

Indigenous Religions and the Impacts of Biased Politics of Citizenship in Indonesia

Iqbal Hasanuddin¹ and Petrus Lakonawa²

¹Character Building Development Center, Accounting Department, Faculty of Economics & Communication, Bina Nusantara University, Jakarta, Indonesia 11480

²Character Building Development Center, Computer Science Department, School of Computer Science, Bina Nusantara University, Jakarta, Indonesia 11480

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Abstract: This article presents the negative impacts of the politics of citizenship, based merely on the sake of major religions, made by the government of Indonesia on indigenous religions such as Sedulur Singkep in Central Java, Sunda Wiwitan in West Java, and Tanah Toa Kajang in South Celebes. It uses literature study method on the state policies that have discriminated indigenous religions and their believers. This article shows that there are several governmental regulations that violate indigenous people's civil and political rights. In turn, such regulations also break their economic, social and cultural rights. These regulations pave the ways for the religious majority groups, especially Islam and Christianity, to discriminate and even persecute the local, indigenous and minority religions. In conclusion, this article argues that the government is indeed responsible for this inequality that is discriminatory towards the local religious adherents and their communities of faith.

1 INTRODUCTION

The civil rights of indigenous religious believers in Indonesia have been long violated by structured, systematic and massive discriminations of religious-based civic policies in Indonesia. This is contradictory to the ideals of Pancasila as a state philosophy of Indonesia which affirms the importance of social justice for all Indonesian people. Local religious believers are also part of the Indonesian people that should be treated equally. However, they still do not get social justice in terms of proper recognition of their religious freedom unlike the experience of the followers of Islam, Christianity, Catholicism, Hinduism, Buddhism and Confucianism (Maarif, 2017). In this article, what is meant by the term indigenous or commonly known in Indonesia as local religion is a belief shared by Indonesians long before the entry of major world religions such as Islam, Christianity, Catholicism, Hinduism or Buddhism (Sudarto, 2016). The local religion is often referred to as the ancestral religion because it is a belief inherited by the ancestors of the people in the archipelago (Maarif, 2017). When the world's major religions came into the archipelago,

the local religions remained and were still embraced by so many people in almost all parts of Indonesia. Among them are Parmalin (North Sumatra), Sunda Wiwitan (West Java), Sapta Dharma (in various areas in Java), Dayak Pitap (South Kalimantan), Amatoa Kajang (South Sulawesi) and many more (Budiman, 2005). In relation to local religions and citizenship policy in Indonesia, there are three significant works. *First*, Eric Hiarej & Kristian Stokke's *Politics of Citizenship in Indonesia* (Hiarej & Stokke, 2017). This book is a collection of some important writings about the social movements which aim at promoting equality among citizens in Indonesia. Among these are women's movements and urban poor movements, however, this book does not address the existence of local religious adherents at all. *Second*, a monograph on local religions: Sudarto, *Religionisasi Indonesia: Sejarah Perjumpaan Agama Lokal dan Agama Pendetang* (2016); and *third*, Samsul Maarif, *Pasang Surut Rekognisi Agama Lelehuur dalam Politik Agama di Indonesia* (2017). The latter two books carefully review all matters relating to local religions. However, these books do not touch any issue regarding the politics of citizenship. This article

seeks to integrate the two approaches used in those three works: 'the politics of citizenship' and 'its impact on the indigenous religions and believers'. With regards to the information about to local religious adherents in Indonesia, the work of Sudarto and Maarif provide a very adequate material. Meanwhile, for the framework of political analysis of citizenship in Indonesia, the work of Eric Hiarej and Kristian Stokke (eds.) provides a very important and deep insight. Based on these three works, this article tries to explain the issues of local religion in the perspective of citizenship policy in Indonesia.

2 PROBLEM STATEMENT

The problem to be answered in this article is: how does citizenship policy affect the lives of indigenous or local religious adherents in Indonesia? To this end, this article will show that religious-based civic policies in Indonesia have negatively affected the life of local religious adherents in the form of discrimination and violation against their human rights as equal citizens in Indonesia.

3 THE METHOD

The method used here is a literature study. Therefore, this article will analyze legal products which are related to local religions and their believers with an emphasis on the dimension of citizenship. Furthermore, with secondary sources, it will also analyze the negative impacts of government policies and regulations on the life of local religious communities and individuals. It is worth noting that the cases described here are only examples of what has happened so far in Indonesia.

4 CITIZENSHIP POLICY DURING COLONIAL ERA

Politics of citizenship which is based on religion actually has started ever since Indonesia declared its independence in 1945. Yet, it had started even before! During the reign of the Dutch East Indies and Japanese occupation in Indonesia, citizenship was formulated in such a way that it was based on the interest of powerful religions in the society. Within that long historical range, religious-based civic policies have experienced ups and downs, as

well as different impacts for local religious adherents or ancestral religions in each era.

During the Dutch East Indies colonization, the government made a segregation of citizens based on its cultural orientation: Islam versus Local Custom (*Adat*). For the colonial government at that time, Islamic groups, especially militant Islam, were seen as a threat to the government. They, especially militant Islamic groups, were perceived as rebellious who tended to oppose government policies. On the contrary, citizens oriented to indigenous, local or ancestral religions were considered not as threats. These last groups were called the *Adat* groups (Suminto, 1985).

In relation to that, the Dutch East Indies government undertook an "ethical policy" in order to promote the culture of the people in their colonies, including in Indonesia. Of course, the group that became the target of this policy is the *Adat* groups. Therefore, these groups were considered by the government as a party to be engaged with, not as a threat, and far from being considered as rebellions. Therefore, these Indigenous people during those times benefited from the opportunity to acquire a modern European-style education. In contrast, Islamic groups were not only deprived of the opportunity to enjoy education but also remained closely supervised (Maarif, 2017). In turn, the civic policy that distinguished Islam and the Indigenous people have created considerable polarization in society. In particular, Muslims regarded the adherents of the local religions as traitors and as Dutch colonialist henchmen. In the meantime, although the government considered the *Adat* Politics of citizenship which is based on religion actually has started ever since Indonesia declared its independence in 1945. Yet, it had started even before! During the reign of the Dutch East Indies and Japanese occupation in Indonesia, citizenship was formulated in such a way that it was based on the interest of powerful religions in the society. Within that long historical range, religious-based civic policies have experienced ups and downs, as well as different impacts for local religious adherents or ancestral religions in each era.

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In turn, the civic policy that distinguished Islam and the Indigenous people have created considerable polarization in society. In particular, Muslims regarded the adherents of the local religions as traitors and as Dutch colonialist henchmen. In the meantime, although the government considered the *Adat* people as a fine group of citizens, they seemed to consider their cultural and religious beliefs as pagans, uncivilized and uneducated. Therefore, ethical politics not only introduced modern education to them, but the colonial government also introduced Christianity as an alternative to the beliefs and practices of the local religions (Maarif, 2017).

In the days of the Japanese Occupation, the situation reversed. Japan made the Islamic group the main ally against the Dutch. In this period, emerging government policies seemed to side with the Muslim groups. Among these is the establishment of the Office of Religious Affairs or *Kantor Urusan Agama (KUA)* and Indonesia Muslimin Syuro Conference or *Majelis Syuro Muslimin Indonesia (MASYUMI)*. Meanwhile, local religious adherents did not benefit significantly during the Japanese occupation (Boland, 1985).

5 CITIZENSHIP POLICY OF THE OLD ORDER

Not long after the defeat of Japan by the Allies in August 1945, prominent figures of the Indonesian independence movement were preparing to establish a new independent state. They started to make the design of the nation building. It is at this time that a serious polarization between Islamic groups and

local religious groups was pushing back. Now, the term used to call both groups was the *Santri* and the *Abangan*. The *Santri* group wanted that the new state should be founded on Islamic law, while the *Abangan* group opposed it. Soekarno and Hatta, then, broke through with the idea of Pancasila to bridge the debate between these two main aspirations.

Within the framework of *Pancasila*, the *Santri* and the *Abangan* have their places. Though failed to make Islam as the foundation of an independent Indonesian state, the *Santri* have established a special legal position in the 1945 Constitution, especially in Chapter 29 of the constitution. Through this chapter, the *Santri* group called on the state to provide special services to religious groups 'as a kind of compensation for denying the idea of an Islamic state that they proposed'. In the meantime, to protect its existence, the *Abangan* consolidate their civic position in the constitution through the term 'belief'. Therefore, the 1945 Constitution seems to raise the term religion and belief so as to give space for both social groups (Maarif, 2017).

Later, during the Old Order, one of the major events that strengthened the religious civic policy was the establishment of the Ministry of Religious Affairs (*Departemen Agama*) on January 3, 1946. The Ministry of Religious Affairs was at the request of the Islamic group. In its development, it is used to serve Islamic groups' interests while restricting *Abangan* group's movements. This can be seen, for example, from the fact that shortly after the establishment of the Ministry of Religious Affairs, the Law No.22 of 1946 on Marriage, Divorce and Reconciliation was promulgated. This law obviously showed that the Ministry of Religious Affairs mainly serves Islamic groups' sake. For marriage affairs, divorce and reconciliation, Muslims in Indonesia must come to the Ministry of Religious Affairs instead of to the Civil Registry Office (Sudarto, 2016). In 1952, the Ministry of Religious Affairs defined what is called religion. According to its definition, religion must have three elements, namely: prophets, scriptures and international recognition. Of course, this definition very clearly excluded the beliefs of local indigenous believers. Therefore, local religions could not meet the three religious requirements proposed by the Ministry of Religious Affairs. Through this definition, local religions lost the opportunity to become a religion and get the same service from the state. Moreover, this definition also implies that local religious adherents are regarded as non-religious. Therefore,

the Islamic group and other major religions were given the chance and rights to convert them.

Then, in 1953, the Ministry of Religious Affairs established an institute to supervise the movement of local religions which is called *Pengawas Aliran Kepercayaan Masyarakat (PAKEM)*. This institute aimed at overseeing the existence of local religious adherents who are now referred to as adherents of spirituality (*kebatinan*). In particular, this institute is tasked to ensure that these so-called the adherents of spirituality (*kebatinan*) are not consolidated so well that they cannot be transformed into new official religions in Indonesia.

In 1961, the *Pengawas Aliran Kepercayaan Masyarakat (PAKEM)* was strengthened through Law Number 1 in 1961 on Basic Provisions of the State Police and Law Number 15 in 1961 on Basic Provisions of the Attorney of the Republic of Indonesia. In general, both laws have assigned police and prosecutors to oversee the adherents of local religions that endanger society and the state. With this also, the task to monitor local religious adherents was transferred from the Ministry of Religious Affairs to the Attorney General. With this mandate, the Attorney of the Republic of Indonesia issued a Circular Letter No.34/Pakem /1961 dated 7 April 1961 which contains the order to establish *Pengawas Aliran Kepercayaan Masyarakat (PAKEM)* in every province and district throughout Indonesia.

In 1965, the Law No.1/PNPS/1965 on Desecration and Religious Abuse was published. This law generally affirmed the country's recognition of six religions: Islam, Christianity, Catholicism, Hinduism, and Buddhism. The recognition of the existence of these religions is also followed by their rights to obtain services from the state. In addition, this law also recognized the existence of other religions, but the state is not obliged to provide services to them. Among these religions are Judaism, Zoroastrianism, Shinto, and Taoism. Finally, this law clearly states that indigenous religions are not religion, they are even considered as contradicting formal religions and judged as threats against the state and public order.

6 CITIZENSHIP POLICY OF THE NEW ORDER

Furthermore, during the New Order period, the People's Consultative Assembly or *Majelis Permusyawaratan Rakyat (MPR)* issued a Decree

No.IV/1978 which contains the recognition of the five religions and the assertion that the local religion is not a religion. The official religions which are recognized by the state are Islam, Christianity, Catholicism, Hinduism, and Buddhism. In addition, every citizen is required to choose and embrace one of the five religions. On the basis of that, the state also requires all adherents of local religions to embrace one of the five religions.

In order to ensure the conversion of local religious adherents to the five official religions, the government encouraged the Ministry of Education and Culture to establish the *Direktorat Bina Hayat Kepercayaan (BHK)* on February 5, 1979. One year later, this directorate changed its name to the *Direktorat Pembinaan Penghayat Kepercayaan terhadap Tuhan Yang Maha Esa (PPK)* through the decision of the Minister of Education and Culture No. 0222e/01/1980. By this institution, the adherents of indigenous religions are not only nurtured but also controlled.

At the end of the New Order period, precisely in 1998, *Majelis Permusyawaratan Rakyat (MPR)* again issued TAP MPR RI Number II/1998. Its content primarily reinforces the position of the local religion as non-religion as well as the duty of the local religious adherents to choose and embrace one of the official religions recognized by the state. In fact, in this last Act of the People's Consultative Assembly (*MPR*), the existence of local religions are not recognized at all. The word designated to it is 'belief systems toward the Almighty God'.

7 THE IMPACT OF RELIGIOUS CITIZENSHIP POLICY FOR LOCAL RELIGIONS

At this point, we stop reviewing the various religious civic policies in Indonesia for a moment and turn our attention to see the impact of those policies on local religious adherents. Definitely, those policies mentioned above have negatively caused local religious adherents to experience a very acute social stigmatization, as it is perceived as a threat to the state and public order. In addition, the absence of population administration services to citizens except for those who embrace the official religion has also made local religious adherents as victims of structured, systematic and massive discrimination.

Sudarto mentions that at least some types of discriminatory practices experienced by local religious adherents as a result of the above-

mentioned civic policies based on religion, namely: persecution, coercion of Islam, dissolution of organizations, refusal of marriage recording, ban on places of worship, rejection of birth certificate, and refusal to enter into the national army (Sudarto, 2016). Here are some reviews of the negative impacts experienced by indigenous religious adherents.

First, persecution. This is experienced, for example, by the local religious adherents in Mount Leutik, Pakutandang Village, District Ciparay, Bandung Regency, and West Java. On September 9-10, 1954, indigenous religious believers who were carrying out joint activities were suddenly attacked by a group of people carrying guns and machetes. In addition to shootings and battles, the attackers also set fire to the house where the activities took place. The persecutors attacked while shouting and blaming that the adherents of this local religion are infidels and belong to heretical sects. It was recorded that 25 people died and many others were injured (Sudarto, 2016).

Second, coercion against local adherents to convert to Islam. This is, for example, happened to the adherents of local religion in Majalengka, Cianjur, and Kuningan. In February 1989, Sapta Dharma adherents went to the sub district office to arrange for the official citizenship cards. They intended to write the name of their local religion in the religious column within the national citizenship cards. Subsequently, the registrar officers rejected this request and took the 42 people to the army headquarters for investigation and interview. In the end, they were asked to convert to Islam. The same thing was frequently experienced by Sunda Wiwitan believers, et cetera (Sudarto, 2016).

Third, the dissolution of local religious organizations. This is experienced, for example, by the followers of Aliran Kebatinan Perjalanan in Sumedang, Majalengka, and Subang (all three in West Java). The same thing is experienced also by Sunda Wiwitan communities in Kuningan (West Java) and Sapta Dharma in Brebes (Central Java). These communities applied for the official creation and recognition of their identity and institution. However, this request was rejected by the government (Sudarto, 2016).

Fourth, refusal of marriage registration and other civil services. This case is experienced almost commonly among local religious followers. In October 2002, the request for rejection of marriage recording of local religious adherents in West Java, Central Java, and Yogyakarta, reached 180 cases (Sudarto, 2016). With this rejection, its derivative

impacts are imaginable, for example, children who were born out of undocumented or illegal marriages are not recorded in civil administration will find it difficult to obtain birth certificates and so on. Without a birth certificate, the children will have difficulty to obtain citizenship cards. In turn, they will also find it difficult to obtain other services from the government, including the opportunity to claim their civil rights to become civil servants, soldiers, police, etc.

Fifth, the prohibition of gathering, carrying out activities and establishing places of worship. These cases strike almost all groups of the indigenous religious faithful. Among the notable are the cases experienced by Sapta Dharma in Rembang (Central Java). In 2007, the Islamic Ummah Forum or *Forum Umat Islam (FUI)* banned the activities of Sapta Dharma and prohibited the establishment of their place of worship and activity. In addition, in 2005, the Parmalin group in Toba Samosir (North Sumatra) intends to establish Rumah Parsaktian to hold their activities. However, this intention was rejected by the local HKBP congregation (Sudarto, 2016).

Sixth, refusal of birth registration. As mentioned above, the derivative effects of the rejection of marriage recording of local religious adherents are the difficulty of obtaining birth certificates for their children. This is experienced by almost all adherents of local religions throughout Indonesia. For example, in 2001, in Kabupaten Bandung, there were 22 families who did not have marriage certificates. As a result, their children do not get birth certificates. Actually, the civil registry office offered them to give birth certificates for children outside of legal marriages (illegitimate children). However, in such a case, the father's name is not registered in the child's birth certificate (Sudarto, 2016).

From some of the cases mentioned above, we can already understand that the religious-based citizenship policies undertaken by the government in Indonesia have had very negative impacts on local religious adherents. In addition to getting negative stigmas as a threat to the state and public order, uneducated, uncivilized, infidels, and so on they also do not get the equal service for their civil rights as experienced by the official religions of the state. In other words, the biased civic policies have made them suffer from structured, systematic and massive discrimination.

The question then is whether this situation can be changed? Is it possible that local religious believers get the same civil rights as other citizens? The

answer to this question can actually be obtained when we look at the Reformation process in Indonesia since 1998. Aside from overthrowing the New Order regime that had been in power for 32 years, the Reformation also provides political opportunity to rearrange all aspects of national and state life in Indonesia. In addition to democratization, another very powerful aspect voiced in the Reformation movement in Indonesia is the upholding of human rights.

Under the banners of human rights, the urge for the state to equally respect, defend and protect the civil rights of all citizens provides an opportunity for local religious believers to gain their ground to be recognized for their rights to practice their religions, and to assemble and form organizations as well as to obtain other civil rights such as in the field of civic population administration. In this case, they can expect to get their citizenship cards, their marriages can be registered at the Civil Registry Office, and their children can obtain birth certificates.

Nevertheless, that hope has not been fully fulfilled. One of the efforts to advocate and promote civil rights to local religious adherents is the Judicial Review (JR) process of Law No.1 PNPS/1965 by the Legal Aid Foundation to the Constitutional Court. If the JR process is successful, then a major obstacle to equal citizenship for local religious adherents will be overcome. Unfortunately, the Constitutional Court rejected the JR process. Therefore, until now, local religious groups remain very vulnerable to experience discrimination.

8 CONCLUSION AND RECOMMENDATION

Local religious believers are among the direct victims of biased citizenship policies or politics based on religions that occurred since the founding of the Republic of Indonesia up to now. In the constitution and various existing laws, indigenous religions are defined as local and uncivilized custom, at most only as belief systems, which are regarded as insufficient to be treated as religions. As a result, local religious believers do not get equal citizenship rights as the ones of other citizens of the official religions. In addition to getting stigmatized as a threat to the state and public order, local religious adherents are discriminated which is obviously happens when they arrange for their citizenship cards, marriage registration at the Civil Registry Office, birth certificate and so on.

Thus, this article has shown the negative impacts of religious civic policy in Indonesia towards the life of local religious adherents. However, the negative impacts which are exposed here are still limited to areas of civil rights or civics rights. Further studies are needed to determine governmental policies' negative impacts on political rights, economic rights, social rights and cultural rights of local religious believers. For example, what is the possibility for them to participate in political activities? How are their opportunities to get hired in governmental offices? What about their rights to ancestral lands? How are their children's chances to get a decent education for their future? Further studies will certainly complete the discourse on local religions in Indonesia and in the world.

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