

## DEMOCRACY, ISLAM, AND RELIGIOUS FREEDOM IN INDONESIA: A SHORT POLITICAL AND RELIGION HISTORY

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**Abstract:** Indonesia, even though state gives a concession on moderate on religious matter, the phenomena shows that the radical Islamic group tries to intervene religious matter in Indonesia. Thus it might dangerous to manage the diversity that becomes national emblem. In this paper, I argue that democratic society should regulate and control religious activity. I have two reasons about it. My reasons are based on Indonesian experiences. First, the democratic society prevents activities of a majority religion that contain radical political activities and tried to force their values to other citizens.. The Second is the democratic society has a strong idea to protect minority and their religions.

**Keywords:** democracy, islam, religious freedom, history

**Abstrak:** Indonesia, meskipun negara memiliki konsesi moderat tentang masalah agama, fenomena menunjukkan bahwa kelompok Islam radikal mencoba untuk mengintervensi urusan agama di Indonesia. Oleh karena itu, hal ini bisa berbahaya untuk mengelola keragaman di Indonesia. Dalam tulisan ini, saya berpendapat bahwa masyarakat demokratis harus mengatur dan mengontrol kegiatan keagamaan. Saya punya dua alasan tentang hal itu. Alasan saya didasarkan pada pengalaman Indonesia. Pertama, masyarakat demokratis dapat mencegah kegiatan keagamaan dari politik radikal yang mencoba untuk memaksa nilai-nilai mereka kepada warga lainnya. Kedua adalah masyarakat demokratis memiliki gagasan yang kuat untuk melindungi minoritas dan agama mereka.

**Kata kunci:** demokrasi, islam, kebebasan beragama, sejarah

### Preface

In this paper, I argue that democratic society should regulate and control religious activity. I have two reasons about it. My reasons are based on Indonesian experiences. First, the democratic society prevents activities of a majority religion that contain radical political activities and tried to force their values to other citizens. In Indonesia, in the past, a majority religion, Islam, had been interpreted to become a strong ideology. Some important elements in Islamic political elites had tried politically to manifest Islam becoming a basis of the Republic. These elements were very active promoting Islam as a state ideology in public space and parliament. There was also a small but strong Islamic military band which fights and opposes the Republic. They wanted to found the Islamic Indonesia State. However, the nationalist regime refused, rejected and repudiated the idea of Islamic state. They have strongly supported and maintained *Pancasila* as the state ideology. Then, the late 1960s, the national military defeated the radical Muslim rebellion.

However, the state gives a concession to moderate Muslim by founding the Ministry of Religious Affairs. In this ministry, the state also gives a space for minority religions. There are special sections and general directories for each minority religions. However, it must be noted that the tasks of this ministry is limited to only administrative matters for Muslim citizens. These

matters are such as marriage, divorce, and pilgrimage to Mecca and Islamic educations for Islamic citizens.

The Second is the democratic society has a strong idea to protect minority and their religions. However, even though Indonesia is a democratic state and there has been freedom of religion politically and legally, the state still has a difficult position in protecting minority religions. It is because some factions in Islamic society often suspects to minority religions. Even they attack the minority religions because the latter is accused have been spreading their faith or have been built a church in Muslims communities. However, there is democrat Muslims in Indonesia who strongly support democracy and religious freedom. They also defense the human rights of minority societies and their religion.

### **Democracy and Religion: A General Overview**

The United State in the nineteenth century was a good example in which religion has good relationship with state. In the United Sates, religion became a basis of democracy. As we know, the early history of the United State was also the history of religious freedom. In nineteenth century, the Protestant Americans were successful in developing democracy of society and government<sup>1</sup>.

Alexis De Tocqueville based on his research argued that in the United States religion had no direct role in government.<sup>2</sup> However, it must be noted, religion was the most important political institution in the country. Although religion did not teach about freedom, at least it provides the operation of the free institutions.<sup>3</sup> He stressed that American regards that their religion could cot be separated from republic's institution. All American hold this point of view. For example, in the United State if a politician condemned a religious sect, it was not an obstacle for a follower of the sect to choose him in an election.<sup>4</sup> But, if the politician condemned all religious sects, all people would leave him. He would be expelled. Alexis de Tocqueville concluded that separation of church and state did not take religion out of public life.<sup>5</sup>

Robert Hefner also argues that in the United State, religion is not directed to the isolated spaces. However, religion is directed to a civil sphere such as voluntary association and public debates. The result is not religion's decline but an extraordinary efflorescence characterized by vigorous competition and continual public argument. Indeed, religion in America was pluralized and contested. But, it must be noted that religion is not reduced to the purely private.

However, it must be noted that democracy in the United States at the time was not sophisticated. It has some weaknesses that strongly related with the political system. For a long time, there was discrimination against minorities. Even though the slavery was demolished by President Lincoln in the middle of the nineteenth century, later years there was still much discrimination for black people in all aspects both politic and economy. There was also discrimination against Catholic people in political and social life. It is because even though Protestant is not a state religion but Protestant has enjoyed its position as the cultural religion in the country. So, it is not surprising that some elements in American Protestant had strongly suspicious

<sup>1</sup> John Stone and Stephen Mennel, *Alexis De Toqquville, Tentang Revolusi, Demokrasi, dan Masyarakat*, Jakarta: Yayasan Obor Indonesia, 2005

<sup>2</sup>.Ibid

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> It must be considered that much of the inspiration for civil society originated in Alexis de Tocqueville's famous nineteenth-century study *Democracy in America*. De Tocqueville regarded intermediary associations as vital healthy democracy. Fascinated by American's ability to develop democratic institutions compared to the French ability to do so, de Tocqueville argued that the key differences was that American had carried to the highest perfection the civic habit of common effort in organizations independent of the state. In attempting to explain this peculiar American ability, de Tocqueville highlighted the role of churches and small town government. These institutions draw Americans out from the confines of their private lives into public project where they learn habits of the heart conducive to a democratic good. Robert Hefner, *Civil Islam: Muslims and Democratization in Indonesia*, New Jersey: Princeton University Press, page 23

to the Catholic. The anti-Catholic did not finish until a Catholic citizen, J.F. Kennedy, became the President of the United States. However, it must be considered that the state also banned and prohibited the new religious movements in which their religious values disturbed the political power and public life.<sup>6</sup>

As a Muslim, I prefer democratic state like the United State I mention above rather than theocratic state. I agree with Abdullahi an-Na'im, a Sudanese Islamic intellectual, who refuses the Islamic state.<sup>7</sup> I also agree with Abdurrahman Wahid, the ex-prominent leader of *Nahdlatul Ulama*, the great Islamic Organization in Indonesia, who has consistently supported the democratic state in Indonesia.<sup>8</sup> It is because at the present time, democracy is still the best way to rule the society.

In a democratic state, there are strong notions of equality. It is particularly on human rights and freedom of religion. All citizens are not considered based on ethnicity and religion. All Citizens are equal before the basic laws.

In democratic state freedom of religion is truly important. It includes freedom for every citizen to conduct his/her faith and religion, freedom for religions to seek new adherents, freedom for every citizen to question or doubt his or her faith and religion, freedom for a citizen to convert his or her religion, and freedom to become an atheist.<sup>9</sup>

However, it must be noted that freedom of religion in a democratic state depends on the laws. The freedom of religion has to not opposite with values and laws in a democratic state. It means the freedom of religion should not try to destroy a democratic society. Actually, the concept of human rights in each democratic state, even in Western countries, is not the same. For example, in France the state prohibit all students in schools, colleges, and universities to wear religious symbol. Because the secularism is the basic ideology of the state, the France government has banned Muslim women wearing head scarf in government institutions such as schools and universities. However, in the United States, the government gives permission for Muslim women to wear the head scarf.

The freedom of religion in Indonesia stated in its basic law 1945 article 29. It is said "*the state guarantee for every citizen to embrace a religion and to conduct the worship according to his or her faith and religion*". But, the problem is the state has own explanation of the definition of religion. Religion according to the state, I mean the government of Indonesia, is a systematic faith based on a Holy Book and it has a prophet or leader. It means that religion has obvious and clear teachings. So, it is not surprising that the state only recognizes the great religions these are Islam, Christian, Hindu and Buddhist and later Confucian.<sup>10</sup> The state does not recognize atheism and native religions such as native religion of Batak, Dayak and Papua. So, it is not surprising that freedom of religion in Indonesia, even though at the present this country is a democratic state, is still not total. Moreover, in the past, some Muslim groups felt that the religious freedom in Indonesia is unfair. It is because the government did not give a special treatment for Muslims as a

<sup>6</sup> Derek.H. Davis and Barry Hankins (ed.), *New Religious Movements and Religious Liberty in America*, second edition, Waco: Baylor University Press, 2003. p. 1-7

<sup>7</sup> Abdullahi an-Naim, *Islam and the Secular State*, Massachusetts: Harvard University Press, 2008

<sup>8</sup> Abdurrahman Wahid, "Demokrasi dan Agama" in *Islam Kosmopolitan: Nilai-nilai Indonesia & Transformasi Kebudayaan*, Jakarta: The Wahid Institute, 2007.p. 285

<sup>9</sup> Will Kymlica, *Kewarganegaraan Multikultural: Teori Liberal Hak-hak Minoritas*, Jakarta; LP3ES, 2002. p. 122. On the contrary, religions tend to find the difference based on faith. It is because since beginning, all religions have uniqueness. The uniqueness of religions must be subjugated if there is a request that religion can sustain democracy. In short, in democracy, if a citizen or a group of citizens do not agree to a political policy because the policy is not good enough for their faith and religion, they have to give some argumentations rationally in the public space such as in mass media and parliament.<sup>9</sup> At least, they have to discuss it in the public space. So, in this case, people whose strong religious conviction must obey to the rule of a democratic society.

<sup>10</sup> The state has recognized Confucian after Abdurrahman Wahid, a Muslim Democrat and defender of freedom of religion and democracy and human rights of minorities became President. Since 1990s, he has defended Confucian as a religion in Indonesia.

majority. It means that even though Muslims Indonesia is a majority but some Muslims groups still feel that as if they are a minority. That is one of difficult problems of freedom of religion in Indonesia.

### State and Religion in Indonesia

Indonesia declared its independence on August 17, 1945. At the time the neat union between nationalist groups and Islam factions had been shattered. Politics and religion in Indonesia had been pluralized.<sup>11</sup> It is true that founding fathers of the Republic agree to apply democracy and freedom of religion. Unfortunately, religious freedom was disturbed by the discussing about whether Islam becoming the state basis or not was difficult, hard, and factious. Some radical Muslims even accuse that the state is unfair in applying the religious freedom because Islam as a majority do not get a special treatment.

Indeed, there is contradiction of relationship between state and Islam. There are two kind relationships between state and religion, I mean Islam, in Indonesia. The first is the antagonistic relationship.<sup>12</sup> In this relationship, there is a strained situation or tension between state and religion. In 1950s, the existence of Islam as a political power once regarded as the opponent of the Indonesian nationalism or national foundation.<sup>13</sup> This perception caused an implication the state wanted to obstruct and tried to tame Islam as a political power. In this era, Muslim factions had a great courage of Islam as an ideology.<sup>14</sup> They formulated and spread it in all public space. There were many attempts to create synthesis between Islam and State. In this era, Islamic political themes were tending and directing to ideologies and symbols.

Muslim factions felt that they had to get a great deal of political positions because Islam is a majority religion in Indonesia. Muslim factions wanted to put Islam as a foundation of the Republic. The background of this position was for a long time, Muslims as a political force had been oppressed by the Dutch Colonial. In this era, there were strong notions of Islamic State in the all Indonesian Muslims. So, it was not surprising that some radical Muslim factions in this country in this time wanted to manifest their aspiration to found the Islamic state in Indonesia. It must be considered that there was a strong military rebellion of the Indonesia Islamic State lead by Kartosuwirjo in 1950s until the early of 1960s.<sup>15</sup> The rebel ruled the some territories in West Java.<sup>16</sup> Moreover, that some provinces particularly the military leader in Aceh, Kalimantan, and South Sulawesi joined with Kartosuwirjo.<sup>17</sup> Then, the national army, as a strong supporter, and also a political force and an important element of the Republic, defeated and destroyed the rebellion. And, it must be noted, most of traditionalist Muslims preferred to loyal to the Republic and did not supported them.<sup>18</sup>

Moreover, in the national election 1955 the Islam group failed to get a majority vote. It is because there were many Islamic parties.<sup>19</sup> In short, Islam as a political party was not a single strong group. However, Masjumi, one of big Islamic party was still consistent to voice Islam as the foundation Constituent Assembly. This position caused the deadlock in a meeting of the Constituent Assembly when discussing of the foundation of Indonesia. The nationalist, communist, and

<sup>11</sup> TIM ECCE UIN Jakarta, *Pendidikan Kewarganegaraan: Demokrasi, Hak Asasi Manusia, dan Masyarakat Madani*, Jakarta: ICCE UIN, 2003.p . 65

<sup>13</sup> Ibid.,p.65

<sup>14</sup> Ibid., p. 65

<sup>15</sup> Herbet Feith, *the Decline of Constitutional Democracy in Indonesia*, Ithaca: New York Cornell University Press, 1962

<sup>16</sup> Ibid.

<sup>17</sup> S.Subardi, "Islam in Indonesia", *Prisma*,7, Jakarta: LP3ES, 1978. p.65-80

<sup>18</sup> To view the historical nationalisms of the traditionalist Muslim in Indonesia, see, Andrée Feillard, *NU vis-à-vis Negara: Pencarian Isi, Bentuk, dan Makna*, Yogyakarta: LKiS, 1999.

<sup>19</sup> Herbet Feith. 1962: p. 434

Christian groups refused Islam as the foundation of the Republic. They strongly supported *Pancasila* as the foundation. So, it was decided by the Assembly to conduct a voting about it. The Islamic parties were lost in this voting. The supporter of Islam as the foundation of state got 201 votes whereas the supporter of *Pancasila* was 265 votes. In other words, all attempts of Islamic political and military leaders to found Islam as an ideology and the Islamic State were failed. In short, all attempts of Islamic political leaders to found Islam as an ideology and the Islamic State was a sad story. It can be said that it is truly a story of fiasco. The impact of these political attempts is the state often suspects Islamic political factions even until now.<sup>20</sup>

However there is an accommodative relationship between state and Islam. The existence of the ministry of Religious Affairs is the excellent proof of this relationship. There was a strong historical background of this department. It must be noted that in Java, the collaboration between the ruler and Islamic scholars/leaders has been occurred for a long time. The collaboration has been occurred since Islamic Mataram Kingdom in which there was a great Mosque and a small Islamic village called *Kauman* near the kraton or palace.<sup>21</sup>

The ministry of Religious Affairs is a kind of compromising to *kaum santri*. It is because the nationalist groups wanted *Pancasila* and did not Islam as a state ideology so since 1946 they accepted the existence of this ministry.<sup>22</sup> It can be said that in all time of Soekarno's regime, the follower of (Nahdlatul Ulama, NU), a traditionalist Muslims, ruled this department.<sup>23</sup> Of course, each religious minority, Protestant, Catholic, Hindu and Buddha, has a special section and general director in this ministry.<sup>24</sup> However, Islam has a big position in this ministry. *Kiais*, Islamic scholars and leaders, used this ministry to enforce their networks. They appointed most of their pupils and followers as a state employer. This ministry conducts religious matters particularly in Islam. This ministry decreed the day of Ramadan and all Islamic festivities. This department also conducts officially the marriage and the pilgrimage to Mecca for Islamic citizens.<sup>25</sup> Moreover, this department also supervises all Islamic religious courts and all Islamic state institutes in Indonesia.<sup>26</sup> In short, this ministry conducts especially the administrative matters for all Islamic citizens in Indonesia. However, it must be noted that this ministry is not an Islamic political institution but an Islamic official bureau under the Republic.<sup>27</sup>

### **Muslim Democrat in Indonesia**

Discussing about civil society<sup>28</sup> and freedom of religion in Indonesia, I agree with Robert Hefner's argumentation that Islam as a cultural force can develop and enforce a strong democratic

<sup>20</sup> TIM ECCE UIN Jakarta, *Pendidikan Kewarganegaraan: Demokrasi, Hak Asasi Manusia, dan Masyarakat Madani*, Jakarta: ICCE UIN, 2003.p . 65

<sup>21</sup> Denys Lombard, *Nusa Jawa: Silang Budaya, Jaringan Asia 2*, Jakarta: PT Gramedia. P.139

<sup>22</sup> Ibid. p. 139

<sup>23</sup> Ibid. p.139

<sup>24</sup> Ibid.p.139

<sup>25</sup> Ibid. 139

<sup>26</sup> Ibid. 140

<sup>27</sup> Actually, the existence of this ministry, it means that the intervention of the state to Islam or Muslim is limited to administrative affairs, religious infrastructure like mosques and the appointment of religious teachers in all state schools in Indonesia. It is totally not related to worship and religion teaching. Jazim Hamidi dan M. Husnu Abadi, *Intervensi Negara Terhadap Agama, Studi konvergensi Atas Politik Aliran Keagamaan dan Reposisi Peradilan Agama di Indonesia*, Yogyakarta: UII Press, 2001, p. 12-13

<sup>28</sup> The concept civil society means widely differing things in different theoretical traditions. In its most common usage in the 1990s, however, the notion refers to the clubs, religious organizations, business group, labor unions, human rights group, and other associations located between the household and the state and organized on the basis of voluntarism and mutuality. The idea here is that for formal democratic institutions to work, citizens have first to acquire the habit of participating in local voluntary associations. It is through such networks of civil engagement, "one hears said, that citizens learn the habits of participation and initiative later generalized to the whole of political society. Robert Hefner, p.23

<sup>28</sup> Robert Hefner, *Civil Islam: Muslim and Democratization in Indonesia*, New Jersey: Princeton University Press, p. 13

society.<sup>29</sup> Muslim society in Indonesia has been blessed with an abundance of civic resources. Muslim learned long ago to live with ethnic and regional diversity. They showed skepticism toward the all-controlling state. These cultural precedents might well have served as a raw material for Muslim political reformation.<sup>30</sup> Moreover, it must be considered that Muslim democrat in Indonesia tend to be civil democratic or Tocquevillian.<sup>31</sup> They deny the need for an Islamic state. But they insist that society involves more than autonomous individual and democracy more than markets and the state.

Democracy requires a non coercive culture that encourages citizens to respect the rights of others as well as to cherish their own. This public culture depends on mediating institutions in which citizens develop habits of free speech, participation, and toleration. In all this, there is nothing undemocratic about Muslim voluntary associations playing a role in the public life of civil society as well as in personal ethics.<sup>32</sup>

In last part of this paper, let me present a short story of a prominent Indonesian Muslim Democrat. He is Abdurrahman Wahid, the ex-President of the Republic. He has been consistently outspoken on his defense of Indonesian Chinese and Indonesian Christian, both Protestant and Catholic.<sup>33</sup>

In October 1990, whereas most of Muslims wanted Arswendo, the Catholic editor of *Monitor*, be punished, Abdurrahman Wahid spoke out defense him. At the time, *Monitor* had run an opinion poll asking readers to indicate who they felt to be the most important men who had ever lived. Perhaps it was not surprising that President Soeharto polled number one. However, what was concern to Muslim was that the Prophet Muhammad came in at number eleven. He was behind the president also with Arswendo, the Catholic editor of *Monitor*. The provocative poll increase highly circulation for *Monitor*. Arswendo initially regarded it as a marketing triumph. He quickly revised this opinion when an angry mob turned up at the office of the Monitor, stoned the windows and called for Arswendo's arrest. Arswendo was subsequently charged, taken to court and sentenced to five year's jail. Harmoko, Minister for Information and one of Soeharto's most sycophantic loyalists withdrew *Monitor*'s license to publish. Neither the unrestrained mob nor the hefty jail sentence for Arswendi would have occurred without Soeharto's express approval.<sup>34</sup>

In this case, Abdurrahman Wahid wrote that Arswendo was wrong in running his poll. But, Abdurrahman Wahid said, the appropriate response was not to jail him, but simply to boycott his magazine. He said if Indonesian was serious about free speech it was difficult to put forward a compelling argument for the jailing of a magazine editor for what appeared to have been essentially a non malicious error of judgment, albeit an irresponsible and indulgent one.

In 1990s, Abdurrahman Wahid opposed the Organization of Indonesian Muslim Intellectual (Ikatan Cendekiawan Muslim Indonesia, ICMI). This organization was supported by the Suharto. Abdurrahman Wahid knew that the majority of ICMI's members are good people. He took his hat off to them for their aspirations.<sup>35</sup> However, He did not worry to its moderate intellectuals and activist or its Habibie technocrats or its regimes opportunities. Rather, He worried to the small but significant core of radical Islamist in ICMI. After decades of antagonism, Soeharto, was finally holding out an olive branch to radical Islamist.<sup>36</sup> Abdurrahman Wahid used to criticize publicly that

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<sup>28</sup> Ibid

<sup>29</sup> Ibid

<sup>30</sup> Ibid p. 25

<sup>31</sup> Ibid p.13

<sup>32</sup> Ibid p 13

<sup>33</sup> Greg Berton, *Abdurrahman Wahid: Muslim Democrat, Indonesian President: A view from inside*, New South Wales: University of New South Wales Press, 2002, p. 177

<sup>34</sup> Ibid. 181

<sup>35</sup> Ibid. 183

<sup>36</sup> Ibid. p.183

ICMI was a sectarian organization in mass media and in all his speech in his followers in rural areas.

Early 1991 Abdurrahman and some friends concerned about the rising of sectarianism. They decided to form an organization to defend pluralism and democracy. So, forty five intellectuals drawn from across the religious and social communities of Indonesia launched an organization called *Forum Demokrasi*.<sup>37</sup> The group chose Abdurrahman as its leader and a spokesman. It is because they calculated that his prominence and influence would draw attention to the small group. The attention then gives it credibility. It is also because his mass base in NU made it difficult for the government to silence him. The *Forum Demokrasi* intellectuals were careful to point out that they were not campaigning on a party-political basis, nor did they expect to influence the political processes. Rather Abdurrahman explained, *Forum Demokrasi* was established to provide a countervailing force to institutions such as ICMI which were encouraging sectarian thinking. *Forum Demokrasi* was campaigning against the political exploitation of sectarian sentiment.<sup>38</sup> In fact, the core of the problem is the lack of democracy and freedom.

However, *Forum Demokrasi* was only a small organization. Most of its members were not prominent figures. Few of them were from NU, few from them were Muslims. Many of them were Catholic and Protestant and some had socialist activist backgrounds. Two of the key figures were Marsillam Simanjuntak, an outspoken social activist and Bondan Gunawan, an *abangan* Javanese also active in civil society. Abdurrahman Wahid always enjoyed a wide circle of friends drawn from across religious communities and intellectual circles. His association with *Forum Demokrasi* and its eclectic membership was deliberate. He wanted to convey the message that there were other bases apart from religion and ethnicity on which to organize politically.<sup>39</sup>

In 1994, more controversy erupted because Abdurrahman Wahid had been chosen to become an international president of the World Conference on Religion and Peace based in New York.<sup>40</sup> This appointment received surprisingly wide coverage in the Indonesian Press. Many people were openly critical of his association with such an organization. The news, that Abdurrahman's interest in inter-faith dialogue, caused unabated throughout his tenure as a head of NU. In the late 1980s and early 1990s he sought out opportunities for exchange between Indonesia's faith communities and leaders of religious communities around the world. He saw these exchanges as part of the process of educating Indonesian society about modernity and democracy. It is also part of his mission as leader of NU to set an example of how Muslim society should develop. He was proud that Islam in Indonesia was more liberal and tolerant than many other expressions of Islam around the world.<sup>41</sup>

## Conclusion

Honestly, I am, as a Muslim, do not agree with Islamic state in Indonesia. I support the democracy in Indonesia because democracy gives some notions of a religious freedom and for all citizens even though the state does not complete. I agree with the religious freedom. Actually, I agree with Abdullahi An-Na'im and Abdurrahman Wahid that in democracy and secular state, Muslims can manifest, practice and perform the Muhammad's teachings. Muslims can become a good and pious Muslims in a democratic society. However, in Indonesia democratic society still has a problem on religious freedom because Muslims as a majority often require special treatments. In my opinion this argument is not appropriate with the notion of democracy. Conversely, it must be noted that in Indonesia at the present there are many democratic Muslims who strongly support the democracy and religious freedom and the equality for minorities and their religions.

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<sup>37</sup> Ibid. p.184

<sup>38</sup> Ibid.p.184

<sup>39</sup> Ibid. p.185

<sup>40</sup> Ibid.p.197

<sup>41</sup> Ibid. p. 198

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