

## Assessing Religious Obligations: A Phenomenological Approach to Value and Legal Perspectives

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### ***Abstract:***

*This research begins an effort to overcome the complex challenges of formulating the concept of religious obligations among diverse Indonesian society. This study emphasizes the importance of understanding aspects of these obligations in the context of Indonesia's national ideology, Pancasila, which emphasizes the principle of Belief in One Almighty God. Facing the legal and ethical complexities involved, this research uses a juridical-normative approach as an analytical framework to examine and understand policies surrounding religious obligations in Indonesia. The juridical-normative approach is very useful in identifying and interpreting government policies and societal norms that influence religious adherence in a country. Although the Indonesian government does not strictly require its citizens to adhere to only officially recognized religions – namely Islam, Christianity, Hinduism, and Buddhism – there is a fundamental tension between formal recognition and actual practice. The research results show that in practice, adherents of local beliefs such as Sundanese Wiwitan, Kaharingan, and Parmalim, which are inherited from generation to generation, often face discrimination that is contrary to the spirit of the first principle of Pancasila. This research illustrates the tension between official lists of religions and the reality that not all spiritual denominations are treated equally. This gap between policy and practice raises questions about the consistent application of Indonesia's constitutional law and the basic ideology of Pancasila across the diverse religious spectrum. This study aims to be a first step to further explore and discuss the complexity of religious obligations and freedom in Indonesia, especially in the context of the legal and ethical framework.*

### ***Keywords:***

*Religion, Obligation, Values, Legal, Assesing*

## **I. Introduction**

In the realm of human rights, protection of religious freedom is an inseparable part of Article 18 of the International Covenant on Civil and Political Rights (ICCPR), an agreement that has been signed and ratified by Indonesia through Law no. 12 of 2005. This provision is considered a fundamental foundation that confirms the inalienable right of every individual to practice religion according to their choice freely. In line with the broader human rights framework, states are expected to respect and protect the dignity and freedom of every individual. More than just a theoretical right, religious freedom is considered a legal right granted by the state, based on the principle that every human being inherently has the right to respect and autonomy. In this context, the role of the state is defined strictly as an obligation to protect, not as an entity with rights of its own.

These obligations can be divided into two main categories: Positive Obligations and Negative Obligations. Positive Obligations require the state to actively create conditions that enable everyone to enjoy their rights and freedoms in full. This involves using the collective resources and capacities of the various branches of government—including the legislative, executive, and judiciary—to ensure the full realization of those rights. On the other hand,

Negative Obligations oblige states to refrain from actions that could impede individual freedom, which essentially requires respect for the exercise of personal freedom.

As explained in the First Amendment to the United States Constitution, in the context of religious freedom, this right goes beyond mere belief, but also includes the freedom to teach, practice, and engage in religious worship, both in the public and private spheres. This idea of religious freedom also includes the right to change religions or even choose not to adhere to any religion, in line with the principle of separation of church and state.

The 1945 Constitution of the Republic of Indonesia, as the highest legal basis in Indonesia, clearly emphasizes the right of every citizen to have freedom of religion, as stated in Article 29 Paragraph (2). This constitutional promise guarantees the protection of religious freedom regardless of whether the religion practiced is a majority or minority among Indonesian citizens. However, the implementation of this constitutional guarantee does not always run smoothly. Although there is no explicit prohibition against atheism or non-adherence to official religion, individuals who identify as atheists or adhere to ancestral beliefs often face challenges both legally and socially. Communities such as the Baduy who practice Sunda Wiwitan, as well as other communities that adhere to local belief systems such as the Kaharingan and Parmalim, often experience legal discrimination, especially when they do not openly adhere to a religion recognized by the government.

ICCPR (International Covenant on Civil and Political Rights) provides further explanation regarding religious freedom. Although freedom of religion is considered a basic right, this freedom is not absolute. Article 18 Paragraph 3 of the ICCPR stipulates that restrictions may be imposed, but only to the extent necessary to protect the rights guaranteed by the covenant itself, including the principles of equality and non-discrimination. Additional restrictions, referred to as the prohibition of coercion in Article 18 Paragraph 2 of the ICCPR, are also implemented to prevent overt or covert coercion aimed at forcing individuals to embrace a particular religious belief.

Therefore, although there are legal frameworks at both international and national levels to protect religious freedom, the implementation of these rights is often fraught with complexity, especially in Indonesia. The gap between constitutional principles and implementation practices suggests the need for continued scrutiny and, perhaps, reform to fully realize the promise of religious freedom and human rights for all citizens. There needs to be in-depth study and continuous evaluation of institutional performance and legal implementation to ensure that religious freedom guaranteed by the constitution is respected and implemented fairly for all individuals in Indonesia.

## **II. Review of Literature**

Article 29 Paragraph (2) of the 1945 Constitution of the Republic of Indonesia stipulates that every citizen has the right guaranteed by the state to embrace religion and practice worship in accordance with their beliefs. This principle, in essence, is the foundation for religious freedom, which mandates that all religions adhered to in Indonesia must receive official protection and recognition from the government.

However, the practice of implementing this principle often shows striking inconsistencies. An example is Articles 61 and 64 in Law Number 23 of 2006 concerning Population Administration which requires the inclusion of religious affiliation on official

documents such as Resident Identity Cards (KTP) or Family Cards. This kind of policy can indirectly create covert pressure or discrimination, especially for individuals whose religion or spiritual beliefs are not included in the religions officially recognized by the Indonesian government.

More deeply, Article 29 Paragraph 1 of the Constitution outlines the philosophical foundation of the Indonesian state by emphasizing the principle of "Belief in One Almighty God" as the basis of its ideology. Although on the surface this appears to be a form of religious pluralism in the constitution, the government has taken it upon itself to determine which religions are officially recognized and which are not. Ironically, this can lead to situations where certain belief systems, although very important to their adherents, do not receive the same formal recognition and therefore may not receive equal legal protection.

This indicates a misalignment between the theoretical principles of the constitution and its practical reality, indicating the need for critical evaluation of the policy system and legal implementation to ensure that the principles of religious freedom guaranteed by the constitution are truly respected and applied fairly to all citizens. This careful evaluation may be necessary to explore how these principles are implemented in people's daily lives, and whether any changes are needed to ensure that all individuals in Indonesia can truly exercise their religious freedom rights without hindrance or discrimination.

In the academic realm, the concept of religion has been explored from various perspectives. According to Ishomuddin, religion is understood as a value system consisting of norms that guide individuals in their behavior and social interactions. Meanwhile, Betty R. Scharf defines religion as a system of beliefs and worship practices recognized by various communities to address fundamental questions about human existence. From this perspective, religion has two main roles. The first, which is referred to as the 'real function', includes the cultivation of beliefs in the form of doctrine, rituals that symbolize and strengthen these doctrines, as well as the establishment of norms of behavior that are in line with these doctrines. The second, known as the 'latent function', is a more hidden role that can trigger conflict, increase sentiments of ethnocentrism, and even encourage religious fanaticism, as expressed by Alo Liliweri.

From a human rights perspective, religious freedom is seen as a fundamental right that must be protected by the state. These rights are legal rights designed to respect and uphold the dignity of every individual. According to the International Covenant on Civil and Political Rights (ICCPR), which Indonesia has ratified, states only have obligations and do not have their own rights. These obligations can be divided into 'Positive' and 'Negative.' Positive Obligations require the state to create an environment in which every individual can fully enjoy his or her rights and freedoms. Meanwhile, Negative Obligations require the state to refrain from actions that could violate these freedoms.

Therefore, although the legal framework in Indonesia appears to support religious freedom, there are ambiguities and restrictions that need to be further investigated. The dissonance between constitutional ideals and their implementation in actual practice suggests the need for a deeper understanding and perhaps re-evaluation of existing laws and practices to ensure that the right to religious freedom is truly protected for all citizens.

The Indonesian state is rooted in the philosophical and ideological foundations embedded in Pancasila, a fundamental doctrine that summarizes five inseparable principles that shape the identity of this country. Among these principles, the most fundamental principle is

'Belief in One Almighty God'. This principle not only aims to emphasize the religious diversity inherent in Indonesian society, but also serves as a foundation for unification amidst the diversity of religions and beliefs that exist in this country. As the moral principle underlying the Indonesian nation, Pancasila plays a key role as a binding force, a symbol of national unity and unity, and has an important impact on national defense.

Belief in the Almighty God in the context of Pancasila not only reflects the religious diversity that exists in Indonesia, but also strengthens the spirit of unity among diverse communities themselves. This principle is a moral foundation that maintains tolerance and respect for religious plurality, promoting harmony and unity within the framework of Indonesia's rich cultural and religious diversity. Thus, Pancasila is not only a symbol of national identity, but also an instrument for building an inclusive and harmonious national spirit.

Apart from that, Pancasila is not only a conceptual doctrine, but also a living reality in the daily lives of Indonesian people. In practice, the principle of 'Belief in One Almighty God' is reflected in various aspects of life, such as worship habits, religious rituals, and moral values adhered to by people from various social layers. This shows that Pancasila is not only the philosophical foundation of the state, but also a mindset that is applied practically in daily interactions between individuals and between communities.

As a binding force, Pancasila provides a strong foundation for stable and sustainable social, political, and economic development in Indonesia. The principles of Pancasila provide a moral and ethical framework that guides the actions of individuals and institutions in building a just, civilized and just society. Thus, Pancasila is not only an ideological basis, but also a practical guideline for achieving common goals of national development.

In the context of national defense, Pancasila also plays a very important role. As a moral and ideological foundation, Pancasila fosters a spirit of patriotism and loyalty to the country and motivates citizens to participate in maintaining the sovereignty and security of the country. Thus, Pancasila is not only the basis for the formation of Indonesia's national identity, but also the force that drives enthusiasm and courage in defending the country's sovereignty.

In the context of strengthening the concept of religious freedom, the Indonesian legal framework has a few provisions that prioritize the right to religion and worship. Specifically, Article 28E paragraph (1) of the 1945 Constitution of the Republic of Indonesia confirms that every citizen has the right to practice his religious beliefs, in line with other protected rights. The same article paragraph (2) also goes further by recognizing freedom of belief, which includes aspects that go beyond the boundaries of organized religion. In addition, Article 28I paragraph (1) explicitly classifies religious freedom as a fundamental human right.

Although this freedom is presented in the constitution, it has limitations. The constitution which guarantees freedom of religion also sets restrictions on this freedom. In particular, Article 28J paragraph (1) emphasizes the importance of mutual respect between citizens for human rights, including in matters of religious belief. Paragraph (2) of the same article emphasizes that the exercise of these rights must be subject to the limitations stipulated in law. This concept of 'limited freedom' is further strengthened by the addition of 10 new articles concerning human rights in the Second Amendment to the 1945 Constitution, which confirms that all rights listed from Article 28A to Article 28I are subject to the restrictions outlined in Article 28J.

However, the practical implementation of these constitutional protections is often controversial. For example, Presidential Decree Number 1/PnPs/1965 and Law Number 5 of 1969 were implemented to prevent religious abuse and blasphemy. Additional regulations, such as Joint Decrees from the Ministry of Religion and other government departments, have inadvertently created inequality for adherents of lesser-known religions such as Sunda Wiwitan, Kaharingan, Parmalim, and others. Although religions such as Islam, Christianity, Catholicism, Buddhism, Hinduism, and Confucianism have been given official recognition, other belief systems face obstacles due to various laws and decrees. Even some internationally recognized religions such as Judaism, Zoroastrianism, Shinto, and Taoism are under ambiguous legal conditions.

Further complicated issues arise when it involves specific laws such as the Population Administration Law of 2006 and the Marriage Law of 1974. Both laws set requirements for citizens to identify with an officially recognized religion, which then excludes those who holding unacknowledged beliefs. This raises an important question: Is religious freedom in Indonesia truly inclusive, or does it only apply to religions that have been officially recognized by the government? This issue has given rise to a significant impetus for a review of the concept of religious freedom in Indonesia, especially considering certain laws that appear to conflict with the basic principle of Pancasila, namely 'Belief in One Almighty God'.

These critical questions give rise to deep reflection on the essence of religious freedom in Indonesia and whether these principles are truly applied evenly. Apart from that, the review also considers whether the religious views and spiritual beliefs of minorities are truly accommodated and respected within the existing legal framework. This raises awareness about the importance of creating a legal environment that not only recognizes, but also protects and promotes religious freedom for all citizens, without distinguishing between the majority and minorities.

Currently, the main challenge is to find harmony between existing legal provisions and the fundamental values of Pancasila, which emphasize the principles of inclusivity and unity amidst diversity. A more in-depth investigation is needed to fully understand the implications of laws that may conflict with these constitutional principles. This effort is not only to correct the discrepancy between legal practice and constitutional values, but also to ensure that every Indonesian citizen can enjoy their fundamental rights without discrimination or unlawful restrictions.

As a first step, inclusive and collaborative dialogue between governments, human rights organizations and religious communities is very important. This kind of dialogue can enable the identification of solutions that suit the needs and aspirations of all parties involved. In addition, a more holistic and comprehensive approach is needed to achieve the right balance between individual rights and the interests of society at large in the context of religious freedom.

### **III. Research Methods**

In the context of this research, qualitative methodology plays a major role as a solid foundation for a more in-depth study of the subject raised. This qualitative approach specifically adopts critical discourse analysis as a basis, a method that not only investigates language and texts, but also reveals the underlying power structures, social norms, and ideological views embedded in them. Thus, a rigorous analytical approach enables a thorough investigation of a variety of communications, both oral and written, thereby providing a deeper understanding of how language is not only reflected, but also shaped by the social context that surrounds it.

As support for the qualitative analysis, this research also involved a careful and comprehensive literature review. This literature review is not limited to simply evaluating existing works, but also aims to carry out critical evaluations of various academic texts, scientific articles and other related sources. The goal is to build a solid theoretical foundation for this research, while also identifying gaps in existing knowledge that this research will then fill. Through a thorough search of the existing literature, this research seeks to situate itself in the context of the broader academic conversation surrounding the topic addressed, as well as enrich our understanding of the phenomenon under study.

In addition, this research adopts social judgment theory as a relevant framework for collecting and interpreting data, both primary and secondary. Social judgment theory, which generally includes a variety of methods for evaluating the social impact and relevance of particular phenomena, provides a suitable perspective to support studies focused on critical discourse analysis. In this context, primary data, consisting of direct information such as the results of interviews, surveys, or observations, is collected to provide a deeper understanding of the issue being researched in real-time. In addition, secondary data, which includes pre-existing data sets, previous research findings, and historical records, is analyzed to provide a broader and deeper context and validate or provide additional support for the primary data obtained.

By combining critical discourse analysis with social judgment theory, this research aims to explore a subject that is multifaceted and interpretive. This mixed approach was chosen because it can increase the validity and reliability of research results, because it is able to consider various layers of social, linguistic, and cultural factors that may influence the phenomenon being studied. The integration of critical discourse analysis and social judgment theory allows this research to look at the phenomena being studied from various points of view, thereby providing a more comprehensive and in-depth understanding of the problems being studied.

## **IV. Results and Discussion**

### **4.1 Primary Legal Regulations on Religious Recognition in Indonesia**

In Indonesia, the issue of religious freedom is reflected in the country's basic legal documents, especially in Article 29 Paragraph (2) of the 1945 Constitution. This article firmly states that every individual has the right to practice his religion and worship according to his personal beliefs. However, when we delve into the complex legal framework governing religious practice, it becomes clear that the situation is more complex than we might imagine simply by reading the Constitution at face value.

This deeper level of complexity comes from certain laws, such as Presidential Decree Number 1/PnPs/1965 which was later made into Law No. 5/1969. This legal document specifically lists six religions officially recognized by the Indonesian government, namely Islam, Christianity, Catholicism, Hinduism, Buddhism and Confucianism—which is often referred to as Confucianism in the local language.

It should be noted that the determination of the six religions in the Presidential Decree does not inhibit or exclude other religions. On the contrary, this law provides legal protection and special status to these religions, while still upholding the principle of religious freedom that is the basis of the Indonesian Constitution. Article 29 Paragraph (2) of the 1945 Constitution still functions as a guarantee of freedom of opinion and provides space for followers of religions not explicitly mentioned in the Constitution to continue to practice their beliefs.

Therefore, although the six religions mentioned in the Presidential Decree are given a certain level of official recognition and protection, the legal environment in Indonesia does not explicitly exclude other religions. Adherents of unregistered religions are still permitted to practice their beliefs openly and freely if they do so within the limits set by Indonesia's broader legal framework. As guaranteed by the Constitution this approach is an attempt to create a balance: on the one hand, giving special status and protection to the six major religions, and on the other hand, maintaining religious freedom for all individuals.

#### **4.2 The Historical and Social Context of Unacknowledged Beliefs**

The complexity of Indonesia's religious confessional structure is not only the result of legal decisions but has also been embedded in the country's tumultuous socio-political history. One of the important episodes that catalyzed significant changes in religious dynamics in Indonesia was the decline of communism in this country. This incident triggered a series of reactions that complicated relations between different religious groups in the country.

Research conducted by Sukamto in 2015 highlighted the increase in tension and conflict between Islamic and Christian communities that occurred after the collapse of the communist regime. This study shows that these confrontations were not isolated incidents, but were closely linked to a broader socio-political landscape that has changed greatly post-communism. During this period, a particular Muslim subgroup known as the 'Abangan Muslims'—they were generally considered non-practicing Muslims and were mostly affiliated with the Indonesian Communist Party—found themselves in a dangerous situation.

To escape the stigma associated with communism, many of them decided to convert to Christianity or Catholicism, thereby contributing to an increasingly complex and challenging religious environment. This shows a dramatic change in individual religious identity and interreligious dynamics in Indonesia after the collapse of the communist regime. Political involvement in religious affairs further complicates the situation, because religion is often used as a tool to achieve certain political goals, both by religious groups and the government.

This development has raised concerns among authorities and religious scholars, who fear the emergence of heretical doctrines that have the potential to undermine the established religious order. This response to social and political pressure prompted the government to establish a series of criteria necessary to certify a religion as a "recognized" religion in Indonesia.

In 1952, the Ministry of Religion proposed an initial definition that detailed the three main elements that a religion must have: the existence of a prophet, the existence of a holy book, and international recognition. However, this definition received strong resistance, especially from the Hindu community in Bali, which ultimately led to the repeal of the definition. A decade passed, to be precise in 1961, the Ministry of Religion decided to revise these criteria with the aim of overcoming the potential for fragmentation that could arise due to the development of new religious movements.

The new parameters established in 1961 emphasized that a religion must have a holy book, the existence of a prophet, belief in an Almighty, and must also have an institutionalized legal framework to provide guidance for its followers. This reflects the government's efforts to control and strengthen the regulatory framework in the context of religion, as well as maintain social stability in a society with diverse beliefs.

By implementing these strict standards, only six major religions—Islam, Christianity, Catholicism, Hinduism, Buddhism and Confucianism—successfully met the criteria and received official recognition through Presidential Decree No. 1/PnPs/1965. This official recognition provides strong legal protection for these religions in Indonesia, as well as confirming their position within the state's regulatory framework.

However, its impact is not limited to officially recognized religions. The belief systems associated with indigenous communities—which are an inseparable part of the archipelago's cultural heritage—are trapped in legal and social uncertainty. Although these religions are not officially recognized as religions, they are categorized more broadly as part of cultural heritage. This raises essential questions about inclusivity and fairness in Indonesia's approach to religious confession, as well as ethical considerations in the state's role in determining what is considered a legitimate religion.

This highlights the complexity in the constitutional interpretation of religious freedom and religious recognition in Indonesia. Although the constitution guarantees freedom of religion, practice shows tensions and ambiguities, especially regarding religious confessions. Official recognition is only given to certain religions, while other religions are considered part of the cultural heritage, not as official religions.

In this context, further reflection is needed on the importance of inclusivity in religious confessions and the role of the state in setting standards for such confessions. Fairness and justice must be the main pillars in determining the status of religion, considering the diversity of beliefs and ethical principles in response to Indonesia's diverse cultural heritage.

#### **4.3 Historical Analysis of the Dynamics of the Relationship between Politics, Religion and Law in Indonesia**

Indonesia's legal position regarding religious freedom has been the subject of complex controversy, rooted in its dynamic political history. In the 1950s, Indonesia was hit by upheaval marked by the emergence of right-wing extremist groups and separatism. This era also saw the birth of new belief systems that were considered contrary to traditional religious doctrine. Tensions reached their peak in the mid-1960s, especially in the conflict between the Indonesian Communist Party and Nahdlatul Ulama, a large Islamic organization.

During this political turmoil, Saifuddin Zuhri, Minister of Religion at that time, recommended to President Soekarno to issue Presidential Decree No. 1/PnPs/1965, which later became Law no. 5/1969. Known as the Religious Blasphemy Prevention Law (UU PPA), this law gives the Indonesian government broad authority to intervene in the religious affairs of its citizens. This has become a tool to target groups deemed to hold beliefs considered 'deviant' by the religious majority.

Although the 2008 Elimination of Racial and Ethnic Discrimination Law theoretically reduced the effectiveness of the PPA Law, Suryadharma Ali, Minister of Religion in 2010, insisted that the PPA Law must remain in effect to avoid 'horizontal conflict' between communities. Meanwhile, Slamet Effendy Yusuf, Chair of the MUI Religious Harmony Commission, suggested that the Constitutional Court act carefully, especially because there has been no proposal for an alternative law.

Although the PPA Law is technically still in effect, its existence creates a dilemma for adherents of Indonesia's indigenous belief systems, which are not among the six officially

recognized religions. Based on Tohari's research in 2015, these indigenous communities often experience discriminatory legal and social treatment. They face difficulties in obtaining basic documents, such as KTPs or marriage certificates. Other regulations, such as the Ministry of Home Affairs Circular Number 477/74054/1978, further exacerbate this discrimination by limiting the inclusion of religion to only six official religions on KTP.

Rigid classification between officially recognized and non-officially recognized religions has serious consequences, especially for indigenous religions and minority religious communities such as Confucianism. According to Musdah Mulia in 2016, amendments to the Population Administration Law in 2006 confirmed this injustice by confirming that Indonesia only recognizes six official religions. Apart from that, MPR decision Number II/MPR/1998 also strengthens this disparity by directing adherents of indigenous religions to choose one of the religions recognized by the state.

This legal framework makes traditional communities such as Sunda Wiwitan, Parmalim, Tolotang, Sapto Darmo, Marapu, and Kaharingan vulnerable to pressure to convert, whether to Islam or Christianity. Some communities, such as the Sunda Wiwitan, reject these demands by leaving the religion column on their KTP blank, while others, such as the Kaharingan and Tolotang, refuse to identify themselves as Hindu.

Sukarno, Indonesia's first President, affirmed Pancasila (Five Principles) in 1945, emphasizing that every Indonesian must have faith in God and that the country should be a place where everyone has freedom of religion. However, the current legal situation does not appear to be in line with this initial vision, resulting in a situation where religious freedom remains something that is difficult to understand and not a right that can be guaranteed for all Indonesian society.

#### **4.4 Opening a New Era in Indonesian Law: Vital Decision of the Constitutional Court Regarding Religious Identity and Belief**

On November 7, 2017, the Indonesian Constitutional Court issued a decision that had a significant impact on recording religious affiliation on identity documents. This decision, based on case number 97/PUU/XIV/2016, accommodates adherents of traditional belief systems such as Sunda Wiwitan, Kaharingan, Marapu, Sapto Darmo, and Parmalim. The ruling allows Indonesian citizens to officially register as "People of Faith" on their National Identity Cards (KTP), providing a new alternative for those not affiliated with one of the six previously recognized religions.

However, reactions to the Constitutional Court's decision were not always positive. Several influential Muslim leaders, such as Ma'ruf Amin, Yunahar Ilyas, and Din Syamsudin, strongly opposed it. They consider that the belief systems of indigenous peoples should not be equated with religion according to Indonesian law, because the definition of religion in law includes special elements such as the concept of God, the Holy Bible, and religious figures such as prophets.

Three main arguments emerge in response to this controversy. First, related to the Constitutional Court's interpretation of the law in question. The Court stated that the obligation to include religion on KTPs, as regulated in Articles 61 and 64 of the Population Administration Law, was not in accordance with the constitution. This argument is based on Article 29 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which guarantees freedom of worship in accordance with everyone's religion or beliefs.

This reading of the constitution also considers the historical context, including the revision of Article 29 which changes the focus from Islam to "Belief in One Almighty God". This argument emphasizes that the revision was intended to grant freedom of worship to all citizens, including non-Muslims, thereby identifying "belief" with "religion".

Historical figures such as Wongsonegoro, who had an important role in drafting the constitution and supporting freedom of belief, also influenced the current reading of the constitution. Wongsonegoro himself was involved in the Indonesian Spiritualism Congress and pushed for the protection of freedom of belief. The concept of "spiritualism" in this view is substantially synergistic with the idea of religious freedom mandated in the Constitution.

The Constitutional Court's interpretation of the law revealed the second aspect of the decision: the recognition of unconstitutional discrimination between the religious practices and beliefs of indigenous peoples. For example, the Court held that requiring adherents of indigenous peoples' belief systems to leave the religion column blank on their identity cards was a violation of their constitutional rights. In this context, the Constitutional Court sees the need to correct this inequality, allowing adherents of traditional belief systems to have a religious identity that is in accordance with their beliefs.

Overall, the Constitutional Court's 2017 decision represents an important milestone in the debate about religion and belief in Indonesia. This decision attempted to address disparities in legal recognition, although it raised objections from some religious leaders. However, this shows that the country's understanding of religious freedom is growing, and its commitment to upholding equal rights for all citizens, regardless of their belief system.

This decision provides a positive signal that the Indonesian state is increasingly making efforts to achieve inclusiveness in its religious policies. By recognizing the constitutional rights of adherents of traditional belief systems, the Constitutional Court provides an impetus for the state to ensure that all citizens feel recognized and respected in their religious practices.

Ultimately, the Constitutional Court's decision is not only about legality, but also about the moral principles underlying social justice. By correcting injustices in religious confessions, the Indonesian state shows its commitment to being an inclusive and fair country for all its citizens, regardless of their background or beliefs.

## V. Conclusion

The principle of "Belief in One God," which is part of Pancasila as the nation's ideology and the basis of the state, shows the importance of spirituality as the foundation of Indonesia's national identity. In the structure of Indonesian society, religion and belief are intrinsically embedded and act as the main driving force towards national unity, independence, and the creation of social justice.

The emphasis on spiritual and religious values is not a mere philosophical concept but has practical consequences that are reflected in legal regulations. This legal basis, which aims to be in line with the Constitution and the principles of Pancasila, indirectly supports religious individuals. However, the impact is that society and the legal system tend to exclude or even ostracize those who do not meet these standards.

In this context, those who identify as non-religious or follow belief systems that are not officially recognized by the state face major challenges. They are often labeled as "non-Pancasila" because they are seen as failing to adhere to the first principle of Pancasila—Belief in One Almighty God. Such legal and social situations create the risk of ostracism or legal scrutiny for those who express their beliefs or disbelief.

Although a 2017 Constitutional Court Ruling acknowledged the possibility of including "Trust" on identity cards, this change was limited in providing relief. Despite accommodating various belief systems, the decision still does not explicitly recognize the choice to have no religion or be an atheist in Indonesia.

Overall, Pancasila provides a strong foundation for the country's views on religion and spirituality. However, this also creates challenges for those who are not in line with the norms instilled by Pancasila. Despite gradual steps to change the law, the prevailing idea is that belief in one God is an inseparable part of national identity, which makes the space for non-religious people or atheists very limited.

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