A Contested Freedom of Religion or Belief (FoRB) under the Majority Power: The Dynamics of Shia Community in Indonesia

Suheri Suheri[1*]

[1] *Center for Religious and Cross-cultural Studies (CRCS), Postgraduate School, Universitas Gadjah Mada, Yogyakarta, Indonesia*

Abstract

The concept of Islamic law in Indonesia is dynamic, dominating several sectors but often arising with controversial effects. One of the minority groups affected is the Shi'a Islam. From the government, the MUI (Indonesian Ulama Council) and "moderate" religious organizations campaign and manipulate anti-Shi'a discourse in Islamic law and blasphemy law as a basis of power to encourage dehumanization or marginalization of minority Islamic groups. Shi'a is often accused of blaspheming Islam as it is different from Sunni beliefs and disrupts public order. This study aims to describe the complexity of the problem and show the dynamics related to the existence of Shia, both leading to the worst violations of the FoRB concept (Freedom of Religion or Belief) or actions in interfaith relations. This article is a qualitative library study. This paper argues that the affirmative action movement between religions contributes positively to responding to the majority-minority conflict in Indonesia by strengthening the multidimensional function of human rights and spreading awareness at all grassroots levels, NGOs, and government officials. This study found that inter-community coexistence raises the awareness that no one has the privilege to deprive every human being of any right.

———

Konsep hukum Islam di Indonesia sebetulnya sangat dinamis, mendominasi beberapa sektor namun seringkali muncul dengan efek kontroversial. Salah satu kelompok minoritas yang terdampak yakni kelompok Syiah. Dari pemerintah, MUI (Majelis Ulama Indonesia) dan organisasi keagamaan "moderat" bekerja sama untuk mengubah dan memanipulasi wacana anti-Syiah dalam hukum Islam dan hukum penistaan agama sebagai basis kekuasaan untuk mendorong dehumanisasi atau marginalisasi terhadap kelompok minoritas Islam.

—————————

*Corresponding Author: Suheri Suheri (suheri95@mail.ugm.ac.id), Postgraduate School, Universitas Gadjah Mada, Jl. Teknika Utara, Sleman, Yogyakarta, 55284 3 Indonesia.

Salah satu wacana, seperti Syiah, menghujat Islam karena hal ini berbeda dengan keyakinan Sunni dan mengganggu ketertiban umum. Kajian ini bertujuan untuk menggambarkan kompleksitas masalah dan menampilkan dinamika yang terkait dengan keberadaan Syiah, baik yang mengarah pada pelanggaran terburuk terhadap konsep FoRB (Kebebasan Beragama atau Berkeyakinan) atau tindakan dalam hubungan antaragama. Penelitian ini merupakan studi Pustaka dan bersifat kualitatif. Tulisan ini berargumen bahwa gerakan afirmatif antar agama berkontribusi secara positif merespon konflik mayoritas-minoritas di Indonesia dengan memperkuat fungsi multidimensi hak asasi manusia dan menyebarkan kesadaran di semua tingkat akar rumput, LSM, dan aparat pemerintah. Penelitian ini menemukan bahwa koeksistensi antar-komunitas membangkitkan kesadaran bahwa tidak seorang pun memiliki hak istimewa untuk menghilangkan setiap hak yang dimiliki setiap manusia.

Introduction

Indonesia is a country that is not officially affiliated with any particular religion. However, the legal system in the country reflects an environment in which Islam dominates all sectors. One of the effects of this dynamic is the categorization of non-Muslims as deviant groups, which inevitably raises issues of majority-minority relations. For example, during the fall of the Suharto era, the Shia group was one of the groups affected by this categorization (Schäfer, 2015, p. 500). The recent sentiment increase towards Shia groups in Indonesia is a relatively new phenomenon. They are subjected to numerous negative impacts, including violent attacks, burning homes and Islamic boarding schools, stone-throwing at religious sites, and even being banned from practicing their religious beliefs.

The abovementioned issues are closely associated with the global political landscape, national politics, and local concerns. The ideological conflict between Sunni and Shia remains unresolved, and the Sunni group's monopolization of Islamic domination has resulted in problematic outcomes (Larsson, 2016, p. 217; Moosa, 2000, p. 188). For instance, the blasphemy law is a prime example of a dilemma in Indonesia that has been used to safeguard the dominant religion (Formichi, 2014a, p. 2). This law, which has persisted in various contexts for a significant period, is among the most

disadvantageous legal principles propagating the monotheistic concept. As a result, it has been instrumental in the marginalization of minority groups, as illustrated by the Shia groups in Indonesia, who are prohibited from publicly practicing their faith and are not allowed to express their beliefs, which leads to some of the worst consequences (Temperman, 2008, pp. 518 & 523).

This article explores the complex and contested nature of Freedom of Religion or Belief (FoRB), focusing on its application in Muslim-majority Indonesia, particularly in the case of Shia communities. Despite being recognized as a fundamental human right, FoRB faces significant challenges in its practical implementation, especially in societies where religious identities are politically and socially charged. This article argues that while FoRB is often framed as a universal right, its application is constrained by local power dynamics, making it difficult to realize in pluralistic settings fully. The tensions between universal human rights frameworks and the socio-political realities of different societies emphasize the need for a more context-specific under-standing of FoRB (Bielefeldt et al., 2022, p. 1; Doorn-Harder, 2022, p. 7).

The gap highlighted in this article is the contrast between the idealized concept of FoRB and the difficulties encountered when attempting to apply it in real-world scenarios. Various local case studies illustrate that FoRB is not simply an abstract political right but is deeply entangled with political struggles and power relations. This understanding challenges the assumption that FoRB is a straightforward, universally applicable right and calls for a more nuanced approach to its implementation (Bielefeldt et al., 2022, p. 1; Doorn-Harder, 2022, p. 7). However, the contested nature of FoRB remains evident, as recognizing the right does not automatically lead to its full realization. The article emphasizes the need for local and culturally specific solutions to ensure that FoRB is effectively applied, as broader societal and political contexts often shape its implementation (Doorn-Harder, 2022, p. 1).

This paper aims to enhance the field of majority-minority issues by examining a complex predicament about the Shia case, resulting in a severe breach of the FoRB (Freedom of Religion or Belief) or building actions in interreligious relations. In this study, library research is utilized as a research

method, and a qualitative research approach is employed to analyze and synthesize findings. The data for this article is primarily sourced from literature, such as journals, books, and annual reports. In contrast, the secondary data is derived from other significant material to support each part of this research. This paper argues that there is still a risk of sectarian warfare in Indonesia, which can be mitigated by strengthening the multidimensional function of human rights through awareness-raising efforts at all grassroots levels, NGOs, and government officials.

The theoretical framework for this article draws on several key concepts. FoRB is conceptualized as a form of "religious equality," which addresses systemic inequalities and power imbalances individuals face due to religious beliefs. By focusing on legal rights and social justice, FoRB aims to rectify these imbalances in both legalistic and restorative ways (Tadros, 2022, p. 97). International human rights law provides another critical lens, as FoRB is enshrined in foundational documents like the UDHR and ICCPR. These documents affirm FoRB as an essential human right, guaranteeing the freedom to think, believe, and manifest one's religion or belief without interference. This legal framework is crucial for understanding FoRB as a universal right that transcends cultural and political boundaries.

This study argues that violence is a societal construct rooted in the interests of the dominant group, which seeks to sustain control amidst ever-changing conditions. Control-focused approaches often undermine human rights protection and may be counterproductive for long-term security (Kerr, 2022, p. 62). Upholding FoRB is essential for creating comprehensive, cooperative, and sustainable security, enabling people to live harmoniously in their diversity (Kerr, 2022). In conclusion, FoRB is a foundational human right that serves as the basis for other rights, but its application remains contested and complex. This article argues that a comprehensive understanding of FoRB requires continuous engagement with local realities and promoting interreligious dialogue, ensuring it remains relevant and effective in diverse societal contexts (Doorn-Harder, 2022, pp. 1–7; Petersen, 2022, p. 46).

Therefore, the role of interreligious dialogue is also central to this discussion. FoRB, in this view, is not just a legal or political right but a

dynamic process that requires ongoing dialogue and engagement across religious divides. By encouraging meaningful interreligious initiatives, societies can build trust, foster cooperation, and overcome the misunderstandings and conflicts often accompanying religious diversity (Kerr, 2022; Petersen, 2022). Promoting tolerance and equality through education, interreligious dialogue, and public awareness campaigns exemplifies how FoRB can help combat religious intolerance and discrimination (Petersen, 2022).

Shia Dynamics in Majority Power: National and Global Context

In the twenty-first century, minority groups such as Shia continue to experience a limited space for freedom of expression from the legal provision exploited by anti-Shia groups. The Shia group is one of the minority groups in Indonesia, which consists of 2.5 billion of the total Muslim community. There are three groups with anti-Shia views in Indonesia; first, the supporters of the ISIS group, which acquire propaganda from Indonesian sympathizers from Syria and Iraq to conduct violent actions. Second, Saudi-oriented Salafists have a Puritan understanding of the Islamic worldview. They categorize the Shia as a heretical sect. Third, some conservative Nahdlatul Ulama (NU) members. These three groups directly or indirectly support each other in influencing the government to adopt Islamic Orthodoxy. One of the effects is a violation of the minority groups and legal restrictions on the existence of Shia groups (Buehler, 2009, p. 51; Formichi, 2014a; Institute for Policy Analysis of Conflict, 2016, p. 1; Larsson, 2016).

There is some negative construction to the image of the Shia group, specifically to domestic issues such as 1) The Shia groups are framed for committing a criminal act that can disrupt public order, 2) some prominent religious figures perceive Shia sympathizers as wakening the values of the Sunni group, 3) many scholars from various affiliation construct a conception that there are many differences between Sunni and Shia groups (Formichi, 2014a). This fact reveals that Freedom of Thought, Conscience, and Religion (FoTCR) in Indonesia is restricted under the identification of religious values, which directly strengthen "orthodoxy"(Cohen & Kevin Tan, 2015, p. 147).

Thus, the limitations on FoRB in Indonesia refer to morality sourced from specific religious values, which are not neutral.

The limitations of FoRB in Indonesia encounter claims to protect public order, in which government apparatus argues that this is a strategy to avoid disorder or chaos. No clear relationship emerges between limitations and general charges (Bagir et al., 2020, p. 50). FoRB cannot be restricted during a state of emergency or for national security purposes. Limitations may only apply to its outward expression if there is an immediate threat to public order, health, morals, or the rights of others (Kerr, 2022). The case of Sunni and Shia is an intelligible example of how the majority group utilizes power to create the momentum to differentiate from the minority as a machine to develop dehumanizing actions. They build a legitimacy that violence is mandatory against different theologies (Larsson, 2016, p. 217). Furthermore, Bagir argues that there is a challenge to the concept of human rights in Indonesia, namely, how the Indonesian government always prioritizes the rights of the majority groups to maintain public order. It contributes to the Sunni-Shia case becoming an unfinished conflict (Cohen & Kevin Tan, 2015).

In Indonesia's context, the persecution of Shia groups in Indonesia escalated during Suharto's era, which saw a shift in global, national, and local political dynamics. One organization, the Indonesian Da'wah Islamiyah Council (DDII), has been actively promoting the idea that Arabic represents the image of the *Rabith Alam Islami* (World Muslim League). This group seeks to propagate Arabian culture and religious influence in the Muslim world to spread Wahhabism (Formichi, 2014a; Kayane, 2020, p. 79). The sectarian conflict in Indonesia directly results from the Middle Eastern agenda's influence.

In the 1960s and 1970s, this organization opposed the socialist ideas of Gamal Abdul Nasser and instead focused on eliminating communism in Indonesia. Although they successfully fought against Nasserism, they faced new challenges during the Iranian revolution, which threatened the stability of Saudi Arabia's supremacy in Indonesia. As a result, they shifted their focus to combating Iran-related issues, including the Shia movement. This highlights

the role of geopolitics in shaping attitudes towards Shia groups. The Da'wah Islamiyah Council (DDII) was concerned about their position in the religious market. It took strategic actions, such as partnering with various charity organizations to counter Iranian influence and promote anti-Shia discourse (Institute for Policy Analysis of Conflict, 2016).

The topic of anti-Shia sentiment is not new, as it has been established for quite some time. The Ayatollah Khomeini's revolution in the 1970s was a significant turning point, particularly for Indonesian students who hoped for an Islamic revival. As a result, many Sunni converts switched to Shia, which caused concern for the Suharto government regarding a potential revolution among Indonesian Muslims and threatened the stability of Suharto's regime. To address these concerns, the government implemented strategic planning. According to Martin van Bruinessen, these actions led to the growth of radical groups and hardline Muslims categorized as sources of conservatism and radicalism (Bruinessen, 2013). It resulted in two strategic agendas: first, supporting the anti-Shia discourse propagated by several Saudi Arabian foundations, and second, attempting to control the Indonesian Ulama Council (MUI) by highlighting differences between Sunni and Shia and creating a fatwa against Shia ideology (Gerecht, 2004, p. 18; Institute for Policy Analysis of Conflict, 2016).

Conversely, the government has not endorsed a legal prohibition against Shia, allowing them to continue their religious practices and customs. However, in recent times, there has been a rise in intellectual criticism of Shia doctrine, leading to anti-Shia discourse in the 1990s. According to Schafer, the Indonesian political authorities see reform periods as opportunities to establish or re-establish control (Schäfer, 2015). In the aftermath of the Suharto regime, the majority group gained power and used it to marginalize minority groups such as the Shia. Nevertheless, this new political openness in the reform era also allowed the Shia to express their religious practices (Halimatusa'diyah, 2013, p. 135).

Following the fall of Suharto's regime, public space in Indonesia became a battleground for the majority and minority groups, leading to increased

religious conflicts and intolerance, particularly under Islamic rule (Qurtuby, 2012). In this context, Brooke (2017) argues that the majority's hegemony has had harmful effects in various ways (Brooke, 2017, p. 849). For example, extremist Islamist and Salafist factions have been actively campaigning against the Shia group, labeling them as deviant (Halimatusa'diyah, 2013, pp. 144–145; Institute for Policy Analysis of Conflict, 2016, p. 81). Kalin and Siddiqui stress that sectarian conflict can be categorized as an ethnic conflict since it stems from separating identity characteristics (Kalin, M. and Siddiqui, 2014, p. 4). The majority's influence has adversely affected human rights protection, undermining Indonesia's Freedom of Religion or Belief (FoRB) principles.

Establishing Power through MUI (Indonesia Ulama Council)

MUI is an institution established by Suharto in 1975 with a primary focus on publishing materials related to religion. Through his power, Suharto influenced Indonesian clerics to support the establishment of MUI by framing it as a solution to the issues associated with communism. It highlights that authoritarian regimes need cooperation from religious communities to maintain their legitimacy. As such, MUI is an example of how religious authority can be connected as a tool to protect government power. Suharto relied on this institution to justify his actions throughout his tenure, from its early days until the end of his reign (Formichi, 2014a; Hasyim, 2015).

Following the reformation era in 1998, there was a significant shift in the role of MUI. Previously, MUI focused on protecting Pancasila as the foundation of pluralism. However, MUI's priorities changed and started following Islam's hegemony. This shift marked a turning point in MUI's critique of pluralistic ideas, which altered its response to the political movement that emerged after the post-Suharto regime. This movement strengthened Islam as the ideological paradigm, leading to Islam as the majority group, claiming the dominant position in all spheres, such as access to work, political power, and natural resources. Consequently, religious minorities have always been relegated to subordinate position (Hasyim, 2015; Schäfer, 2015; Setiawan et al., 2021).

The fatwas issued by MUI hold significant weight in shaping public morality and legislation. Foucault coined this distinction to affirm its communal identity and differentiate itself from other social identities, which remains the normalization pattern (Foucault, 1977, p. 200). Unfortunately, MUI's approach to pluralism has often led to misinterpretation and even the opposite with Islamic principles. It is due to the organization's lack of attention to the dynamics of pluralism within Islamic teachings (Hasyim, 2015). Additionally, their rejection of pluralism has increased in blasphemy cases. MUI conflates the concepts of blasphemy and pluralism, often leading to accusations of defamation against those who differ from Sunni beliefs, such as the Shia and Ahmadiyah groups (Hasyim, 2015; Setiawan et al., 2021). It is clear that one's religious affiliation and group belonging can significantly impact their social standing.

The categorization of individuals as either inside or outside of Islam, as defined by the MUI, has significant societal implications. According to Schafer, the MUI's stance is either a dangerous development or a long-overdue assertion of rights (Schäfer, 2015). It is worth noting that the state also recognizes the authority of the MUI, and there is support for this organization from both the government and Islamic groups. President Susilo Bambang Yudhoyono (SBY) considers the MUI Fatwa a legitimate source of authenticity. However, Nahdlatul Ulama and Muhammadiyah do not react to the MUI's privileges (Hasyim, 2015). It reveals that individuals with political, governmental, or religious affiliations may be unaware of and even endorse the MUI's position, which has a negative impact on pluralism in Indonesia.

Debates within Islamic Organization: Pluralist vs. Conservative

The existence of Shia has been negatively impacted by conservative Islamic organizations, including Nahdlatul Ulama (NU). In the Shia-Sunni conflict in Sampang, NU's position creates a dilemma. Despite being a prominent organization that promotes religious pluralism and tolerance, NU's stance on this issue has been influenced by figures such as

Abdurrahman Wahid (Gus Dur). NGOs like The Asia Foundation and the Ford Foundation have created projects in various Islamic boarding schools to maintain NU's tolerant image at the grassroots level. It has encouraged the religious pluralist movement to strengthen its leadership and support among all NU members (Kayane, 2020).

Nevertheless, there has been a rise in discriminatory practices against the Shia group by individuals associated with NU in West and East Java. Gusdur's pluralistic philosophy brought about a lively debate within NU. One of Gus Dur's beliefs about Shia was that NU shared similarities. He pointed out that certain religious practices were similar to those of the Shia, such as pilgrimages to previous NU figures. While Shia is considered an *'aqida* school that differs from Sunni beliefs, Gus Dur believed that culturally, NU shared commonalities with Shia (Institute for Policy Analysis of Conflict, 2016; Kayane, 2020).

Some religious leaders disagreed with Gus Dur's belief that the Shia group was distinct from NU. They cited KH. Hasyim Asy'ari's stance was that the Shia were *rafidah*, or rejectionists, due to their rejection of caliphates like Abu Bakr, Umar, and Uthman (Kayane, 2020). However, others within NU maintain that supporting Shia groups align with the teachings of Sayyid Muhammad Alawi al-Maliki, who advocates for tolerance and opposes labeling those with different *'aqida* beliefs as non-believers (*kafir*). Al-Maliki has connections with prominent Shia scholars like Abdullah Faqih, a Langitan Islamic Boarding School caretaker, and Husein al-Habsyi, a Shia cleric associated with the Islamic Boarding School Foundation (YAPI) (Kayane, 2020).

Upon returning to Indonesia from Saudi Arabia, Muhammad Alawi's presence gave way to intolerant attitudes towards religious minorities, primarily Shia. This shift is closely tied to the ongoing geopolitical power struggle between Saudi Arabia and Iran within the Islamic world. In this context, several Kiai seized the opportunity to frame Shia as a threat, taking actions to garner support in their rejection of Gus Dur's pluralist understanding. Additionally, during the mid-1990s, NU conservatives grew

increasingly uneasy about the emergence of Shia schools attempting to integrate with NU, particularly in East Java. As a result, this backdrop influenced local Kiai and other NU members to conflict with Shia groups (Kayane, 2020).

Anti-Shia discourse becomes crucial in maintaining social acceptance within the Sunni community. Anti-Shia discourse intensified in the 1990s by conservative Nahdlatul Ulama (NU), Salafis, and reformists (Persis, Al-Irsyad, and Muhammadiyah) (Institute for Policy Analysis of Conflict, 2016). Another factor supporting anti-Shia sentiment is the scandal of a sexual relationship between a teacher and an underage girl. It justifies this action under the Shia concept of contract marriage (*nikah mut'ah*). This case supports the evidence that the Shia group is a religious deviant; hence, reformists and Salafi Ulama held an anti-Shia national seminar in Jakarta. This seminar forced the government to ban the Shia community (Brooke, 2017, p. 851; Formichi, 2014a, p. 14, 2014b, p. 220; Halimatusa'diyah, 2013, p. 134; Institute for Policy Analysis of Conflict, 2016, p. 9; Kayane, 2020, p. 85).

The Complexity of Sectarian Warfare: Tajul Muluk Case

The Tajul Muluk case is not only related to religious issues but also interferes with social and economic issues. After 2004, Tajul Muluk became a target of anti-Shia sentiments when he became a very influential preacher in Sampang, Madura. He succeeded in converting several people and NU *Kiai* to Shia. Moreover, he also started a Misbahul Huda Islamic boarding school and had support from his father, who is a prominent *Kiai*. It has become a boomerang to the Association of Islamic Boarding School-Based Ulama in Madura (Badan Silaturahmi Ulama Madura, BASSRA) because some local Ulama lost their power (Ahmad, 2019, p. 15). There is also competition between Ali Karrar and Tajul Muluk. When Tajul's father died, anti-Shia was intensified by Ali Karrar, who had a position as head of BASSRA. Karrar distributed brochures containing "29 Deviations in Tajul's Teaching" to mobilize the Ulama to fight against the actions of the Tajul teachings. (Institute for Policy Analysis of Conflict, 2016).

Intra-family problems contribute to the dynamics of Shia problems in Sampang. In 2007, Tajul's existence continued under some pressure. There was a factor that came from the Tajul family. At that time, Tajul was the chairman of IJABI for the Sampang area, and his younger brother Roisul Hukama served on the executive council. Problems arise when Roisul wants to marry a woman he likes. Nevertheless, Tajul breaks his promise to marry her and suggests another woman. This incident sparked Roisul's anger; hence, he immediately returned to Sunni and joined Ali Karrar to reject the Shia teachings that Tajul spread (Institute for Policy Analysis of Conflict, 2016).

Furthermore, the MUI fatwa legitimized acts of violence against the Shia group in Bangil and the persecution in Sampang. The governor of East Java declared Gubernatorial Decree No. 55/2012, which decided to prohibit the movements and actions of deviant groups. Some *Kiai* were also successful in suppressing the court judges; in March 2012, Tajul was imprisoned for two years for the blasphemy case under Article 156A of the Penal Code (Bagir, 2015, p. 162; Halimatusa'diyah, 2013, p. 145; Kayane, 2020, p. 88). Petersen argues that blasphemy laws are fundamentally damaged from a human rights perspective and should be abolished. Human rights focus on protecting individuals, not beliefs, and considerations of "religious feelings" or "societal harmony" cannot justify restricting fundamental freedoms (Petersen, 2022).

Another factor that supports this case is related to political competition. This issue is also connected to the election that will take place in Sampang. Noer Tjahja, a politician, will be re-elected, and he then seeks support from the majority, stating that "all fanatical followers should be moved to another island." On the other hand, in supporting their actions, BASSRA, the local MUI, and Bakorpakem justified in January 2012, arguing that the violence perpetrated against the Shia group was a step toward banning heretical beliefs. At the same time, at the national government, the Minister of Religious Affairs, Suryadharma Ali, was assigned by President Yudhoyono to resolve this conflict. Ironically, his view refers to the BASSRA opinions in which he approves the document by the MUI and the Ministry of Religious Affairs, which views Shia as not Muslim (Institute for Policy Analysis of Conflict, 2016).

The case of Shia Sampang reveals that there is a structured deprivation in the effort to conduct and prohibit rights as human beings. This phenomenon relates to Coser's statement quoted by Setiawan, stating that "social conflict may be dysfunctional or functional for social cohesion and social changes"(Setiawan et al., 2021). The limitation of FoRB in Indonesia is constructed through hegemony by the politics of religion and the dominance of religion in public life (Bagir et al., 2020). Indonesia Blasphemy Law is one of the Presidential Instructions 1965, included in Article 156A under the nation's Criminal Code. Recently, this law provided legal legitimacy to carry out violent acts of some Muslim extremist groups or minority groups (Qurtuby, 2012). The law is deliberately used politically to identify deviant believers (Formichi, 2014a). Article 28E (2) of the Constitution states, "Every person shall have the right to freedom to believe their faith and manifest their views and thoughts, by their conscience." This article has legitimized everyone's manifesting religion or belief (Cohen & Kevin Tan, 2015). Defamation Law in Article 156A of the Penal Code in Indonesia is a source of restrictions and limitations for several religious minorities to manifest their beliefs, worship, spread the teaching, and disseminate religious materials (Cohen & Kevin Tan, 2015).

Alternative Actions: Communal Coexistence

On the other hand, there are different stories about intra-inter-religious relations in Wonosobo and Jepara. Al-Qurtuby states that in Wonosobo, Shia, Ahmadiyah, Islam Aboge, and some followers of Christianity, Buddhism, Hinduism, and Indigenous Religions engage peacefully with the majority group of Muslims, which has occurred for quite a long time. It is a factual action by Kholiq Arif, the local leader of NU. He stated that religious minorities are Indonesian citizens protected by the 1945 Constitution; hence, every activity must be preserved. The Indonesian Constitution discussed points relating to FoRB, which stated that "the State guarantees all persons the freedom of worship, each according to his/her religion or belief."[1] Arif

_____

[1] Constitution, Article 29 (2)

emphasized that no person, political party, or even religious group in this country has the privilege to eliminate fundamental rights of citizenship (Qurtuby, 2012).

It is directly supported by Article 18 of the International Covenant on Civil and Political Rights (ICCPR), which states that religion is protected by international human rights law (United Nations, 1967). This perspective and legal points support Brett's argument, emphasizing that acceptance based on equality for everyone is an element of "freedom, justice, and peace in the world" (Scharffs, 2022, p. 5). Human rights law protects and empowers people. FoRB protects individuals' right to explore religious or non-religious beliefs and engage in corresponding personal and communal practices (Bielefeldt et al., 2022). Thus, everyone has the right to freedom of religion or belief, including the freedom to practice or embrace religion and belief and to manifest individually, known as an Internum forum. Concerning other communities, manifesting and practicing religion or belief becomes an External forum, creating rules and limitations (United Nations, 1967).

Arif is one of the members of the Forum for Communications for Religious Adherent/*Forum Kerukunan Umat Beragama* (FKUB). This forum creates intensive communication to conduct interfaith meetings and dialogue between religions. For instance, the leaders of groups from Ahmadiyah, Shia, Islam *Aboge*, and non-Islamic groups work together to build peace and religious tolerance in Wonosobo (Qurtuby, 2012). This case reveals hope regarding sectarian warfare in Indonesia. Arif's perspective may be a new affirmative method to build plurality, whether doctrine, religion, ethnicity, or culture in Indonesia, which emphasizes utilizing Human Rights principles and an awareness of the pluralistic reality. Human rights can help build a democratic, pluralistic society where people, despite their differences, can live peacefully together, even amidst strong disagreements (Petersen, 2021).

Lindholm argues that "human rights are publicly recognized entitlements that in our world (to the extent they are observed) help safeguard human beings everywhere against certain, more or less severe societal or natural threats and perils" and can be applied to everyone and every country

(Lindholm, 2022). In relation to Lidholm, Erin K. Wilson's theory of "vernacularization" offers valuable insight into how FoRB and other human rights are practiced on the ground. Wilson argues that human rights are not static, universal ideals but are interpreted and adapted according to the local contexts in which they are practiced. This view shifts the focus from abstract normative debates to the real-world implications of human rights, highlighting the importance of local perspectives in shaping the meaning and practice of FoRB (Bielefeldt et al., 2022). FoRB is vital because it acknowledges that people seek meaning in diverse ways and hold deep convictions that shape their identity, guiding how they live individually and in the community. Failing to recognize this fundamental aspect of human existence would render human rights inhumane (Bielefeldt et al., 2022). Thus, concerning this, human rights as politics become relevant in resolving and encountering unfinished sectarian conflicts.

Conclusion

This study demonstrates that violence is socially constructed, often serving the interests of dominant groups seeking to preserve power in evolving contexts. The enduring Sunni-Shia conflict reflects a deeply rooted ideological struggle shaped by intersecting global, national, and local political forces and perpetuated through the dynamics of majority-minority relations. On the other hand, geopolitical shifts within the Islamic world have exacerbated hostility toward minority groups like Shia and Ahmadiyah in Indonesia. Anti-Shia discourse, initially framed as a doctrinal challenge, evolved into state-sanctioned marginalization through blasphemy laws promoted by the government, the Indonesian Ulama Council (MUI), and some "moderate" religious organizations after Suharto's fall. These laws have legitimized actions that suppress religious minorities, portraying their beliefs as threats to public order and Sunni dominance.

The marginalization of minorities, as seen in cases like Tajul Muluk and Shia Sampang, reveals the detrimental impact of religiously driven discrimination on human rights and Freedom of Religion or Belief (FoRB).

These cases underscore how politicized religion entrenches systemic dispossession and curtails the rights of minority groups under the pretext of religious orthodoxy. However, progressive interventions, such as Kholiq Arif's leadership of Nahdlatul Ulama (NU) in Wonosobo, affirm and vernacularize the constitutional principle that all Indonesian citizens, regardless of their beliefs, are entitled to equal rights and protections. By emphasizing universal human rights, such initiatives have the potential to challenge sectarian hegemony, reduce religious conflict, and strengthen interfaith coexistence in Indonesia and beyond.[w]

References

Ahmad, M. (2019). Three Sufi Communities Guarding the Earth: A Case Study of Mitigation and Adaptation to Climate Change in Indonesia. *Al-Jami'ah: Journal of Islamic Studies*, 57(2), 359–396. https://doi.org/10.14421/ajis.2019.572.359-396

Bagir, Z. A., Asfinawati, Suhadi, & Arianingtyas, R. (2020). Limitations to Freedom of Religion or Belief in Indonesia: Norms and Practices. *Religion & Human Rights*, 15(1–2), 39–56. https://doi.org/10.1163/18710328-BJA10003

Bielefeldt, H., Pinto, T. A., & Petersen, M. J. (2022). Introduction: Freedom of Religion or Belief as a Human Right. *The Review of Faith & International Affairs*, 20(2), 1–12. https://doi.org/10.1080/15570274.2022.2065799

Brooke, S. (2017). Sectarianism and Social Conformity: Evidence from Egypt. *Political Research Quarterly*, 70(4), 848–860. https://doi.org/10.1177/1065912917717641

Bruinessen, M. van. (2013). *Contemporary Development in Indonesia Islam: Explaining the conservative Turn*. Institute of Southeast Asia Studies.

Buehler, M. (2009). Islam and Democracy in Indonesia. *Insight Turkey*, 11(4), 51–63.

Cohen, D., & Kevin Tan (Eds.). (2015). *Keeping the Faith: A Study of Freedom of Thought, Conscience, and Religion in ASEAN*. Human Rights Resource Center - Universitas Indonesia.

Doorn-Harder, P. van. (2022). *Strong Rights, Fragile People. The Politics of Freedom of Religion or Belief (FoRB)*. Vrije Universiteit Amsterdam.

https://research.vu.nl/en/publications/strong-rights-fragile-people-the-politics-of-freedom-of-religion-

Formichi, C. (2014a). Violence, Sectarianism, and the Politics of Religion: Articulations of Anti-Shi'a Discourses in Indonesia. *Indonesia*, *98*(1), 1–27. https://doi.org/10.1353/ind.2014.0016

Formichi, C. (2014b). Shaping Shi'a Identities in Contemporary Indonesia between Local Tradition and Foreign Orthodoxy. *Die Welt Des Islams*, *54*(2), 212–236. https://doi.org/10.1163/15700607-00542p04

Foucault, M. (1977). *Discipline and the Punish: The Birth of the Prison*. Vintage.

Gerecht, R. M. (2004). *The Islamic Paradox: Shiite Clerics, Sunni Fundamentalists, and Coming of Arab Democracy*. AEI Press.

Halimatusa'diyah, I. (2013). Being Shi'ite Women in Indonesia's Sunni-Populated Community. *South East Asia Research*, *21*(1), 131–150. https://doi.org/10.5367/sear.2013.0137

Hasyim, S. (2015). Majelis Ulama Indonesia and Pluralism in Indonesia. *Philosophy & Social Criticism*, *41*(4–5), 487–495. https://doi.org/10.1177/0191453714566547

Institute for Policy Analysis of Conflict. (2016). The Anti-Shi'a Movement in Indonesia. *IPAC Report No. 27*. https://www.jstor.org/stable/resrep07785.1?seq=2

Kalin, M., & Siddiqui, N. (2014, October 23). *Religious Authority and the Promotion of Sectarian Tolerance in Pakistan*. United States Institute of Peace. https://www.usip.org/publications/2014/10/religious-authority-and-promotion-sectarian-tolerance-pakistan

Kayane, Y. (2020). Understanding Sunni-Shi'a Sectarianism in Contemporary Indonesia. *Indonesia and the Malay World*, *48*(140), 78–96. https://doi.org/10.1080/13639811.2020.1675277

Kerr, S. (2022). Reflections on Freedom of Religion or Belief and Security. *The Review of Faith & International Affairs*, *20*(2), 61–68. https://doi.org/10.1080/15570274.2022.2065805

Larsson, G. (2016). "One cannot doubt the potential effect of these fatwas on modern Muslim society." Online Accusations of Disbelief and Apostasy: The Internet as an Arena for Sunni and Shia Muslim Conflicts. *Studies in Religion/Sciences Religieuses*, *45*(2), 201–221. https://doi.org/10.1177/0008429816631971

Lindholm, T. (2022). Conceptual Underpinnings and Public Grounds of Human Rights–with an Upbeat Prospect on Religion-based Support of

Human Rights. In L. Larsen, C. S. Pratiwi, B. G. Scharffs, & T. Lindholm (Eds.), *HAM dan Syariat: Sebuah Kajian - Sharia and Human Rights: A Courseboook (Bilingual Edition)*. Mizan.

Moosa, E. (2000). The Dilemma of Islamic Rights Schemes. *Journal of Law and Religion*, *15*(1/2), 185. https://doi.org/10.2307/1051518

Petersen, M. J. (2021, January 13). *Blasphemy Laws and Human Rights. A Match Made in Hell?* Open Global Rights. https://www.openglobalrights.org/blasphemy-laws-and-human-rights-a-match-made-in-hell/

Petersen, M. J. (2022). Freedom of Religion or Belief and Freedom of Expression. *The Review of Faith & International Affairs*, *20*(2), 40–48. https://doi.org/10.1080/15570274.2022.2065806

Qurtuby, S. Al. (2012). Reconciliation from Below: Indonesia's Religious Conflict and Grassroots Agency for Peace. *Peace Research: The Canadian Journal of Peace and Conflict Studies*, *44/45*(2/1), 135–162.

Schäfer, S. (2015). Renegotiating Indonesian Secularism through Debates on Ahmadiyya and Shia. *Philosophy & Social Criticism*, *41*(4–5), 497–508. https://doi.org/10.1177/0191453714565502

Scharffs, B. G. (2022). The Universal Declaration of Human Rights: A Basic Introduction to Its History, Drafting, Key Provisions, and Legacy. In L. Larsen, C. S. Pratiwi, B. G. Scharffs, & T. Lindholm (Eds.), *HAM dan Syariat: Sebuah Kajian - Sharia and Human Rights: A Courseboook (Bilingual Edition)*. Mizan.

Setiawan, T., De Jong, E. B. P., Scheepers, P. L. H., & Sterkens, C. J. A. (2021). Support for Interreligious Conflict in Indonesia. *Journal of Pacific Rim Psychology*, *15*. https://doi.org/10.1177/1834490921993295

Tadros, M. (2022). Religious Equality and Freedom of Religion or Belief: International Development's Blindspot. *The Review of Faith & International Affairs*, *20*(2), 96–108. https://doi.org/10.1080/15570274.2022.2065810

Temperman, J. (2008). Blasphemy, Defamation of Religions and Human Rights Law. *Netherlands Quarterly of Human Rights*, *26*(4), 517–545. https://doi.org/10.1177/016934410802600403

United Nations. (1967). *International Covenant on Civil and Political Rights*. https://treaties.un.org/doc/treaties/1976/03/19760323%2006-17%20am/ch_iv_04.pdf