of Aceh, and Acehnese villagers and NGO activists and local activist who work on human rights and women’s issues.
Profile of Ulama interviewed

<table>
<thead>
<tr>
<th>Ulama</th>
<th>Number</th>
<th>Age</th>
<th>Local Education</th>
<th>Western Education</th>
<th>Middle East Education</th>
</tr>
</thead>
<tbody>
<tr>
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<td>3</td>
<td>30-39</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>old</td>
<td>9</td>
<td>40-72</td>
<td>6</td>
<td>2</td>
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Significance of this Study

The tsunami that devastated the province of Aceh changed the attitudes of government officials and Achenese leaders toward the conflict in Aceh. The importance of successfully implementing a new peace agreement and the need to rebuild society after the tsunami is why this is the right time for research about ulama’s role in Aceh.

Aceh: “The Veranda of Mecca”

Aceh, the most western province of Indonesia at the northern tip of the island of Sumatra, has long been known as the “Veranda of Mecca” because the people of Aceh are deeply committed to Islam. The ulama, traditional Islamic leaders, have broad influence in Acehnese society. Since 1976, when a separatist group known as the Free Aceh Movement (GAM) demanded independence from the Indonesian government, Aceh has been a site of militarized conflict. Under the authoritarian rule of Indonesia’s former president, Suharto (1967-1998), no information about the conflict was published because the government banned journalists from covering it. After Suharto stepped down in 1998, the three presidents that replaced him failed to solve the Aceh conflict.
On December 26, 2004, Aceh was devastated by a tsunami. Almost two hundred thousand people were killed; houses, buildings and other structures were destroyed. Many Acehnese lost everything they had, including their husbands, wives, parents, children, relatives, and friends. The tsunami was one of the biggest natural disasters in recorded history. In the aftermath of the tsunami, the Indonesian government and an Acehnese separatist movement negotiated a peace treaty.

This thesis examines how the conflict between the Indonesian government and GAM affected the role of the *ulama* in Aceh and explores the ways in which the *ulama* are working to rebuild Achenese society today. Part One, “The *Ulama* of Aceh,” describes what an *ulama* is and the role of *ulama* in Acehnese society. Part Two, “Islam and Aceh,” provides background information on the history of Aceh that explains how the *ulama* came to be community leaders throughout Aceh. The *ulama*’s role as religious leaders declined in the Suharto era (1966-1998). Through the Council of Indonesian Ulama (Majelis Ulama Indonesia, MUI), the Indonesian government tried to control all *ulama*. The government’s attempt to crush the separatist movement left the *ulama* caught between government forces and the separatist forces. Part Three, “The *Ulama* in the Post Suharto Period,” describes two failed attempts at peace negotiations in the post-Suharto period. In Part Four, “The *Ulama*, the Tsunami, and Peace Negotiations,” describes how a peace agreement was negotiated. Although the *ulama* did not play a role in the peace negotiations, they began to reemerge as community leaders in post-tsunami reconstruction. Part Five, “The *Ulama* and Shariah,” considers the role of the *ulama* in implementing *syariah* (Islamic law) in Aceh. The thesis concludes with an assessment of the role of the *ulama* in Aceh in the future. Will they be a force in building a peaceful and
prosperous Aceh or will their efforts to implement syariah lead to new stresses in the community.

**Ulama and their Role in Society**

The word *ulama* comes from the Arabic language and means “teacher.” Ulama is a collective noun from the Arabic word *alim* (singular), *ulama* (plural): “learned men, the guardians of the legal and religious traditions of Islam” (Armstrong, 2000, glossary). The *ulama* are Islamic scholars who received an education in a *pesantren* (traditional Islamic boarding school) or in the Middle East, for example, in Mecca or Medina. A *pesantren* is a religious boarding school led by an ulama run on a communal basis (Barton, 2002, p. 37). *Ulama* are addressed by different titles, such as *kyai* in Java, *teungku* in Aceh, *haji* (Haj) or *abu* in Sumatra, *mullah* in Afghanistan, and *ayatullah* in Iran. In Sunni Islam, *ulama* are regarded as the defenders of orthodoxy against the encroachments of secularism and modernity.

*Ulama* are traditional leaders who serve as informal leaders in the community. A man cannot declare himself *an ulama* until the community recognizes him as an *ulama*. They often inherit their position, which is passed down from a great-grand father or other family member who had *pesantren* training. However, some *ulama* are charismatic leaders. For example, Abdurahman Wahid, the former President of Indonesia who is known affectionately as Gus Dur, is charismatic *ulama* who also inherited the role of *ulama*. He grew up at *pesantren Tambakberas* which was established by his grandfathers Kiai Bisri Syansuri and Kiai Hasyim Asy’ari in 1899. In addition, in 1926 both his father
and his grandfather were involved in founding *Nahdatul Ulama (NU)*, an organization of traditional *ulama*, which is strong in East Java as well as in some other provinces of Indonesia, such as South Sumatra, Central Kalimantan, etc. After Hasyim died, Wahid followed his grandfather and father as the leader of both the *pesantren* and the *NU*

Muslim Ibrahim, Chairman of the Aceh Ulama council (MUI, after 2004 known as Majelis Permusyawaratan Ulama or MPU), says, “*Ulama* are special people who understand and are knowledgeable of the original Arabic source of *Syariah*. They understand a traditional Al Qur’an commentary which is called *kitab kuning* (yellow book) which contains the Al Qur’an (holy book), *Sunnah* (the saying and acts of the Prophet Muhammad) and *Syariah* (Islamic law)” (interview, 2005). Yusni Saby, Rector of the State Institute of Islamic Studies (IAIN) *Ar Raniry* in Banda Aceh, explained, “*Ulama* not only study the holy book, they also study sociology, anthropology, and religious harmony. We can call someone an *ulama* if he can understand the dynamic of society in religious and real-life context” (interview, 2005).

In some countries in which Islam is the majority religion, the title *ulama* is also used for Islamic political leaders, even though some people argue that politics are not the duty of the *ulama* because the *ulama* is a religious leader and must have a sincere moral dimension without any ambitions as possessed by politicians. Politics are profane and involve insincerity; hence the *kiais* (or *ulama*) may become a tool of political groups (Solihin, September 2004, Liberal Islam Network.) For example, according to Abu Madinah, an *alim* of a *dayah* in Ulee Kareng, Banda Aceh, “If *ulama* enter the political stage, the prestige of the *ulama* declines. I am not a political person, but I go to events of
all political parties or other political organizations who invite me to their event, because the *ulama* belong to everyone” (interview, 2005).

The *ulama* have an important position in Indonesia because of the Muslim religious majority. The followers of an *ulama* obey what the *ulama* says (ie. *fatwa*); *ulama* can mobilize their followers. For instance, presidential candidates will ask the *ulama’s* blessing or support. Many people will vote for the person the *ulama* shows support for. Abu Madinah criticizes this phenomenon, “If politicians use *ulama* as a tool, the *ulama’s* image declines in society. Maybe for the *santri* this is not problem, but from the outside view, the *ulama* is seen as not independent, and this is not good for religion in society” (interview, 2005).

The *ulama* in Aceh are more influential than the *ulama* in Java or other places in Indonesia because people recognize them not only as a religious leader, but as a political leader due to the role *ulama* played in the Acehnese struggle against the Dutch. The Dutch War in Aceh (1873-1942) was one of the longest and bloodiest struggles in the anti-colonial movement in Indonesia and even in the world (Saby, 2005). *Ulama* in Aceh were reformers who fought against oppression together with their people, and they are respected as the ultimate mediators between people and authority. The *ulama* in Aceh are the center of civil society, especially during times of conflict.

In Aceh the wife of the *ulama* is also recognized as a (female) *ulama*. She is responsible for taking care of her husband’s *dayah*, managing the *dayah* budget, giving suggestions to women who have problems, and continuing her husband’s leadership if something happens to him, especially during a conflict. She teaches Al Qur’an to girls
and women in the village. Her husband leads the prayer for men and women in the meunasah, but on occasion when there is prayer by women and girls she is the prayer leader.

Islam has influenced many areas of Acehnese life such as trade, marriage, pregnancy, birth and education. According to The Rope of God by James Siegel (2000) who conducted research in Aceh in the 1960s, Acehnese life was organized in terms of village and kinship. The only exceptions to this pattern were the reform movements and dayah (Islamic boarding schools), which were both directed by the ulama.

Most boys in Aceh will live in a dayah after the age of ten. They will stay there until they graduate from high school. A dayah consists of an ulama, santri (students), a mosque, and a dormitory. In the dayah, boys learn to read (in Indonesian or Acehnese and in Arabic), study the Al Qur’an, and discuss its meaning and how to implement it in life. (Since the tsunami, dayah have also accepted girls.) Boys who go to a public school study at a meunasah in the afternoon. Normally, there are two or three meunasahs in every gampong (village). In the meunasah boys learn how to read, study Al Qur’an, and how to implement Islam in their lives. Girls may also attend meunasah. They are taught in separate classes.

From visiting the dayah, my observation is that in the dayah study follows a participatory system; santri read Al Qur’an first and then ask the ulama to explain a passage when they don’t understand. Or the ulama first read a passage from Al Qur’an and then the santri will discuss it. “There is no right or wrong answer in the discussion. They certainly never belong to the core of the standard curriculum” (Saby, 2005,p 75).
The *meunasah* is not only for study; it is also a community gathering place that is an integral part of the Acehnese way of life. After the evening prayer, the men in the *gampong* go to the *meunasah* to discuss Islam and other topics, such as community problems, land rights conflicts, education, and community development projects, etc. The *ulama* usually will lead the discussion. (The Documentation and Information Center of Aceh, 1990, Siapno, 2000 & Saby, 2005). The women do not go the *meunasah* for these discussions. The women do not have a place to gather together.

**Chapter Two: Islam and Aceh**

Indonesia is the fourth largest country in the world with a population 245,452,739 people (July 2006 est.): eighty-eight percent of Indonesians are Muslim while five percent are Christian (Protestant), three percent are Catholic, one percent are Buddhist, two percent are Hindu and one percent are other (CIA World Fact Book). The national language is Bahasa Indonesia, but hundreds of local languages are also spoken. Aceh has a population of about 3, 5 million people; ninety percent of the Acehnese are Muslim.

Located at the northwestern tip of Sumatra Island, Aceh is called the “Veranda of Mecca because Indonesians who wanted to go on the hajj in the past had to use Aceh as the port of departure and arrival and because the Achenese are known to be devout Muslims.

In the fifth century C.E., Aceh was the Buddhist state of Poli, mentioned in the Liang annals of China. Hinduism arrived with traders in the seventh and eighth centuries,
followed by Islam in the ninth century. The first Islamic kingdoms in Aceh were Perlak, Lamuri and Pasai. The kingdom of Pasai was the first to embrace Islam in Southeast Asia when Aceh became an Islamic Sultanate. In 1292 Marco Polo visited Aceh. Samudra Pasai (14th and 15th centuries) and Aceh Darussalam (16th and 17th centuries) had major impacts on the development and expansion of Islam in Indonesia. In 1345 the great Arab traveler Ibn Battutah traveled to Aceh. Islamic scholars came from Egypt, Syria and India; Aceh became the base for the conversion of other regions of Indonesia to the Islamic faith. The religious, philosophic and literary works of the ulamas of Aceh opened up new horizons all over Indonesia. It made Aceh well known as more Islam than other places in Indonesia.

The Golden era of Aceh was 1607-1636 under Sultan Iskandar Muda who conquered other areas in Sumatra, including Natal Tiku, Pariaman, Nias Island and Johor on the Malacca Peninsula. Portuguese tried to occupy some lands in Sumatera that made Islam solidarity emerged among Malacca. Aceh also launched several offensives against Portugal in Malacca. Because of his success in expanding Aceh, Sultan Iskandar Muda has been called the “Alexander the Great of the East” (The History of Aceh, The Jakarta Post, November 14, 2005). During this time the influence of Islamic scholars in the Aceh region reached into Malaysia. Aceh’s success declined in 1641 when the Dutch occupied Malacca.

Acehnese Islam is in the Orthodox tradition, yet it has a mystical strain with some pre-Islamic religious elements, which include such aspects as belief in spirits (Reid, 1995: Thaib, 2002; Brown, 2003). According to the Malaysian scholar Lukman Thaib, the Islamization of Aceh took place during the Malacca Sultanate, when Malacca was a
great commercial center and Sufism played a significant role in the Islamization of Aceh” (2002, p 67).

According to one of my informants who teaches history at the University of Syiahkuala in Banda Aceh, small group of people in southern Aceh known as the Suluk follow Syiah Islam. They do not eat fish, chicken or beef during the fasting month. They stay at menunasah for ten days to pray. Their wives will send their meals to the menunasah during this time. Hindu influence can also been seen Aceh in the architecture of mosques, such as the mosque at Indrapuri.

**Acehnese **Ulama** in the Colonial Era (1873-1942)**

In 1872 the leaders of European nations met in London to decide how to divide up Southeast Asia. Aceh was given to the Dutch because the Dutch had colonized Indonesia since the 1600s. The Dutch came to Aceh in 1873. They spent a lot of money and sent thousands of soldiers to conquer Aceh, but they failed to conquer Aceh because of resistance led by ulama, such as Teungku Chik di Tiro and Teungku Umar. The ulamas were always at the front of the battle; they were supported by thousands of militant followers to protect Aceh from any outside influence (Hadi, 2003; Saby, 2005; & Siegel, 2000). The war lasted 40 years and the Dutch never completely vanquished the ulama up until 1942 when they were forced to leave Aceh. This war was called *Perang Sabil* or Holy War. The *Hikayat Prang Sabil* (Tales of Holy War) proved to be an effective tool in inspiring the Acehnese troops. It contained a general exhortation to wage war in the path
of Allah and described the rewards for those who died as martyrs (syuhada) in battle (Amiruddin, 2005, p 17).

During the colonial period, the ulama established traditional Islamic schools to counter schools created by the Dutch in which the curriculum, budget, and teachers all came from the Netherlands. They were called modern schools. The school was only for the middle-upper class, and there was no opportunity for education of the lower class. The Dutch aim was to educate people who would become their committed employees and followers. Opposition emerged from ulama who established alternative schools called pesantren in Java, surau in West Sumatra, and dayah in Aceh. Siapno writes:

The greatest impact of pacification upon the ulama came from those policies which opened the door for the Acehnese to secular education. The ulama soon realized that the Dutch intended to draw young Acehnese away from their influence. Naturally, they became highly concerned to witness many thousands of Acehnese being enrolled in secular schools of various kinds and levels (Siapno, p. 157).

The Islamic school was often simply a place where students and teachers sat together on the floor. If there was a building, it was simple; sometimes a little mosque was used as a school. This kind of small mosque was called meunasah in Aceh, surau in West Sumatra, mushola in Java and langgar in other parts of Indonesia. It was also used for other purposes such as hosting a community gathering. The school gave free tuition. There was no instruction in general knowledge, only Islamic studies. The role of ulama was very important because they created all the materials for teaching the students. There
was no textbook except for Al’Qur’an So the quality of student knowledge depended on the ulama who prepared the lesson.

The ulama who started Islamic schools only required boarding fees for students. The rest of the school budget came from community support and the founder’s family business. The founder usually ran a traditional shop or was a farmer. The pesantren gave educational opportunity to people of all economic levels and social status; it encouraged students’ genuine interest for study.

The Islamic schools promoted Islam and traditional culture against Dutch authority. The Dutch were alarmed at the possibility that the ulama would create a militant movement among students. Moreover, the Dutch did not like people to listen to ulama more than to government authorities. They feared that education would make young people oppose colonialism. The influence of Islamic schools was greatest in Aceh because of the large population of devout Muslims. According to Amiruddin in his book *The Response of the Ulama Dayah: to the Modernization of Islamic Law in Aceh*, “The Dutch wanted to train the Acehnese to be loyal to the Dutch, because in their view the dayah had taught the Acehnese youth nothing but hatred and scorn for kafirs and the ability to drone a few incomprehensible Qur’anic texts. The ulama of Aceh therefore, issued a fatwa that it was forbidden (haram) to attend the Dutch school,” (Amiruddin, 2005, p19).

Failing to subdue Aceh through military force, the Dutch government sent the Dutch scholar Christian Snouck Hugronje to study Acehnese society. Hugronje wrote a study called *The Atjehnese* (1906), in which he recommended that the Dutch government should make uleebalang (customary rulers) and ulama compete against each other.
According to James Siegel, “Snouck saw the reformist ulama as political figures, and he speaks of them as rivals of the traditional authorities” (Siegel, 49).

Following the advice of Snouck Hurgronje, the Dutch supported the Sultan and the uleebalang against the ulama. According to the historian Robert Cribb, “Theoretically … the uleebalang were vassal of the sultans of Aceh; in practice, however, the power of the sultans was often weak and the uleebalang were like petty kings in their own right in the various principalities” (1994, p81). Uleebalang and the sultan both acquired their positions through inheritance. The Sultanate was responsible for administrative tasks and dealt with foreign powers and the Dutch authorities. Uleebalang collected taxes and were involved in trade, such as exporting and importing coffee, pepper and cotton.

Uleebalang killed many ulamas and their supporters; they also burned schools and public buildings to destroy the influence of the ulama. When the uleebalang needed funds, they demanded the people give them money. They even took money and jewelry from ordinary people. The Dutch succeeded in making the ulama use violence to protect people from uleebalang, but the ulama had difficulty defeating the uleebalang in battle because they were armed by the Dutch and later by the Japanese administration, while the ulama had few weapons, using mainly the rencong (a traditional sword). In contrast, the uleebalang used mortars and heavy weapons to attack villages. However the ulama established an armed underground movement called Dusk (Fajar, also known as “F) (Tim penulis IAIN Ar Raniniry, p 112).

In addition to fighting the uleebalang, the ulama conducted a reform campaign against immoral practices, such as cockfighting, gambling, opium smoking, pederasty and other sexual practices that were said to be associated with the uleebalang. The
ulatebalang said that the ulama only wanted to take over their economic position as traders, but the ulama told the people that they are not interested in business. They wanted to enforce Islamic law in Aceh and free Aceh from Dutch occupation.

After World War II, the Indonesian military came to support the ulama. The conflict between the ulamas and the uleebalang ended in the Cumbok War (Perang Cumbok) when Teuku Cumbok and his supporters were defeated on January 6, 1946, and the authority of the uleebalang ended. The War is named after Teuku Daud Cumbok, an uleebalang well known as a brutal leader who attacked ulama in Meutarem and Lam Meulo. (Amiruddin, 2005; Siegel, 2000; Ar-Raniry, 2004; & Adan, 2003).

The War for Independence (1945-1955)

During the period of the Indonesian Revolution and under Indonesia’s first president, Soekarno, the ulama’s role was more important than that of the military or governor. Teungku Daud Beureuh was the most powerful ulama in Aceh. Although he was illiterate in Indonesian, he knew how to read Al Qur’an. He also knew how to appeal to people using Islamic principles. A story that is often told concerns the village of Bireun. The keuchik (head of village) asked people to build an irrigation channel for a rice field. The people asked to be paid for the work, but the keuchik did not have money. So he went to Teungku Beureuh to discuss his problem. The next day Teungku Beureuh went to a meunasah and explained that the irrigation channel would benefit everyone. He said that the people should build the channel as ibadah (religious activity) and promised to work together with them. “If you think this is not ibadah, maybe you think it is enough
just to pray and read Al Qur’an. Maybe you think the relations between people are not the concern of religion, but everything is part of religion.” (Siegel, 2000, p 67). People agreed to do the work without pay as long as Teungku Beureuh led the project.

Daud Beureuh was a charismatic leader. In 1939 he had established the All Aceh United Movement (Persatuan Ulama Seluruh Atjeh; POESA) to struggle for syariah in Aceh. The Dutch colonial rulers sentenced him to a one year prison term for his support of syariah. Teungku Beureuh supported Indonesian independence. He asked the Acehnese to collect gold and money to buy the first Indonesia airplane, which was named Seulawah after a mountain in Aceh. Soekarno used this airplane when he approached world leaders to get support for Indonesian independence.

Soekarno promised Teungku Beureuh and the Acehnese that they would be allowed to implement syariah in Aceh. This did not happen because Soekarno opposed the idea of an Islamic state. He feared that the Christian areas of eastern Indonesia would not join the republic if Indonesian became an Islamic state. And if Aceh were granted the right to implement syariah, other areas, such as West Java and South Sulawesi, might demand the same right.

Teungku Beureuh led his followers in a fight against Indonesia from 1945 to 1947. Soekarno then came to Aceh for the first time in 1947 to meet with Teungku Beureuh. He cried on Teungku Beureuh’s shoulder and promised to give the Acehnese full autonomy to conduct syariah. Teungku Beureuh asked Soekarno to sign an agreement, but Soekarno asked Teungku Beureuh to believe that as president he would not betray his people. Teungku Beureuh accepted Soekarno’s word.
Soekarno appointed Teungku Beureuh as the first military commander in Aceh and as a governor after that. This was protested by military officers who believed Teungku Beureuh should not be given such a position because he was an illiterate ulama. However, Soekarno pointed out that as ulama, Teungku Beureuh had a large number of followers and great influence on the lives of people in Aceh.

In 1949 the leader of the Indonesian Emergency Government (PDRI) in Sumatra, Sjafrudin Prawiranegara, issued Decree No. 8/Des/W.K.P.H establishing Aceh as a province with Teungku Daud Beureu eh as its governor. But the council of ministers of the Federal Republic of Indonesia in a meeting on August 8, 1950 disregarded the PDRI decree and decided to divide Indonesia into ten provinces. Aceh was included as part of North Sumatra Province. Prime Minister M. Natsir announced the dissolution of Aceh province in Kutaraja on Jan. 23, 1951.

In 1953 Teungku Beureuh joined with the DI/TII, a movement to establish an Islamic state, which was led by Kartosuwirjo. (Ar Raniry, 2003, Kirsten, 2003 & Thaib, 2003). Teungku Beureuh and his followers fought from the mountains until Suharto came to power in 1966. Teungku Beureuh died in Aceh in 1982.

The New Order Regime (1966 to 1998)

The situation in Aceh did not change under the Suharto regime but became even worse. In 1971 Suharto took control of oil and gas installations in Aceh province (PT Arun). He did not involve the Acehnese in managing these natural resources; in fact, Suharto through Pertamina (state oil enterprise) shared them with multinational
companies, such as Mobil Oil and Exxon. The revenue from Achenese oil and gas returned to Aceh was approximately five percent while the remainder was under the control of Suharto. (Aspinall & Chrouch, 2003; Kirsten, 2003; International Crisis Group, 2002)

In 1976 some Acehnese responded to this situation by establishing the Aceh Sumatra National Liberation Front (ASNLF), which came to be known as the Free Acehnese Movement (Gerakan Aceh Merdeka or GAM). GAM was led by an ulama, Teungku Hasan di Tiro. Hasan di Tiro said that Aceh had never been occupied by the Dutch so the Indonesian government had no right to be in control in Aceh. Teungku di Tiro declared that Aceh must adopt syariah, not secular rule. However, in later negotiations with the Suharto administration, Di Tiro focused on the demand for independence rather than syariah. Since 1979 Hasan di Tiro has lived in exile in Sweden. He established his own cabinet and commanded GAM from Sweden (Thaib, 2005). He sent recorded speeches and writings to Aceh (Kirsten, p. 244). His followers on the ground continued with low intensity conflict. In 2001 when I interviewed the late Teungku Abdulah Syafei, a GAM commander, he said that he could contact GAM elites in Sweden or wherever they were by satellite phone. I asked him where GAM got satellite phones, and he told me that GAM bought them from military officers. I asked again how GAM got money to buy the phones, and he explained that GAM had many supporters, including rich people.

The government pronounced GAM a separatist movement that was trying to destabilize the country. In 1989, the Indonesia government launched a military operation against GAM called Kolakops Jaring Merah (Military Operation Implementation
Command Red Net), known more generally as DOM (Daerah Operasi Militer). This operation, which lasted from 1989 to 1998, was a nightmare for the Acehnese. According to the National Human Rights Commission (Komnas HAM), between 1,000 and 3,000 people were killed; 900 to 1,400 people were pronounced missing in 1991-1992 alone (Rahmany, 2001; International Crisis Group, 2001; Ishak, 2001; Kell, 1995). Death tolls are controversial and much disputed, and some estimates by Acehnese NGOs are much higher (Barakat, Connoly and Large, 2002, p. 5).

According to well informed sources in Jakarta, the Indonesia Armed Forces (Tentara Nasional Indonesia or TNI) committed many human rights abuses. There have been repeated allegations of gang rapes, killings and beatings, as well as the razing of entire villages that were said to harbor separatist militants (Chalk, 2003). The army established a special building (rumoh geudong) in almost every village where they interrogated people suspected of association with GAM. Villagers could hear how soldiers tortured, raped and killed the suspects. Because Suharto banned the media from covering military operations in Aceh, most Indonesians did not know what was happening. Media could only get information from the Information Department of the government. Journalists could not interview Acehnese or GAM.

The government restricted the influence of the ulama through law no 1/1974 UU Pemerintahan Daerah (District Law), which established a local government structure from a governor to kampong head. This chain of authority bypassed all tradition or customary structures of authority, such as ulama, and gave full authority to government officials, such as the mayor and bupati (regent), over local government. An old ulama who had graduated from Medina, explained to me: “We had to protect ourselves and our
community. It was useless to oppose Suharto. We knew that we could help people to oppose Suharto, but we had to do whatever Suharto ordered. The most important thing is that people still respect us.” A young ulama, who graduated from Samalanga Dayah, said that Suharto had used the military to make ulama fear him: “At that time was easy for the military to accuse people of being GAM members. A soldier would show the ulama the torture victims and point out that this could happen to anyone.”

The government tried to win the support of the ulama through Suharto’s political vehicle Golkar (Golongan Karya party). However it was only in Aceh that Partai Pembangunan Persatuan (PPP), an Islamic party, won the election. Suharto tried to change this situation by embracing the ulama through the Indonesian Ulama Council (MUI). Ulama were given money from the government budget for MUI programs. At that time, ulama had financial problems because they had to support their dayah. Traditionally ulama made their dayah self sufficient through farming and raising livestock, but this was difficult during the conflict. Often the traditional markets where ulama sold their product did not open because people were afraid to leave their homes. Ulama told me that there was no choice but to take money from the MUI. As one ulama explained, “We were supposed to pay back the government by persuading people to vote for Golkar in the election. But we used Acehnese deception (tipu tipu Aceh). We took the money and pretended to support Golkar, but actually underground we told people not to vote for Golkar.” When GAM forces burned down schools in their attacks on villages, the government involved the ulama in rebuilding as members of the school budget committee”. In this way the government tried to win the support of the ulama (who might get their own “cut” of the budgeted funds).
Suharto tried another strategy to break the opposition of the *ulama*. In 1987 Suharto appointed Ibrahim Hassan as governor and told him to ensure that Golkar won the next election. Hasan not only used bribery, he also undermined the status of the *ulama* by recognizing anyone as an *ulama*. For his chosen *ulama* he used the title “Abu” which historically had only been used for a great and charismatic *ulama*. For example, the Acehnese addressed Teungku Daud Beureuh as Abu, and he was the only Abu at that time. A young *ulama* said, “Now every man who can read and teach Al Qur’an is called Abu. In our history, someone who was called Abu was supposed to have been a great leader with knowledge of Islam. He is the *ulama* of *ulama*.”

Hasan’s strategy was successful because many men became *ulama* in order to receive a subsidy for a *dayah*. These *ulama* campaigned for Golkar in the election. In 1987 for the first time Golkar won an election in Aceh. Golkar won again in 1992, but some Acehnese believe that the voting was rigged because before that PPP always won.

The success of the Suharto government in controlling the *ulama* was pointed out to me when I interviewed a young *ulama* in July, 2005. He recalled, “I remember in 1997, the MUI released fatwa saying that anyone who opposed the government was *kafir* (infidel) and *murtad* (apostate). All Acehnese were obliged to support the government which established peaceful in *Serambi Mekah*.”

During the period of military occupation, men often engaged in political discussions in the *meunasah*. Such debates placed the *ulama* in a difficult position (Amiruddin, 2005; Siegel, 2000; Siapno, 2000; & Rahmany, 2001). The military accused the *ulama* of using the *meunasah* to hold meetings against the government (Simons, 2000; Chaidar, 1998; Aspinall & Chrouch, 2003; Anderson, 2001). The *ulama* were
caught in the middle. There are many stories of ulama who were close to the Indonesian military being killed by GAM. On the other hand, if the ulama were considered to be close to GAM, they would be killed by the military. The ulama tread a cautious path. Teungku Faisal Ali (35), the youngest ulama in Aceh Besar, explained, “If the ulama made statements or undertook actions that the military disagreed with or disliked, it would affect the way they treated ulama that lived in villages or the mountains. The ulama have regular meetings to share information, but when the ulama want to make a decision, they will be careful about the impact on other ulama” (interview, June, 2005).

The difficult position of the ulama is described by Siapno who quotes an ulama whom she interviewed: “If I did not join Golkar they would have thrown me in exile in a distant isolated area where I could not possibly help anyone. By joining them, I am able to take their money to continue maintaining this pesantren. But as you can see for yourself, the money they give us is not exactly profitable but just enough to maintain our most basic needs. I have always supported the struggle of Daud Beureuh for an Independent Aceh, and a small amount of money from Golkar is not going to make me change my view that the Javanese are colonizing Aceh”, (2000, P 123).

The difficulties faced by the ulama are illustrated by another case that occurred in 2001. A soldier from the Special Forces raped a woman. When village men gathered to seek revenge, the teungku went to the military compound and asked the ranking officer to take the soldier to court. The soldier was given a six-month jail sentence. The villagers thought the sentence was not severe enough. The men asked the teungku to give them permission to seek revenge; he argued that this was not necessary. The villagers split into two camps, one listening to the teungku and the other joining with GAM.
The role of the *ulama* declined dramatically under the Suharto regime. This era has been called the silence of the *ulama*. It was a time of repression and oppression for Acehnese, including the *ulama*.

Chapter Three: The Post Suharto Era (1998- present)

In 1998, an important moment came for Indonesians. Suharto resigned from his presidency after being in power for thirty-two years. After Suharto stepped down, Indonesians were surprised and shocked to learn about what had happened in Aceh. There was much sympathy from the national and international communities toward the Acehnese. B.J. Habibie, who replaced Suharto, eliminated the DOM and asked Komnas HAM to investigate human rights abuses in Aceh. General Wiranto (former Indonesian Armed Forces Chief) apologized to the Acehnese for abuses during the DOM period (Zubil, 2002; *The Jakarta Post*, 1998-1999; Chalk, 2001).

In 1998, B.J. Habibie visited Aceh for a dialogue with the Acehnese people at Baiturahman Mosque (*Mesjid Raya Baiturahman*). Young Acehnese, especially students, protested human right abuses during the military operation, and Habibie promised to investigate and bring the perpetrators to court. On behalf of the government, he apologized for mistreatment of the Acehnese for so many years. When Habibie tried to start a peace process, many Acehnese youth voiced their suspicions about the *ulama* and criticized them for not taking a stronger position in opposition to the military operation.

The *ulama* I interviewed were distressed by this criticism. One from Banda Aceh tried to explain that the *ulama* had been forced to be strategic: “The young people have..."
lost respect for us but they were wrong to say that we are useless. They did not understand that we helped people in our own way,” (interview, 2005). Zamzami explained that the *ulama* often approached the authorities, such as military officers and the police, and GAM to help people in trouble. But if people knew that the *ulama* had been involved, other people could suffer. However there was also a generational split among the *ulama*. One young *ulama* said, “I understand why the young generation was angry with *ulama*. The old *ulama* were “cautious players. Mostly they took the side of the government” (Interview, 2005). Martadillah, the Religious and Culture program coordinator of the Rebuilding and Reconstruction Body for Aceh and Nias (after the tsunami), said, “*Ulama* lost their independence and were too close to authorities during the conflict. There are almost no charismatic *ulama* that people will listen to and follow” (Interview, 2005). Most *ulama* simply said that they had no choice. One of the young *ulama* said, “I thought that there were no *ulama* in Aceh during the military operation because they kept silent, but now I am an *ulama*, and I can understand what they did. Maybe an *ulama* who spoke out would not be caught by the military or GAM, but they will capture other *ulama* as an example” (interview, 2005).

Habibie was only in power for one year (1998-1999) because parliament did not accept his accountability speech. In the Habibie era, the *ulama* established the Association of Dayah Ulama (Himpunan Ulama Dayah or HUDA) and began to take positions on human rights abuses and political issues, such as a referendum for Aceh. However, as Afridal, the director of the Legal Aid Foundation in Aceh, explained, the new political role of *ulama* did not last for long: “In the Suharto era the *ulama* never talked about human rights. Unfortunately, in Wahid era the *ulama* visited Wahid in the
palace, and people assumed that ulama supported Wahid because he was an ulama too. People decided that the ulama were not independent just as in the Suharto era” (Interview, July 2005). After the visit to the palace HUDA announced that the ulama would not be involved in politics.

Under Wahid a joint understanding between the government and GAM was negotiated. In mid 2000, Wahid sent Foreign Minister Hasan Wirayudato to negotiate a peace treaty with GAM. It was the first formal cease-fire after twenty-five years of fighting. The Henry Dunand Center based in Geneva was a facilitator of this agreement. The peace agreement called for a Humanitarian Pause that was meant to prevent the low intensity conflict in Aceh from spiraling into a complex emergency (Barakat, Connolly and Large, 2003, P 3). Peace zones were established in six areas, including Indrapuri, Aceh Besar, Tiro, and Pidie which were identified as “hot” area. GAM was to disarm and the army was to stop their operations. During the Humanitarian Pause, ulama were called on as advisors to legitimate the agreement.

The peace process was not successful. The cease fire crumbled quickly as sides, GAM and the Indonesian military, violated the agreement. The monitoring mechanism was inadequate, and sanctions were non existent (Kirsten, 2003, p 242). Wahid issued presidential instruction (inpres) No IV, which called for a security operation (operasi pemulihan keamanan). “As the TNI launched a series of attacks on GAM bases, local human rights groups reported that conditions were now worse than during the height of the notorious DOM period,” (Aspinall & Crouch, 2003, p 22). I was there several times during this period, and I saw both parties were involved in violent attacks. Everyday there
was gunfire and civilians were killed. The situation was out of control. There was no one in command.

Wahid went to Aceh and talked to the *ulama* privately. Wahid is said to have promised a referendum. In November 1999, the Acehnese public mobilized a peaceful pro-referendum demonstration with an estimated one million participants at the main mosque in Banda Aceh (Barakat, Connolly and Large, 2003, p 6). Imam Suja was one of the *ulama* who played an important role during the referendum campaign. However, in the end Wahid said that the referendum would not offer autonomy but not independence for Aceh because of protests from the military and nationalist groups. East Timor had been lost to a referendum and they feared that Indonesia would also loose Aceh. Wahid’s actions made Acehnese very angry. They felt that they had been deceived and betrayed. According to Afridal, chairman of the Legal Aid Foundation (LBH) in Aceh, “Wahid’s actions made me think that *ulama* should not be involved in politics,” (interview, 2005).

After Wahid dropped the idea of a referendum, he supported sending fundamentalist Muslim organizations, such as Laskar Jihad and KAMMI, to Aceh. Wahid said that he thought these groups could work together with the Acehnese to implement *Islam Kaffah* (pure Islam) in Aceh. However it may be that Wahid wanted to redirect the energies of these groups, who were threatening to go to eastern Indonesia to fight Christian militia. The Acehnese were offended and protested to Wahid that they did not need lessons in *Islam Kaffah*.

During the Wahid administration, the pattern of military abuse of human rights continued. For instance, Teungku Bantaqyah, a charismatic *ulama* from Beutong Ateuh, was killed by the TNI in his *gampong* in front of the *meunasah* in July 2000. In
1996 Teungku Bantaqyah was the leader of the White Robe Campaign asking the government to ban alcohol, prostitution, and corruption and to stop the military operation in Aceh. For this campaign Teungku Bantaqyah was charged with subversion. At his trial there was no lawyer to assist him. Teungku Bantaqyah was imprisoned from 1996 until 1999, when he was granted amnesty by B.J. Habibie. In 2000, Teungku Bantaqyah gathered people in his meunasah to protest against human rights abuses by the Indonesian military. Shortly thereafter, the TNI attacked Teungku Bantaqyah and his followers in their meunasah; the TNI killed forty men, including Teungku Bantaqyah and his eldest son. According to Afridal, the lawyer for Teungku Bantaqyah’s family and head of the Legal Aid Society, the military said he hid guns and sold ganja (interview, 2005). The military accused Teungku Bantaqyah of providing weapons to GAM, but there was no proof.

This killing became the biggest human rights scandal in Indonesia during 2000. The Indonesian government announced that there had been a misunderstanding in communications between the officer and soldiers in the field. The military did not mean to kill Teungku Bantaqyah. The government claimed that they would resolve the case. A Special Forces sergeant was identified as a suspect; he and his family disappeared at the end of 2000 (Rahmany, 2001, p 99). The case is still unresolved.

Parliament impeached Wahid in 2001, and he was replaced by Vice President Megawati Soekarnoputri, who had promised in her election campaigned in 1999, “I will not allow one drop of the people’s blood to touch the earth in a land that gave great service in achieving a free Indonesia” (Aspinall, 2003, p 23). Megawati passed a special autonomy law for Aceh to reduce support for independence in the province. According to
the International Crisis Group, the special autonomy law allowed Aceh to base its local laws on syariah. It gave the province limited self government and a larger share of the income from its natural resources, notably a 70 percent share of net state revenues from natural gas (ICG, 2002). Aceh was given the new name of Nangroe Aceh Darussalam, which means Aceh “Center of Islam.” However, Acehnese did not enthusiastically respond to this initiative.

Dialogue between the Indonesian government and GAM continued with the HDC as facilitator. But violence did not stop. Barakat, Connolly and Large in their journal, Winning and Losing in Aceh: Five Key Dilemmas in Third Party Intervention, reported that between 2000 and 2002 prominent academic and human rights leaders were targeted and assassinated; there were also cases of abduction and torture by an anonymous third party (2002, p 5). GAM attacked Exxon Mobile facilities, and TNI ambushed civilians in a village.

General Endriartono Sutarto said that dialogue is not the business of the army but of the government. “If the government wants to hold a dialogue, go ahead,” he declared, but there must be a time limit” (Spinall & Crouch, 2003, p 29). The Indonesia government said that a peace agreement must be finished by the end of ramadhan (fasting) in 2002. The HDC sent six ulama led by Imam Suja, the chairman of the provincial Muhammadyah, to meet with civilian leaders and GAM representatives in Geneva. The agreement, called the Cessation of Hostilities Framework (COHA), consisted of a confidence building process. GAM agreed to give up arms gradually, and the military agreed to change from a strike force to a defensive force. Most Acehnese were happy with this agreement and responded by gathering and praying at main mosque.
I was in Aceh at the time, and in my view people supported this peace process and were committed to keep the process on track.

However the Indonesian military accused GAM of breaking the agreement because GAM still had weapons and was killing soldiers. On the other hand, GAM accused the Indonesian military of killing GAM members. The situation worsened; armed conflict between the military and the GAM occurred almost every day. GAM was collecting taxes from the people. The army charged GAM representatives with subversion and arrested them.

Finally President Megawati Soekarno Putri declared martial law in May, 2002 which gave full authority to the military to run Aceh’s government. General Endiartono Sutarto ordered tens of thousands of troops to the province to launch a “Security Restoration Operation” aimed at destroying GAM forces “down to their roots.” The job, he said, was simple: “The [army has] the task of finishing off, killing, those who still engage in armed resistance” (Aspinall & Crouch, 2003, p 1). According to Ed Aspinall:

TNI immediately went on the offensive. … First and foremost, troops were mobilized to seek out GAM insurgents and kill or capture them. Second, the civilian population was closely monitored in order to cut the rebel supply chain. This involved proliferation of military posts in villages, temporary relocation of thousands of people, and intensification of governmental security measures such as checkpoints, street-side inspections, and searches of citizens’ homes. Third was an ideological campaign involving the mobilization of the population in parades demonstrating support for the Indonesian state and a constant barrage of army statements urging the population to resist GAM. Fourth was the establishment of
civilian militias, whose tasks it was to provide intelligence on GAM movements, guard villages at night, and otherwise support the military’s counterinsurgency operations (2005, p 20-22).

The military took journalists with them into Aceh. The offensive was meant to be a lesson to the Achenese and all Indonesians. I was in Aceh, and in my view the violence by the military was worse even than during the Suharto period. By September 2003, according to official statistics 319 civilians had been killed, and there were 809 GAM fatalities. However GAM claimed that many of these fatalities were also civilians (Aspinall and Crouch, 2003, p 51).

This campaign forced ulama to take sides. For instance, Teungku Faisal Ali, a young ulama in Aceh Besar, told me about a dayah in Lampisang, Aceh Besar, which had four hundred santri. Teungku Lampisang, the ulama who led the dayah, supported GAM. When military emergency law was implemented, he fled because the military was looking for him. The santri were afraid, so the dayah was closed down. On the other hand, an ulama who had a close relationship with the military and Indonesian government was sent to villages to dakwhah (preach) about GAM being a dangerous separatist movement. He asked GAM members who were caught by the military to support Indonesia and turn against GAM. People were so angry with him that he and his family had to live at a military complex. Ulama said it was difficult to sit together to speak the “same language” in order to solve the problem. Ulama could not be effective as leaders in the community.

Civilians were also trapped in the middle. GAM grew stronger, and the military accused people of being members or supporters of GAM. GAM collected taxes from
people to support their struggle. If people refused to give money, then GAM accused them of being supporters of Indonesia.

One *ulama*, who asked to remain anonymous, told a story to suggest that the attitude (“language”) of representatives of the central government contributed to hostility. For example, in Arun, North Aceh: there was a non-Acehnese driver who hit a chicken with his car, but he just ran away. When he parked the car, people demolished it. On the other hand, later there was a non-Acehnese who hit a child with his car. He stopped the car and asked the villagers to help him bring the child to hospital. The child died, and the man cried all day. The villagers became his friends, and the child’s family forgave him (Interview, June, 2005). The point of this story was that the Acehnese see themselves as a people who will forgive a wrong as long as others respect them and act responsibly. The *ulama* said that the Indonesian government acted like the man who killed a child with his car and ran away.

The failure of the COHA agreement led many Achenese to think that peace negotiations were a waste of time. They argued that the military did not want peace in Aceh. As a truck driver explained, “The army and GAM are business competitors; they use the conflict to keep their business [smuggling of drugs and illegal logging along with arms]. Ordinary people know about this, but we have to keep silent or we could be killed” (interview, 2002).

In May 2004 Megawati downgraded the martial law and military emergency in Aceh to a state of “civil emergency.” According to Eva-Lotta E. Hedman, a British scholar, this “did little to improve conditions on the ground in Aceh where military operations continued” (2005, p 11).
In September 2004 Susilo Bambang Yudhoyono (SBY) was elected President of Indonesia through the first direct presidential election. He said that his top priority was to bring peace to Aceh. At the same time Aceh’s governor, Abdullah Puteh, was accused of corruption. In 2005 he was sentenced to ten years in prison.

According to the International Crisis Group (ICG), in Aceh “the … experience of indiscriminate military repression in the late 1970s, and particularly again in 1989 and the early 1990s, … deepened alienation from the Indonesian state and accelerated popular support for secession” (ICG, 2001). The government never fulfilled what was promised; there was no human rights court to investigate human rights abuses. The government’s response made the Acehnese even more distrustful of the Indonesian government. In 2002 there were many Internally Displaced Persons (IDPs) living in refugee camps which lacked facilities for health and education.

The military operations of the central government in Aceh threatened to destroy Acehnese society. The role of traditional leaders, particularly the ulama, had been deeply undermined. Susilo Bambang Yudhoyono (SBY), who was elected President of Indonesia in September 2004, through the first direct presidential election, said that his top priority was to bring peace to Aceh.

Chapter Four: The Ulama, the Tsunami and Peace Negotiations

In the aftermath of the tsunami, the ulama emerged as community leaders. The most pressing problem was how to deal with the corpses of tsunami victims. There were 180,000 dead bodies. According to Islam, a dead person must be buried as soon as
possible within 24 hours and men and women should not be buried in the same grave. The *ulama* issued a fatwa authorizing the use of mass graves because of the urgency of burying the dead. As Abu Zamzami, an *ulama* in Aceh Besar, explained, “The people, the government, and the military did not know what to do with those bodies. It was hard to separate men, women and children. If the government left the bodies unburied too long, people would be affected because of emerging diseases. People and government asked for a fatwa from the *ulama*. Finally, we agreed to a simple burial ceremony and prayer because it was an emergency situation” (interview, 2005).

Another pressing problem was the need to reestablish social order and prevent theft. Outsiders came as volunteers, and some took advantage of the confusion to steal victims’ property. Teungku Muslim, a chief of MPU, explained that the *ulama* released a fatwa about victims’ property, such as jewelry, gold, and other valuables, etc. The MPU appointed the Chief of Syariah (*Mahkamah Syariah*) as caretaker of valuables until a procedure was devised to determine who owned the items.

The *ulama* also acted to protect children orphaned by the tsunami by taking them into religious boarding schools. “We tried to keep our generation in Aceh. If the orphans go out from Aceh, they will forget about our culture and Islam,” said an *ulama* in Aceh Besar (interview, 2005). Orphans I interviewed who stayed in one *dayah* told me that they did not have any family, so the *dayah* was their new family. “I take Teungku as my father, and ummi (Teungku’s wife) as my mother,” one of the santri said (interview, July 2005).

The *ulama* also were worried that Christian missionaries working with international NGOs would use assistance to tsunami victims as a way to convert them
from Islam. As Ibrahim, chairman of the MPU, explained, “I did not want there to be any conversions in Aceh, especially among children. If we find that missionaries are trying to convert people, we will ask them to leave Aceh” (interview, 2005). However, Teungku Faisal, an *ulama* who has a *dayah* with a program run by Save the Children, dismissed this worry: “I am not afraid of conversion because the NGOs conduct sessions for trauma healing that last one hour, while we have 24 hours with the children” (interview, 2005).

The government also warned the international aid agencies that they must respect Acehnese culture and religion.

**The Role of the *Ulama* in Peace Negotiations**

Security was an issue in post-tsunami Aceh. Suddenly aid workers from all over the world came to Aceh while before the tsunami it had been impossible for foreigners to enter the province. Some elements in the military resisted the presence of outside aid workers. Ryamizard Ryacudu, a commander of Kostrad, said that the government should reject international assistance, “This is our problem, our nation’s problem, we should take care of our own business,” (*The Jakarta Post*, April, 2005).

The international community urged the government to withdraw the emergency law, but the Indonesian military objected that GAM would take advantage of the situation and recruit tsunami victims as new members. International organizations argued that they could not work if there were no guarantee of security. From December to the end of February the government continued to maintain that Aceh was in a state of emergency, but the government, together with international NGOs, made both transportation and
communication possible in order to deal with the catastrophe. There was a travel warning from INGOS such as UN, Oxfam, IOM for their workers to make them more aware of the security issue. Those INGOS warned their foreign workers to not go outside Banda Aceh especially at night. However in August, 2005, a volunteer from Hong Kong was shot when she was on the way from her office to the Sultan Hotel in Banda Aceh. In a separate incident a volunteer of Center for the Study of Child Protection from the Netherlands was shot in the arm and leg. Both survived, but the police could not find the perpetrators (The Sidney Morning Herald, July 8, 2005).

In August I attended meetings where international NGO (INGO) members attempted to coordinate their efforts and discussed the security situation in Aceh. In my opinion the international community forced the Indonesian government to be more serious about the peace process for Aceh. However, it was only on 18 May 2005, the anniversary of the declarations of the military (2003) and the civil (2004) emergencies, that President Susilo Bambang Yudhoyono issued Regulation 38/2005, which introduced a new framework for ‘civil order’ and ‘adjusted’ security operations to replace the state of emergency in Aceh” (Hedman, 2005, p 11).

In 2005 the Crisis Management Initiative (CMI), an independent, non-governmental organization in Helsinki, Finland, offered to be a mediator between Indonesia and GAM in a peace process. CMI, as a facilitator, was led by former president of Finland Martti Ahtisaari. The Indonesian government team was led by Justice Minister Hamid Awaluddin, and GAM was represented by Malik Mahmud. They met in February and April 2005, in Helsinki. This time CMI reversed the sequence for peace. Using the formula that “nothing is agreed until everything is agreed,” Martti Ahtisaari required the
two parties to agree on the broad outlines of a political formula before a ceasefire and related security arrangements would be put into effect. This placed great pressure on both sides to modify their position. GAM reduced their demands from independence to autonomy. As distinct from the special autonomy that the government had already granted, GAM asked to have its own political party, provincial self-government for Aceh, local control of natural resources and local control of education. The peace agreement was signed on August 15, 2005, in Helsinki, Finland. The government released all political prisoners who were members of GAM.

Although some ulama went to Helsinki in August 2005, to witness the signing of the peace agreement, the ulama were not directly involved in the peace negotiations. In my interviews with GAM negotiators I learned that they were aware of the importance of winning the support of the ulama for making the peace agreement hold. Nurdin Abdul Rahman, one of the GAM negotiators, told me, “After four meetings with the government, we invited thirty ulama to meet us in Kuala Lumpur, Malaysia. We asked them to give us input and feedback, and the ulama responded to the peace agreement positively. They said, “We will do what Islam says, we try the peaceful way, but if it does not work, we can take up our guns to maintain our dignity” (interview, 2006). However GAM negotiators said that they did not involve ulama at the beginning of the negotiations because the peace process involved many stake holders and this made the negotiations very complicated.

According to Pieter Feith of the Aceh Monitoring Mission (AMM), the peace agreement signed in Helsinki has been implemented by both sides. “The Aceh peace process is working beyond all expectations. Guerillas of the Free Aceh Movement
(GAM) have turned in the required number of weapons. The Indonesian military (TNI) has withdrawn troops on schedule. The threat of militia violence has not materialized. Amnestied prisoners have returned home without incident” (ICG, 2005, p 1). GAM elites who were in exile have returned to Aceh to join in peaceful political campaigning. People in Aceh, including the ulama, no longer live in fear.

According to the peace agreement, the Memorandum of Understanding (MOU) signed in Helsinki is to be implemented in Aceh through passage of a national law establishing Aceh as an autonomous province (UUPA). At present the draft autonomy law is still under consideration in the national parliament. The two most contentious issues concern the direct election of a governor for Aceh and revenue sharing from oil and gas revenues. According to the draft law, the Acehnese will directly elect a new governor and seventy percent of oil revenue would go to Aceh province and thirty percent to the central government. However, opponents of the draft law, which include members of Megawati’s national political party Partai Demokrasi Indonesia Perjuangan (PDIP) and former military elites, object that according to Indonesian law local political parties are not permitted. The point out that potentially a former GAM member representing a local political party could be elected as governor. Secondly they point out that other areas, such as West Papua and Cepu in Central Java, do not receive 70% of oil revenue. Debate over the draft law is ongoing.

Ulama were not involved in working out the draft law for Aceh. According to the draft law, ulama only have responsibility for implementing syariah (Islamic law) in Aceh. This promises a certain kind of power will be given to the ulama. However the
exclusion of the ulama from the peace negotiations and formulation of the draft law represents a decline in the position of the ulama politically.

Both sides tried to embrace the ulama in the peace process even though they had not been involved in the negotiations (International Crisis Group, 2005; Human Rights Center, University of California, Berkeley, (2005). The government and GAM realized that ulama have power to influence people, so they asked ulama to give feedback from an Islam perspective and to persuade people to accept the agreement. For instance, ulama were expected to urge people to be calm and patience during the peace process.

Three times the peace process failed in Aceh. Ulama have been involved in two ways, indirectly and directly. In the first process in 2000-2001, under the Wahid administration ulama were invited to the presidential palace to provide input into the peace process. However, the peace process failed because of distrust. The Megawati administration sent some ulama to Geneva to persuade GAM elites to accept an agreement. This attempt to make peace failed as well and ended with a military emergency that affected civilians and ulama and caused further distrust. In both these failed peace processes the ulama were used by the government. The ulama could not provide independent leadership because the military was ready to accuse them of supporting GAM, while GAM was ready to accuse them of being informants (cuak) for the military.

After the tsunami, many people did not believe that the third peace process would succeed because both sides distrusted the other. As one young ulama put it,” We will wait and see. We hope that what happened in the past will not happen again. I think it is natural if we should think this process may fail again” (interview, 2005). However the
presence of international organizations in Aceh helped to create pressure on the
government, while GAM was ready to turn its attention to helping the victims of the
tsunami. The two sides did not yet trust one another, but the presence of international
observers was important in keeping distrust from turning into violent attacks.

Some ulama see the tsunami as a blessing in disguise. One ulama said, “I do not
know what would have happened if there was no tsunami. I believe: no tsunami, no
peace.” Other ulama have said that the tsunami was not a punishment from God, but
rather that there was hikmah (wisdom) behind the tragedy. Even though people had lost
everything, Aceh is peaceful now.

The Role of the Ulama in Planning for Long Term Reconstruction

One of the biggest problems in post-tsunami Aceh is the need to rebuild housing.
Over one million houses were destroyed. The Indonesian government established the
Aceh and Nias Rehabilitation and Reconstruction Agency (BRR) in March 2005. Its
purpose was to serve as a facilitator among international aid organizations, the
Indonesian government, and Indonesian NGOs. According to the BRR website, “BRR
has been established as a coordinating agency to ensure transparency, accountability, and
speed in the reconstruction of Aceh and Nias. It has not been designed to directly manage
projects currently being carried out by government agencies, donor institutions,
nongovernmental organizations, and the private sector. The Agency's core role is to
match donor funds with specific community needs in Aceh and Nias through a process
that is rigorous, sensitive to local concerns and priorities, and well-monitored” (brr.go.id).
BRR is led by Kuntoro Mangkusubroto, a former energy minister, well known as “Mr Clean.”

Reconstruction in Aceh, especially construction of housing, faced two major obstacles. The first was the high cost and scarcity of building materials. As a result, only 30,000 houses have been built one year after the tsunami. NGO budgets for construction were overextended, and most IDPs are still living in tents.

The second major problem is that the Blueprint, a master plan for rebuilding and reconstructing devastated areas, did not accommodate traditional Acehnese houses. NGOs built standard housing (such as is built for government employees). The traditional Acehnese house, called a “stage house,” is a raised wooden structure with several bedrooms, a small living room, kitchen, and bathroom, with a hall underneath that is used for family and neighborhood gatherings or for community meetings. Hasbalah M Saad, director of Aceh Culture Institute, urged the government to look beyond the blueprint and “consider culture an element of development.” He worried that the Acehnese would lose their roots (Detikcom, November 20, 2005). However this issue appears to be about more than the kind of house built for tsunami victims. As BRR spokesman Sudirman Said acknowledged, many NGOs built housing without communicating with or involving community leaders, especially the ulama. When I interviewed people in Aceh, they said that outside organizations could not just come to Aceh like heroes and give house as charity. In May 2006, some Acehnese demolished houses built by Muslim Aid because they were of such low quality. As a result of this problem, the BRR spokesman told me that BBR was planning “to conduct leadership training for traditional leaders such as ulama, keuchik (village heads) so that they can
serve as a mediator between local people and international and national NGOs which often misunderstand some cultural issues” (interview, July, 2005).

The ulama have recently begun to organize collectively to assert their role in long term reconstruction in Aceh. In 2006 Mangkusubroto, the BRR chairman, said that the blue print for rebuilding Aceh drawn up by the National Planning Body (BAPPENAS) was too ambitious and unrealistic: “They did not know that it is hard to find human resources, raw material and deal with the community” (antikorupsi.org, May 2006). On March 15, 2006 a province wide congress of hundreds of ulama called on the government to leave the original draft intact because it represented Acehnese aspirations,” (International Crisis Group Asia Briefing, 2006, p 5).

Chapter Five: The Ulama and Syariah

Syariah, Islamic law, defines the Muslim way of life based on Al Qur’an and sayings of the Prophet (hadists). During the Sultanate in the sixteenth century, syariah was the law in Aceh. When the Dutch came, syariah was no longer practiced because the Dutch applied customary law (adat). In the view of many Muslims, the Dutch destroyed Islamic values by introducing adat. According to Siegel, “Snouck’s distinction between adat and Islam implied that there were close political and cultural connections between villagers and lords expressed through adat [that had been] disrupted by Islam,” (Siegel, 2000, p. 10).

The demand for a return to syariah has a long history in Aceh. Teungku Daud Beureueh, a charismatic and outspoken leader in the period of Dutch colonialism and
Later a leader in Darul Islam, fought for the implementation of *syariah* in Aceh. When GAM was established by Hasan di Tiro, he demanded a return to *syariah*. In the words of Kirsten, “In the 1970s and early 1980s GAM’s vision of an independent Aceh was articulated as the revival of the Sultanate of Aceh; re-establishing the historic Islamic state. The basis for the Acehnese Sultanate was clearly Islamic law or *syariah* with ‘the code of Iskandar Muda (as) the base of our *state decisis.*’” (2003, p 48). However in negotiations with Jakarta, GAM primarily represented itself as an independence movement.

When Suharto stepped down in 1998, the government of B.J. Habibie passed a new law, No 44: 1999, that called for special status for Aceh (UU tentang Penyelenggaraan Keistimewaan Provinsi Daerah Istimewa Aceh). Under this new law, the provincial government would have authority over:

1. Religious administration
2. Custom/adat administration
3. Education administration
4. The role of Ulama in the Administration of Aceh

On 15 March 1999, coinciding with the first day of the Islamic New Year, the Governor of Aceh, Abdullah Puteh, proclaimed the enactment of Islamic *syariah* law in Aceh. “This step, he said, was the final realization of promises made to Aceh by Indonesian President Sukarno in the 1940s and 1950s. It would … help to bring an end to the long-standing armed conflict in the territory” (Aspinall, 2002). *Syariah* in Aceh is the product of three regimes. According to Ishak, an Acehnese sociologist from *University Syahkuala* in Banda Aceh, “The initiative for this special law first came into being when
Habibie was president. Then in Gus Dur's era, it was legalized and today, during the administration of Megawati Soekarnoputri, it has been implemented” (The Jakarta Post, April 4, 2002). The government offered *syariah* as a solution for conflict. These regimes embraced *ulama* as supporters of *syariah*; the majority of *ulamas* accepted this role.

Zamzami, an *ulama*, explained that he and other *ulama* were involved in formulating *syariah* based on UU No 44/1999. The *ulama* were also involved in UU No 22/2001 regarding special autonomy implemented through District Parliaments (DPRD). Three district regulations were passed: *Perda* No 5 about *syariah*, *Perda* No 5 A about *ulama* and *Perda* No 6 about education. Zamzami explained that according to these laws, adulterers, gamblers and drunks would be punished with whipping. He believed that because the *ulama* had been involved in writing these laws, “therefore, *ulama* and the government are equal in position. This is based on the Prophet’s saying that there are two groups in a community; *ulama* and *ummara* (government); that if they are good, then all in the community will be good; and if they are bad, then all will be bad” (Hosen, 2003, p 170).

In accord with these new powers, the Aceh government passed the following Qanun (state legislation): No 10, 2002 about a *syariah* court; Qanun No 11, 2002 about implementation of Aqidah, Ibadah and Syiar Islam; Qanun No 12, 2003 about alcohol; Qanun No 13, 2003 about gambling; and, Qanun No 14, 2003, about adultery. These laws codified the implementation of *syariah* with the framework of national law.

There has been considerable debate about the implementation of *syariah* in Aceh. Those in favor say that the Acehnese need *syariah* to solve problems that have kept them in conflict for thirty years. Zamzami said he supported *syariah* because it identifies Aceh
as a Muslim area. On the other hand, critics say that Aceh does not need syariah, it needs justice. They argue that Aceh’s conflict will not end with syariah; only justice would bring those who committed crimes against humanity to court. Abdullahi An-Na’im, a Muslim scholar who writes about Islamic law and human rights, explained that syariah is the Muslim way of life; therefore, syariah should not be state or government law because Muslims must each commit themselves to follow it (Talk at Ohio University, April 6, 2006).

**Syariah and Women**

When I was in Aceh in 1999 as a journalist, I witnessed how the implementation of syariah was focused on women. Suraiya Kamaruzamman has described what happened when syariah was implemented in Aceh in 1999:

After the proposal to implement syariah in Aceh was announced in 1999, the physical symbols of Islam became the focus of various campaigns. Signs on public and private offices were changed to Arabic lettering and women were instructed to wear jilbab (Islamic headscarf). Banners and leaflets declared several locations to be ‘compulsory jilbab areas’ and all government and private agencies, schools and tertiary institutions made it obligatory for women to wear jilbab *(Inside Indonesia, July 2004)*

Suraiya added that in the absence of a formal legal body during this period, many people took the enforcement of Islamic law into their own hands. Sweepings and inspections to find women not wearing jilbab were carried out by talibaný (Islamic student) groups,
university students, female police officers and unknown armed groups. Every male or person of “power” felt they had the right to judge women. During these inspections, women were subjected to various forms of violence. Some were beaten or forced to march in public, pelted with tomatoes or eggs in the market, yelled at or had the tight clothing they were wearing torn or their jeans slashed above the knees. Some people, on behalf of Islamic organizations, shaved women’s hair in public.

In the past, Acehnese women did not use the veil in the way that is now imposed by syariah. As a woman journalist in Band Aceh put it, “You can see pictures of Acehnese women heroes, such as Tjut Nyak Dhien, Tjut Meutia, and others. They did not cover their hair.” In an article entitled “The Trouble with Syariah” in the Jakarta Post, Mardyah Chamim, a woman activist who was a volunteer in Aceh after the tsunami wrote:

As for jilbab, head covering for Muslim women, actually there were many interpretations in this area. Some said jilbab is 100 percent obligation for muslimah (Muslim women) and some said that the jilbab is only part of Arabian cultural clothing to prevent dehydration in the desert. Indonesian Muslims have a long history of wearing headscarves that appeared in various ways. Tjut Nyak Dhien, a great heroine of Aceh, for example, covered her head with a silky transparent long scarf while her hair was done nicely in small bun which was called ‘Ok Sanggoi Tjut Nyak Dhien (hair bun of Tjut Nyak Dhien). Unfortunately, it seems there is no room for other interpretations of jilbab nowadays. Headscarf apparently follows the Arabic style (April 20, 2006).
Acehnese women fought back by chasing men who did not go to the mosque for Friday prayers. Housewives holding frying pans and serving spoons searched for men in every coffee shop, and if they found the men there, they would drag them to the mosque and call them infidels. In an article in the *Jakarta Post* Ishak wrote, “in some villages, men caught women and girls who did not wear the jilbab (head scarves) and women also caught men who failed to perform the Friday prayers at the mosque (compulsory for males). Seeds of conflicts between people, caused by religion, began to be sowed. Revenge spread from one village to another; villagers would capture other villagers on charges of violating syariah, when they had heard of the capture and abuse of fellow residents” (“Politicking Islam to solve Aceh problem”, April 4, 2002).

To put a halt to this mayhem, the Aceh government established the *syariah* police (Wilahyatul Hisbah, WH). The *ulama* issued a fatwa directing that said the *syariah* police should catch men who do not go the mosque for Friday prayers. What I saw during my research was that men hid inside restaurants on Fridays.

Over time the ongoing tension of the military emergency led to a decline in the activity of the *syariah* police until after the tsunami. National and international NGOs brought aid workers from different cultures to Aceh. Some Acehnese leaders argued that Aceh should apply *syariah* in order to prevent westernization. This led to further incidents in which women without the Islamic head covering, women wearing jeans, or women who walked with their boyfriends were targeted. The focus on *syariah* may also have been connected to accusations that there was corruption in the dispensing of aid. By emphasizing *syariah*, *ulama* and politicians could represent themselves as defenders of morality.
While I did my research in 2005, I observed again that women’s dress had become the target of syariah. I watched as a group of female students leaving Syahkuala University were stopped by syariah police because two of the girls were wearing jeans. They were told: “You know the rule that jeans are too tight. Today I will just give you a warning, but if we see you dressed like this again, we will arrest you.” I felt uncomfortable because the police stopped the girls in the street and afterwards people passing by teased them. One of the girls said to me, “I felt torn between anger, embarrassment, It was unfair. I did not dress improperly. I covered all my body; what is wrong with jeans? Why they don’t they catch the people who are corrupt instead?”

The way that syariah was enforced in Aceh provoked a strong reaction from Achenese women critics. Protests emerged from Acehnese women who asked, “Why doesn’t the Syariah Police (WH) focus on cases of human rights abuses by the military rather than violate women’s privacy.” Raihan, an Acehnese woman activist, said, “Syariah is not a solution for Aceh. The ulama never involved women when they discussed syariah” (interview, 2005).

The way in which syariah targets women may grow out of the patriarchal traditions of Acehnese society. For example, Chammim, a Javanese activist who went to Aceh after the tsunami as a volunteer, expressed her surprise at what she observed. “When I attended a kenduri (feast) of the tsunami anniversary in Lamno, all men were in the meunasah. They prayed and then gathered to eat. At the other side of the meunasah, the women and girls who cooked and prepared the food waited outside until men finished” (The Jakarta Post, April 26, 2006). Chammin noticed that at dinner time there were only boys in the dining room. When she asked where the girls were, a boy explained
they were inside their rooms. Chammin went to the girls’ room and found 30 young girls in one big room, chitchatting and doing other things. “Why don’t you have dinner along with the boys?” she asked. Nani, one of the girls (aged nine) replied, “Kakak (big sister), we will have dinner after the boys are finished.” Chammin ended her article by asking how could an empty stomach know gender difference? Similarly Siegel observed, “religious scholars thought that the unity of men was a possibility inherent in man’s nature and was the final point of their passage out of the family and the village” (my italics, 2000, p 3). In short, Islam supported the role of men in community life, but it did not support women’s equal participation in community life.

**Syariah Punishments**

*Syariah* requires the punishment of whipping for adultery, gambling, and drinking alcohol. The first whipping punishment took place on June 24, 2005 in Bireun in front of Mesjid Jamik Agung (a mosque) after Friday prayers. There were fifteen defendants whipped out of twenty seven defendants; the sentences of the rest were suspended because of health issues. The defendants were accused of drunkenness and gambling. They received from seven to forty-five lashes. Adli, an Achenese NGO activists pointed out that there was no clear criteria for the number of lashes given in punishment (interview, 2005). The governor, parliament members, the regent, Head of the Department of Prosecution, ulama, local, national and international journalists and almost three thousand people attended the whipping. After the whipping, the governor and regent hugged each defendant, shook their hand and gave them a gift (sarung, hat and
money). I stood near the governor, and I heard him say, “We are really sorry that you have been through this punishment, but this is syariah.”

The latest data as of April, 2006 shows that in only one year two hundred defendants have been whipped for adultery, gambling and drunkenness. About twenty women were among those punished in this way. Muslim Ibrahim, a chairman of MPU, said that the ulama agreed with this punishment because syariah would reduce crime in Aceh (interview, 2005).

These punishments are controversial because most of the defendants are poor. For example, nine gamblers were charged with gambling for only seven dollars (Rp 45,000). When the syariah police interrogated them, they said they hoped to win because they needed the money to support their families. They did not have a job and they had sold their land during the conflict because they were afraid of both the military and GAM attacks. When I interviewed him, one of the defendants protested “How about the elites or the officials who are corrupt and take people’s money and rights? Why aren’t they punished? Why are we punished when we did this because we need food for our children.” Nasir Jamil, an Acehnese member of parliament from the Islamic Prosperity and Justice party (PKS), also had reservations about the way that syariah punishments targeted the poor. “I agreed with this punishment, but the most important reason is to reduce crime. Mostly, these defendants were poor; they gambled and were drunk because they do not have a job. The government should provide jobs, so if I were bupati (regent), I would punish myself first because it was my fault not theirs” (interview, 2005).

Moreover, defendants told journalists that officials in the District Attorney’s Office had blackmailed them for eight hundred dollars (Rp 800,000 or US$ 80),
promising that they would not be whipped. When the journalists questioned the District Attorney, he said “The punishment can be a whipping or a fine. Maybe the money was for paying the fine.” (I was present at this interview, 2005) This made the defendants angry, and they protested that if the fine had been paid, they should not have been whipped.

**Discrimination in the Application of Syariah**

*Syariah* is supposed to apply to all Muslims, but in reality *syariah* is mostly applied to the poor. In general, because of the prevailing patriarchal tradition, the *ulama* do not recognize that there is discrimination in the application of *syariah* so that women, girls, and the poor, are targeted.

In February 2006, an official of the Aceh Monitoring Mission (AMM) from Spain was caught with an Acehnese woman in a hotel in Langsa. The *syariah* police brought them to police headquarters, but they were released after a few hours without further punishment. Pieter Feith, Chairman of AMM, held a press conference at which he said, “We apologize for the misbehavior of our officer. He will be sent back to our office in Europe.” The woman was also not punished although she was Muslim. She moved away and nobody knows where she is. (People said that the AMM hid her, so she would not be whipped.)

A month after this incident, the *syariah* police caught an official representative of GAM with a French woman in a car close to midnight in Banda Aceh. The police said the couple broke *syariah*, which says that a man and woman cannot be alone together unless
they are husband and wife. The couple was taken to police headquarters and interrogated. They were held for one night but released the next day. Al Yasa, the syariah police commander explained, “The local witnesses withdrew their report. This case will be solved by hukum adat (customary law)” (Serambi Indonesia, March, 2006). GAM released a statement saying that this case was an intelligence operation to discredit GAM.

The ulama that I interviewed were not happy about these cases. They accepted that non-Muslims should not be punished according to syariah but rather according to the state penal code. But they argued that the Muslim woman and the GAM representative should have been punished. They believed that the syariah police released the accused because they were afraid to prosecute powerful people, not because they did not have evidence.

Chapter Six: Conclusion

On the basis of this research I believe that ulama should be given more responsibility in programs for recovery from the tsunami. In December 2005 I observed that rebuilding in Aceh is going slowly because foreign NGO workers lack knowledge about Acehnese culture. It has been one-and-a-half years, and many people still lack facilities. Many are still living in barracks. If ulama were involved in development projects, recovery from the tsunami would be faster and the relationship between Acehnese communities and the NGOs would be better. I observed that the Acehnese seem reluctant to participate in rebuilding projects unless they are paid a good salary. They feel that the government, especially the Javanese, owe them for the suffering they
endured during the decade long military emergency and for the profits from oil, gas, and logging that the Suharto regime took for 30 years. This perspective has caused problems regarding rebuilding. As Teungku Faisal, a young ulama, said to me, “Nothing has changed between before and after the tsunami. Acehnese men still sit in the coffee shop all day long talking about nothing” (interview, 2005). The attitude of the Acehnese has caused frustration among non-Acehnese who work in rebuilding projects.

I remember the story of how Daud Beureuh got the villagers in Aceh to build a road and irrigation canal when the village headman could not. If the ulama were given significant support by national and international non-government organizations, I think they could again provide leadership and convince Acehnese to participate in rebuilding. The ulama could prevent problems such as the case where an NGO built housing that did not fit with Acehnese culture, and people rejected the housing. Furthermore, the NGOs and government agencies will only stay in Aceh for a limited time. For example, BRR, which has been given responsibility by the national government for rebuilding in Aceh, has only a five year mandate. The local society will be responsible for long-term reconstruction.

Secondly, the ulama have always been involved in education, and there is a crucial need to rebuild educational institutions in Aceh. There are 500 students studying under tents in Calang, one of the most devastated areas. The students cannot study at a dayah because there is no more room. Almost eighty percent of the dayah were destroyed by the tsunami. The loss of so many dayah threatens to affect the dayah way of life. The Indonesian government has made rebuilding the dayah a major priority, but I only observed the renovation of dayah in Banda Aceh, the capital city. While ulama in Banda
Aceh have learned how to make a proposal asking for funding to expand their own *dayah*, rural *ulama* have not been included in the planning for rebuilding *dayah*. Through such a program, the government could have an important impact on development in Aceh. For, according to young *ulama*, the role of the *dayah* is changing. In the past *santri* were taught to read Al Qur’an; now students study English, science, history, and other subjects. If the problem of education is not tackled immediately, it will affect the next generation of Acehnese.

Aceh does not have any strong and charismatic *ulama*, like Teungku Daud Beureuh, today because of the long period of conflict. However this is a time for *ulama* to reclaim their role as moral and inspirational leaders who can make Acehnese society strong again. There is a danger that if the *ulama* are not given a prominent role in rebuilding projects, they may be politicized. According to the peace agreement, the Acehnese can establish local political parties and elect an independent candidate (not affiliated with any political party) as governor. The *ulama* will have a strong influence on voting in Aceh. A GAM press release has announced that their party will consult with *ulama* to choose the best candidate for the election scheduled for October 2006. The government supported political party will certainly also seek support from the *ulama*. The *ulama* could easily become the tool of a political party. I recommend that *ulama* stay out of politics and be an independent force working to maintain harmony in Acehnese society. If the ulama become the tool of political parties, their role in society will decline still further. On the other hand, if the ulama do not take a leadership role in rebuilding Aceh, they will not be significant. This is the time that the ulama should come together as
representatives of the Acehnese people against elites who seek political power to enhance their own interests.

However, in focus group discussions that I conducted, I became aware of a divide among the ulama between “modern” and “traditional” ulama or “ulama dayah.” Modern ulama graduated from the National Institutes of Islamic Studies (IAIN) or Western universities in Canada (McGill University) or the United States. These men claim the title of ulama based on their university degree. They believe that they have superior knowledge about Islam as compared to traditional ulama. Saby, the Rector of the National Institute of Islamic Studies Ar Raniry in Banda Aceh explained, “In my view an ulama is a person who understands the Yellow Book (kitab kuning) [Al Qur’an and a commentary on it]. It does not matter if they do not have dayah and followers” (interview, 2005). The traditional ulama include both young and older ulama who graduated from local dayah or from Islamic institutions in the Middle East. They run their dayah in the same way, and they believe that the power of ulama is rooted in the community where he teaches. They say that university educated ulama are not ulama, they are just scholars because they do not have a dayah or santri students.

This split apparently became more divisive in the period after the tsunami. In the peace negotiations the government, GAM and CMI were hesitant about being aligned with one group of ulama against another. In my view, it would be better for Acehnese society if modern and traditional ulama worked together for rebuilding and economic development. I agree with Fuad Martadillah, the head of the Social and Religion Division of BRR, who said that “the most important thing is for ulama to perform good and pious
deeds (amal and ibadah) in the community; it does not matter what kind of title we use for them.”

My observations of the way in which syariah is implemented in Aceh suggest that an extreme position is being taken. For example, it is only in Aceh that women or girls cannot wear jeans and T shirt with the Islamic head covering (jilbab). The syariah police object if they think a girl’s clothing is too tight. I think that this is happening because the ulama want to show that Aceh is more pious than other places in Indonesia. Piety in the form of following rules is emphasized rather than “good and pious deeds.” This appears to be due to fear of westernization. In April 2006 a debate arose over whether syariah should be applied to non-Muslims. A representative of the Islamic Prosperity and Justice Party (PKS) in Aceh recommended applying syariah to everyone. “There is westernization in Aceh” protested Raihan Iskandar, former chairman of PKS in Aceh (Jakarta Post, April, 2006). “This makes it difficult to impose syariah on Muslims.”

MostAcehnese I talked to did not agree with this argument. They worry that if syariah were applied to non-Muslims, foreign NGO workers would leave Aceh and development in Aceh would stop. I believe that the ulama could play an important role in moderating the ways in which syariah is applied. The modern ulama are recognized as experts on Islamic law. Because they have been educated in the different schools of Islamic law, they generally have more liberal views than traditional ulama and political Islamist groups, such as PKS. Modern ulama also have a more progressive view of gender and could play a role in the education of syariah police on gender and human rights.
In my view, now that the internet and cell phones along with television and other media have come to Aceh, strict implementation of *syariah* will be useless. If the *ulama* were empowered to lead the rebuilding process in Aceh, they could learn how to use this technology to enhance their role in education and leadership.
References


Anderson, Benedict R.O’G. 2001. *Violence And The State In Suharto’s Indonesia.* New York; South East Asia Program Cornell University, Ithaca


Glossary

Adat          Customary Law
Al Qur’an     Islamic Holy Book
Amal          Perform good
BRR           Aceh and Nias Rehabilitation and
              Reconstruction Agency
Bupati        Regent
CMI:          Crisis Management Initiative
COHA          Cessation of Hostilities Agreement
Dayah:        Islamic Boarding School
DOM (Daerah Operasi Militer). District of Military Operation
GAM           Gerakan Aceh Merdeka (Free Aceh Movement)
Gampong       Village
Hadists       Sayings of the Prophet
Himpunan Ulama Dayah or HUDA Association of Dayah Ulama
IAIN          The State Institute of Islamic Studies
Ibadah        Religious Activity
IOM           International Organization for Migration
Jilbab        Islamic headscarf
Kaffah        Pure Islam
Keuchik       Village Head
Majelis Ulama Indonesia, MUI The Council of Indonesian Ulama
Majelis Permusyawaratan Ulama (MPU) The Council of Ulama for Aceh
Meunasah      Small Mosque
NGO           Non Government Organization
Santri        Islamic Student/s
Syariah       Islamic Law
Tentara Nasional Indonesia or TNI The Indonesia Armed Forces
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<tr>
<th>Term</th>
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<tbody>
<tr>
<td>UIN:</td>
<td>State Islamic University</td>
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<td>Ulama:</td>
<td>Traditional Islamic Leader</td>
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<td>Uleebalang</td>
<td>Customary Rulers</td>
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<td>Wilayatul Hisbah or WH</td>
<td>Syariah Police</td>
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