

## **Rethinking Religious Freedom in the Frame of the First Principle of Pancasila and Human Rights Law**

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**Abstract.** *Freedom of religion is a fundamental human right that cannot be revoked by any authority, including the state. However, the reality demonstrates that acts of intolerance and discrimination persist, perpetrated not only by individuals within society but also by state officials and law enforcement officers against certain communities. These actions undermine the realization of religious freedom. The implementation of this right practically lacks adequate protection from the state. The core issue lies in the interpretation of human existence and the role of religion, and the understanding of religious freedom in Indonesia. This article seeks to deepen the comprehension of human existence and religion while uncovering the obscured dimensions of religious freedom in the Indonesian context. This study employs normative juridical research with an interdisciplinary approach, examining secondary data. The findings indicate that humans and freedom are inherently connected. Religion offers individuals freedom, while humans, in turn, embody sacred values. Religion is not a tool to secure basic services from the state. Indonesia must protect human rights so that everyone can practice religious freedom. Indonesia must foster an atmosphere of tolerance, while also promoting a high level of democracy to all sectors of society through self-reflection as individuals seek personal freedom.*

**Keywords:** *Divinity; Freedom; Religion.*

### **1. INTRODUCTION**

Pancasila firmly declares "Belief in the One and Only God" as its first principle, conveying that the Indonesian state places God in the highest position within society, the nation, and the state. This demonstrates that the religious dimension of Indonesian society is recognized and protected by the state. Furthermore, the Indonesian Constitution emphasizes that Indonesia is a state governed by the rule of law<sup>1</sup> and characterized as a nation upon the belief in God<sup>2</sup>. Research conducted by Nurul Nisa and Dinie Anggraeni Dewi examine Pancasila as the foundation for religious freedom by exploring its underlying values and the actualization of these values in safeguarding

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<sup>1</sup> The Constitution of 1945 (1945), Article 1.

<sup>2</sup> The Constitution of 1945, Article 29 paragraph (1).

religious freedom.<sup>3</sup> Similarly, Hendaradi's research highlights the empirical realities of identity politicization, presenting it as a significant challenge to Indonesia's diversity within the framework of Pancasila.<sup>4</sup>

The first principle of Pancasila frames the pluralism of Indonesian society,<sup>5</sup> which has historically upheld various ancestral belief systems. Indonesian population is approximately 281.6 million,<sup>6</sup> of which 87.08% as Muslim (245,973,915 individuals), 7.40% as Christian (20,911,697 individuals), 3.07% as Catholic (8,667,619 individuals), 1.68% as Hindu (4,744,543 individuals), 0.71% as Buddhist (2,004,352 individuals), 0.03% as Penghayat Kepercayaan (98,822 individuals), and 0.03% as Confucians (76,636 individuals).<sup>7</sup> Even beyond the seven religions, many Indonesians uphold their ancestral belief systems.<sup>8</sup> Indonesia's religious pluralism enriches society, contributing to diverse cultural and spiritual diversity. However, this diversity also presents challenges, particularly due to the existence of differences that can lead to sensitive intersections. Religious differences are well-documented as underlying factors in cases of intolerance in Indonesia,<sup>9</sup> particularly regarding issues of religious freedom.

The SETARA Institute recorded 217 incidents involving 329 acts of violations of religious freedom throughout 2023, of which 114 were committed by state actors and 215 by non-state actors. Among the 114 acts attributed to state actors, the majority of violations were perpetrated by local governments (40 incidents), followed by the police (24 incidents), the Civil Service Police Unit (*Satuan Polisi Pamong Praja/Satpol PP*) (10 incidents), the Indonesian National Army (*Tentara Nasional Indonesia/TNI*) (8 incidents), the Regional Leadership Coordination Forum (*Forum Koordinasi Pimpinan Daerah/Forkopimda*) (6 incidents), and educational institutions (4 incidents). Among non-state actors, the predominant violators included citizens (78 incidents), individuals (19 incidents), the Indonesian Ulema Council (*Majelis Ulama Indonesia/MUI*) (17 incidents), religious mass organizations (8 incidents), and foreign citizens (5 incidents). Notably, the Interfaith Harmony Forum (*Forum Kerukunan Umat Beragama/FKUB*) was

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<sup>3</sup> Nurul Nisa and Dinie Anggraeni Dewi (2021), Pancasila Sebagai Dasar Dalam Kebebasan Beragama, *Jurnal Pendidikan Tambusai*. Vol. 5, No. 1: p. 890–96, accessed from <https://jptam.org/index.php/jptam/article/view/1049>.

<sup>4</sup> Hendaradi (2022), Pancasila, Kebebasan Beragama/Berkeyakinan, Dan Tantangan Politisasi Identitas Dalam Tata Kebinekaan Indonesia, *Jurnal Pancasila*. Vol. 3, No. 2: p. 47–64, accessed from <https://jurnal.ugm.ac.id/pancasila/article/view/79676>.

<sup>5</sup> Ricky Banke, Steven, and Nicholas Susanto (2023), Pancasila Sebagai Solusi Pluralisme Di Indonesia, *Jurnal Ilmiah Maksitek*. Vol. 8, No. 2: p. 118–27, accessed from <https://makarioz.sciencemakarioz.org/index.php/JIM/article/view/388>.

<sup>6</sup> Badan Pusat Statistik (2024), Jumlah Penduduk Pertengahan Tahun (Ribu Jiwa), 2022-2024, Badan Pusat Statistik, <https://www.bps.go.id/id/statistics-table/2/MTk3NSMy/jumlah-penduduk-pertengahan-tahun--ribu-jiwa-.html>, accessed on 24 September 2024.

<sup>7</sup> Nabilah Muhamad (2024), Mayoritas Penduduk Indonesia Beragama Islam Pada Semester I 2024, *databoks*, <https://databoks.katadata.co.id/-/statistik/66b45dd8e5dd0/mayoritas-penduduk-indonesia-beragama-islam-pada-semester-i-2024>, accessed on 24 September 2024.

<sup>8</sup> Lilik Ummi Kaltsum, Dasrizal, and M. Najib Tsauri (2022), Animism and Dynamism Belief in Muslim Society of East Nusa Tenggara, *Jurnal Masyarakat Dan Budaya*. Vol. 24, No. 1: p. 15–34, Doi: 10.55981/jmb.2022.1281, accessed from <https://jmb.lipi.go.id/jmb/article/view/1281>.

<sup>9</sup> Nasrun Nurhakim, Muhammad Irfan Adriansyah, and Dinnie Anggraeni Dewi (2024), Intoleransi Antar Umat Beragama Di Indonesia, *MARAS: Jurnal Penelitian Multidisplin*. Vol. 2, No. 1: p. 50–61, Doi: 10.60126/maras.v2i1.126, accessed from <https://ejournal.lumbangpare.org/index.php/maras/article/view/126>.

involved in 2 acts of violation.<sup>10</sup> Cases of violations of religious freedom range from the rejection of the establishment or cessation of renovations to the destruction of houses of worship and the dissolution of community groups belonging to certain religions. These violations also include verbal and physical intimidation. Such incidents compel individuals to reflect on religion's essence and human existence, highlighting the need for fostering coexistence among diverse religious communities.

Concerns have emerged upon the realization that Indonesia has guaranteed religious freedom in the Constitution of 1945, even before its amendments.<sup>11</sup> Additionally, Indonesia upholds freedom of religion through Law Number 39 of 1999 on Human Rights (Human Rights Law).<sup>12</sup> However, it appears that the normative guarantee of religious freedom does not align with its practical implementation. This discrepancy is evident in the various acts of brutality perpetrated by intolerant actors, manifested in both subtle and overtly cruel ways, spanning from grassroots to institutional levels. They insist to divide society by proclaiming "This is me, different from you" that indicates the collectivities based on religious similarities or differences. It often fosters a desire to marginalize or eliminate those perceived as "different from us".

When intolerant actors seek to eradicate differing opinions regarding religion, does religion itself become a weapon that undermines religious freedom and manifest cruelly and frighteningly? The answer to this question is closely linked to religion's essence and the challenges facing humanity, both now and in the future. At a more abstract level, humanity is compelled to reexamine the foundations of human existence, the legitimacy of state power, and the extent of citizens' freedom to practice their religion. In reality, dialogical discussions on religious freedom are rarely—if ever—conducted openly and critically, with an emphasis on common sense, thereby hindering the development of humane reason and conscience. Drawing on the writings of Tristram Pascal Moeliono, this condition reflects a lack of an atmosphere conducive to dialogue or debate aimed at fostering *humanitas expleta et eloquens*<sup>13</sup>, which refers to a phase of humanity that is both complete and capable of self-expression.

On the contrary, discussions about religious freedom often exhibit a low level of intellectualism,<sup>14</sup> primarily because they are driven by emotion and arrogance. Various forms of persecution based on religious differences, ranging from local to national levels, are frequently considered taboo and are seldom subjected to critical discussion, particularly regarding critiques of religion (especially Islamic thought). It is important to recognize that what is referred to as religion is ultimately a product of human thought, shaped by scholars who are, like all humans, fallible and subject to error.

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<sup>10</sup> ryn/wis (2024), SETARA Institute Catat 329 Pelanggaran KBB Sepanjang 2023, CNN Indonesia, <https://www.cnnindonesia.com/nasional/20240623142229-20-1113090/setara-institute-catat-329-pelanggaran-kbb-sepanjang-2023>, accessed on 24 September 2024.

<sup>11</sup> See The Constitution 1945 before the amendments, Article 29 paragraph (2).

<sup>12</sup> See Law Number 39 of 1999 on Human Rights, Article 4.

<sup>13</sup> Tristram P. Moeliono (2017), Negara Hukum Yang Berke-Tuhanan Dan Pluralisme (Sistem) Hukum Di Indonesia, *Lex Publica*: Vol. 3, No. 2): p. 535–54, accessed from <https://journal.apthi.org/index.php/lexpublica/article/view/61>.

<sup>14</sup> According to Goleman, intellectual ability involves the capacity to recognize our own emotions and those of others, the ability to motivate ourselves, and the skill to effectively manage emotions both within ourselves and in our relationships with others. Daniel Goleman. (2002). *Emotional Intelligence-Kecerdasan Emosional*. Translated by Alex Tri Kancoro Widodo. Jakarta: Gramedia, p. 512.

Additionally, these religious concepts are inherently debatable and often require reinterpretation and recontextualization.<sup>15</sup>

Efforts to elucidate the meaning of religious freedom have been undertaken by numerous researchers. Martin P. Siringoringo examines religious freedom as outlined in the Constitution of 1945 about human rights. His discussion encompasses the concept of religious harmony and elaborates on the provisions for religious freedom as specified in the Constitution of 1945 and the Human Rights Law, which serves as a specific legal framework guaranteeing human rights.<sup>16</sup> Muhammad Iqbal Yunazwardi and Aulia Nabila focused on the implementation of international norms regarding religious freedom in Indonesia. His work addresses the universality of human rights and cultural relativity within the Indonesian context, critically examining practical issues related to these themes.<sup>17</sup> However, these writings do not engage with the underlying religion's essence and human existence about religious freedom.

This article tries to build upon the efforts of the aforementioned researchers by exploring the issue of religious freedom from a different perspective, specifically through deep contemplation of matters related to religious freedom in Indonesia. To achieve this, the meanings of human existence and religion; also, religious freedom in Indonesian context will be examined. This exploration is significant because the perception of religion within Indonesian society profoundly influences the practice of religious freedom. Consequently, this article seeks to delve into the deeper meaning of human existence about religion, as well as to uncover the hidden aspects of the meaning of religious freedom in Indonesia.

## 2. RESEARCH METHODS

This article employs a normative juridical research methodology with an interdisciplinary approach, examining secondary data comprising primary legal materials, which include the Constitution of 1945 and Law Number 39 of 1999 on Human Rights. The secondary legal materials encompass a wide range of resources, including books, international and national journals, and scholarly works related to law, human rights, and religious freedom, as well as insights from other academic disciplines such as philosophy. Tertiary legal materials consist of dictionaries and online media. All materials are systematically collected and organized through a literature study, followed by analysis using qualitative methods.

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<sup>15</sup> HM. Zainuddin (2013), *Horizon Baru Kajian Islam Di Indonesia*, UIN MAULANA MALIK IBRAHIM MALANG, <https://uin-malang.ac.id/blog/post/read/131101/horizon-baru-kajian-islam-di-indonesia.html>, accessed on 24 September 2024.

<sup>16</sup> Martin P Siringoringo (2022), *Pengaturan Dan Penerapan Jaminan Kebebasan Beragama Sebagai Hak Asasi Manusia Dalam Perspektif UUD 1945 Sebagai Hukum Dasar Negara*, NJLO: *Nommensen Journal of Legal Opinion*: Vol. 3, No. 1: p. 111–24, Doi: 10.51622/njlo.v3i1.618, accessed from <https://ejournal.uhn.ac.id/index.php/opinion/article/view/618>.

<sup>17</sup> Muhammad Iqbal Yunazwardi and Aulia Nabila (2021), *Implementasi Norma Internasional Mengenai Kebebasan Beragama Dan Berkeyakinan Di Indonesia*, *Indonesian Perspective*: Vol. 6, No. 1: p. 1–21, Doi: 10.14710/ip.v6i1.37510, accessed from <https://ejournal.undip.ac.id/index.php/ip/article/view/37510>.

### 3. RESULT AND DISCUSSION

#### 3.1. Human Existence and Religion

Humans hold a distinct position as beings created by God, rendering them the most perfect of all creatures.<sup>18</sup> This notion of human perfection is rooted in the various potentials that individuals possess, which can be harnessed for personal development. These potentials include instinctive (emotional) potential, sensory (physical) potential, intellectual potential, and religious (spiritual) potential.<sup>19</sup> Individuals utilize these potentials in their quest for truth, typically through three pathways: science, philosophy, and religion.<sup>20</sup>

Through knowledge, humans employ their cognitive abilities to seek and attain truth. Much like a "torch", knowledge illuminates the path for individuals to discover their true nature and aspire toward the perfection they desire. Consequently, as *homo sapiens*,<sup>21</sup> humans consistently engage their minds and sensory potential to acquire knowledge, carefully considering what they wish to learn, the methods for gaining knowledge, and its value.<sup>22</sup> The various forms of knowledge obtained by individuals are systematically organized within human memory, thereby structuring them into coherent fields of study. In fulfilling their role in the pursuit of knowledge and understanding, humans are endowed by God with intermediaries, which include ratio, hearing, and sight.<sup>23</sup>

Through philosophy, humans pursue truth by engaging in profound reflection, utilizing all the opportunities presented. This process involves questioning initial answers, re-examining them, and further interrogating the responses that emerge. Through religion, individuals seek their truth by following the teachings and engaging in practices prescribed by their religion, while refraining from actions that are not endorsed by their religious.

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<sup>18</sup> Eka Kurniawati and Nurhasanah Bakhtiar (2018), *Manusia Menurut Konsep Al-Qur`an Dan Sains*, *JNSI: Journal of Natural Science and Integration*: Vol. 1, No. 1: p. 78–94, Doi: 10.24014/jnsi.v1i1.5198, accessed from <https://ejournal.uin-suska.ac.id/index.php/JNSI/article/view/5198>.

<sup>19</sup> Jalaluddin. (2003). *Teologi Pendidikan*. Jakarta: RajaGrafindo Persada: p. 34–36.

<sup>20</sup> Tadjab in A. R. Taufiq Satria Azhar (2018), *Titik Temu Antara Islam Dan Filsafat*, *YAQZHAN: Analisis Filsafat, Agama Dan Kemanusiaan*: Vol. 4, No. 1: p. 151–76, Doi: 10.24235/jy.v4i1.3193, accessed from <https://www.syekhnrjati.ac.id/jurnal/index.php/yaqzhan/article/view/3193>.

<sup>21</sup> In addition to being referred to as *homo sapiens* (wise beings), humans are also known as *homo religious* (spiritual beings), *homo faber* (tool-making beings), *homo economicus* (economic beings), and *homo laquen* (beings adept at creating language and expressing thoughts and emotions through-composed words). See: Zuhairini (2009), *Filsafat Pendidikan Islam*, Jakarta: Bina Aksara, p. 82. Socrates referred to humans as *zoon politicon* (social animals), while Max Scheler described humans as *das kranke tier* (sick animals, always troubled and restless). See: Drijarkara (1978), *Percikan Filsafat*, Semarang: Kanisius, p. 138. Humans are also referred to as *animal rationale* (rational or thinking beings), *animal symbolicum* (symbol-using beings), and *animal educandum* (educational beings). See: Azka Hilmi Kafi (2021), *Dimensi Spiritual Dan Emosional Manusia*, *Pustaka Al Jihad*, <https://pustaka.yayasanal Jihad.org/pengajian/dimensi-spiritual-dan-emosional-manusia/>, accessed on 24 September 2024.

<sup>22</sup> Jujun Suriasumantri. (2015). *Tentang Hakikat Ilmu: Sebuah Pengantar Redaksi in Ilmu Dalam Perspektif: Sebuah Kumpulan Karangan Tentang Hakekat Ilmu*. ed. Jujun Suriasumantri. 19th ed. Yayasan Pustaka Obor Indonesia, p. 1–52.

<sup>23</sup> Mohammad Ismail, *Konsep Berpikir Dalam Al-Qur`an Dan Implikasinya Terhadap Pendidikan Akhlak*, *Ta'dib: Jurnal Pendidikan Islam*: Vol. 19, No. 2: p. 291–312, Doi: 10.19109/td.v19i02.20, accessed from <https://jurnal.radenfatah.ac.id/index.php/tadib/article/view/20>.

Humans possess freedom and other rights,<sup>24</sup> and the inherent human rights serve to uphold the values and ensure that individuals remain equal. "Freedom" was an "unknown" concept during ancient times (600-400 BC) because individuals then lived within a mystical framework, believing that human existence was entirely governed by supernatural forces, such as gods (*dewa-dewi* form), as well as by fate. Consequently, humans were perceived as "selves" devoid of control over their own lives.<sup>25</sup> Lord Acton characterized freedom is something that must be "fought for".<sup>26</sup> In other words, freedom is not inherently given; it is something that must be "bought", "not free", has "a price", and is often "expensive". Nico Syukur Dister asserts that the term "free" is ambiguous, as it can signify different realities, some of which may even contradict one another. However, the most prevalent interpretation of "free" or "freedom" refers to a state characterized by the absence of barriers, coercion, burdens, or obligations.<sup>27</sup> Consequently, it is essential to clarify what it means to be "free to" and "free from". The actualization of these two concepts of freedom can be encapsulated in three forms: freedom in the noble sense, freedom as a characteristic of human will, and freedom in the sociological sense.

First, freedom in the noble sense is essential for guaranteeing the integrity and independence of the individual. It represents the perfection of human existence, as it allows individuals to think critically for themselves, understand the rationale behind their thoughts, and take responsibility for their positions. In contrast, the "slave" is characterized by shallow thinking and a tendency to merely "follow" others, often repeating what others say without question. This individual is entirely dependent on external opinions, bound by the dictates of "what people say", and lacks a sense of responsibility. Second, freedom is a characteristic of the will inherent to humans, as individuals possess free will. This implies that humans are not solely determined by environmental factors; rather, they actively "participate" in shaping their own lives and determining their "fate". In this sense, humans can "find themselves" and "determine themselves".<sup>28</sup> Third, freedom in the sociological sense encompasses all aspects of life, including economic, social, and political dimensions, which are essential for realizing human freedom, including the development of talents and abilities. Someone or group may adhere to a particular religion unable to practice their faith due to minimum facility, such as a house of worship. This inability may arise from various factors, including insufficient funds to establish a house of worship, challenges in obtaining the requisite permits, opposition from the surrounding community, or a lack of support from the government.<sup>29</sup>

In a social sense, a particular person's freedom remains unrealized, despite possessing free will. In other words, social factors such as obstacles prevent individuals from liberating themselves. In such circumstances, the state has should ensure greater equality regarding the opportunities and freedoms accessible to its citizens.

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<sup>24</sup> Umar Tirta Raharja and La Sulo. (2005). *Pengantar Pendidikan*. Jakarta: Rineka Cipta, p. 4.

<sup>25</sup> Nico Syukur Dister. (1991). *Filsafat Kebebasan*. 2nd ed. Yogyakarta: Kanisius, p. 16.

<sup>26</sup> A comprehensive description of the various efforts to advocate for freedom can be found in the book John Emerich Edward Dalberg Acton. (1993). *The History of Freedom*. ed. Robert A. Sirico. California: The Action Institute.

<sup>27</sup> Dister. *Filsafat Kebebasan*., p. 40.

<sup>28</sup> Harry Hamersma. (1985). *Filsafat Eksistensi Karl Jaspers*. Jakarta: Gramedia, p. 57.

<sup>29</sup> Dister. *Filsafat Kebebasan*, p. 29-50.

According to Thomas Aquinas, free will is the capacity to make decisions and determine whether “I” will act (what kind of action) or will not, as this “choice” bestows power upon the individual.<sup>30</sup> Humans are endowed with the ability to think, evaluate, and deliberate on what they will decide. A relationship is established between assessment and consideration on one hand, and freedom and decision (to act or not) on the other. This indicates that freedom of will does not equate to acting arbitrarily, following “blind instincts” or “desires”, nor does it entail the abandonment of all forms of responsibility.<sup>31</sup>

Whether we realize it or not, there is a relationship between humans and God mediated through the knowledge individuals uphold. Consequently, the freedom of will can devolve into arbitrariness if individuals “annul” God in their understanding and exclude His presence from their judgments or considerations. In such cases, humans may deify “emotions”, “blind instincts”, and “desires”, discarding reason and responsibility, which ultimately leads to moral crime.<sup>32</sup> Thus, alongside the inherent freedom recognized as an inviolable right, individuals also bear obligations that arise as implications of these rights, as they are primarily directed toward fulfilling and supporting the demands of fundamental rights. Obligations serve both as concepts and ideologies that facilitate the realization of rights. They play a crucial role in promoting and accelerating the existence of rights, functioning as a mechanism designed to cultivate a sense of responsibility regarding essential rights,<sup>33</sup> one of which is religious freedom.

According to AM. Hardjana, humans can acquire knowledge about God through divine revelation<sup>34</sup> and personal experience<sup>35</sup>. Both avenues are rooted in individual encounters with the divine, indicating there is no universal standardization regarding how God introduces Himself or how individuals come to know God. Standardization occurs when divine revelations or personal experiences of God are collectively accepted and institutionalized, although many individuals may not receive such revelations or

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<sup>30</sup> Simplesius Sandur. (2022). Melampaui Kebebasan: Konsep Kebebasan Thomas Aquinas VS Kebebasan Modern, *Jurnal Filsafat Dan Teologi Katolik*: Vol. 5, No. 2: p. 38–52, Doi: 10.58919/juftek.v5i2.26, accessed from <https://ejurnal.stikassantoyohanessalib.ac.id/index.php/juftek/article/view/26>.

<sup>31</sup> Dister. *Filsafat Kebebasan*, p. 52-54.

<sup>32</sup> The existence of moral crime is a direct consequence of moral freedom granted to humans. It is important to emphasize that God bestows moral freedom upon humanity, allowing for the potential of crime, to enable the possibility of greater moral virtue. See: Budhy Munawar-Rachman (2022), Tuhan Dan Masalah Kejahatan Dalam Diskursus Ateisme Dan Teisme, *Focus*: Vol. 3, No. 2: p. 89–106, Doi: 10.26593/focus.v3i2.6081, accessed from <https://journal.unpar.ac.id/index.php/focus/article/view/6081>.

<sup>33</sup> Lukman Hakim and Nalom Kurniawan (2021), Membangun Paradigma Hukum HAM Indonesia Berbasis Kewajiban Asasi Manusia, *Jurnal Konstitusi*: Vol. 18, No. 4: p. 869–97, Doi: 10.31078/jk1847, accessed from <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1847>.

<sup>34</sup> This method is supported by two concepts: fideism and traditionalism. Both perspectives assert that, fundamentally, humans cannot know anything about God; rather, it is God who reveals Himself to humanity. The distinction lies in the fact that, for fideism, God’s revelation is contained within the holy texts, and knowledge of God can only be attained through belief in these texts. In contrast, traditionalism posits that God’s revelation was initially given to the first humans and has been continuously transmitted to their descendants, thus representing the revelations inherent in their ancestral traditions. AM. Hardjana. (2002). *Penghayatan Agama: Yang Otentik & Tidak Otentik*. 7th ed. Yogyakarta: Kanisius, p. 28-30.

<sup>35</sup> This experience can be associated with nature, life, and various profound emotions—such as fear, courage, loneliness, happiness, love, insignificance, vulnerability, and attraction—which ultimately lead humans to conclude the existence of a higher “Reality” referred to as God. See Hardjana, p. 30-31.

experiences themselves. This phenomenon falls within the scope of religion, where individuals gain knowledge about God through the experiences of others that are collectively upheld within their community. Consequently, humans engage in practices that have been standardized by their religious traditions in pursuit of their understanding of God. Thus, it can be asserted that religion serves as a means to this end.

Humans, often referred to as *homo religious*, possess the freedom to pursue their religious desires. However, it is important to distinguish between religiosity and spirituality, as they are two distinct yet interrelated concepts. Spirituality from "*spiritus*" (Latin) means "breath of life", and encompasses a way of "being" and "experiencing" that emerges from an awareness of the transcendent dimension. This awareness is characterized by specific values that manifest in one's relationship with oneself, others, nature, and the broader essence of existence, often referred to as "The Ultimate".<sup>36</sup>

Spirituality is defined as the process of discovering meaning, purpose, morality, or well-being in an individual's relationship with oneself, others, and the universe (nonreligious-horizontal), as well as in their relationship with Ultimate Reality or ultimate truth (religious-vertical).<sup>37</sup> This definition aligns with Cheryl Delgado's explanation, which posits that spirituality encompasses belief or acceptance of a belief system, involves the pursuit of personal meaning and purpose, includes awareness of relationships or connections with others, and fosters self-transcendence.<sup>38</sup>

Religiosity refers to the emotional or sentimental aspects of religion. It is derived from "religion", which signifies a bond or connection to the divine. Religiosity encompasses the degree of an individual's religious faith, as reflected in their beliefs, experiences, and behaviors, which collectively indicate the quality of their religious life.<sup>39</sup> According to Mangunwijaya, religiosity entails the appreciation and experience of the values inherent in one's religious teachings, which an individual upholds consistently. This commitment fosters adherence to the religious tenets they follow and manifests in their behavior by commands of their faith.<sup>40</sup>

Religiosity can be considered narrower than spirituality, as it pertains specifically to the institutionalization of religion, which prescribes particular rituals and practices for individuals in their pursuit of the Sacred. Religiosity tends to convey a more formal and binding character, reflecting a commitment to the prescribed methods of practice that are intended to be followed and transmitted from generation to generation. In contrast, spirituality is more aligned with personal experience and serves a functional

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<sup>36</sup> David L. Enkins et al. (1988), Toward a Humanistic-Phenomenological Spirituality: Definition, Description, and Measurement, *Journal of Humanistic Psychology*. Vol. 28, No. 4: p. 5–18, Doi: 10.1177/0022167888284002, accessed from <https://journals.sagepub.com/doi/abs/10.1177/0022167888284002#tab-contributors>.

<sup>37</sup> Edward R. Canda, Leola Dyrud Furman, and Hwi-Ja Canda. (2019). *Spiritual Diversity in Social Work Practice: The Heart of Helping*. 3rd ed. Oxford: Oxford University Press.

<sup>38</sup> Israfil. (2020). Spiritualitas Dan Religi in *Keperawatan Transkultural (Konsep Dan Aplikasi)*. ed. Arif Munandar. Bandung: Media Sains Indonesia: p. 151–62.

<sup>39</sup> Denny Najoran (2020), Memahami Hubungan Religiusitas Dan Spiritualitas Di Era Milenial, *Educatio Christi*: Vol. 1, No. 1: p. 64–74, accessed from <https://ejournal.teologi-ukit.ac.id/index.php/educatio-christi/article/view/11>.

<sup>40</sup> Said Alwi. (2014). *Perkembangan Religiusitas Remaja*. 1st ed. Yogyakarta: Kaukaba Dipantara, p. 2.



role, embodying individual efforts to derive purpose and meaning from life. It emphasizes the significance of personal freedom in making life choices.<sup>41</sup>

Thus, there are nuanced distinctions between religiosity and spirituality: (1) In religiosity, individuals are bound to a specific religious organization, whereas spirituality liberates individuals from "rigid" rituals in their pursuit of meaning; (2) Religiosity typically encourages individuals to adopt a heightened sense of concern for others (altruism), often prioritizing the "good" of the religious community, while spirituality is characterized by personal spiritual experiences; (3) Religiosity tends to establish a specific framework of understanding, often grounded in sacred texts, whereas spirituality allows individuals to connect more broadly with the universe and all living beings; (4) Religiosity is practiced to the extent that individuals derive support or comfort from their formal religious beliefs, while spirituality is pursued primarily for personal fulfilment, as exemplified by practices such as meditation.<sup>42</sup>

Based on the description, the aspect of spirituality serves as a bridge to the realization of the essence of human freedom. This is achieved through the personal search and exploration of the individual, as well as through personal choices informed by their experiences. Such an exploration occurs independently of theological foundations or frameworks derived from a specific religion and is devoid of rituals prescribed by any particular religious institution. Maksudin asserts that the historical emergence of religion is a liberation from suffering and the oppression of power, aimed at achieving peace in life. All forms of religion are intended to enable individuals to stand freely before their God, which is realized through obedience to divine laws, the practice of love and justice, the protection of oneself from immoral actions, and the cultivation of piety. These fundamental messages of liberation are articulated clearly in the sacred texts of each religion, which are replete with divine teachings and the morality of universal humanity.<sup>43</sup>

Religion serves as a powerful source of energy that can elevate individuals to the highest levels of human dignity. Consequently, freedom is regarded as the pinnacle of humanity or *humanum*.<sup>44</sup> Therefore, religion exists for the benefit of humans, rather than humans existing for the benefit of religion. Similarly, religion is not intended for God, as God does not require religion.<sup>45</sup> Humans and freedom are intrinsically linked, as human presence and existence are acknowledged only when their freedom is also recognized; thus, freedom is inherent to human existence. The profound curiosity inherent in humans compels them to seek meaning and direction in their lives and endeavors, allowing them to make decisions regarding the acceptance or rejection of the various possibilities that present themselves.

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<sup>41</sup> Brian J. Zinnbauer and Kenneth I. Pargament. (2013). Religiousness and Spirituality, in *Handbook of the Psychology of Religion and Spirituality*. ed. Raymond F. Paloutzian and Crystal L. Park. 2nd ed. New York: The Guilford Press, p. 21–42.

<sup>42</sup> Yulmaida Amir and Diah Rini Lesmawati (2016), Religiusitas Dan Spiritualitas: Konsep Yang Sama Atau Berbeda?, *Jurnal Ilmiah Penelitian Psikologi: Kajian Empiris & Non-Empiris*. Vol. 2, No. 2: p. 67–73, Doi: 10.22236/jippuhamka.v2i2.9208, accessed from <https://journal.uhamka.ac.id/index.php/jipp/article/view/9208>.

<sup>43</sup> Maksudin. (2013). *Paradigma Agama Dan Sains Nondikotomik*. 1st ed. Yogyakarta: Pustaka Pelajar Offset, p. 39-40.

<sup>44</sup> I. Bambang Sugiharto and Agus Rachmat W. (2000). *Wajah Baru Etika & Agama*. Yogyakarta: Kanisius, p. 263.

<sup>45</sup> Maksudin. *Paradigma Agama Dan Sains Nondikotomik*, p. 41.

### 3.2. The Realization of Religious Freedom in Indonesia

Religion occupies a unique position in Indonesia, particularly in the current century, often referred to as the “post-secular” era—a time when atheistic secular modernism is increasingly viewed as an inadequate framework.<sup>46</sup> In this context, Indonesia is becoming more enthusiastic about embracing religion as a guiding spirit that promises a “paradise”. However, Mukti Ali said that the concept of religion is inherently complex and challenging to define.<sup>47</sup> Tracing the etymological<sup>48</sup> meaning of religion often leads to a variety of interpretations,<sup>49</sup> which can obscure a clear understanding of its true significance. E.B. Tylor defines religion as a belief in spiritual beings,<sup>50</sup> while Herbert Spencer posits that religion fundamentally consists of a belief in the existence of something eternal that transcends human intellect.<sup>51</sup> Max Müller said that given the diversity of interpretations surrounding religion, Max Müller asserts that a complete and definitive definition of religion has not yet been established, as scholars continue to explore the origins of religious thought. Nevertheless, a common element across various definitions is the acknowledgement of the supernatural.<sup>52</sup> The establishment of a positive relationship with supernatural powers elicits emotional responses in humans, which may manifest as either fear or love. Furthermore, this relationship often gives rise to “the sacred”, encompassing entities such as holy texts and sacred places.<sup>53</sup>

Religion serves as a pathway for individuals seeking salvation in their lives, founded on the belief in a supreme power that transcends human existence.<sup>54</sup> More broadly, religion can be defined as the acceptance of rules imposed by powers greater than humanity itself.<sup>55</sup> This higher power, often referred to as “God”, embodies the concept of supernatural authority.<sup>56</sup> Bambang Sugiharto posits that religion is, in fact, a product of the evolution of human consciousness. Drawing on the works of Mircea Eliade and Huston Smith, Sugiharto outlines a comprehensive framework of religious life, categorizing it into three distinct phases: “Archaic”, “Axial”, and “Modern”.

The first phase, the “Archaic” period, is characterized by religions that emphasize the metaphysical divine reality and enforce the behavior of their followers through strict rituals and myths. The second phase, the “Axial” period, witnessed the emergence of prophets in regions such as Israel, Persia, India, China, and Arabia, during which the focus shifted toward ethical values. In this period, vertical piety expressed through

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<sup>46</sup> Bambang Sugiharto. (2023). Agama Dan Paradigma Abad XXI in *Agama Dan Kesadaran Kontemporer*. ed. Uji Prastya and Petrus Indra Oktano. 5th ed. Yogyakarta: Kanisius, p. 17–48.

<sup>47</sup> Mukti Ali in Andreas Doweng Bolo. (2023). Agama Dan Ekonomi in *Agama Dan Kesadaran Kontemporer*. ed. Uji Prastya and Petrus Indra Oktano. 5th ed. Yogyakarta: Kanisius, p. 239–59.

<sup>48</sup> The meaning of the term “religion” can be found in Harun Nasution (2008), *Islam Ditinjau Dari Berbagai Aspeknya*, Jakarta: Universitas Indonesia Press, p. 2.

<sup>49</sup> The meaning of religion in the Indonesian language (*agama*) can be found in K. Sukardji (2007), *Agama-Agama Yang Berkembang Di Dunia Dan Pemeluknya*, Bandung: Angkasa, p. 26 and Endang Saifuddin Anshari (1987), *Ilmu, Filsafat Dan Agama*, 7th ed., Surabaya: Bina Ilmu Surabaya, p. 123.

<sup>50</sup> Anshari. *Ilmu, Filsafat Dan Agama*, p. 118.

<sup>51</sup> Herbert Spencer in Emile Durkheim. (1992). *Sejarah Agama: The Elementary Forms of the Religious Life*. Yogyakarta: IRCiSoD, p. 50.

<sup>52</sup> Max Müller in Amsal Bakhtiar. (2014). *Filsafat Agama Wisata Pemikiran Dan Kepercayaan Manusia*, 1st ed. 4th printed. Jakarta: Rajawali Pers, p. 14.

<sup>53</sup> Bakhtiar.

<sup>54</sup> Idrus Shahab. (2007). *Beragama Dengan Akal Jernih*. Jakarta: Serambi, p. 57.

<sup>55</sup> Anshari. *Ilmu, Filsafat Dan Agama*, p. 119.

<sup>56</sup> Harun Nasution. (1975). *Falsafat Agama*. Jakarta: Bulan Bintang, p. 23.

rituals and doctrinal confessions became insufficient; religiosity increasingly demanded a commitment to values that foster horizontal human relations. The third phase, the "Modern" period, during which the dissemination of teachings led to the standardization of doctrines and the establishment of institutional networks. In this phase, religion concentrated heavily on structural matters, where the organization of teachings in the form of verbal statements (propositions) and discourse became paramount, and the organizational structure itself experienced significant expansion and complexity.<sup>57</sup>

The process of division bequeaths a legacy of divine concepts and religious doctrines that are perpetually upheld by their adherents, often culminating in a process of "sacralization". The concretization of religion can be observed in the institutionalization of various belief systems and holistic worship rituals, which significantly influence behavioral patterns and actions among followers.

Religion, which introduces the essence of divinity with its incomparable attributes, encounters complications through its concretization. While humans are inherently free, their exercise of the right to seek truth is often restricted by this concretization. Although human thought has the potential to be limitless, individuals may feel constrained by established religious doctrines, leading them to refrain from further inquiry. This reluctance inhibits the exploration of their potential and limits opportunities for deeper intellectual and spiritual development. A clear example is the accommodation that exclusively provides space for only seven recognized religions: Islam, Catholicism, Christianity, Hinduism, Buddhism, Confucianism,<sup>58</sup> and the Penghayat Kepercayaan.<sup>59</sup>

To understand religious freedom in Indonesia, we begin with the first principle of Pancasila: "Belief in the One and the Only God". The Proclaimer of Indonesia, Soekarno, adopted Buddhist teachings related to moral practices known as "*Panca Sila*" (Pali or Sanskrit), meaning "Five Ethics" or "Five Morals". These principles include (1) a vow not to kill living beings; (2) a commitment to avoid stealing; (3) a determination to avoid unethical behavior; (4) a resolve to refrain from lying and deception; and (5) a pledge to abstain from intoxicating substances that impair consciousness.<sup>60</sup> The phrase "Belief in the One and Only God" conveys a profound and expansive moral message. The term "*maha*" (Pali or Sanskrit) means "noble" or "great," not in terms of physical form, but in its essence. The term "*esa*" from "*etad*" means "absolute existence." Consequently, the meaning embedded in this first principle is indeed profound and far-reaching. It emphasizes the noble qualities of God that should be embodied by the Indonesian people, rather than focusing on whether God is singular or plural. This indicates that the first principle does not assert that the Indonesian people must

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<sup>57</sup> Bambang Sugiharto (2010), Pergeseran Paradigma: Pada Sains, Filsafat Dan Agama Saat Ini, *MELINTAS*: Vol. 26, No. 3: p. 317–22, Doi: 10.26593/mel.v26i3.904.317-332, accessed from <https://journal.unpar.ac.id/index.php/melintas/article/view/904>.

<sup>58</sup> See Presidential Decree Number 1/PNPS of 1965 on Prevention of Abuse and/or Blasphemy of Religion, Elucidation of Article 1.

<sup>59</sup> See Verdict of Constitutional Court Number 97/PUU-XIV/2016.

<sup>60</sup> Fegik Prasetyo, Marjianto, and Sudarto (2023), Optimalisasi Ni;Ai-Nilai Pancasila Buddhis Dalam Mengatasi Perilaku Menyimpang Pada Mahasiswa Sekolah Tinggi Agama Buddha Negeri Raden Wijaya, *Dharmasmrti: Jurnal Ilmu Agama Dan Kebudayaan*: Vol. 23, No. 2: p. 112–18, Doi: 10.32795/ds.v23i2.4889, accessed from <https://ejournal.unhi.ac.id/index.php/dharmasmrti/article/view/4889>.

adhere to a religion that believes in only one God; rather, it encourages openness to religions that recognize multiple deities.<sup>61</sup>

Therefore, Soekarno emphasized that every Indonesian should have the freedom to believe in their own God and underscored that Indonesia is a nation where individuals can worship their God freely, without religious egoism.<sup>62</sup> Although the term “divinity” (“*Ketuhanan*”) was not articulated in detail or systematically within Soekarno’s theoretical treatises, he did not intend to provide a definitive statement regarding the nature of divinity or its interpretation within any specific religion. “Divinity” serves as one of the foundational principles that both forms and unifies the Indonesian nation, acting as a transcendental factor or divine element that complements the other four principles: humanity (the second principle), unity (the third principle), democracy (the fourth principle), and social justice (the fifth principle). This implies that the concept of “divinity” within Pancasila inherently encompasses pluralism and multiplicity. In this context, “divinity” in Pancasila is not merely a divinity theoretical construct but is an essential aspect of Soekarno’s vision for the formation of Indonesia as a nation.<sup>63</sup>

The first principle serves as a foundation for coexistence within a nation characterized by diverse religions and beliefs, which Soekarno referred to as the cultured and civilized values of God. This principle how these divine values are practiced within society and the state. Moh. Hatta described this principle as embodying the values of truth, justice, goodness, honesty, and brotherhood, all of which foster a sense of humanity and unity.<sup>64</sup> Moreover, it embodies a spirit of cooperation, providing a robust moral foundation for a life grounded in divinity.<sup>65</sup>

The phrase “Belief in the One and Only God” conveys the message that Indonesian society perceives everything in the world as a reflection of a singular power, namely the One Almighty God. Consequently, the divine values that serve as the foundation for organizing the state do not originate from any particular religion or belief; rather, they stem from universal principles found within various religious teachings and beliefs.<sup>66</sup> Therefore, the accommodation of only seven recognized religions is inconsistent with the mandate of the first principle of Pancasila, as it restricts each Indonesian individual to believe in God solely through the framework of these seven religions. This limitation undermines the freedom of the Indonesian people to acknowledge and believe in the “Sacred Figure” of their choice as individuals. Fundamentally, M. Hashim Kamali states

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<sup>61</sup> Erman Sepniagus Saragih (2018), Analisis Dan Makna Teologi Ketuhanan Yang Maha Esa Dalam Konteks Pluralisme Agama Di Indonesia, *Jurnal Teologi Cultivation*: Vol. 2, No. 1: p. 1–13, Doi: 10.46965/jtc.v2i1.175, accessed from <https://e-journal.iakntarutung.ac.id/index.php/cultivation/article/view/175>.

<sup>62</sup> This is summarized from an excerpt of Soekarno’s speech delivered before the Investigating Committee for Preparatory Work for Independence (Badan Penyelidik Usaha-Usaha Persiapan Kemerdekaan/BPUPKI) on June 1, 1945.

<sup>63</sup> Saragih. Analisis Dan Makna Teologi Ketuhanan Yang Maha Esa Dalam Konteks Pluralisme Agama Di Indonesia.

<sup>64</sup> Arief Hidayat (2023), Indonesia Negara Berketuhanan, Mahkamah Konstitusi Republik Indonesia, [https://www.mkri.id/public/content/infoumum/artikel/pdf/artikel\\_14\\_02\\_arief\\_hidayat.pdf](https://www.mkri.id/public/content/infoumum/artikel/pdf/artikel_14_02_arief_hidayat.pdf), accessed on 28 Juni 2024.

<sup>65</sup> Rizaldy Purnomo Pedju (2019), Analisa Konsep Universalitas Nilai Islam Dan Pancasila (Studi Pemikiran Yudi Latif), *Potret Pemikiran*: Vol. 23, No. 2: p. 99–112, Doi: 10.30984/pp.v23i2.995, accessed from <https://journal.iain-manado.ac.id/index.php/PP/article/view/995>.

<sup>66</sup> Hidayat. Indonesia Negara Berketuhanan.

that this reflects a proactive measure or form of protection against potential threats posed by groups who might misuse their power to impose their will on others.<sup>67</sup>

Current evidence suggests that the condition of the Indonesian nation diverges significantly from the mandate and purpose of the first principle of Pancasila. First, this principle has been misinterpreted in contemporary culture; “Belief in the One and Only God” is often understood not as the essence of God but as an affirmation of specific religious teachings, particularly Islam.<sup>68</sup> Consequently, society tends to evaluate various aspects of life solely through the lens of their religious truths, viewing teachings from other faiths as deviations. This interpretation is further exacerbated by affirmations from certain groups (the majority) that exclusively represent one religion. This misunderstanding often leads individuals to harbor negative prejudices, which manifest in actions such as insulting others.

Reflecting on the identity of the Indonesian state, the Constitution of 1945 unequivocally establishes that Indonesia is a “*negara hukum*” (state of law).<sup>69</sup> While Indonesia does not strictly adhere to the concept of *rechtsstaat*—characterized by a Continental European legal tradition with an administrative focus, a civil law system, and legalism—nor does it fully embody the concept of *the rule of law* typical of the Anglo-Saxon legal tradition with its common law system and judicial emphasis, Indonesia appears to adopt elements of both legal frameworks. This is evident in its acceptance of the principle of legal certainty, which is central to the concept of *rechtsstaat*, alongside the principle of justice, which is fundamental to *the rule of law*.<sup>70</sup>

The concept of *negara hukum* is inherently connected to the notion of nomocracy, which posits that the law is the primary determinant in the exercise of state power.<sup>71</sup> Jan Materson states that as a *negara hukum*—whether characterized as a *rechtsstaat* or a *rule of law*—the recognition of human rights, which is one of the fundamental principles to be upheld, carries both normative and practical implications. Human rights could be generally defined as those rights which are inherent in our nature and without which we cannot live as human beings.<sup>72</sup> This implies that it is impossible to live authentically as a human being without the recognition and protection of human rights.

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<sup>67</sup> M. Hashim Kamali. (1996). *Kebebasan Berpendapat Dalam Islam*. ed. Eva Y. Nukman and Fathiyah Basri. 1st ed. Bandung: Mizan, p. 120.

<sup>68</sup> This phenomenon is closely related to the implications of the minority-majority dynamic within society. In general, a minority is defined as a community group or social class whose membership is smaller than that of other groups. Conversely, the majority refers to a community group or social class whose membership is significantly larger than that of other groups.

<sup>69</sup> Elucidation of the Constitution of 1945 before the amendment indicates that Indonesia initially adopted the concept of *rechtsstaat*. Following the amendment, the elucidation was removed, resulting in Indonesia no longer aligning with a specific type of rule of law state (*rechtsstaat*).

<sup>70</sup> Fikri Hadi (2022), Negara Hukum Dan Hak Asasi Manusia Di Indonesia, *Wijaya Putra Law Review*. Vol. 1, No. 2: p. 170–88, Doi: 10.38156/wplr.v1i2.79, accessed from <http://jurnal.uwp.ac.id/fh/index.php/wijayaputralawreview/article/view/79>.

<sup>71</sup> Jimly Asshiddiqie. (2018). *Konstitusi & Konstitusionalisme Indonesia*. ed. Tarmizi. 2nd ed. 5th printed. Jakarta: Sinar Grafika, p. 121.

<sup>72</sup> Muhammad Amin Putra (2015), Perkembangan Muatan HAM Dalam Konstitusi Di Indonesia, *FIAT JUSTISIA: Jurnal Ilmu Hukum*: Vol. 9, No. 2: p. 199–216, Doi: 10.25041/fiatjustisia.v9no2.597, accessed from <https://jurnal.fh.unila.ac.id/index.php/fiat/article/view/597>.

Human rights encompass the fundamental freedoms of every individual, including the right to religious freedom.<sup>73</sup>

In realizing religious rights, particularly in Indonesia, it is essential to consider the realization of a state governed by law (nomocracy), which cannot be separated from the sovereignty of the people (democracy<sup>74</sup>). Both concepts must coexist as two sides of the same coin.<sup>75</sup> Nomocratic and democratic states are both grounded in the principle of recognizing and protecting human rights.

As a country that adheres to a democratic<sup>76</sup> system, Indonesia must protect and fulfil the right to freedom of religion, utilizing all available resources to ensure the realization of this right. Philosophically, the concept of freedom of religion is understood in both positive and negative terms. It implies the freedom to worship or not to worship, to affirm the existence of God or to deny it, and to adhere to Christianity or any other religion, or none at all, according to individual choice.<sup>77</sup> Both the freedom of religion and the freedom of non-religion are non-derogable rights. However, concerning the concept of freedom of religion in Indonesia, Oemar Seno Adji posits that religion within a Pancasila-based state is always viewed positively. This implies that in Indonesia, there is no place for atheism or anti-religious propaganda.<sup>78</sup>

Freedom of religion in Indonesia is enshrined in Article 28E paragraph (1), and Article 29 paragraph (2) of the Constitution of 1945, which guarantees the Indonesian people's right to believe in or adhere to any religion. However, the reality suggests otherwise. The Indonesian government officially recognizes only seven religions, thereby marginalizing the status of other religious and belief systems within the country. In a more abstract realm of thought, religious freedom as a "concept"—included in the discourse of rights in Indonesia—serves as a "symbol" that holds significant meaning in human life. This concept exists in the realm of *nomenon*<sup>79</sup> (the

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<sup>73</sup> See Law Number 39 of 1999 on Human Rights, Article 4.

<sup>74</sup> Democracy, derived from Greek, of "*demos*" means "people", and "*kratos*" means "government". According to Hans Kelsen, democracy is a form of government that is exercised by the people and for the people. In this context, the implementation of state power is conducted by representatives elected by the people, following a shared belief in the established rules governing the exercise of that power. See Gabriana Akhira Malik et al. (2021), Penerapan Demokrasi Berkeadaban Dalam Kebudayaan Dan Tradisi Suku Bugis, *Jurnal Kewarganegaraan*, Vol. 5, No. 2: p. 701–7, Doi: 10.31316/jk.v5i2.1987, accessed from <https://journal.upy.ac.id/index.php/pkn/article/view/1987>.

<sup>75</sup> Jimly Asshiddiqie. (2020). *Hukum Tata Negara Dan Pilar-Pilar Demokrasi: Serpihan Pemikiran Hukum, Media Dan HAM*. Revision ed. 1st printed. Jakarta: Konstitusi Press, p. 150.

<sup>76</sup> According to Soehino, the democratic systems in force in Indonesia are: (1) Constitutional Democracy (August 18, 1945, to November 14, 1945); (2) Liberal Democracy (November 14, 1945, to July 5, 1959); (3) Guided Democracy (July 5, 1959, to March 21, 1998); and (4) Pancasila Democracy (March 21, 1968 until now). Sri Soemantri argues that, in material terms, all constitutions that have been enacted in Indonesia adhere to Pancasila Democracy, as each of them establishes Pancasila as the foundational principle of the state. See Cora Elly Noviati (2013), Demokrasi Dan Sistem Pemerintahan, *Jurnal Konstitusi*, Vol. 10, No. 2: p. 333–54, Doi: 10.31078/jk1027, accessed from <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1027>.

<sup>77</sup> Sir Alfred Denning in Ramlani Lina Sinaulan, *Hak Asasi Manusia Dalam Demokrasi*, ed. Yuhelson, 1st ed. (Yogyakarta: Kepel Press, 2012), p. 12.

<sup>78</sup> Muhammad Tahir Azhary. (2004). *Negara Hukum Suatu Studi Tentang Prinsip-Prinsipnya Dilihat Dari Segi Hukum Islam, Implementasinya Pada Periode Negara Madinah Dan Masa Kini*. 2nd ed. 2nd printed. Jakarta: Kencana, p. 93.

<sup>79</sup> Nomenon or "*nomenon*" (Ancient Greek) means "idea" from the word "*nonein*" means "to think", or "*nous*" means "realm of ideas". The plural form is "*nomena*".

domain of imaginative human ideas), while the objects it represents reside in the realm of *phenomenon*<sup>80</sup> (actual sensory experiences). In other words, the reality of noumena pertains to the realm of human imagination, whereas the reality of phenomena pertains to the realm of human sensory perception.

If the object of observation is "religion", which is commonly witnessed in our daily lives through various worship practices, then "religion" exists in the realm of *phenomenon* (sensory experience). In contrast, the term "religion" or "*agama*" (in Indonesian) serves as a representative symbol situated in the realm of *nomenon* (imaginative), which is abstract and general. Consequently, it will be conceptualized differently within the discourse and "interpreted" uniquely in the imagination of each individual. The concept in the abstract realm of imagination is hierarchical and categorized, ranging from the most concrete to the most general. For instance, if "Islam" is considered an abstract concept, then "religion" represents an even broader abstraction, as its scope encompasses a wider range of representations. The term "religion" does not solely encompass the specific practices of "Islam" but also includes other religions, such as "Catholicism, Christianity, Hinduism, Buddhism, Confucianism, and Penghayat Kepercayaan (the seven religions accommodated by Indonesia). In reality, this classification is not limited to these seven religions. An even more abstract concept than "religion" is that of "faith". Therefore, the term "religion" as a concept is insufficient to encompass the entirety of what we observe; it pertains to all that humans believe.

The aforementioned parable effectively illustrates that humans inherently seek to absorb and deepen their understanding of religion through personal experiences and imagination. Individuals, equipped with their innate potential, continually explore the mysteries of existence in pursuit of answers related to the Sacred. The state should not interfere in evaluating the beliefs held within a person's heart, nor can it determine the validity or deviation of an individual's faith. The state has no authority to dictate or limit the religion its citizens must adopt, as religion is not a mere category from which individuals select in order to gain personal or legal recognition within the nation.

Given the numerous cases of intolerance and discrimination experienced by certain communities, there is a growing pessimism regarding the state's responsibility in fulfilling human rights. This situation necessitates heightened awareness from various stakeholders about the essence of religious freedom to prevent any distortion of its meaning. Furthermore, within the context of democratic thought, there must be a concerted effort to appreciate the value of tolerance to ensure participation from all sectors of society. The lives of religious communities in Indonesia appear to be increasingly characterized by conflict and diminishing tolerance. When individuals seek to exercise their freedom and express their beliefs, it is often the state that fails to fulfil its obligation to provide legal protection. Discrimination and intolerance are not limited to ordinary citizens; they also involve state officials, including law enforcement personnel.

Likewise, the teachings of tolerance and religious freedom initiated by John Locke reject the notion of coercion, whether at the individual or group level or even through

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<sup>80</sup> Phenomenon or "*phenomenon*" (Ancient Greek) means "visible fact" from the word "*phanesthai*" means "to appear", or "*phainein*" means "to show". The plural form is "*phenomena*".

institutional means, in matters of religious belief.<sup>81</sup> The state cannot restrict the spiritual journey of an individual to a specific religion. This implies that the state, with all its capabilities and powers, cannot limit or revoke a person's freedom of religion. The state is obligated to ensure the fulfillment of human rights for all citizens, irrespective of their religious affiliations, by fostering an atmosphere of religious tolerance.

In Gottfried Wilhelm Leibniz's view, the world consists of small parts or simple substances known as "*monade*", each of which reflects the universe as a whole. Therefore, the existence of conflict or war signifies a contradiction to the universal harmony of the world.<sup>82</sup> Every religion and belief present in Indonesia can be seen as an independent "*monade*", each playing a crucial role in maintaining harmony within the nation. These religions and beliefs were created by the Creator from the outset, even before the "*monade*" was perceived through the senses. The Creator exists as an inherent part of every "*monade*" that contributes to the totality of the system.

Ideally, this is how tolerance can be manifested in religious freedom to foster harmony. "Tolerance" from the "tolerant" word signifies "being tolerant and respecting the opinions of others".<sup>83</sup> The term "tolerating" means "remaining silent" or "allowing things to be".<sup>84</sup> outline the concept of tolerance through three conditions: (1) the presence of certain practices or actions that are deemed unpleasant or even unacceptable (disapproval); (2) the possession of the means or ability to halt these practices or actions (power); and (3) the conscious decision to refrain from intervening (self-restraint). From these conditions, tolerance represents a wise response, given the challenging circumstances that an individual may encounter when permitting practices that they disapprove of.

Tolerance can be interpreted in both narrow and broad terms. In a narrow interpretation, an individual is considered tolerant if they (1) disapprove of a particular practice; (2) possess the power to intervene; but (3) have a moral reason not to intervene. In contrast, a broad interpretation defines tolerance as the state in which an individual (1) disapproves of a particular practice; (2) possesses the power to intervene; but (3) has any compelling reason to refrain from intervening<sup>85</sup>. From this brief exploration of the concept of tolerance, it is evident that Indonesian society does not fully comprehend its meaning, or perhaps has yet to do so.

According to Koerniatmanto Soetoprawiro, tolerance is the courage to respect and appreciate the differences that exist within a community, thereby ensuring that life remains harmonious and peaceful. Tolerance does not inherently recognize the distinctions between minorities and majorities. However, this distinction often emerges in practice. Tolerance can ultimately be viewed from two perspectives: that of the

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<sup>81</sup> Zahratul Idami (2016), "Perlindungan Hukum Oleh Negara Kepada Pemeluk Agama Di Indonesia Dan Perbandingannya Dengan Ketentuan Dalam Islam, *Kanun Jurnal Ilmu Hukum*: Vol. 18, No. 1: p. 69–92, accessed from <https://jurnal.usk.ac.id/kanun/article/view/5919>.

<sup>82</sup> Idami.

<sup>83</sup> Tim Prima Pena. *Kamus Besar Bahasa Indonesia*, Newest ed. Gitamedia Press, p. 765.

<sup>84</sup> Bart Engelen and Thomas Nys (2008), Tolerance: A Virtue? Towards a Broad and Descriptive Definition of Tolerance, *Philosophy in the Contemporary World*: Vol. 15, No. 1: p. 44–54, Doi: 10.5840/pcw20081515, accessed from [https://www.pdcnet.org/cultura/content/pcw\\_2008\\_0015\\_0001\\_0044\\_0054](https://www.pdcnet.org/cultura/content/pcw_2008_0015_0001_0044_0054).

<sup>85</sup> Engelen and Nys.



majority and that of the minority. From the majority's perspective, tolerance is a condition in which the smaller group (the minority) must respect the larger group (the majority). In this view, the minority is expected to understand the majority, resulting in compliance with the will of the majority. Conversely, from the minority's perspective, tolerance is a condition in which the majority must understand the minority. Ideally, the concept of tolerance should involve mutual understanding, where both the minority comprehends the majority and vice versa. However, in Indonesia, the prevailing interpretation of tolerance often aligns exclusively with the perspective of the majority, leading to a misalignment with the true essence of tolerance.<sup>86</sup>

The aforementioned statement is substantiated by numerous instances of intolerance within society, particularly concerning religious freedom, as highlighted in the background of this article. This suggests that intolerance in Indonesia remains pervasive, not only persisting but also appearing to escalate.<sup>87</sup> Intercommunal disputes arise through the construction of exclusive truth claims over religion, which often manifests overtly. Such dynamics ultimately detract from the fundamental essence of the divine, as expressed within religious teachings, and can lead to dire consequences for humanity, placing individuals on the brink of conflict. Conversely, Indonesia's motto, *Bhinneka Tunggal Ika*, embodies the nation's identity as one that is unified amidst its diverse differences.

#### 4. CONCLUSION

Humans are inherently connected to the concept of freedom. Religion offers individuals the freedom for their development as complete human beings, while humans, in turn, embody sacred values. Religion is a chosen path through which individuals strive to attain divine principles, elevating them to their highest potential. It is not, however, a tool to secure basic services from the state. Indonesia cannot categorize or privilege certain religions while marginalizing others, nor does it have the authority to impose religious justification in all matters. Rather, Indonesia is obligated to protect human rights, irrespective of an individual's religion, so that everyone can practice religious freedom. Additionally, Indonesia must foster an atmosphere of mutual and comprehensive tolerance, while also promoting a high level of democracy. This involves engaging all sectors of society in a collective introspection and requires self-reflection with others and the world at large as individuals seek personal freedom. A shared awareness is crucial to guarantee that everyone can exercise their religious rights and actualize these rights in their daily lives, while also contributing to the mutual development of human potential.

#### 5. REFERENCES

##### Journals:

Azhar, A. R. T. S. (2018). Titik Temu Antara Islam dan Filsafat. *YAQZHAN: Analisis Filsafat, Agama Dan Kemanusiaan*: Vol. 4, No. 1: p. 151–176. Doi: 10.24235/jy.v4i1.3193. Accessed from

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<sup>86</sup> This statement was made by Koerniatmanto Soetoprawiro during a lecture at Parahyangan University.

<sup>87</sup> This increase is evident in data compiled by the SETARA Institute, showing a rise from 175 incidents involving 333 violations in 2022 to 217 incidents involving 329 violations in 2023. See ryn/wis, SETARA Institute Catat 329 Pelanggaran KBB Sepanjang 2023.

<https://www.syekhnrjati.ac.id/jurnal/index.php/yaqhzan/article/view/3193>

- Banke, R., Steven, & Susanto, N. (2023). Pancasila Sebagai Solusi Pluralisme Di Indonesia. *Jurnal Ilmiah Maksitek*: Vol. 8, No. 2: p. 118–127. Accessed from <https://makarioz.sciencemakarioz.org/index.php/JIM/article/view/388>
- Engelen, B., & Nys, T. (2008). Tolerance: A Virtue? Towards a Broad and Descriptive Definition of Tolerance. *Philosophy in the Contemporary World*: Vol. 15, No. 1: p. 44–54. Doi: 10.5840/pcw20081515. Accessed from [https://www.pdcnet.org/cultura/content/pcw\\_2008\\_0015\\_0001\\_0044\\_0054](https://www.pdcnet.org/cultura/content/pcw_2008_0015_0001_0044_0054)
- Enkins, D. L., Hedstorm, L. J., Hughes, L. L., Leaf, J. A., & Saunders, C. (1988). Toward a Humanistic-Phenomenological Spirituality: Definition, Description, and Measurement. *Journal of Humanistic Psychology*: Vol. 28, No. 4: p. 5–18. Doi: 10.1177/0022167888284002. Accessed from <https://journals.sagepub.com/doi/abs/10.1177/0022167888284002#tab-contributors>
- Hadi, F. (2022). Negara Hukum dan Hak Asasi Manusia di Indonesia. *Wijaya Putra Law Review*: Vol. 1, No. 2: p. 170–188. Doi: 10.38156/wplr.v1i2.79. Accessed from <http://jurnal.uwp.ac.id/fh/index.php/wijayaputralawreview/article/view/79>
- Hakim, L., & Kurniawan, N. (2021). Membangun Paradigma Hukum HAM Indonesia Berbasis Kewajiban Asasi Manusia. *Jurnal Konstitusi*: Vol. 18, No. 4: p. 869–897. Doi: 10.31078/jk1847. Accessed from <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1847>
- Hendardi. (2022). Pancasila, Kebebasan Beragama/Berkeyakinan, Dan Tantangan Politisasi Identitas Dalam Tata Kebinekaan Indonesia. *Jurnal Pancasila*: Vol. 3, No. 2: p. 47–64. Accessed from <https://jurnal.ugm.ac.id/pancasila/article/view/79676>
- Idami, Z. (2016). Perlindungan Hukum oleh Negara Kepada Pemeluk Agama di Indonesia dan Perbandingannya dengan Ketentuan dalam Islam. *Kanun Jurnal Ilmu Hukum*: Vol. 18, No. 1: p. 69–92. Accessed from <https://jurnal.usk.ac.id/kanun/article/view/5919>
- Ismail, M. (2014). Konsep Berpikir Dalam Al-Qur'an Dan Implikasinya Terhadap Pendidikan Akhlak. *Ta'dib: Jurnal Pendidikan Islam*: Vol 19, No. 2: p. 291–312. Doi: 10.19109/td.v19i02.20. Accessed from <https://jurnal.radenfatah.ac.id/index.php/tadib/article/view/20>
- Kaltsum, L. U., Dasrizal, & Tsauri, M. N. (2022). Animism and Dynamism Belief in Muslim Society of East Nusa Tenggara. *Jurnal Masyarakat Dan Budaya*: Vol 24, No. 1: p. 15–34. Doi: 10.55981/jmb.2022.1281. Accessed from <https://jmb.lipi.go.id/jmb/article/view/1281>
- Kurniawati, E., & Bakhtiar, N. (2018). Manusia Menurut Konsep Al-Qur'an dan Sains. *JNSI: Journal of Natural Science and Integration*: Vol. 1, No. 1: p. 78–94. Doi: 10.24014/jnsi.v1i1.5198. Accessed from <https://ejournal.uin-suska.ac.id/index.php/JNSI/article/view/5198>
- Malik, G. A., Maso, M. S. P. P., Akbar, M. Z., & Fathona, S. (2021). Penerapan Demokrasi Berkeadaban dalam Kebudayaan dan Tradisi Suku Bugis. *Jurnal Kewarganegaraan*: Vol. 5, No. 2: p. 701–707. Doi: 10.31316/jk.v5i2.1987. Accessed from <https://journal.upy.ac.id/index.php/pkn/article/view/1987>
- Moeliono, T. P. (2017). Negara Hukum Yang Berke-Tuhanan Dan Pluralisme (Sistem)

- Hukum Di Indonesia. *Lex Publica*: Vol. 3, No. 2: p. 535–554. Accessed from <https://journal.appti.org/index.php/lexpublica/article/view/61>
- Munawar-Rachman, B. (2022). Tuhan dan Masalah Kejahatan dalam Diskursus Ateisme dan Teisme. *Focus*: Vol. 3, No. 2: p. 89–106. Doi: 10.26593/focus.v3i2.6081. Accessed from <https://journal.unpar.ac.id/index.php/focus/article/view/6081>
- Najoan, D. (2020). Memahami Hubungan Religiusitas Dan Spiritualitas Di Era Milenial. *Educatio Christi*: Vol. 1, No. 1: p. 64–74. Accessed from <https://ejournal.teologi-ukit.ac.id/index.php/educatio-christi/article/view/11>
- Nisa, N., & Dewi, D. A. (2021). Pancasila Sebagai Dasar dalam Kebebasan Beragama. *Jurnal Pendidikan Tambusai*: Vol. 5, No. 1: p. 890–896. Accessed from <https://jptam.org/index.php/jptam/article/view/1049>
- Noviati, C. E. (2013). Demokrasi dan Sistem Pemerintahan. *Jurnal Konstitusi*: Vol. 10, No. 2: p. 333–354. Doi: 10.31078/jk1027. Accessed from <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1027>
- Nurhakim, N., Adriansyah, M. I., & Dewi, D. A. (2024). Intoleransi Antar Umat Beragama di Indonesia. *MARAS: Jurnal Penelitian Multidisplin*: Vol. 2, No. 1: p. 50–61. Doi: 10.60126/maras.v2i1.126. Accessed from <https://ejournal.lumbangpare.org/index.php/maras/article/view/126>
- Pedju, R. P. (2019). Analisa Konsep Universalitas Nilai Islam dan Pancasila (Studi Pemikiran Yudi Latif). *Potret Pemikiran*: Vol. 23, No. 2: p. 99–112. Doi: 10.30984/pp.v23i2.995. Accessed from <https://journal.iain-manado.ac.id/index.php/PP/article/view/995>
- Prasetyo, F., Marjianto, & Sudarto. (2023). Optimalisasi Nilai-Nilai Pancasila Buddhis dalam Mengatasi Perilaku Menyimpang pada Mahasiswa Sekolah Tinggi Agama Buddha Negeri Raden Wijaya. *Dharmasmrti: Jurnal Ilmu Agama Dan Kebudayaan*: Vol. 23, No. 2: p. 112–118. Doi: 10.32795/ds.v23i2.4889. Accessed from <https://ejournal.unhi.ac.id/index.php/dharmasmrti/article/view/4889>
- Putra, M. A. (2015). Perkembangan Muatan HAM dalam Konstitusi di Indonesia. *FIAT JUSTISIA: Jurnal Ilmu Hukum*: Vol. 9, No. 2: p. 199–216. Doi: 10.25041/fiatjustisia.v9no2.597. Accessed from <https://jurnal.fh.unila.ac.id/index.php/fiat/article/view/597>
- Sandur, S. (2022). Melampaui Kebebasan: Konsep Kebebasan Thomas Aquinas VS Kebebasan Modern. *Jurnal Filsafat Dan Teologi Katolik*: Vol. 5, No. 2: p. 38–52. Doi: 10.58919/juftek.v5i2.26. Accessed from <https://ejournal.stikassantoyohanessalib.ac.id/index.php/juftek/article/view/26>
- Saragih, E. S. (2018). Analisis dan Makna Teologi Ketuhanan yang Maha Esa dalam Konteks Pluralisme Agama di Indonesia. *Jurnal Teologi Cultivation*: Vol. 2, No. 1: p. 1–13. Doi: 10.46965/jtc.v2i1.175. Accessed from <https://ejournal.iakntarutung.ac.id/index.php/cultivation/article/view/175>
- Siringoringo, M. P. (2022). Pengaturan dan Penerapan Jaminan Kebebasan Beragama sebagai Hak Asasi Manusia dalam Perspektif UUD 1945 sebagai Hukum Dasar Negara. *NJLO: Nommensen Journal of Legal Opinion*: Vol. 3, No. 1: p. 111–124. Doi: 10.51622/njlo.v3i1.618. Accessed from <https://ejournal.uhn.ac.id/index.php/opinion/article/view/618>
- Sugiharto, B. (2010). Pergeseran Paradigma: Pada Sains, Filsafat dan Agama Saat Ini.

*MELINTAS*: Vol. 26, No. 3: p. 317–322. Doi: 10.26593/mel.v26i3.904.317-332. Accessed from <https://journal.unpar.ac.id/index.php/melintas/article/view/904>

Yunazwardi, M. I., & Nabila, A. (2021). Implementasi Norma Internasional mengenai Kebebasan Beragama dan Berkeyakinan di Indonesia. *Indonesian Perspective*: Vol. 6, No. 1: p. 1–21. Doi: 10.14710/ip.v6i1.37510. Accessed from <https://ejournal.undip.ac.id/index.php/ip/article/view/37510>

### **Books:**

Acton, J. E. E. D. (1993). *The History of Freedom* (R. A. Sirico (ed.)). The Action Institute.

Alwi, S. (2014). *Perkembangan Religiusitas Remaja* (1st ed.). Kaukaba Dipantara.

Anshari, E. S. (1987). *Ilmu, Filsafat dan Agama* (7th ed.). Bina Ilmu Surabaya.

Asshiddiqie, J. (2018). *Konstitusi & Konstitusionalisme Indonesia* (Tarmizi (ed.); 2nd ed. 5th printed). Sinar Grafika.

Asshiddiqie, J. (2020). *Hukum Tata Negara dan Pilar-Pilar Demokrasi: Serpihan Pemikiran Hukum, Media dan HAM* (Revision ed. 1st printed). Konstitusi Press.

Azhary, M. T. (2004). *Negara Hukum Suatu Studi tentang Prinsip-Prinsipnya Dilihat dari Segi Hukum Islam, Implementasinya pada Periode Negara Madinah dan Masa Kini* (2nd ed. 2nd printed). Kencana.

Bakhtiar, A. (2014). *Filsafat Agama Wisata Pemikiran dan Kepercayaan Manusia* (1st ed. 4th printed). Rajawali Pers.

Bolo, A. D. (2023). Agama dan Ekonomi. In U. Prastya & P. I. Oktano (Eds.), *Agama dan Kesadaran Kontemporer* (5th ed., pp. 239–259). Kanisius.

Canda, E. R., Furman, L. D., & Canda, H.-J. (2019). *Spiritual Diversity in Social Work Practice: The Heart of Helping* (3rd ed.). Oxford University Press.

Dister, N. S. (1991). *Filsafat Kebebasan* (2nd ed.). Kanisius.

Drijarkara. (1978). *Percikan Filsafat*. Kanisius.

Durkheim, E. (1992). *Sejarah Agama: The Elementary Forms of the Religious Life*. IRCiSoD.

Goleman, D. (2002). *Emotional Intelligence-Kecerdasan Emosional* (A. T. K. Widodo (ed.)). Gramedia.

Hamersma, H. (1985). *Filsafat Eksistensi Karl Jaspers*. Gramedia.

Hardjana, A. (2002). *Penghayatan Agama: Yang Otentik & Tidak Otentik* (7th ed.). Kanisius.

Israfil. (2020). Spiritualitas dan Religi. In A. Munandar (Ed.), *Keperawatan Transkultural (Konsep dan Aplikasi)* (pp. 151–162). Media Sains Indonesia.

- Jalaluddin. (2003). *Teologi Pendidikan*. RajaGrafindo Persada.
- Kamali, M. H. (1996). *Kebebasan Berpendapat dalam Islam* (E. Y. Nukman & F. Basri (eds.); 1st ed.). Mizan.
- Maksudin. (2013). *Paradigma Agama dan Sains Nondikotomik* (1st ed.). Pustaka Pelajar Offset.
- Nasution, H. (1975). *Falsafat Agama*. Bulan Bintang.
- Nasution, H. (2008). *Islam Ditinjau dari Berbagai Aspeknya*. Universitas Indonesia Press.
- Raharja, U. T., & Sulo, L. (2005). *Pengantar Pendidikan*. Rineka Cipta.
- Shahab, I. (2007). *Beragama dengan Akal Jernih*. Serambi.
- Sinulan, R. L. (2012). *Hak Asasi Manusia dalam Demokrasi* (Yuhelson (ed.); 1st ed.). Kepel Press.
- Sugiharto, B. (2023). Agama dan Paradigma Abad XXI. In U. Prastya & P. I. Oktano (Eds.), *Agama dan Kesadaran Kontemporer* (5th ed., pp. 17–48). Kanisius.
- Sugiharto, I. B., & W., A. R. (2000). *Wajah Baru Etika & Agama*. Kanisius.
- Sukardji, K. (2007). *Agama-Agama yang Berkembang di Dunia dan Pemeluknya*. Angkasa.
- Suriasumantri, J. (2015). Tentang Hakikat Ilmu: Sebuah Pengantar Redaksi. In J. Suriasumantri (Ed.), *Ilmu dalam Perspektif: Sebuah Kumpulan Karangan tentang Hakekat Ilmu* (19th ed., pp. 1–52). Yayasan Pustaka Obor Indonesia.
- Tim Prima Pena. *Kamus Besar Bahasa Indonesia* (Newest ed.). Gitamedia Press.
- Zinnbauer, B. J., & Pargament, K. I. (2013). Religiousness and Spirituality. In R. F. Paloutzian & C. L. Park (Eds.), *Handbook of the Psychology of Religion and Spirituality* (2nd ed., pp. 21–42). The Guilford Press.
- Zuhairini. (2009). *Filsafat Pendidikan Islam*. Bina Aksara.

#### **Internet:**

- Badan Pusat Statistik. (2024). *Jumlah Penduduk Pertengahan Tahun (Ribu Jiwa), 2022-2024*. Badan Pusat Statistik. <https://www.bps.go.id/id/statistics-table/2/MTk3NSMy/jumlah-penduduk-pertengahan-tahun--ribu-jiwa-.html>. Accessed on 24 September 2024.
- Hidayat, A. (2023). *Indonesia Negara Berketuhanan*. Mahkamah Konstitusi Republik Indonesia. [https://www.mkri.id/public/content/infoumum/artikel/pdf/artikel\\_14\\_02\\_arief\\_hidayat.pdf](https://www.mkri.id/public/content/infoumum/artikel/pdf/artikel_14_02_arief_hidayat.pdf). Accessed 28 Juni 2024.

Kafi, A. H. (2021). *Dimensi Spiritual dan Emosional Manusia*. Pustaka Al Jihad. <https://pustaka.yayasanaljihad.org/pengajian/dimensi-spiritual-dan-emosional-manusia/>. Accessed on 24 September 2024.

Muhamad, N. (2024). *Mayoritas Penduduk Indonesia Beragama Islam pada Semester I 2024*. Databoks. <https://databoks.katadata.co.id/statistik/66b45dd8e5dd0/mayoritas-penduduk-indonesia-beragama-islam-pada-semester-i-2024>. Accessed on 24 September 2024.

ryn/wis. (2024). *SETARA Institute Catat 329 Pelanggaran KBB Sepanjang 2023*. CNN Indonesia. <https://www.cnnindonesia.com/nasional/20240623142229-20-1113090/setara-institute-catat-329-pelanggaran-kbb-sepanjang-2023>. Accessed on 24 September 2024.

Zainuddin, H. (2013). *Horizon Baru Kajian Islam di Indonesia*. UIN MAULANA MALIK IBRAHIM MALANG. <https://uin-malang.ac.id/blog/post/read/131101/horizon-baru-kajian-islam-di-indonesia.html>. Accessed on 24 September 2024.

### **Regulation:**

Law Number 39 of 1999 on Human Rights (1999).

Presidential Decree Number 1/PNPS of 1965 on Prevention of Abuse and/or Blasphemy of Religion (1965).

The Constitution of 1945 (1945).

Verdict of Constitutional Court Number 97/PUU-XIV/2016 (2016).