

Implementation of Religious Policies In Indonesia In The Context of History and Its Dynamics

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Abstract:

In the state, the existence of policy is very important. In addition to regulating state life, the policy also aims to find the best way for mutual benefit. Both in the education sector, economy, culture, even the religious sector is not spared from the existence of policies. Although the purpose of the policy is for the common good, but in its implementation often raises pros and cons in the community. This research is intended to know the history of the development of religious policy in Indonesia in terms of implementation and dynamics. This study describes the five periods of implementation of religious policy in Indonesia; namely during the Dutch colonial period, the Independence Period and the old Order, the Reform Era, as well as during the covid-19 pandemic. This study shows the findings of religious policy during the covid-19 pandemic as well as the dynamics that occur in the field, which at the same time becomes a novelty value in this study.

Keywords: policy implementation, Ministry of Religion.

Introduction

Indonesia is a country in which there are various religions, tribes, races, and cultures. This diversity is what becomes a wealth and strength of the nation in the framework of the Unitary State of the Republic of Indonesia (NKRI) which is a single *bhineka ika*. All large ethnic groups have embraced the religion in accordance with their beliefs, such as Islam, Christianity, Buddhism, Catholicism, Hinduism, or Kong Hu Cu. The whole religious life goes harmoniously, side by side with tolerance and mutual respect. Various socio-cultural activities in the community run together by all members of the community regardless of religion, ethnicity, and culture. Compounding the Indonesian nation is not only seen from the variety of ethnic groups, but also from the religion embraced by Indonesian people who are very diverse.

Diversity is a reality of life where every human being must strive to arrive at mutual respect and understanding among others. It is like the word of Allah SWT:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۗ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَمُ ۗ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

It means: O people! Indeed, We created you from a man and a woman, and We made you nations and tribes so that you may know one another. Surely the most glorious of you in the sight of Allah is the one who is the most afraid. Indeed, Allah is All-Knowing, All-Knowing (QS . Al Hujurat 13).

Each country has its own ideology as one of the handles to provide welfare to its people. From this handle, the state describes the policies carried out by the government to achieve the goals that have been mutually agreed upon. The Indonesian state is one of the ideologies that ideology is used as a foundation in policy making and guidelines in state life. Based on the ideology of the state when making decisions / policies, then policy will be more acceptable to all elements of society.

Discourse related to the state and religion in the country of Indonesia seems to never run out to be discussed. The extent to which the state as a party that is considered to have authority can enter and regulate the religious life of its citizens is fundamentalist in the discussion of religious relations with the state. Especially the case in Indonesia, from the beginning it has been agreed that the Indonesian state is not a secular state that separates between religions from the state. Indonesia is also not a religious country that sees that religion and politics are a unity, but as a country based on Pancasila. Indonesia as a country that has

pancasila is not a country that is separate from religion, but also does not merge into one religion as in general, this is where Indonesia is not a secular country and also not a religious state.

Looking at the reality, then in implementing policies must be based on the principle of public interest. Policy implementation is also a very complex activity, so many factors can have an influence on the success rate of implementation of a policy. This view shows that the process of implementing policies is not only related to the behavior of responsible administrative bodies and carrying it out, but also the influence of other bodies that are targeted to support policies compiled by public stakeholders. In addition, there is a complexity in the circle of political, economic, and social interests that can directly or indirectly affect behavior on all parties involved. This is what will lead to logical consequences on the resulting impact either in accordance with expectations or vice versa.

In Indonesia, religion is present not only in the private sphere but has entered the public domain so that the presence of the state is needed to regulate it. Therefore, the author of this book reveals historical facts have shown that religious regulations in Indonesia have been widely issued by the state. The existence of many policies and regulations is not necessarily able to solve religious problems. This happens because the increasing presence of religion in public spaces makes the issue of management (policy) related to religion more complex. Furthermore, it also demands good knowledge so that it will be able to formulate productive, accommodative, and quality policies. However, in fact, the resulting policies tend to place the majority as the favorite group to benefit from the policy. Policies on religion should not only place the governed religion and expert religion in a favorable position, but also accommodate the interests of diverse lives religion so that every citizen can practice the religion and beliefs that he believes in well in accordance with the mandate of the law. (Abidin 2017).

The implementation of state policies related to religion in Indonesia can be seen through history since the establishment of the Indonesian state until now. The complexity of problems in religious life demands the right policies so that they can solve these problems without causing new problems. However, in fact, the birth of a policy especially related to religion is strongly influenced by many factors, such as political interests, ruling regimes, the influence of the majority group, and so on. How complex it is to regulate "religion" in Indonesia through the rules of policy issued and the implications of the policy for citizens in carrying out their religious lives.

One of the studies that discussed religious policy in Indonesia is a study conducted by Muhammad Saifullah Rohman in 2018 with the title of research on the dynamics of religious policy implementation in Indonesia. His research only examined the dynamics of religious policy implementation at that time. While this research will try to study, research, and answer about the implementation of policies from time to time, including during the covid-19 pandemic that is currently spreading around the world, not least Indonesia. Based on the above phenomenon this article will discuss the implementation of religious policies in Indonesia based on the history and dynamics that occur today.

Implementation of Religious Policy in Indonesia

Pros and cons related to religious policy is a common phenomenon that occurs in several countries in various parts of the world, not least in Indonesia. The question that often arises is the extent to which the state can regulate religious freedom? In what ways can a country intervene in religious policies in a country? A country's policy regarding religious life cannot be separated from the form of the country, whether democratic, liberal, or dictatorial (Rohman 2018). One example of state policy related to religion is the birth of Law No.1 PNPS of 1965 on Prevention of Abuse and/or Desecration of Religion. Article 1 of Law No.1/PNPS/1965 which states "Everyone is prohibited intentionally in public to tell, advocate, and seek general support, to interpret something religion embraced in Indonesia or carry out religious activities that resemble religious activities of the religious teachings" is considered unclear so as to give rise to many interpretations. In practice, the law is often used as an official tool by the government to limit religious minority groups that are considered different from mainstream religious groups (Crouch 2007). This is said by Paul Marshall in his research as one of the ambiguities in religious freedom (Marshall 2018).

Implementation of religious policies in Indonesia in the historical landscape since the colonial era until now. Each ruling regime in this country has its own policy priorities regarding the religious life of very plural citizens, namely:

Dutch Peddle Period

During the Dutch colonial government, one of the implementations of the policy taken was to repress and oppression of Muslim groups. The oppression led to resistance from Muslim groups and it contributed greatly to Indonesia's struggle for independence. Then for the great contribution of this Muslim group, they want to direct the form of the state in accordance with the teachings of Islam that they believe in when Indonesia has become independent. There are 3 (three) characteristics of the Dutch colonial government in treating religion and religious groups. First, neutrality and keeping a distance (1500–1700s). Second, accommodative (1800s). Third, repressive and strict control over Islam (1800–1900s).

Colonial government policies related to religion changed from neutral to favoritism (prioritizing Protestant and Catholic religious groups to get funding from the government). The first policy imposed by the Dutch colonial against Muslim groups was the policy on hajj. Some rules were issued to limit the number of Indonesian pilgrims to avoid the turmoil of Pan-Islamism from pilgrims returning to Mecca (Rohman 2018).

The Period of Independence and the Old Order in Religious Policy

In the early days of independence, the implementation of religious-related policies can be seen from the debate of the founding fathers when formulating the form of the state and the basis of the state. In the end, it was agreed that Pancasila became the basis of the state despite being tinged with long discussions and debates. One of the issues that received considerable attention was about the phrase "The Supreme Divinity". The emergence of this phrase requires an in-depth study because the literature discussing it is minimal. According to him, the emergence of this phrase is the impact of the debate of nationalist and Islamist groups in deciding the basis of the state. The authors highlight that there are no facts or evidence to suggest any political importance of compromises made by Muslim groups. It's just that, five years later there are Muslim groups who take a negative view because they see it as a trick done by nationalists by eliminating the seven words in the Jakarta charter that gives rise to debate.

On the other hand, the phrase "The Supreme Divinity" according to M. Yamin is an important essence of the belief that exists in Indonesia, even long before the arrival of religions, such as Islam or Christianity. According to him, the original "Supreme Divinity" came from local beliefs that were later enriched by the arrival of doctrinal missions. If so, then the religion of religion and belief in Indonesia is not essentially contrary to the phrase so there should be no barrier for adherents of local religions to be recognized their rights as Indonesian citizens (Mahmud 2015). The relationship appears increasingly explicit when the position of religion is in the constitution. Therefore, the more explicit the role of the state in regulating religious life. That role can take in both positive and negative terms.

The most recorded religious policy in Indonesia's history is the birth of Law No.1/PNPS/1965 on Prevention of Abuse and/or Blasphemy. The beginning of the law was motivated by the interests of the government at that time (Sukarno's time) to stem atheism and concerns about the use of new schools with the aim of damaging existing religions by atheist groups. However, the number of groups that have different interpretations of the articles in the law makes it another source of problems (e.g., discrimination) related to religious freedom (Rohman 2018).

New Order and Religious Policy

In the early days of Suharto's leadership, the focus of state policy implementation was development. The dominance of Suharto regime power in all aspects of national and state life is also seen in the government's control of religious life. Government control aims to create political and social stability so that the process of becoming a developing country can be realized. Intervention carried out by the state supported by military forces that became the power base of the Suharto regime has also penetrated religious life. Plurality of nations is organized in the name of equality of national identity with the aim of preventing conflict from differences. That is, state policy on the one hand accommodates freedom of religion, but at the same time exercises strict control in the name of stability.

During the New Order regime, relations between the country and Muslim groups were tinged with some tensions, such as government policies that hampered the establishment of Masyumi as a party that supported the entry of the Jakarta charter back into law. The New Order considered it would have an impact on instability in a society that at the same time was struggling to improve the country's economy after the events of the G30S PKI.

On the other hand, state policies related to religion during the New Order can be seen from the issuance of the Joint Decree (SKB) in 1969 on the Establishment of Houses of Worship. This policy was made to

regulate the establishment of houses of worship so as not to trigger conflict. However, implementation on the ground suggests that the rules are being used to restrict non-Muslim groups, especially Christians, making it difficult to establish new places of worship. One of the conditions that must be met is permission from other religious communities around the place to be built the place of worship. As a solution they make the residence as a temporary house of worship and it even causes other problems with other religious communities around the residence.

In particular, the New Order regime controls the direction of religious policy to be in line with the program of the first rule building program in religious matters issued by the New Order is the regulation of zakat. However, there has been a lot of rejection from Muslim groups regarding this regulation because it does not fully trust the government about the management of zakat based on religious teachings. Another example is the country's policy to get capital from Muslim groups by arranging hajj. The government revoked hajj subsidies and began implementing hajj administration under the Ministry of Religious Affairs.

From the political side, there was a change in political direction carried out by Suharto with more accommodative towards Islam. This is evident from his closeness to Muslim scholars by supporting the establishment of icmi (Association of Muslim Scholars) chaired by BJ. Habibie. The group, spearheaded by young moderate Muslim intellectuals, began to approach Suharto and support government programs related to development. The group wants to show that their movement is more cultural and has no political interests so it does not need to be monitored and considered a threat by the government (Rohman 2018).

Religious policy after the Reformation

The collapse of the New Order regime was the beginning of the Reformation Era. Then, the Regional Autonomy Law No. 22 of 1999 was born which became the basis of decentralization policy and carried implications for local government policies in regulating the religious life of its citizens. Some regions issued Sharia Regional Regulations, as a form of political compensation for the Muslim majority's support for the regional leader.

That the Shariah Regulations appeared more for political reasons than religious reasons, because he saw that in some areas the laws were born to be the basis of legitimacy of the power of the leaders of the region (Maarif 2017). In addition to the issue of the implementation of sharia law in some regions in Indonesia, several cases related to religion also occurred in the Reformation Era. From these cases, it is seen how the role of the state in managing the diversity and religiousness of its citizens. The cases discussed include the case of the Ahmadiyya Community, disputes over the establishment of houses of worship, and judicial review of the Blasphemy Act.

Several decrees (Joint Decrees) made to address the case of the establishment of houses of worship and Ahmadiyyat are only a form of effort to minimize the intervention of involvement and state interference because it will have a political impact. The settlement of religious cases carried out so far also still takes into account political factors. The ruling regime certainly calculates the political risks of policies to be issued related to certain religious cases, especially if the policy is considered detrimental to the majority group that can provide political support for the government regime. There are concerns that a religious policy will lower public electability and confidence in the government.

There are three factors that underlie religious and state relations: Constitution, Regime Type, and Composition of religious groups. These three factors are seen to be very influential in the dynamics of state policy related to religion in Indonesia and its implementation. When the composition of religious groups in Indonesia which is majority Muslim, then they will play an important role in the system of government. As a result, indonesia's constitution which opened with "Upon the blessings and graces of The Almighty God" shows the success of the Muslim majority group in laying the foundation of a country. Nevertheless, Indonesia which consists of diverse tribes, religions, and races does not necessarily become an Islamic country because of the compromise of Muslim groups that accommodate such diversity within the framework of the Republic of Indonesia (Mahmud 2015).

Ministry of Religious Affairs as a Form of State Presence in Religious Life

In a democracy, the government prioritizes equal rights and obligations for all citizens. In terms of religious life, the state through the system of government forms a ministry that specifically regulates the religious life of its citizens, namely the Ministry of Religious Affairs. The existence of the Ministry of Religious Affairs was initially touted as an extension of the government's neutral and fair hand in treating all religious groups.

However, in its development, the Ministry of Religious Affairs accommodates the interests of the majority, namely Muslims.

The establishment of the Ministry of Religious Affairs is a form of the role of the state in regulating the religious life of citizens. In addition, the existence of the Ministry of Religious Affairs in Indonesia is not only to direct policies regarding religion based on the interests of the Muslim majority group, but also to spread understanding and interpretation of the Supreme Divinity according to Islamic values. Although this ministry regulates the affairs of Muslims more, other official religious affairs are also accommodated through the existence of a director general in the organizational structure of the Ministry of Religious Affairs (Kementrian Agama 2021b).

The existence of the directorate general in charge of 6 official religions in the ministry of religion shows that the Indonesian state adheres to the official or governed religion system. As with Elizabeth Shakman Hurd's three classifications above on religion, the six official religions receive protection from the government and some operational funding assistance because they fall into the category of governed religion. However, in contrast to the six official religions recognized by the government, the school of belief and kebatinan is considered a living religion that lives and is run by some Indonesian citizens. Therefore, lived religion does not get guarantees from the Ministry of Religious Affairs in the form of financial assistance to guarantees from forms of discrimination and persecution.

The Ministry of Religious Affairs as a government institution serves as an administrator of religious affairs in Indonesia to run peacefully and orderly, but the function cannot be separated from the elements of who leads the institution and the policy priorities taken. At first, this institution is expected to put forward the principle of neutrality and justice for all religious groups, but the history of the existence of the Ministry of Religious Affairs itself can not be separated from the growing political climate in Indonesia. For example, the policy of the first minister of the Ministry of Religious Affairs, Muhammad Rasjidi, who took administrative control related to Islam, such as Islamic marriage, Islamic courts, mosques, hajj, to Islamic education. Some of these population administration policies were previously managed by other ministries, such as marriage by the interior ministry, education by the ministry of education, and so on. In its development, the domain of the authority of the ministry of religion over the administration, which is related to Islam, is still valid today (Rohman 2018).

The continued implication of the polemic is the emergence of two camps, namely pros and cons in the community in the realm of religious policy implementation in Indonesia. Socio-politically, the expansion of religious policies is faced with the reality of the plurality of Indonesian society that is very complex. The response of Muslims themselves to the implementation of religious policy implementation in Indonesia is at least 3 (three) polarizing. Most Muslims want substantive-formalistic religious policies to be promulgated in laws and regulations. There are also those who argue that what is important is the values (moral ethics) of Islam that are included in national policy. While others actually reject altogether some policies issued by the government which in this case is the ministry of religion (Suprajogo 2020).

Religious Policy during the Covid-19 Pandemic

In countering the spread of covid-19 in Indonesia, the government devised policies that could overcome the problem. Not only in the socio-economic sector, but in all sectors including the ministry of religion. The Ministry of Religious Affairs in this case also plays an active role in helping the central government program in overcoming the covid-19 pandemic that hit Indonesia (Setiati and Azwar 2020). This is done because religious activities are also synonymous with causing crowds or crowds. In this case the ministry of religion has issued various policies through the circular of the minister of religion; Some of the policies issued during the Covid-19 pandemic are as follows: (Cato 2020);

First, restrictions on the implementation of religious activities contained in the circular of the minister of religion number 15 of 2020 on guidance on the implementation of religious activities in houses of worship in realizing productive and safe communities in the pandemic period. This guide regulates core religious activities and social religious activities in houses of worship, based on the real situation of the Covid-19 pandemic in the environment of the house of worship, not just based on the status of zones that apply in the area. Although the area is a Yellow Zone, but if in the environment of the house of worship there are cases of Covid-19 transmission, then the house of worship is not allowed to hold congregational worship / collectively (Kementrian Agama 2020).

The implementation of this policy is none other than to reduce the impact of the spread of covid-19 in the community. However, in its implementation not a few people also ignore this policy. This can be seen that there are still people who continue to perform worship without complying with health protocols stipulated in this policy.

Second, the policy related to the cancellation of the departure of hajj. This policy is contained in the Decree of the Minister of Religious Affairs of the Republic of Indonesia No. 660 of 2021 concerning the Cancellation of The Departure of Pilgrims in the Implementation of Hajj In 1442 H/2021 M. This policy was decided and implemented none other than due to the current situation and conditions when pandemic covid-19 (Al Jazeera And News Agencies 2021). The government in this case the ministry of religious affairs has considered various aspects in deciding the policy of canceling the departure of pilgrims. One of the most important considerations is the health, safety, and security of pilgrims threatened by the covid-19 pandemic that hit almost all parts of the world, including Saudi Arabia. In this decision it is also mentioned that the Government of Saudi Arabia has also not opened access to hajj services in 1442H/2021M (Kementrian Agama 2021a).

Conclusion

In the state, the existence of policy is very important. In addition to regulating the life of the state, the policy also has the aim to find the best way to benefit together. Both in the education sector, economy, culture, even the religious sector is not spared from the existence of policies. Although the purpose of the policy is for the common good, but in its implementation often raises pros and cons in the community. The dynamics of religious policy implementation in Indonesia from time to time have their own characteristics that are divided into five periodizations; Dutch colonial period, period of independence and old order, era of reform, and at the time of the covid-19 pandemic.

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