

# Human Rights and Religious Freedom in the Context of National Law in Indonesia

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## ABSTRACT

This paper examines the intricate relationship between human rights and religious freedom within the context of national law in Indonesia. Despite the constitutional guarantees provided by the 1945 Constitution and Law No. 39 of 1999 on Human Rights, which affirm the right to religious freedom as a fundamental human right, significant challenges persist for minority religious groups. The findings indicate that while Indonesia is committed to pluralism and diversity, local regulations and societal norms often undermine these principles, resulting in discrimination and violence against minority faiths such as the Ahmadiyyah and Baha'i communities. The introduction of new legal frameworks, including a revised criminal code that expands blasphemy laws, poses additional threats to religious freedom, raising concerns about the potential for increased repression of minority religions. This study highlights the need for comprehensive legal reforms to align national laws with international human rights standards and promote a culture of tolerance and respect for diversity. Furthermore, it underscores the importance of community engagement and education in fostering interfaith dialogue and understanding among different religious groups. Ultimately, this research contributes to ongoing discussions about the protection of human rights in Indonesia, emphasizing that genuine commitment to pluralism requires not only legal protections but also societal acceptance and respect for all beliefs.

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## 1. INTRODUCTION

In Indonesia, the interplay between human rights and religious freedom is a critical aspect of the nation's legal framework and social fabric, deeply rooted in the principles enshrined in its 1945 Constitution. This Constitution guarantees fundamental rights, including freedom of religion, as articulated in Article 28E, which states that every person has the right to embrace their religion and worship according to their beliefs. Furthermore, Law No. 39 of 1999 on Human Rights reinforces this commitment by explicitly recognizing religious freedom as a fundamental human right that must be upheld by the state. Despite these legal protections, the reality for many minority religious groups in Indonesia remains challenging. Communities such as the Ahmadiyyah and Baha'is often face discrimination, violence, and legal restrictions that hinder their ability to practice their faith openly. Reports indicate that local regulations frequently contradict national laws, leading to systemic violations of religious rights. For instance, the existence of blasphemy laws has been criticized for disproportionately targeting minority religions and stifling freedom of expression.

Moreover, societal norms heavily influence public perceptions of religious diversity in Indonesia. The majority Muslim population often views minority religions with suspicion, which can lead to stigmatization and exclusion from mainstream society. This societal pressure is compounded by political dynamics where local authorities may enforce regulations that restrict religious practices under the guise of maintaining public order and harmony. The recent introduction of a new criminal code that further criminalizes blasphemy raises concerns about the potential for increased repression of minority faiths and highlights the ongoing struggle for religious freedom within the country (Faturohman et al., 2024).

As Indonesia navigates its identity as a pluralistic society, balancing constitutional guarantees with the realities faced by minority communities remains a significant challenge. The government has made efforts to protect religious freedoms through various regulations and initiatives aimed at promoting interfaith dialogue and understanding. However, these measures often fall short of addressing the root causes of discrimination and violence against minority groups.

In this context, it is essential to recognize that while Indonesia's legal framework ostensibly supports religious freedom, significant gaps exist between these protections and their implementation in practice. Addressing these gaps requires concerted efforts from policymakers, civil society organizations, and communities to ensure that all individuals can freely practice their religion without fear of discrimination or persecution. By prioritizing human rights as foundational principles guiding governance and fostering a culture of tolerance through education and community engagement, Indonesia can work towards realizing its commitment to pluralism and social harmony in a diverse society (Zainuddin, 2013).

## 2. RESEARCH METHODS

A qualitative approach using legal and document analysis is particularly effective in examining human rights and religious freedom within the context of national law in Indonesia. This methodology allows researchers to delve deeply into the legal frameworks, regulations, and societal norms that influence the practice of religious freedom and the protection of human rights. By analyzing legal documents such as the 1945 Constitution, Law No. 39 of 1999 on Human Rights, and various local regulations, researchers can uncover how these laws interact with each other and how they are implemented in practice.

### Legal Framework Analysis

The legal framework governing religious freedom in Indonesia is primarily established by the 1945 Constitution, which guarantees freedom of religion as a fundamental right. Article 28E explicitly states that every person has the right to embrace their religion and worship according to their beliefs. However, while this constitutional guarantee exists, its practical application is often hindered by local regulations that impose restrictions on minority religions. For instance, the blasphemy law (Law No. 1/1965) has been used to prosecute individuals from minority faiths, such as the Ahmadiyyah community, who face persecution due to their beliefs. Analyzing these legal texts qualitatively allows researchers to identify inconsistencies between constitutional rights and local practices that violate these rights.

### Document Analysis

Document analysis involves examining various sources of information, including legal statutes, court decisions, government reports, and academic literature. This method enables researchers to gather a comprehensive understanding of how laws are applied and interpreted in real-world scenarios. For example, qualitative research might involve analyzing court cases involving religious minorities to understand how judges interpret laws related to religious freedom. Such analysis can reveal patterns of bias or discrimination within the judicial system that affect the enforcement of human rights protections.

Moreover, qualitative approaches can also encompass the examination of secondary data from scholarly articles and reports by human rights organizations. These sources often provide critical insights into the lived experiences of minority communities facing discrimination and violence due to their religious beliefs. By synthesizing findings from various documents, researchers can construct a more nuanced picture of the challenges faced by these communities (Hamzani et al., 2023).

### Societal Norms and Cultural Context

In addition to legal documents, understanding societal norms and cultural contexts is essential for analyzing human rights and religious freedom in Indonesia. Qualitative research methods allow for an exploration of how cultural attitudes toward religion influence public perceptions and policies regarding minority faiths. For instance, societal norms may dictate that certain religions are viewed as more legitimate than others, leading to discrimination against less recognized faiths. Documenting these cultural attitudes through interviews or community surveys can provide valuable context for understanding the broader implications of legal frameworks on religious freedom (Saputra, 2022).

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### Implications for Policy

The findings derived from qualitative legal research can have significant implications for policy development in Indonesia. By identifying gaps between law and practice, researchers can advocate for necessary reforms to enhance protections for religious minorities. For instance, if document analysis reveals that local regulations are consistently infringing upon constitutional rights, policymakers may be prompted to revise these laws or provide clearer guidelines for their implementation.

Additionally, qualitative research can inform educational initiatives aimed at promoting tolerance and understanding among different religious groups. By highlighting successful interfaith dialogue programs or community engagement efforts documented in previous studies, policymakers can develop strategies that foster social cohesion while respecting individual freedoms (Fisilla & Gunawan, 2021).

## 3. RESULTS AND DISCUSSION

### Legal Basis for Religious Freedom in Indonesia

Article 28 of the 1945 Constitution of the Republic of Indonesia and Law No. 39 of 1999 on Human Rights form a critical foundation for understanding the protection of human rights and freedoms in Indonesia. Article 28 outlines essential civil liberties, including the freedom of association, assembly, and expression, which are pivotal for fostering a democratic society. Specifically, it states that "the freedom to associate and assemble, to express written and oral opinions, etc., shall be regulated by law," highlighting the importance of legal frameworks in safeguarding these rights while ensuring public order and harmony. This provision is part of a broader commitment to uphold human dignity and promote social justice, reflecting Indonesia's aspirations as a nation founded on the principles of Pancasila, which emphasizes belief in one God, humanity, unity, democracy, and social justice.

Law No. 39 of 1999 further elaborates on these rights by explicitly recognizing the importance of human rights in Indonesian society. It underscores that every individual is entitled to fundamental rights that must be respected and protected by the state. This law serves as a crucial instrument for implementing the constitutional guarantees provided in Article 28, ensuring that citizens can exercise their rights without fear of discrimination or repression. The law also establishes mechanisms for addressing human rights violations, thereby reinforcing the state's accountability in protecting its citizens (The Constitution of the Republic of Indonesia of 1945, 2002).

The interplay between Article 28 and Law No. 39/1999 illustrates Indonesia's legal commitment to human rights while acknowledging the need for regulation to maintain public order. However, challenges remain in practice. Despite these legal protections, various reports indicate ongoing issues related to freedom of expression and assembly in Indonesia. Activists and minority groups often face restrictions and intimidation when exercising their rights, revealing gaps between legal provisions and actual practices (Adi et al., 2018a).

Moreover, cultural factors and societal norms can influence the implementation of these rights. In some instances, local customs may conflict with national laws aimed at protecting individual freedoms. This tension highlights the need for continuous dialogue between the state, civil society, and religious communities to ensure that human rights are upheld in a manner consistent with Indonesia's diverse cultural landscape.

In conclusion, Article 28 of the 1945 Constitution and Law No. 39/1999 collectively establish a robust framework for protecting human rights in Indonesia. While these legal instruments provide essential guarantees for individual freedoms, ongoing efforts are necessary to address implementation challenges and ensure that all citizens can fully enjoy their rights without fear of repression or discrimination. The commitment to uphold human dignity and promote social justice remains central to Indonesia's identity as a democratic nation grounded in Pancasila's principles (The Constitution of the Republic of Indonesia of 1945, 2002).

Indonesia's commitment to aligning its national laws with international human rights conventions is a critical aspect of its legal and political landscape. This alignment is particularly significant in the context of the 1945 Constitution and Law No. 39 of 1999 on Human Rights, which collectively provide a framework for protecting and promoting human rights within the country. Article 28 of the 1945 Constitution establishes a broad range of civil liberties, including the rights to freedom of expression, assembly, and association, while Law No. 39/1999 elaborates on these rights by explicitly recognizing them as fundamental entitlements that must be respected and protected by the state. The interplay between these legal instruments and international human rights standards reflects Indonesia's ongoing efforts to enhance its human rights record while navigating the complexities of its diverse cultural and social fabric (UN-Library, n.d.).

### Alignment with International Human Rights Conventions

Indonesia has ratified several key international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These ratifications signify Indonesia's commitment to uphold

international standards in its domestic legal framework. For instance, in its periodic reviews by the Human Rights Committee, Indonesia has been commended for measures promoting women's political participation and addressing issues related to extrajudicial killings and excessive use of force against indigenous populations. However, concerns remain regarding the practical implementation of these commitments, particularly in areas such as freedom of expression, assembly, and the treatment of minority groups.

The government's engagement with international bodies has also led to significant discussions about aligning national legislation with human rights standards. For example, during dialogues with the European Union, Indonesia has addressed challenges related to guaranteeing freedom of expression while curbing hate speech and online harassment. These discussions have highlighted the need for a balanced approach that protects individual rights without compromising public order or safety (Adi et al., 2018b).

### **Challenges in Implementation**

Despite the constitutional guarantees and legislative frameworks in place, Indonesia faces ongoing challenges in fully realizing its commitments to international human rights conventions. Reports from various human rights organizations indicate that restrictions on freedom of expression persist, particularly against activists and journalists who criticize government policies or expose human rights violations. Furthermore, recent revisions to the Criminal Code have raised concerns among activists who argue that these changes could stifle dissent by reinstating penalties for insulting public officials or prohibiting unauthorized demonstrations.

Additionally, while Indonesia has made strides in addressing women's rights through legislation such as the Sexual Violence Bill, implementation remains uneven across different regions. Cultural norms and local customs can often impede progress toward gender equality, leading to disparities in how laws are applied in practice. For instance, women from minority religious backgrounds may face additional barriers in accessing justice or protection under existing laws (JDIH Kalbar, 2022).

### **Challenges in Balancing Religious Freedom and National Law**

In Indonesia, the dynamics of human rights and religious freedom are particularly complex for minority religions and beliefs. The country, known for its rich tapestry of cultures and faiths, officially recognizes only six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism. This legal framework often marginalizes minority religious groups such as the Ahmadiyah, Baha'i, Shia Muslims, and indigenous belief systems like Sunda Wiwitan. Case studies of these minority religions reveal the challenges they face in asserting their rights and practicing their beliefs within a predominantly Muslim society (Fealy & Ricci, n.d.).

### **Case Studies of Minority Religions**

**Ahmadiyah Community:** The Ahmadiyah community in Indonesia has faced significant persecution due to its beliefs, which diverge from mainstream Islamic teachings. Despite being a part of the Muslim community, Ahmadis are often labeled as heretics by more orthodox Islamic groups. Reports from the SETARA Institute indicate that the Ahmadiyah have experienced both social stigma and legal discrimination, leading to violence against their places of worship and followers. For instance, in 2011, a mob attacked an Ahmadiyah Mosque in West Java, resulting in injuries and significant property damage. The government's failure to protect the community and prosecute those responsible for such acts of violence highlights the challenges faced by religious minorities in Indonesia. Furthermore, legal recognition issues complicate their situation; Ahmadis are often unable to register their marriages or obtain identity documents that reflect their religious affiliation.

**Baha'i Community:** The Baha'i community in Indonesia also exemplifies the struggles faced by minority religions. In Banyuwangi, East Java, Baha'is have reported systemic discrimination that affects their daily lives and religious practices. Research indicates that Baha'is often encounter hostility from local authorities and the majority Muslim population. For example, they are frequently denied access to public facilities for religious gatherings and face difficulties in obtaining permits for building places of worship. The Baha'i community's survival strategies include maintaining a low profile and focusing on internal community cohesion to withstand external pressures. This situation is compounded by societal misconceptions about their faith, which are often rooted in ignorance or prejudice.

**Shia Muslims:** The Shia Muslim community in Indonesia has similarly faced discrimination and violence. The Sampang incident in 2012 is a notable example where Shia worshippers were attacked during a religious ceremony, leading to deaths and injuries among the community members. Following this incident, many Shia families were displaced and have since struggled to find safety and acceptance within Indonesian society. The government's response has often been inadequate; instead of protecting Shia communities, local authorities have sometimes sided with extremist groups that promote intolerance against them. This lack of protection raises serious concerns about the state's commitment to upholding human rights as enshrined in the Indonesian Constitution.

Sunda Wiwitan: Sunda Wiwitan is an indigenous belief system practiced primarily in West Java. Followers of this faith often face challenges related to legal recognition and social acceptance. Although they have historical roots in Indonesian culture, adherents struggle to gain official acknowledgment from the state due to its preference for monotheistic religions. This lack of recognition impacts their ability to perform rituals publicly or obtain legal documentation that reflects their beliefs. Additionally, incidents of violence against Sunda Wiwitan practitioners have been reported when they assert their rights to practice freely (Raihani, 2015).

### **Legal Framework and Challenges**

The legal framework governing religious freedom in Indonesia is rooted in Pancasila, which emphasizes belief in one God as a fundamental tenet of national ideology. However, this principle has led to systemic discrimination against non-monotheistic religions and minority faiths that do not conform to state-sanctioned beliefs. As outlined in Law No. 39/1999 on Human Rights, every citizen is entitled to freedom of religion; however, this right is often undermined by local regulations that favor recognized religions over others.

Moreover, the implementation of laws designed to protect religious minorities frequently falls short due to societal attitudes that prioritize conformity over diversity. Minority groups often find themselves marginalized not only legally but also socially; they face hostility from both state institutions and local communities (Noor et al., 2024).

### **Human Rights Implications**

The challenges faced by minority religions in Indonesia raise significant human rights concerns. The right to religious freedom is enshrined in international human rights instruments such as the International Covenant on Civil and Political Rights (ICCPR), which Indonesia has ratified. However, violations against minority groups persist due to a lack of effective enforcement mechanisms at both national and local levels.

Human Rights Watch reports highlight how violence against religious minorities continues unabated while state authorities fail to take decisive action against perpetrators. This systemic failure undermines the constitutional guarantees provided for freedom of religion and belief (Abdullah, 2010).

In Indonesia, the interplay of societal norms and political influence significantly shapes the landscape of human rights and religious freedom, particularly for minority religions and beliefs. The country, which prides itself on its diversity and commitment to the principle of Pancasila its foundational ideology faces ongoing challenges in ensuring that these ideals translate into genuine protections for all religious communities. While Indonesia's 1945 Constitution guarantees freedom of religion, the practical application of this right is often undermined by societal attitudes and political dynamics that favor the dominant Islamic narrative (Raihani, 2015).

### **Societal Norms and Their Influence**

Societal norms in Indonesia are deeply rooted in a predominantly Muslim culture, which influences public perceptions of religious minorities. The majority Muslim population often views minority religions through a lens of suspicion or misunderstanding, leading to social stigma and discrimination. For instance, the Ahmadiyah community, which identifies as Muslim but holds beliefs that diverge from mainstream Islam, faces significant persecution. Reports indicate that members of this community have been subjected to violence, harassment, and legal discrimination, largely fueled by societal norms that label them as heretics or deviants. The societal pressure to conform to the dominant interpretation of Islam can lead individuals from minority faiths to self-censor their beliefs and practices to avoid backlash.

Moreover, local customs often dictate how religious practices are conducted and perceived. In many regions, local leaders wield considerable influence over community norms, which can result in discriminatory practices against minority religions. For example, in some areas, local governments have enacted regulations that restrict the construction of places of worship for non-recognized religions or impose additional requirements for religious gatherings. This reflects a broader trend where societal norms prioritize public order and morality over individual rights to religious expression (Noor et al., 2024).

### **Political Influence on Religious Freedom**

The political landscape in Indonesia further complicates the situation for minority religions. The government officially recognizes six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism while indigenous beliefs and other faiths are often marginalized. This legal recognition creates a hierarchical structure where only those religions deemed acceptable by the state receive protection under the law. Consequently, individuals practicing unrecognized religions face significant barriers in asserting their rights.

The Blasphemy Law (Law No. 1/1965) exemplifies how political decisions can restrict religious freedom under the guise of protecting public morals. This law criminalizes acts deemed offensive to

recognized religions, disproportionately affecting minority groups such as the Ahmadiyyah and Baha'is. The law has been used to justify violence against these communities while simultaneously providing legal cover for perpetrators of such violence. Political leaders often exploit religious sentiments to bolster their power or distract from pressing social issues, further entrenching discrimination against minority faiths.

Additionally, recent developments in Indonesian politics have raised concerns about the erosion of religious freedoms. The new criminal code passed at the end of 2022 includes provisions that could further criminalize blasphemy and expand restrictions on religious expression when implemented in 2026. Critics argue that these changes reflect a growing trend toward conservative interpretations of Islam within state policy, which may marginalize minority groups even further (Abdullah, 2010).

#### Comparative Perspectives

In the context of national law, the implementation of religious freedom in pluralistic societies presents both opportunities and challenges. Various countries around the world have developed frameworks to ensure that individuals can practice their faith while maintaining national security and social cohesion. This examination of practices in other pluralistic societies, alongside lessons learned from these implementations, highlights the delicate balance between upholding religious freedoms and ensuring public safety (ACLU, 2012; Inazu, 2020; Schmitz, 2021).

### Practices in Other Pluralistic Societies

Countries like Canada, the United States, and Germany provide valuable insights into how religious freedom can be effectively implemented within a pluralistic framework. In Canada, for instance, the Charter of Rights and Freedoms guarantees freedom of conscience and religion, allowing individuals to practice their faith openly. The Canadian legal system has evolved to protect minority religions by recognizing their rights to establish places of worship and participate in public life without discrimination. This legal protection is complemented by societal norms that promote multiculturalism and respect for diversity, fostering an environment where different faiths can coexist peacefully (Hutabarat, 2023).

Similarly, the United States exemplifies a robust commitment to religious freedom through its First Amendment, which prohibits Congress from making laws that establish religion or restrict the free exercise thereof. This dual protection ensures that no single religion is favored over others, allowing a diverse array of beliefs to flourish. The American approach emphasizes the importance of both public and private expressions of faith, recognizing that religious practices often have communal dimensions that extend beyond individual beliefs. The ACLU emphasizes that this framework allows for a vibrant tapestry of religious expression while safeguarding against government intrusion into personal beliefs and practices.

Germany offers another perspective on religious freedom within a pluralistic society. The Basic Law provides strong protections for freedom of faith and conscience while also recognizing the need for state neutrality regarding religion. Germany's approach includes a unique model of cooperation between the state and recognized religious communities, which allows for certain privileges while maintaining a secular state structure. This model has facilitated dialogue between different faiths and promoted social harmony, although challenges remain regarding the integration of non-traditional religious groups (Bagir et al., 2020).

### Lessons Learned from Implementing Religious Freedom

**Balancing Rights with Responsibilities:** One key lesson from these pluralistic societies is the importance of balancing individual rights with community responsibilities. While it is essential to protect the rights of individuals to practice their religion freely, this must be done in a manner that does not infringe upon the rights of others or disrupt public order. For instance, in Canada, courts have upheld the right to religious expression while also considering the impact on community safety and cohesion.

**Engagement with Minority Communities:** Effective implementation of religious freedom requires active engagement with minority communities to understand their needs and concerns. In many cases, minority groups face unique challenges that may not be immediately apparent to policymakers. By fostering dialogue and collaboration with these communities, governments can develop more inclusive policies that address specific issues related to religious practice.

**Education and Awareness:** Promoting education about different religions and fostering interfaith dialogue is crucial for building understanding and tolerance within society. In pluralistic societies like the United States, educational initiatives aimed at increasing awareness about diverse faiths have helped reduce prejudice and promote social harmony. Such efforts can mitigate societal resistance to religious diversity by highlighting common values shared across different belief systems.

**Legal Protections Against Discrimination:** Establishing clear legal protections against discrimination based on religion is vital for safeguarding minority rights. Countries that have enacted comprehensive anti-discrimination laws provide mechanisms for addressing grievances related to religious intolerance or bias. For example, Germany's anti-discrimination framework includes provisions specifically protecting individuals from discrimination based on their religious beliefs.

**Monitoring Implementation:** Continuous monitoring of how laws related to religious freedom are

implemented is essential for identifying gaps and addressing challenges as they arise. This includes evaluating how effectively laws are enforced at local levels and ensuring accountability for violations of religious rights (Pratiwi & Putu, 2024).

### **Challenges Faced**

Despite these lessons learned, challenges persist in ensuring that religious freedoms are upheld without compromising national security or social cohesion. In many societies, rising populism and xenophobia have led to increased scrutiny of minority religions, often resulting in discriminatory practices or policies aimed at restricting their freedoms. For instance, in some European countries, there has been a backlash against Islamic practices such as wearing hijabs or building mosques, framed as security concerns rather than genuine issues of religious expression.

Additionally, political leaders may exploit fears surrounding national security to justify restrictions on religious freedoms, leading to a slippery slope where legitimate concerns about safety are used as pretexts for broader repression of minority faiths. The case studies from various countries illustrate how political rhetoric can shape public perceptions of religion and influence policy decisions in ways that undermine pluralism (Arvante et al., 2022).

### **Towards Harmonization**

Integrating human rights into national legal frameworks is essential for fostering a society that respects individual freedoms while ensuring public safety and national security. This integration involves aligning domestic laws with international human rights standards and promoting policies that protect the rights of all citizens, particularly marginalized groups. In this context, policy recommendations play a crucial role in guiding governments toward effective implementation of human rights principles. Additionally, the role of education and community engagement is vital in promoting tolerance and understanding among diverse populations, thereby enhancing social cohesion (Human Rights Engagement to Strengthen Protection through Law and Policy, 2021).

### **Policy Recommendations for Integrating Human Rights and National Legal Frameworks**

**Comprehensive National Action Plans:** Governments should develop comprehensive national action plans that explicitly outline strategies for integrating human rights into all aspects of governance. These plans should include specific objectives, timelines, and mechanisms for monitoring progress. By clustering recommendations from various international human rights mechanisms, states can streamline their implementation processes and ensure that all human rights obligations are addressed cohesively. This approach not only reduces bureaucratic burdens but also enhances the effectiveness of policy measures by providing a clear roadmap for action.

**Strengthening Legal Frameworks:** It is imperative to revise existing laws to ensure they align with international human rights standards. This includes repealing or amending laws that disproportionately affect marginalized groups or restrict fundamental freedoms. For instance, laws related to freedom of expression, assembly, and religion should be carefully scrutinized and reformed to eliminate ambiguities that could lead to abuse or discrimination. Establishing standing parliamentary committees on human rights can facilitate ongoing oversight and ensure that legislative actions reflect human rights considerations.

**Capacity Building for Law Enforcement:** Training programs should be implemented for law enforcement agencies to enhance their understanding of human rights principles and their application in everyday policing. This training should emphasize the importance of protecting the rights of all individuals, including those from minority communities. By fostering a culture of respect for human rights within law enforcement, governments can reduce instances of abuse and build trust between communities and police forces.

**Engagement with Civil Society:** Governments must actively engage with civil society organizations to incorporate their perspectives into policy-making processes. Civil society plays a crucial role in advocating for the rights of marginalized groups and holding governments accountable for human rights violations. By fostering partnerships with these organizations, states can ensure that policies are informed by the needs and experiences of diverse communities. This collaboration can also enhance transparency and public trust in governmental institutions.

**Monitoring and Reporting Mechanisms:** Establishing effective monitoring and reporting mechanisms is essential for assessing the implementation of human rights policies. National Human Rights Institutions (NHRIs) should be empowered to investigate complaints, monitor violations, and report on progress related to human rights commitments. These institutions must operate independently and have the necessary resources to fulfill their mandates effectively. Regular reporting on human rights issues can help identify gaps in implementation and inform future policy adjustments (Hammarberg, 2009).

### **Role of Education and Community Engagement in Promoting Tolerance**

Education is a powerful tool for promoting tolerance and understanding among diverse populations. By incorporating human rights education into school curricula, governments can foster a culture of respect for diversity from an early age. Educational programs should emphasize the importance of empathy, critical thinking, and conflict resolution skills, equipping students with the tools needed to engage constructively with individuals from different backgrounds.

**Human Rights Education:** Integrating human rights education into formal education systems can raise awareness about individual rights and responsibilities among students. This education should cover various aspects of human rights, including freedom of expression, religious tolerance, gender equality, and the rights of marginalized groups. By fostering an understanding of these principles, students are more likely to become advocates for social justice within their communities.

**Community Engagement Initiatives:** Community engagement initiatives play a crucial role in bridging divides between different religious or ethnic groups. Programs that promote interfaith dialogue or cultural exchanges can foster mutual understanding and respect among diverse populations. Such initiatives encourage individuals to share their experiences and perspectives, helping to dispel stereotypes and reduce prejudice. Local governments can facilitate these programs by partnering with community organizations and providing resources to support dialogue initiatives.

**Promoting Civic Participation:** Encouraging civic participation is essential for empowering individuals to engage in public affairs actively. Governments should create platforms that allow citizens to voice their opinions on policies affecting their lives, particularly those related to religious freedom and minority rights. Mechanisms such as public consultations or participatory budgeting can enhance democratic processes while ensuring that marginalized voices are heard.

**Utilizing Media for Awareness Campaigns:** Media campaigns can effectively raise awareness about human rights issues and promote tolerance within society. Governments should collaborate with media outlets to disseminate information about the importance of respecting diversity and protecting individual freedoms. Positive portrayals of minority communities in media can challenge negative stereotypes and foster a more inclusive narrative (United Nations Human Rights, n.d.).

## **4. CONCLUSION AND SUGGESTION**

In Indonesia, the relationship between human rights and religious freedom is complex and multifaceted, shaped by both constitutional guarantees and practical challenges. The 1945 Constitution explicitly protects the freedom of religion, affirming that every individual has the right to practice their faith without coercion. This constitutional framework is complemented by Law No. 39 of 1999 on Human Rights, which further enshrines the right to religious freedom as a fundamental human right that cannot be diminished under any circumstances. However, despite these legal protections, various minority religious groups, such as the Ahmadiyah and Baha'is, continue to face significant discrimination and violence. Reports indicate that local regulations often contradict national laws, resulting in restrictions on the construction of places of worship and public expressions of faith for non-recognized religions. Additionally, societal norms heavily influence public attitudes toward religious minorities, leading to stigmatization and exclusion from mainstream society.

The implications for policy and practice are profound. There is an urgent need for comprehensive legal reforms to align national laws with international human rights standards, particularly regarding blasphemy laws that disproportionately affect minority communities. Strengthening National Human Rights Institutions (NHRIs) is essential for monitoring compliance with these laws and providing avenues for redress when violations occur. Moreover, fostering community engagement initiatives that promote interfaith dialogue can help build mutual understanding and respect among diverse populations. Education plays a crucial role in this process; integrating human rights education into school curricula can cultivate a culture of tolerance from an early age.

Future research should focus on several key areas to further understand and improve the landscape of religious freedom in Indonesia. Empirical studies capturing the experiences of minority religious communities would provide valuable insights into their challenges and resilience. Comparative analyses with other pluralistic societies could yield best practices that Indonesia might adopt to enhance its approach to religious freedom. Additionally, longitudinal studies examining shifts in public attitudes toward religious diversity over time can inform strategies for promoting inclusivity and reducing prejudice.

While Indonesia has established a legal framework that ostensibly supports religious freedom, significant gaps remain between these protections and their implementation in practice. Addressing these gaps requires concerted efforts from policymakers, civil society, and communities to ensure that all individuals can freely practice their religion without fear of discrimination or violence. By prioritizing human rights as foundational principles guiding governance, Indonesia can work towards realizing its commitment to pluralism and social harmony in a diverse society.



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