

Freedom of Expression through Demonstration in Islamic Perspective

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Abstrak

The role of society has great significance in the context of democracy, in a system of government where the people have the authority to make decisions and manage the government for the common good. This research arises in response to a number of demonstrations that have occurred in Indonesia, where demonstrations are used as a means to voice the opinions and aspirations of the people to the government. Each demonstration reflects dissatisfaction with government policies, so the question arises to what extent the demonstration is in line with Islamic values, considering that the existence of demonstrations is also related to Islamic politics and the concepts of mudzaharah and masirah. In order to explore deeper understanding, this research will adopt a qualitative-descriptive method with a literature study approach. The research objectives include analyzing and explaining 1) demonstration activities in Indonesia; and 2) the responsibility to understand and carry out demonstrations in accordance with Islamic teachings. Demonstrations, as a form of mass action, aim to communicate the will of the people. In the Islamic context, there are two terms related to democracy, namely Muzhaharah and Masirah. Muzhaharah refers to demonstrations that involve anarchist actions, while Masirah refers to demonstrations that do not involve anarchist elements. In the Islamic perspective, democracy can be used as a means to voice Amar Ma'ruf Nahi Munkar to the leader or government, but still by avoiding anarchism and violence.

Keywords: Political Islam, Demonstration, Masirah, Mudzaharah, Freedom of Speech

INTRODUCTION

This research focuses on how Islam views freedom of speech through demonstrations. This view is based on the fact that in the life of the nation, a leader will definitely be chosen to lead his people to goodness.

When viewed from various perspectives, including in the context of the Qur'an and the hadiths of the Prophet, the terms for demonstrations or rallies, namely muzhaharah or masirah, are not directly documented with their original meanings. However, the terms have parallel

meanings in some concepts. Since freedom of speech is often limited, unexpressed, or even intentionally unheard, it can be assumed that demonstrations came later in the Prophet's lifetime.¹

According to Armhela Fazrien's journal, a leader serves as a driving force in an organization or company because they are responsible for many things in running the wheels of the organization. It is expected that leaders have the ability and sincerity to work efficiently and effectively. To achieve the goals that have been set, this ability and failure are followed by work morale and discipline.

Thus, the leadership has clear authority to establish regulations that govern its people. In addition, leaders who are considered ideal are also expected to be able to act fairly towards all people without taking sides, keep people from violating the law and criminal acts, and not be unjust. In an ideal leadership, it is expected that the citizens will obey the provisions that have been set. According to research conducted by Yasin as presented in the journal by Pratama, People have responsibilities, which means they are expected to take certain attitudes or actions.² Complying with all applicable regulations and policies is considered an obligation. However, many policies do not meet people's expectations, which then raises various questions.

Therefore, many people feel compelled to voice their desire to review the policy so as not to harm others, especially the people. Demonstration is one of the ways to express people's aspirations, according to the journal.³ Speaking of demonstrations, they are definitely a part of the country's vast history, which includes many accounts of life, one of which is the people's relationship with their leaders on a large and small scale.

According to Aminullah (2014), as stated in the journal by A demonstration is a collective action or movement undertaken to voice the feelings or views of the participants in a demonstration regarding an issue.⁴ The definition of demonstration includes activities such as marching, carrying posters, banners, or writing down opinions. On the other hand, a protest reflects a statement from a group of people or individuals who disagree or oppose a decision or policy that is considered detrimental. In other words, a demonstration occurs when there is dissatisfaction with a decision that is considered detrimental.

In addition, the practice of demonstration also occurs in the context of Islam. According to Aminullah (2014) as explained in the journal.⁵ After the death of the Prophet, his Companions took responsibility for the leadership of Muslims as Caliphs. However, there were significant differences in the process of accepting policies made by these Caliphs, not in line with the leadership of the Prophet. This triggered protests from the community, which were expressed in a polite manner and in accordance with religious norms.

In the Islamic context, there are two terms that refer to the form of demonstration, namely Mudzaharah and Masirah. Mudzaharah refers to demonstrations that are not recommended,

¹ Nur Zaqia et al., "Konsep Muzhaharah Terhadap Pemimpin Dalam Perspektif Hukum Tata Negara Dan Hadits Nabi Saw," *Journal of Islamic and Law Studies* 2, no. 1 (2018): 21–37.

² N I Pratama and S Hasan, "Hak Dan Kewajiban Warga Negara Dalam Kehidupan Berbangsa Dan Bernegara Berdasarkan Pancasila Dan UUD 1945," *Academia.Edu*, n.d.

³ S Suharto and M Mahmuddin, "Komunikasi Dakwah Dan Fenomena Demonstrasi Anarkis Di Makassar," *Idaratuna: Jurnal Kajian ...*, 2021.

⁴ T Setiawan, *Pandangan Hukum Islam Dan Hukum Positif Tentang Perbuatan Demonstrasi Mahasiswa (Studi Di Universitas Islam Negeri Raden Intan Lampung)* (repository.radenintan.ac.id, 2019).

⁵ Ahmad Windo Adenensi, "Analisis Hukum Islam Terhadap Demonstrasi Berdasarkan Undang-Undang Nomor 9 Tahun 1998 Tentang Kemerdekaan" (UIN Raden Intan Lampung, 2019).

while Masirah refers to demonstrations that are recommended. The difference between the two lies in the way the participants of the demonstration convey their aspirations.⁶

In a hadith narrated by the Prophet Muhammad, he said, “Listening and obeying are obligatory for a Muslim whether he likes it or not, as long as he is not commanded to commit sin. But if it is ordered to commit an offense, then there is no obligation to listen and obey.” (Bukhari no. 7144). Hence, there is no obligation to obey a leader who leads bad, unjust or immoral actions. If the purpose of the demonstration is to improve the government, then it is possible.⁷

METHOD

In an effort to achieve the set target, this research will use a qualitative-descriptive method with literature study technique as one of its components. Qualitative-descriptive research involves asking individuals or groups to share their personal experiences. The researcher then details the information back in the form of a descriptive chronology. The descriptive data collected is sourced from words and images, in contrast to the quantitative approach that prioritizes numbers.⁸

Furthermore, in terms of data collection methods, there are many options. One of them is interview (interview), questionnaire (questionnaire), observation (observation), or a combination of both. According to Sugiyono a questionnaire is a data collection method used by giving a series of questions or written statements to respondents.⁹

This research uses a type of questionnaire or closed questionnaire because respondents only need to mark one of the answers that are considered correct. A researcher uses research instruments to measure events. In this study, the data collection method used a questionnaire, which is a list of written statements compiled with the aim of collecting data from respondents' responses.

The focus of this research includes an analysis of: 1) demonstrations that often occur; 2) the law of demonstrations in the context of Islamic teachings; 1) demonstration actions that commonly occur in Indonesia; and 2) the responsibility to understand and engage in demonstrations that are in line with Islamic principles.

RESEARCH RESULTS

There are several similar studies conducted by other researchers regarding demonstrations in Islamic views. One of them is research conducted by Suprima, from Veteran National Development University Jakarta.¹⁰

Suprima's research shows that, based on the questions in the questionnaire distributed to 28 people, most respondents, 78.6%, did not know the law of demonstrations from an Islamic

⁶ Ayu Sarah, “Analisis Siyasah Syar’iyyah Tentang Aksi Demonstrasi Terhadap Pemerintah Yang Berdaulat (Studi Fatwa Abdul Aziz Bin Abdullah Bin Baaz Dan Yusuf Al-Qaradawi)” (UIN Raden Intan Lampung, 2020).

⁷ Sirojuddin Aly, *Pemikiran Politik Islam (Sejarah, Praktik Dan Gagasan)* (Depok: Rajawali Pers, 2018).

⁸ M Rusli, “Merancang Penelitian Kualitatif Dasar/Deskriptif Dan Studi Kasus,” *Al-Ubudiyah: Jurnal Pendidikan Dan Studi ...*, 2021.

⁹ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif R&D* (Jakarta: Alfabeta, 2018).

¹⁰ Suprima Suprima, “Islam Dan Politik: Kebebasan Berpendapat Mahasiswa Melalui Demonstrasi Menurut Pandangan Islam,” *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam* 18 (2022): 134–43, <https://doi.org/10.24042/tps.v18i2.15288>.

perspective. They argue that demonstrations are mass actions with the aim of voicing people's aspirations. However, most people do not know the law of demonstrations from an Islamic perspective.

Another research on Islamic Law Review in Responding to Demonstrations was conducted by.¹¹ The results of this study show that a demonstration, also known as a rally, is a movement, action, deed, or action carried out either individually or by a group of people who collectively convey their thoughts about a policy made by the government. They do this protest by carrying posters, writings, and various other media.

The Qur'an and hadith do not give clear instructions for demonstrations. However, there is a difference between muzhahahar and masirah in Arabic. Muzhahahar is a demonstration followed by violence, while masirah is a peaceful demonstration carried out regularly without violence.

The problem will be analyzed by analyzing the problem, then searching for relevant data for this research. This study aims to explain how modern society sees Islamic demonstrations in Indonesia as a way to convey good wishes and in accordance with Islamic teachings.

Of course, in the act of demonstration that occurs in our society with how to do it properly and correctly so as not to stay away from legal religious laws. There are several views that say that demonstrations are an act that is not in accordance with the teachings of Islam or haram, but not a few also the Ulama who say that demonstrations are activities that are allowed if the things we are fighting for are the right things in law and Islam.

Demonstrations that occur are also an action taken by some people to convey their aspirations or also to advise their leaders who have done injustice. In this case, demonstrations have a rule that has been determined in accordance with the rules made in each region or country, which can have different views. In a region or country itself demonstrations are activities that are not allowed, this is because in the system or rules of the region demonstration activities are not in accordance with existing fatwas. But in Indonesia itself, demonstrations are activities that are allowed because demonstrations themselves are derivatives of democracy.

Although there are some scholars who disagree with the existence of demonstration activities, this is because demonstrations that occur in Indonesia are often accompanied by bad things such as anarchy or also by doing things that also harm certain parties when carrying out demonstration activities. The negative value or negative impact in demonstrations is what always makes demonstrations prohibited or haram according to scholars. In Islam itself, demonstration activities have never occurred even when the Prophet lived or called the jahiliyah era, the Prophet never carried out demonstrations. At that time the Prophet conveyed his opinion or the truth to an oppressive person or leader by advising or conveying the truth.

Freedom of expression in Indonesia is a right that humans have from birth, so there is no power that has the right and ability to revoke it. This is also reinforced in article 19 which reads: *"Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference, and to seek, receive and convey information and ideas through any media and regardless of boundaries"*. In Islam itself, expressing opinions is allowed as long as it does not conflict with the rules of Sharia. Expressing one's own opinion in Islam is useful to remind what is considered wrong and forbidden according to the norms of Islamic Sharia. The right to freedom of speech is also formulated based on the word of Allah in Surah An-Nisa verse 135 which reads:

¹¹ A Qatrunnada and M Ridwan, "Tinjauan Hukum Islam Dalam Menyikapi Aksi Demonstrasi," *Jurnal Indragiri Penelitian ...*, 2022.

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِمَا تَعْمَلُونَ خَبِيرًا﴾

“O you who believe! Be ye upholders of justice, bearing witness for the sake of Allah, even if it be against yourselves or your parents and relatives. If he (the accused) is rich or poor, Allah knows better. So do not follow your lusts to deviate from the truth. And if you twist your words or are reluctant to bear witness, then know that Allah is aware of all that you do.” (QS. An-Nisa' 4: Verse 135).

According to Kamali in the journal Muiz Tekah generally recognizes that freedom of expression in Islam is an extension and logical consequence of the freedom of religion that has been justified and upheld by the Shari'ah.¹² Therefore, those who are of the opinion that it is permissible to do so as long as it does not offend the honor and sanctity of the prophets, denigrate moral and ethical principles, break, damage, or weaken their faith.

Anarchism in Demonstrations

Anarchy, disorder, or chaos generally refers to a state without rules.¹³ In a negative context, anarchism can be defined as a belief that has no respect for law or structure, actively engaged in creating chaos by undermining the fabric of society. This view therefore encourages the use of individual acts of terrorism as a means to promote organizational and political agendas.¹⁴ Anarchism often comes in the form of demonstrations, including demonstrations by students.

Demonstrations are carried out with the intention of conveying aspirations and expressing views. Freedom of opinion and expression, which is a characteristic of a democratic state, is the right of every individual and is one of the rights guaranteed by the constitution of the Republic of Indonesia. In the context of an Islamic-based government, freedom of speech is considered a personal right that leads to individual interests and beliefs, which should not be revoked by the government or abandoned by individuals. It plays an important role in the mental and human condition of every person so that every individual who embraces Islam can fulfill their Islamic obligations.¹⁵

The language used by students to express their opinions as they carry out their movements and actions. They also use language as a way to channel their aspirations. Since freedom is the basis of a democratic state, the choice of demonstration is a natural act in a democratic society. Among these freedoms are freedom of religion, freedom of speech, and freedom to elect a president. Freedom is an essential component of democracy.¹⁶

DISCUSSION

¹² Abdul Muiz, *Hermeneutika Sebagai Pendekatan Alternatif Dalam Pembelajaran Tafsir Dan Ilmu Tafsir* (Jawa Tengah: PT. Nasya Expanding Management, 2023).

¹³ Rasyidin, “Anarkisme,” *Sistem Teknik Industri* 6, no. 3 (2005).

¹⁴ I Farhan, “Anarkisme Epistemologis Paul Karl Feyerabend Dan Relevansinya Dalam Membentuk Pandangan Moderasi Beragama,” *Analisis: Jurnal Studi Keislaman*, 2020.

¹⁵ Siti Tatmainul Qulub, “Batasan Kebebasan Berpendapat Dalam Menyampaikan Argumentasi Ilmiah Di Media Sosila Perspektif Hukum Islam,” *Al-Jinayah: Jurnal Hukum Pidana Islam* 4, no. 2 (2018).

¹⁶ S Rongiyati, “Surat Edaran Kapolri Tentang Ujaran Kebencian: Menjaga Kebebasan Berpendapat Dan Harmonisasi Kemajemukan,” *Info Singkat*, 2015.

Through the results of research by distributing questionnaires with 31 respondents where the respondents were students, 29% of the respondents had participated in demonstration activities.

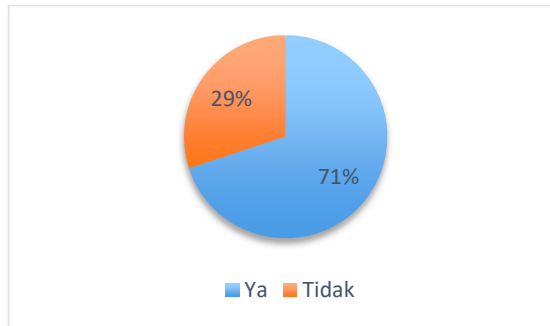


Figure 1. Graph of Respondents Regarding Demonstration Activities

From the statement that we must continue to obey the leader even though he is tyrannical. As many as 94% of respondents disagreed and as many as 6% of respondents agreed.

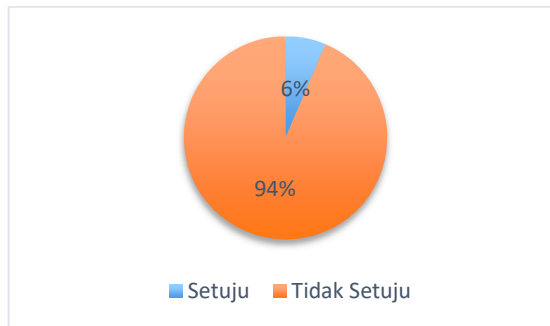


Figure 2: Graph of Respondents About Oppressive Leaders

Of the 29% of respondents who had participated in demonstration activities, 90% conducted non-violent demonstrations.

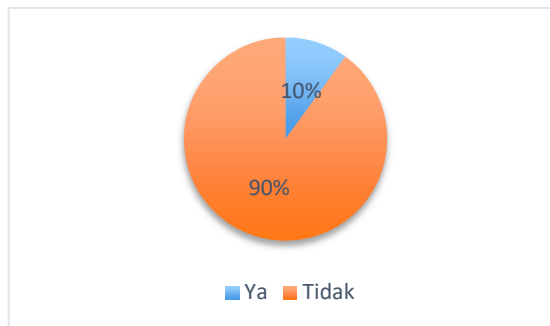


Figure 3: Violent Demonstration Graph

Based on the question whether the demonstrations that have occurred to date have been appropriate to show the aspirations to be conveyed. A total of 65% of 31 respondents answered that it was appropriate to show the aspirations to be conveyed.

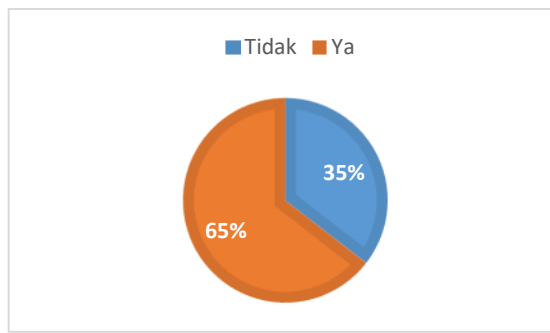


Figure 2: Graph on Demonstration Aspirations

CONCLUSION

Based on the results of the research that the author has done and the data that has been collected, it can be concluded that demonstrations in Indonesia itself are one of the communication tools between the community and the government. Therefore, demonstrations are activities that are allowed in Indonesia if the things that want to be conveyed are the truth and when carrying out demonstrations are not accompanied by acts of destruction and do not also harm another group. In Islam itself, demonstrations are very similar to the activity of addressing the truth or advice to a leader. The right to freedom of speech is a deep value in Islamic teachings. Islam itself grants the right to freedom of speech to every individual or group to voice their opinions, both in social and political contexts, as long as it does not oppose Islamic Sharia, and is done with good intentions.

In Islam, democracy can be used as a tool to do Amar Ma'ruf Nahi Munkar to the leaders or government. However, of course, without anarchism and violence. There must be procedures to determine the management of actions when conducting demonstrations.

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