

**GLOBAL  
PLURALISM  
MONITOR**

**INDONESIA**



## **Global Pluralism Monitor: Indonesia**

by Global Centre for Pluralism

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## ABOUT THE SERIES

This report was developed using the Global Pluralism Monitor Assessment Framework. The Global Pluralism Monitor's country assessments are conducted by a team of experts on diversity issues who are either country nationals or have significant experience in the country.

The scores presented in this report should not be interpreted as part of a universal scale or ranking system that applies to all countries in the same way. Instead, scores should be understood as a context-specific indication of the country's progress toward (or away from) a pluralistic ideal. For example, a post-conflict society that still experiences violence – but comparatively less than at the height of conflict – might have a similar score to a society that has been peaceful but has recently experienced a surge in hate crimes. The Global Pluralism Monitor aims to assess countries on their own terms to reflect the highly contextual nature of pluralism: there is no single route to success that all societies must follow.

For more information on the Monitor and its methodology, visit our website at [pluralism.ca/monitor](https://pluralism.ca/monitor).

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# ABOUT THE GLOBAL PLURALISM MONITOR

## What is pluralism?

**Diversity in society is a universal fact; how societies respond to diversity is a choice. Pluralism is a positive response to diversity. Pluralism involves taking decisions and actions, as individuals and societies, which are grounded in respect for diversity.**

## MEASURING INCLUSION AND EXCLUSION IN DIVERSE SOCIETIES

Living and engaging with differences in society is a challenge all societies face. As inequality, marginalization and divisions rise, building peaceful and inclusive societies is ever more urgent.

Vulnerable groups, including religious and ethno-cultural minorities, indigenous groups, and women and girls, face ongoing political, economic and social exclusion. To foster more just, peaceful and prosperous societies, these exclusions must be addressed. To take meaningful action, policy makers and practitioners need a holistic understanding of these issues.

Launched by the Global Centre for Pluralism, the Global Pluralism Monitor is a measurement tool that assesses the state of pluralism in countries around the world. Across political, economic, social and cultural domains, the Monitor informs decision-making to address root causes of exclusion and improve the prospects for pluralism.

*Enhances existing efforts by governments, civil society and the private sector*

The Monitor enables:

- Gap analysis: to assess the state of pluralism in societies and identify areas in which intervention is needed to address exclusion;
- Trends analysis: to track a country's trajectory over time, either towards greater inclusion or exclusion;
- Intersectional analysis: to assess the treatment of women in societies, accounting for intra-group dynamics of inclusion and exclusion;
- Conflict prevention: to identify signs of exclusion and marginalization before crisis becomes imminent;
- Good practices: to identify initiatives that are having a positive impact that could be further developed, or serve as lessons for other contexts.

### *Approach rooted in both institutional and cultural responses to diversity*

The Centre's approach to pluralism focuses on institutions (hardware), cultural processes (software) and the complex interactions between the two. Institutional arrangements – such as constitutions, legislatures, courts, and systems of government – outline the legal and political spaces within which members of societies act. Cultural habits or mindsets shape our perceptions of *who belongs* and *who contributes*, and influence how we interact with one another every day.

The Monitor Assessment Framework is rooted in the interplay between institutional and cultural responses, and measures inclusions and exclusions across political, economic and social dimensions. Its 20 indicators cover the following:

1. Legal commitments in support of pluralism;
2. Practices by state institutions to realize commitments;
3. Leadership towards pluralism from societal actors;
4. State of group-based inequalities;
5. Intergroup relations and belonging.

### *Informed by expertise and data*

A team of national experts on diversity and inclusion in the country uses the Monitor Assessment Framework to produce a country report, drawing on a range of qualitative and quantitative data. The reports offer recommendations for policymakers and practitioners on how to advance pluralism, and offer a basis for dialogue with stakeholders across the society.

Each team of experts is encouraged to define the story *they* want to tell about pluralism. In this way, the reports are grounded in the local realities and designed to have the most potential impact on policy and practice.

The Monitor is guided by an international Technical Advisory Group of leading experts on indices and diversity issues.

# GLOBAL PLURALISM MONITOR ASSESSMENT FRAMEWORK

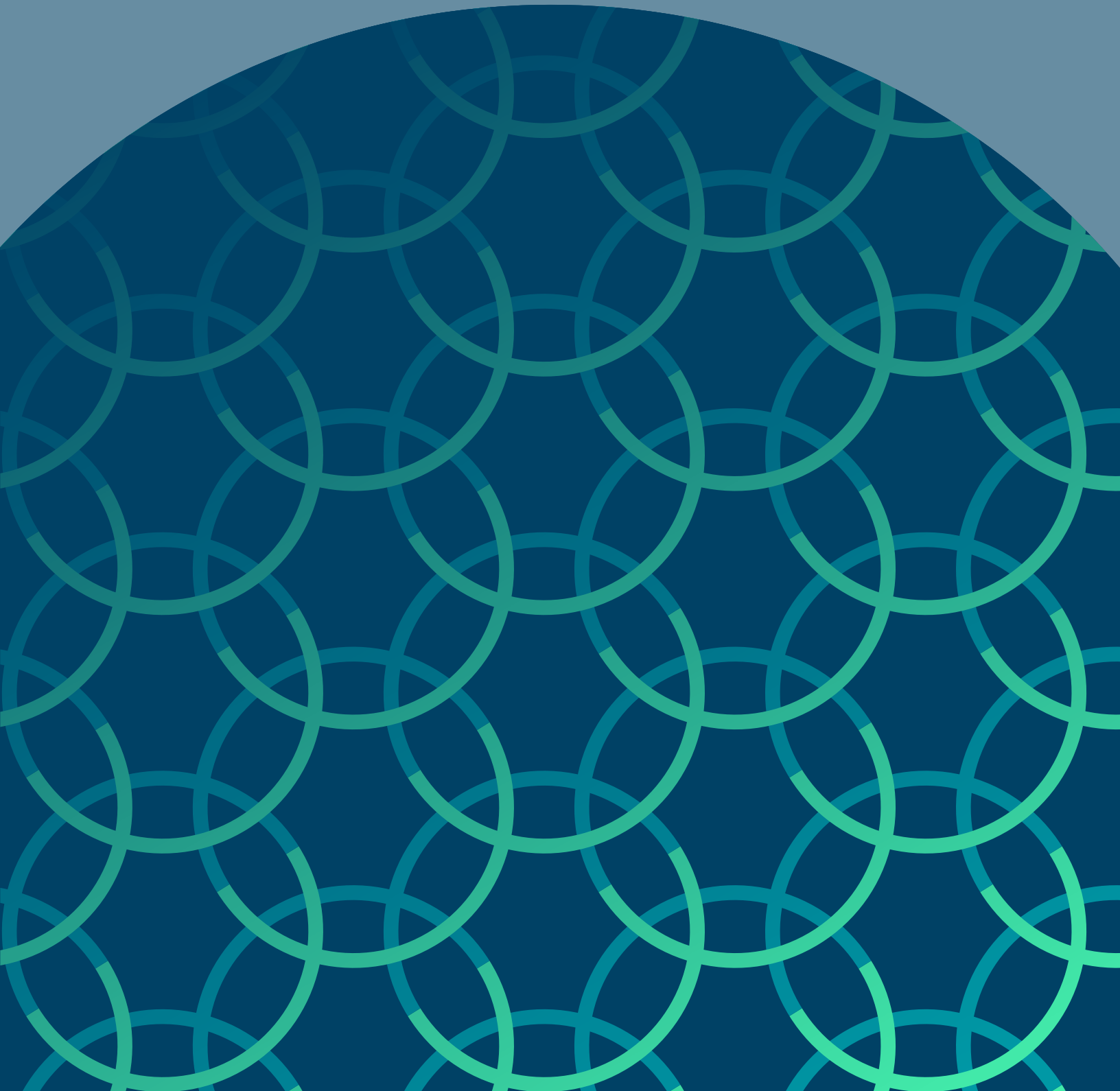
## COUNTRY PROFILE

COMMITMENTS	PRACTICES	LEADERSHIP	GROUP BASED INEQUALITIES	INTERGROUP RELATIONS + BELONGING
International Commitments	Policy implementation	Political Parties	Political	Intergroup Violence
National Commitments	Data Collection	News Media	Economic	Intergroup Trust
Inclusive Citizenship	Claims-Making and Contestation	Civil Society	Social	Trust in Institutions
		Private Sector	Cultural	Inclusion and Acceptance
			Access to Justice	Shared Ownership of Society

## RECOMMENDATIONS

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# EXECUTIVE SUMMARY

**The Global Pluralism Monitor report for Indonesia demonstrates how polarization has become more fervent, and how the growing role of Islam in Indonesian politics has resulted in escalated tensions between different religious and ethnic groups.**

## AVERAGE SCORE: 7

Often described as a bastion of tolerance in the Islamic world, Indonesia, which successfully transitioned from authoritarianism to democracy in 1998, is facing new challenges of intolerance, exclusion and marginalization. The *Global Pluralism Monitor: Indonesia* report demonstrates how polarization has become more fervent, and how the growing role of Islam in Indonesian politics has resulted in escalated tensions between different religious and ethnic groups. The Monitor report discusses the dynamics of exclusion and inclusion in Indonesia by analysing racial-ethnic groups (e.g., Javanese, Sundanese, non-native ethnicities, among others), faith affiliations and beliefs, and rural-urban areas.

Indonesia boasts inclusive policies and social protections towards racial-ethnic and religious minorities. However, in practice, majority Muslim groups often dominate and dictate the public space. While this report points to a strong sense of belonging within Indonesian society, it also sheds light on recurring intergroup violence. This violence derives from international migration, perceptions of who is a 'guest' or a 'host' in different districts and discrimination against religious minorities.

## LEGAL COMMITMENTS

Indonesia's commitments to human rights, dignity and equality have intensified since the beginning of the Reformation Era in 1977. These commitments are showcased through the ratification of international human rights instruments and active engagement with their respective monitoring mechanisms. Likewise, the country has become a leader within the Association of Southeast Asian Nations (ASEAN) when it comes to promoting and protecting the rights of women and children. Its commitment to pluralism is also showcased through inclusive citizenship policies, such as providing stateless individuals of diverse backgrounds the opportunity to become Indonesian.

However, a lack of regulation related to how the state guarantees and fulfills religious freedom is an obstacle to realizing pluralism.

## PRACTICES AND LEADERSHIP

National policy exists regarding the ratified international covenants but there is a gap in their implementation. This implementation gap negatively and disproportionately impacts women, religious and ethnic minorities across Indonesia. Although the Constitution does not make any distinction regarding the majority group, the Javanese are the largest ethnic group in Indonesia and they maintain major political status. Likewise, the religious majority often determines the results of political elections since citizens of a religious majority in a province or district are more likely to vote for a candidate of the same religious group. This leads to political parties often being more concerned with voters' faiths than their ethno-racial diversity or the rural-urban divide. The experiences

of Javanese and Muslim majoritarianism extends past political issues, with most news media representing Java- and Islam-centric interests over minority group interests.

The adoption of policies that accommodate and favour Muslim needs has resulted in many non-Muslim groups feeling like second-class citizens with no adequate means to challenge these regulations. In response to constraints against religious freedom, Indonesia boasts a broad civil society that supports and promotes a diversity of religious beliefs. While there are both Muslim and non-Muslim organizations, they are similar in their dedication to informing the public about religious tolerance, empowerment of women's rights and welcoming diversity.

## GROUP-BASED INEQUALITIES, INTERGROUP RELATIONS AND BELONGING

Although Indonesia's broad access to citizenship enables most of its inhabitants to exercise their political rights and access public goods and social services, many are hindered by the lack of a national identity card or a *Kartu Tanda Penduduk* (KTP). Indigenous groups and rural communities, which are typically in isolated areas, are more likely to face challenges in obtaining their KTPs. Consequently, they can lose their political rights, their ability to enroll in public schools, their access to healthcare and face limited employment opportunities. Unequal access to public goods and social services has perpetuated economic inequalities. Among respondents from the Global Centre for Pluralism's *Pluralism Perceptions Survey*, 91 percent identified income distribution as fairly or deeply unequal.

Indonesia's national ideology has allowed for cultural identities to be dynamically shared and displayed at the national and regional levels. While a strong sense of belonging has developed across the country, with 98 percent of the Centre's *Pluralism Perceptions Survey* respondents being glad to be Indonesian, unequal treatment of ethnic and religious groups remains a concern. Religious tolerance and diversity are undermined by increasing trends of Islamization across Indonesian life. This is reflected in school dress codes and in the increased violence against non-Muslim and Indigenous communities, who are often perceived as adversarial for practicing their own beliefs.

## MONITOR TAKEAWAYS

Indonesia demonstrates a successful transition from the authoritarian New Order regime into the democratic Reformation Era, which has allowed for the adoption of inclusive and pluralist policies that celebrate the national motto of 'Unity in Diversity'. This broad-based acceptance allows for all cultural, ethnic and religious groups to participate in celebrations and demonstrations of their different faiths. Likewise, this strength in diversity and tolerance is showcased through the consistent high scores Indonesia receives throughout the Monitor report.

However, progress in strengthening pluralism in Indonesia is consistently tested. While the federal government pushes for the implementation of pluralist policies, the implementation of these policies at the provincial or district levels has proven to be detrimental to minority communities. For example, the Monitor report discusses federal regulations for establishing places of worship, which requires approval from community members. While

**Indonesia's disjoint between pluralism and provincial implementation exacerbates barriers to social inclusion for members of ethnic or religious minorities, particularly for those living in remote areas.**

this appears to be an inclusive participatory process, members of religious minorities often face obstacles in obtaining these permissions. This discrimination is underscored by the unofficial majoritarianism favouring the Javanese. Although cases looking to combat some of these regulations can make it to the Constitutional Court, they are rarely able to create change. Thus, the Monitor report makes apparent the lack of coherence between Indonesia's commitment to pluralism and provincial implementation.

As the Monitor report demonstrates, Indonesia's disjoint between pluralism and provincial implementation exacerbates barriers to social inclusion for members of ethnic or religious minorities, particularly for those living in remote areas. For example, remote areas often experience tensions over the control of local resources, which can lead to violence. While the Reformation Era has focussed on celebrating and strengthening ethno-religious identities, the opposite has occurred. Instead, across all levels of society, there is a rise in conflicts between racial-ethnic and religious groups. A shift towards recognizing the unequal realities lived in Indonesia offers the possibility of strengthening pluralism and honouring the country's commitment to 'Unity in Diversity'.

## RECOMMENDATIONS

The Monitor's recommendations reinforce what experts, activists and stakeholders have long called for in Indonesia and provide several pathways to pluralism for the country.

- By fostering collaboration and partnerships between the government and civil society organizations focussed on the development and revision of inclusive policies and legislation, pluralism can be enhanced across Indonesia.
- By facilitating access to civil registries and government services that provide national identity cards, *Kartu Tanda Penduduk* (KTPs), particularly in rural areas and remote locations populated by adat communities can result in more inclusive citizenship and increased sense of belonging across minority groups.
- Implementing the Constitutional Court's decision No. 35 of 2012 and awarding full recognition to Indigenous peoples has the potential to decrease displacement of Indigenous groups and promote the enforcement of the right to free, prior and informed consent in adat forests.
- Since minority religious and Indigenous beliefs are disproportionately impacted by violence and discrimination, developing and improving legislation regarding cultural expression in accordance with the national ideology of Pancasila can help reduce intergroup violence and increase trust and sense of belonging across minority groups in Indonesia.

# COUNTRY PROFILE

**For centuries, cross-cultural relationships and the religiosity of the Indonesian people have always been able to produce a tolerant approach to responding to cultural and religious differences.**

Indonesia has been described as one of the most heterogeneous countries in the world.<sup>1</sup> As of 2020, the Indonesian population is 270.2 million and consists of 1,331 ethnic groups who speak 718 languages and dialects.<sup>2</sup> This heterogeneity is reflected in the current Indonesian national model, which is often understood as the product of the negotiation between ethnic, cultural, religious and political interests.<sup>3</sup> Indonesia's diversity is the result of interactions between culture and religion over thousands of years. For centuries, cross-cultural relationships and the religiosity of the Indonesian people have always been able to produce a tolerant approach to responding to cultural and religious differences.<sup>4</sup> An ancestral credo for Indonesian plurality was embraced by Indonesia's founders as a national motto, "Unity in Diversity" (*Bhinneka Tunggal Ika*). This motto underscores Indonesia's awareness of its pluralistic reality.

Despite this recognition, diversity has faced challenges since Indonesia's independence in 1945. Through the 1940s and 1960s, armed conflict and tension existed between the central government and some regions in West Java, Sumatra, Sulawesi and eastern parts of Indonesia.<sup>5</sup> Ideology and regionalism were the main challenges facing Indonesia's nation-building in its early years as seen in the revolts of Darul Islam (a group of radical Islamic movement) and the secessionist movements in those areas (Aceh, West Java and South Sulawesi) in particular.<sup>6</sup> Violence continued until the rise of the New Order regime (1968–1998). Following the assassination of high-ranking army officers in 1965, political turmoil erupted that resulted in the massacre of almost a half million members and sympathizers of the country's Communist Party.<sup>7</sup> This led to the ousting of President Sukarno, the first President of independent Indonesia, in March 1968. He was replaced by President Suharto, who held the presidency from 1968 to 1998. During this period, ethnic conflicts and racial riots occurred in some provinces.<sup>8</sup>

As the New Order period came to an end, and in the years immediately after, violent conflict between groups emerged in several regions. Beginning in late 1996, conflicts occurred in Central Kalimantan, Aceh, Papua, East Timor, Maluku, and Central Sulawesi.<sup>9</sup> The conflicts were mainly due to institutional transformation and the reconfiguration of relations between the state and society, as well as inter-religious and inter-ethnic clashes, including against the Chinese.<sup>10</sup> All these conflicts were concluded, if not significantly resolved, by the end of 2002, with the exception of the conflict in Aceh. The Aceh conflict was brought to an end by the Helsinki Peace Agreement in August 2005.<sup>11</sup>

The growing role of Islam in Indonesian political institutions since the 1990s has escalated tension between different religious and ethnic groups. Though it may appear that these conflicts were wholly motivated by religious differences (and claims were made to that extent), they were driven by several factors, including the unequal distribution of economic sources and the unequal allotment of political representation.

Indonesia's heterogeneity is facing new challenges in the form of populist politics.<sup>12</sup> In recent years, a polarized society has been a central political feature that characterizes the relationship between those who emphasize the principle of liberty and those who support a paradigm of justice.<sup>13</sup> While the former advocates religious pluralism and

**A polarized society has been a central political feature that characterizes the relationship between those who emphasize the principle of liberty and those who support a paradigm of justice.**

insists on individual freedom in a number of lifestyles, the latter seek to maintain a tight control over religious norms determining personal as well as communal life. There have been heated debates and lingering controversies between these two camps regarding proposed laws and government regulations on various religious issues at the national and regional level.<sup>14</sup>

Despite all this, Indonesia remains a unified state with a multi-faith, multi-ethnic and multicultural society. Its current diversity typology has been strongly influenced by three major factors:

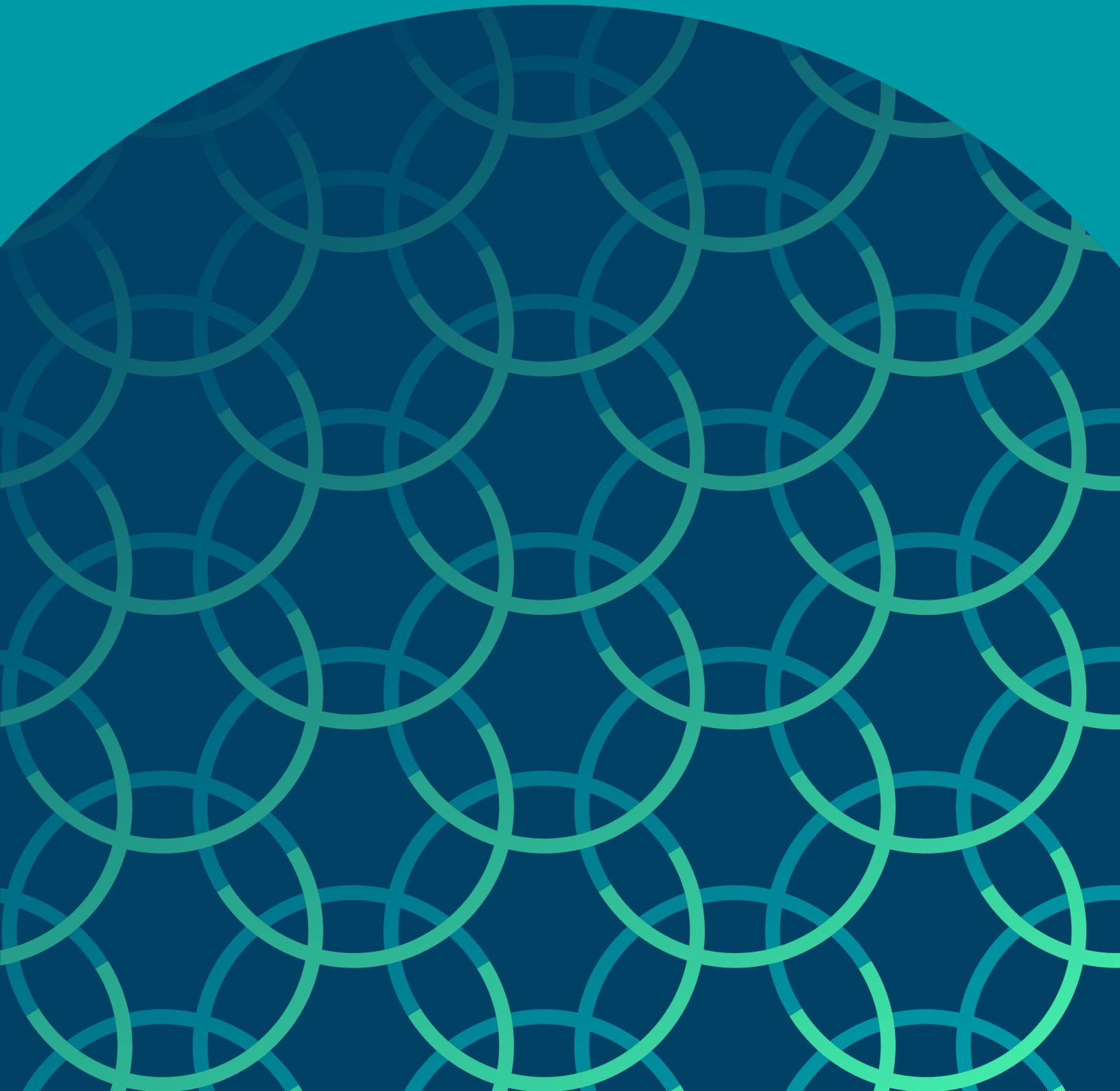
- Ethno-racial groups, such as the Javanese, Sundanese, Madurese, Malay, Batak, Banjar, Dayak, Buginese and many others, including non-native ethnicities (e.g., Chinese and Indians).
- Faith affiliations and beliefs that include the following: six state-recognized religions (Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism); non-state recognized minorities, including the Shi'a, Ahmadiyah and Baha'i; and Indigenous beliefs, such as Sunda Wiwitan, Kejawen, Kaharingan, Parmalim, Kajang and Tolotang, etc.
- Rural-urban areas where local people or *adat* (customary or Indigenous) communities represent those who live in the remote or rural zones fight for their rights to land and natural resources.



Photo: Shutterstock/aiyoshi597

These categories of diversity (which often overlap) have been important to understand Indonesia's current political situation, which has been characterized by discrimination, intolerance, exclusion and marginalization. Beyond the three typologies of diversity above, particular perspectives (i.e., provincial backgrounds and gender status) in assessing relevant indicators have been adopted whenever applicable. It is worth noting that economic division as a basis of diversity is unlikely to have played a significant role in today's Indonesian social sphere. Perhaps this has to do with the demise of the Communist Party in 1966, and the subsequent ban on anything related to communism, including "provocative" ideas of a broadening gap between the rich and the poor.

# PART I. COMMITMENTS



# 1. INTERNATIONAL COMMITMENTS

## AVERAGE SCORE: 7.5

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 7

**The island's constitution is positively orientated towards pluralism. For instance, the constitution has a special fundamental rights chapter that is justiciable and influenced by international treaty obligations.**

Indonesia is strongly engaged in international legal commitments to promote pluralism. It has ratified nine legal instruments, which indicates the country's serious commitment to pluralism:

- Convention on the Elimination of All Forms of Discrimination against Women (1979). Ratified by Law No. 7/1984. This law sets out regulations with regard to discrimination. It guarantees equal access to the vote and to run for public office; it guarantees participation in policy formation, entrenches opportunities to occupy bureaucratic positions and guarantees participation in socio-political organizations.
- Convention on the Rights of the Child (1989), which was ratified in 1990. It was then followed by Presidential Decree (*Keppres*) No. 36/1990, including the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (ratified by Law No. 9/2012) and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (ratified by Law No. 10/2012).
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984). This was ratified under Law No. 5/1998.
- International Convention on the Elimination of All Forms of Racial Discrimination (1965). It was ratified in 1999.
- International Covenant on Civil and Political Rights (1966), which was ratified in 2006.
- International Covenant on Economic, Social and Cultural Rights (1966). This covenant was ratified in 2006.
- Convention on the Rights of Persons with Disabilities (2006), which was ratified under Law No. 19/2011.
- Convention on the Rights of All Migrant Workers and Members of Their Families (1990), which was ratified in 2012.<sup>15</sup>
- UNESCO's First Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention. Both were ratified in 1967.



**Despite Indonesia's participation in ratifying international commitments, there have been no strong measures undertaken to prevent religious minority groups from being discriminated against, attacked or persecuted.**

Indonesia has actively engaged with the monitoring mechanisms for the international commitments above as well as at the regional level. As a founder of the Association of Southeast Asian Countries (ASEAN), Indonesia initiated several gender-based declarations:

- Declaration on the Advancement of Women in ASEAN Region (1988)
- Declaration on the Elimination of Violence against Women (EVAW) in the ASEAN region (2004)
- Declaration Against Trafficking in Persons Particularly Women and Children (2004)
- Ha Noi Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children (2012)
- ASEAN Human Rights Declaration and Phnom Penh Statement (2012)
- Declaration on EVAW and Children (2013)
- Convention Against Trafficking in Persons, Especially Women and Children (2015)
- Manila Declaration to Counter the Rise of Radicalisation and Violent Extremism (2017)
- Joint Statement on Promoting Women, Peace and Security in ASEAN (2017)

Indonesia has played an active role in the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) since its establishment in 2010. The Indonesian ACWC representative was appointed chair for the 2016–19 period. During that period, the Commission adopted its *ACWC Work Plan 2016-2020* and held a mid-term review of the *ASEAN Regional Plan on the Elimination of Violence against Children* as an expression of Indonesia's accountability and commitment to the elimination of all forms of child violence at the regional level.

Despite Indonesia's participation in ratifying international commitments, there have been no strong measures undertaken to prevent religious minority groups from being discriminated against, attacked or persecuted.<sup>16</sup> Multiple incidents have taken place over the past decade that deeply affected the Shi'a in Madura and the Ahmadiyah in Lombok. Several religious communities seeking to build places of worship (e.g., a church in Bogor and a mosque in Minahasa) believed that they had been discriminated against by their respective local governments. Because of these incidents, in 2020, the SETARA Institute, a non-governmental organization (NGO), urged the government to protect religious minority groups, including the Shi'a and Ahmadiyah.<sup>17</sup>

## 2. NATIONAL COMMITMENTS

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

**While the laws above show Indonesia's strong commitment to promote the human rights of each group, there is a lack of technical regulation on how the state guarantees and fulfills religious freedom.**

The Indonesian Constitution of 1945 states that it respects human rights and dignity, considers all citizens equal before the law and prevents and bans any form of racial discrimination. Beginning with the Reformation era (1998–onwards), the protection of minority groups in Indonesia has intensified. President B. J. Habibie (1998–99) issued Presidential Instruction No. 26/1998 concerning the revocation of the terms “native” and “non-native” in public. President Abdurrahman Wahid issued Presidential Decree No. 6/2000 concerning the revocation of Presidential Instruction No. 14/1967 on Chinese Religion, Beliefs and Traditions. This decree allowed Confucianists to express their beliefs and culture publicly after more than three decades of suppression under the New Order regime.

Indonesia recognizes and acknowledges diversity within legal and policy frameworks, including the following laws:

- **Law No. 29/1999** ratified the International Convention of all Forms of Racial Discrimination).<sup>18</sup>
- **Law No. 39 Year 1999 Concerning Human Rights** recognizes that everyone has the right to freedom as equal members contributing to their communities, that the nation is based on the comity between citizens, that everyone has the right to equal treatment and are equal before the law, everyone has the right to life and to have a family and to produce heirs, to develop personal capacity; and to participate in both private and public sectors. The Chapter recognizes Indigenous groups (adat communities), including traditional laws and communal lands (*tanah ulayat*) and Indigenous rights to perform their religion and beliefs. This law also recognizes every citizen's freedom of speech and expression; the freedom to decide their citizenship; equal access to employment; special support for certain groups, such as the differently abled, elders, pregnant women and children. It also covers children rights and the right to submit complaints to the National Human Rights Commission (*Komnas HAM*).<sup>19</sup>
- **Law No. 26 Year 2000 – Establishing the Ad Hoc Human Rights Court.** This law created a human rights court to investigate violations of such rights.<sup>20</sup>
- **Law No. 12 of 2005** was enacted to ratify the International Covenant on Civil and Political Rights.
- **Law No. 40 of 2008** covers the elimination of discrimination by race and ethnicity, and it codifies the fundamental freedom of human rights and equality in civics, politics, economic opportunity, society and culture. It also underscores the importance of understanding pluralism and respects human rights in education (Article 5 (c)).<sup>21</sup>

Indonesia has enacted several laws that promote women's political rights.

- **Law No. 22 /2007**<sup>22</sup> stipulates the composition of election committees.
- **Law No. 2/2011** on political parties requires all parties have a minimum of 30 percent representation of women in their list of candidates, and **Law No. 8/2012** covers legislative elections.
- More importantly, Indonesia has established an institution to provide women with welfare and protection through **Presidential Decree No. 181/1998**. This law established the National Commission on Violence against Women (*Komnas Perempuan*).<sup>23</sup> For further protection, **Law No. 23/2004**, dealing with domestic violence, was enacted.<sup>24</sup> A year later, **Presidential Regulation No. 65/2005** was issued to establish another national commission on violence against women.<sup>25</sup>

While the laws above show Indonesia's strong commitment to promote the human rights of each group, there is a lack of technical regulation on how the state guarantees and fulfills religious freedom. Some provincial or district governments in which the population is majority Muslim enacted Islam-based regulations that, for instance, oblige female Muslims to dress in accordance with a particular view of Islamic teaching.

In addition, a number of religious groups in particular districts or cities have structural constraints on establishing their houses of worship. The enactment of **Law No. 22/1999** with respect to regional autonomy often restricts minority groups in constructing places of worship. The restriction became greater following the issuance of the **Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 9 and 8 of 2006** on the establishment of places of worship. Religious minorities consider this regulation an obstacle since strict requirements and difficult procedures (e.g. written consent from the religious majority group who live in the location to welcome the presence of a minority's place of worship) were put in place for the establishment of houses of worship. This particular issue will be discussed further under Indicator 4.

## 3. INCLUSIVE CITIZENSHIP

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 6

Indonesia's citizenship is generally inclusive and accessible. Article 28D (4) of the Indonesian Constitution stipulates that "Every person shall have the right to citizenship status."<sup>26</sup> In particular, the Indonesian Constitution of 1945, Article 26 (1) states that "Citizens shall consist of Indigenous Indonesian peoples and persons of foreign origin who have been legalised as citizens in accordance with law."<sup>27</sup> This includes Indonesians regardless of their background (i.e., racial or ethnic group, religious affiliation, gender, language, etc.), some foreigners and

**In 2019, 121 Indigenous communities in nine provinces, totalling approximately a million Indigenous community members, had limited access to government services and facilities. Hence, ahead of the 2019 General Election, these people were unable to exercise their right to vote.**

those who have no citizenship and are willing to be Indonesian. Indonesian citizens have educational, socio-economic and civil and political rights, including welfare and protection rights.

Based on the Indonesian Constitution of 1945 and Law No. 12/2006,<sup>28</sup> individuals from diverse backgrounds who live in the country are welcome to become Indonesian citizens, with certain requirements. They are able to acquire Indonesian citizenship on the basis of the “law of the blood” (conferred by direct descentance) and the “law of the soil” (i.e., Indonesia is the place of birth for children under 18 years old). In principle, Indonesia does not allow dual or multiple citizenships.

Holding multiple citizenships is permitted for children (up to 18 years old) with specific conditions:

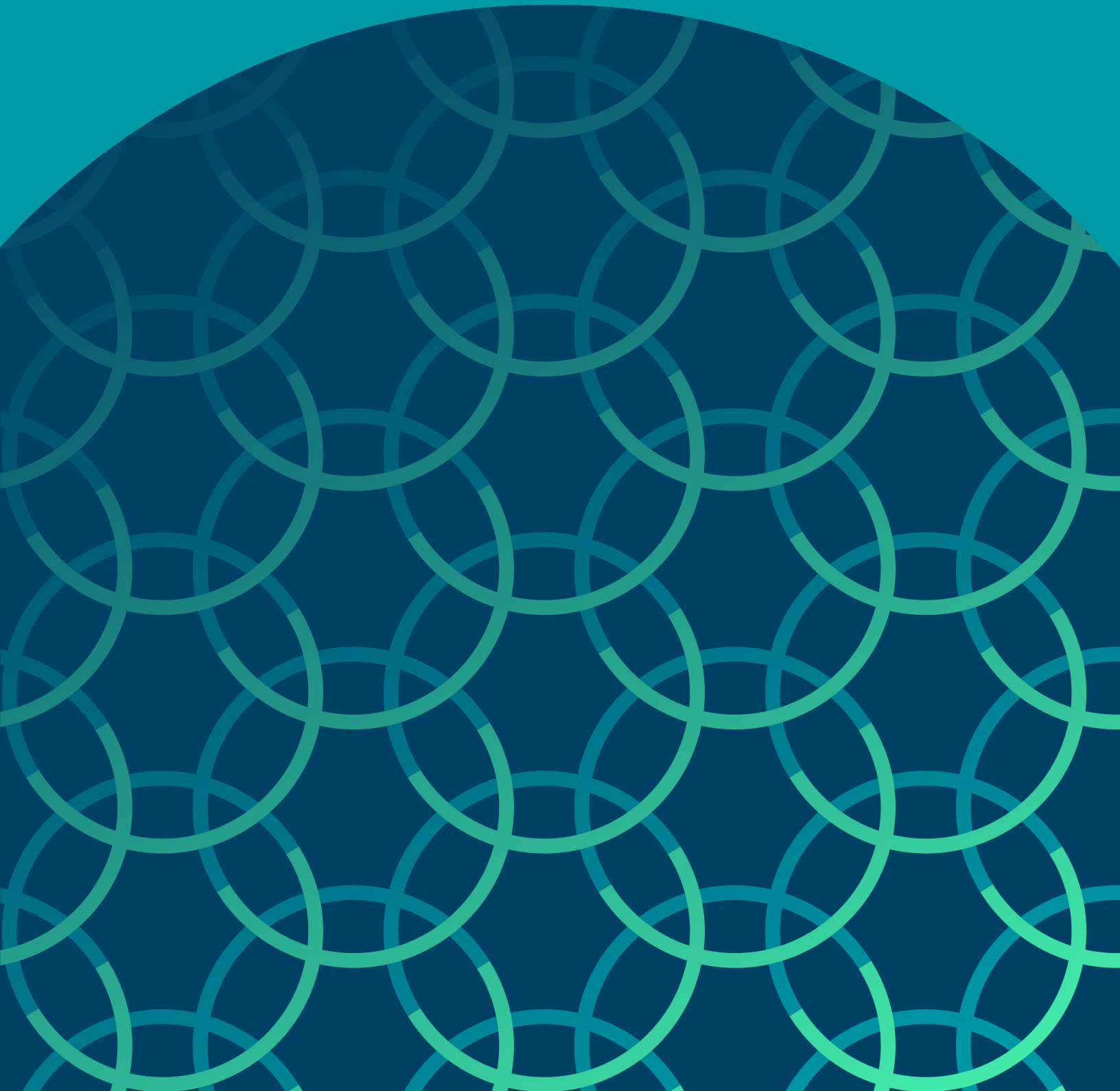
- One of the child’s parents holds Indonesian citizenship;
- The child’s father has no citizenship or the father’s original country does not permit access to citizenship;
- The child was born or found in Indonesian territory with unknown parental citizenship; and
- The child was born overseas to Indonesian parents.<sup>29</sup>

Under each of these circumstances, one would obtain Indonesian citizenship when they register at age 18, or when they have been living in Indonesia for a minimum of five years continuously or 10 years irregularly.

Citizenship is recognized through identity cards and papers. Of these personal identity documents, there are birth certificates, family cards, national identification cards (*Kartu Tanda Penduduk* (KTP)) and passports. Every individual, regardless of their background, has all or parts of these documents as evidence of their recognized citizenship. However, for several decades, an Indigenous religion had not been identified under the KTP. It was only in mid-2018, based on the Government Regulation No. 37/2007 on the implementation Law No. 23/2006 concerning population administration, that Indigenous believers have been allowed to include a special term, “believers of local conviction” (*penghayat kepercayaan*) for their faith, on the KTP.

It is important to note that many Indigenous (adat) communities who still live in rural areas, forests and remote locations have difficulty receiving KTPs. Currently, there are approximately 70 million Indigenous peoples who belong to 2,371 adat communities across 31 of Indonesia’s 34 provinces.<sup>30</sup> In 2019, due to their isolated locations, 121 Indigenous communities in nine provinces, totalling approximately a million Indigenous community members, had limited access to government services and facilities. Hence, ahead of the 2019 General Election, these people were unable to exercise their right to vote.<sup>31</sup> According to the Alliance of Indigenous Peoples of the Archipelago (*Aliansi Masyarakat Adat Nusantara* (AMAN)), thousands of citizens living in remote areas in Indonesia do not yet have electronic ID cards (e-KTPs). This is because Indigenous peoples in those locations had difficulty registering themselves with the population administration and/or obtaining their e-KTPs. In fact, in accordance with Law No. 7/2017 on elections, an e-KTP is required to vote.<sup>32</sup>

**PART II.  
PRACTICES**



## 4. POLICY IMPLEMENTATION

### AVERAGE SCORE: 6

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

**Discriminatory regulations produced by different government agencies may be facilitating the misunderstanding that it is acceptable to discriminate against minorities.**

Although Indonesia has stipulated constitutional rights and ratified a number of international covenants on human rights, a gap between national policy and the implementation of these international covenants has emerged. Growing intolerance and violent attacks on religious minorities have occurred in Indonesia. Blasphemy cases and persecution of religious minorities are still prevalent.<sup>33</sup> The SETARA Institute documented 201 violations of religious freedom across Indonesia in 2017; most were directed at non-Muslim minorities with Chinese-ethnic backgrounds.<sup>34</sup> These incidents, largely recorded between 2018 and 2020, negatively impact the status of religious freedom in Indonesia.<sup>35</sup>

Discriminatory regulations produced by different government agencies may be facilitating the misunderstanding that it is acceptable to discriminate against minorities. A key issue on this point is the establishment of places of worship. According to the Joint Ministerial Regulation No. 9 and 8 of 2006,<sup>36</sup> the establishment of a house of worship is based on the religious composition of the local population. The regulation states that, at least 90 residents of a religious community and 60 residents from another religious community must give their approval in order to obtain a building permit. The problem with this stipulation is that many minority religious groups have had difficulty obtaining building permits not only because they were unable to get approval from the required number of residents, but also because local officials tend to take the side of the religious majority who do not want the house of worship built. In a similar vein, discrimination was also experienced by a Muslim minority group within a majority Hindu region (Bali), where they have not been allowed to build mosques or burial grounds and have been forced to deliver Hindu greetings in formal meetings.<sup>37</sup>

Women have also been negatively affected by discriminatory regulations. The case of City of Tangerang Municipal Regulation No. 8 of 2005, which prohibited sex work, confirms this contention. Regulation No. 8 contained a controversial provision that prohibited women from travelling in Tangerang at night. It scared a majority of women, who refrained from going outdoors after office hours, unless accompanied by close relatives (*muhrim*) and/or they were conducting activities protected by law.<sup>38</sup> Such restrictions certainly constitute a harsh restriction on women's basic rights to access work and a livelihood. The regulation also showed the government's abuse of power by accusing female travellers of being sex workers based on groundless suspicions.

A petition to resist the regulation was submitted to the relevant courts by human right activists. However, it seems there is no solution. Since there is no clear decision made by legal institutions at the regional level, the Constitutional Court was expected to examine the case. Yet, according to the legislation, the Constitutional Court only has the authority to examine national legislation, not provincial or district regulations. The Supreme Court has the purview to review these kinds of regulations. It released

a statement outlining its inability to examine the policy implementation of provincial and/or district governments.<sup>39</sup> This was quite ironic given that the policy in question suppresses people's rights, which are guaranteed by higher laws. Thus, as there is no clear measure to end the situation, the discrimination felt by some minority groups or communities, including women, remains unchanged.

## 5. DATA COLLECTION

### AVERAGE SCORE: 7

**RACIAL-ETHNIC GROUP(S) | SCORE: 8**

**FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7**

**RURAL-URBAN AREAS | SCORE: 6**

The Indonesian government has carried out a census every 10 years. Since its independence in 1945, Indonesia has conducted the census seven times (1961, 1970, 1980, 1990, 2000, 2010 and 2020). Data are accessible online via official institutional websites, and they are available offline in government offices. Indonesia is relatively good at providing data based on economic disparities, income,<sup>40</sup> crime and health care access, including gender and educational attainment. Data are collected regularly and systematically in collaboration with data censuses at the provincial level or via other institutions, such as education, police, health care and employment services. It is worth noting that, as far as electoral data are concerned, Indonesia provides accessible and comprehensive online data at the national and regional level.<sup>41</sup> Electoral data include the number of voters for each province, which is based on gender and diffable groups.<sup>42</sup> However, when it comes to a scheduled update every five years, this data has limitations because they include people who are recently deceased.

In the 2020 census, data were equally collected from people of different religious affiliations as well as from both urban and rural inhabitants in each of province.<sup>43</sup> Nonetheless, data related to people's religious affiliation remain problematic since, according to an officer from the BPS, some provinces or districts use a different format of inquiry. While it is understood that not all citizens follow the six formal religions, there are others who adhere to Indigenous beliefs (i.e., Badui, Anak Dalam, Kajang, etc.), which are categorized differently in the census as they are not considered formal religions.<sup>44</sup> Additionally, data based on racial ethnic groups were difficult to compile. This has to do in particular with the fact that overlapping and subtle variations of racial ethnic groups co-exist within a region or province. When asked, people found difficulties in identifying whether they belonged to a particular ethnic group or another.<sup>45</sup>

By and large, the data collected through every decadal census have been reliable. Despite some technical problems in the process of data collection (e.g., a household was empty when visited by a surveyor during the daytime), there was no significant rejection of the census program. In most cases, respondents were open and willing to provide the relevant information being requested.

Nevertheless, there are a number of provinces where data collection has been challenging. This is due to difficulties accessing certain locations where people live (mountains, remote islands and upper rivers) or simply due to people not having enough information to be able to answer particular questions, such as birth date. In a province located in eastern Indonesia (Papua), problems were encountered collecting data on citizenship registration. Other than limited access to populations living in mountainous areas, difficulties also had to do with a number of cultural, political and security matters.<sup>46</sup> As previously noted, registration is necessary to obtain a KTP and a Family Card to receive health care, acquire welfare support, access and exercise political rights and so on. A similar problem was experienced by the Topo Uma community in Pipikoro Sigi (Central Sulawesi). Given the lack of Family Identity Cards as well as Personal Identity Cards, the community was excluded from local government financial assistance and could not claim microfinancing funds (Usaha Mikro Kecil Menengah/UMKM [Micro Small and Medium Enterprises]).<sup>47</sup>

## 6. CLAIMS-MAKING AND CONTESTATION

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

**While there is no written agreement, it has been understood that being Javanese is advantageous to getting elected as president of Indonesia. This, perhaps, has to do with the fact that the Javanese constitute Indonesia's largest ethnic group.**

Regardless of background, Indonesian citizens enjoy civil and political rights as stipulated in the Constitution. The Constitution guarantees and protects social and cultural identity. In practice, however, the government and majority groups within society often dominate by influencing or dictating the contours of the public space. In terms of claims-making and contestation between ethnic groups, the Javanese are an ethnic group that maintains major political status. While there is no written agreement, it has been understood that being Javanese **is advantageous** to getting elected as president of Indonesia.<sup>48</sup> This, perhaps, has to do with the fact that the Javanese constitute Indonesia's largest ethnic group, accounting for more than one third of the total population, and especially because Indonesia's presidential elections are conducted by way of the "one-person one-vote system." Other important strategic positions that are government-appointed, such as ministers, military officials, attorneys general and ambassadors, have been occupied by high-achieving figures of different backgrounds either by religion, ethnic group, gender, education or profession.

Religious affiliation has been an important political marker for the election of governors and heads of districts in some areas of Indonesia.<sup>49</sup> Citizens who constitute a religious majority in a province or a district are unlikely to vote for a candidate whose religious affiliation is not the same as the majority of the population in that particular place. Several cases were evident. For example, people in the province of North Sulawesi, where Christians constitute a religious majority, have refused Muslim candidates for nomination or to be elected as governor and/or vice governor. Prior to 1998 (during the New Order regime), provincial leadership in North Sulawesi was shared between Christians and



**Rural Indigenous communities are frequently excluded from decision-making processes, have limited acknowledgement from the government as well as from dominant groups.**

Muslims (i.e., the governor must be Christian, while the office of vice governor is held by a Muslim).<sup>50</sup> In Jakarta (Indonesia's capital), Basuki Purnama (popularly known as Ahok), a Christian Chinese and the incumbent governor who ran for re-election in 2017, was publicly rejected.<sup>51</sup> Supporters of Purnama's opponent, Anies Baswedan, framed the election through religious and ethnic lenses.<sup>52</sup> Anti-Christianity as well as anti-Chinese sentiments were circulated against Ahok. He was defeated, and Anies Baswedan became Jakarta's new governor (2017–22).

Rural Indigenous communities (e.g., Suku Anak Dalam, the origins of Malay (*Jambi* South Sumatera), and the *Amungme* Tribe in *Tembagapura City of Papua Province*) often have a lesser bargaining position in making claims for their own rights. In fact, these ethnic groups have experienced discrimination and marginalization in a number of ways. They are frequently excluded from decision-making processes, have limited acknowledgement from the government as well as from dominant groups, including both national and international business corporations. Despite legal advocacy provided by various NGOs, these communities were considered unimportant and powerless. The Amungme Tribe in Tembagapura City, for example, submitted a petition to the Civil Court against Freeport, an international mining company. They claimed their lands were expropriated without consent and that no agreement was made prior to commencement of the project. The people who live around the project's location view it as hazardous in many ways. The project has psychologically, economically and environmentally impacted their lives. Nonetheless, the court's decision was not unexpected. Freeport won the case.<sup>53</sup> Although the government, through the Ministry of Environment and Forestry, made a statement that the government protects the right of Indigenous communities and provides for their welfare with respect to their land,<sup>54</sup> it is unlikely that rural communities have sufficient bargaining power vis-à-vis global foreign investments.

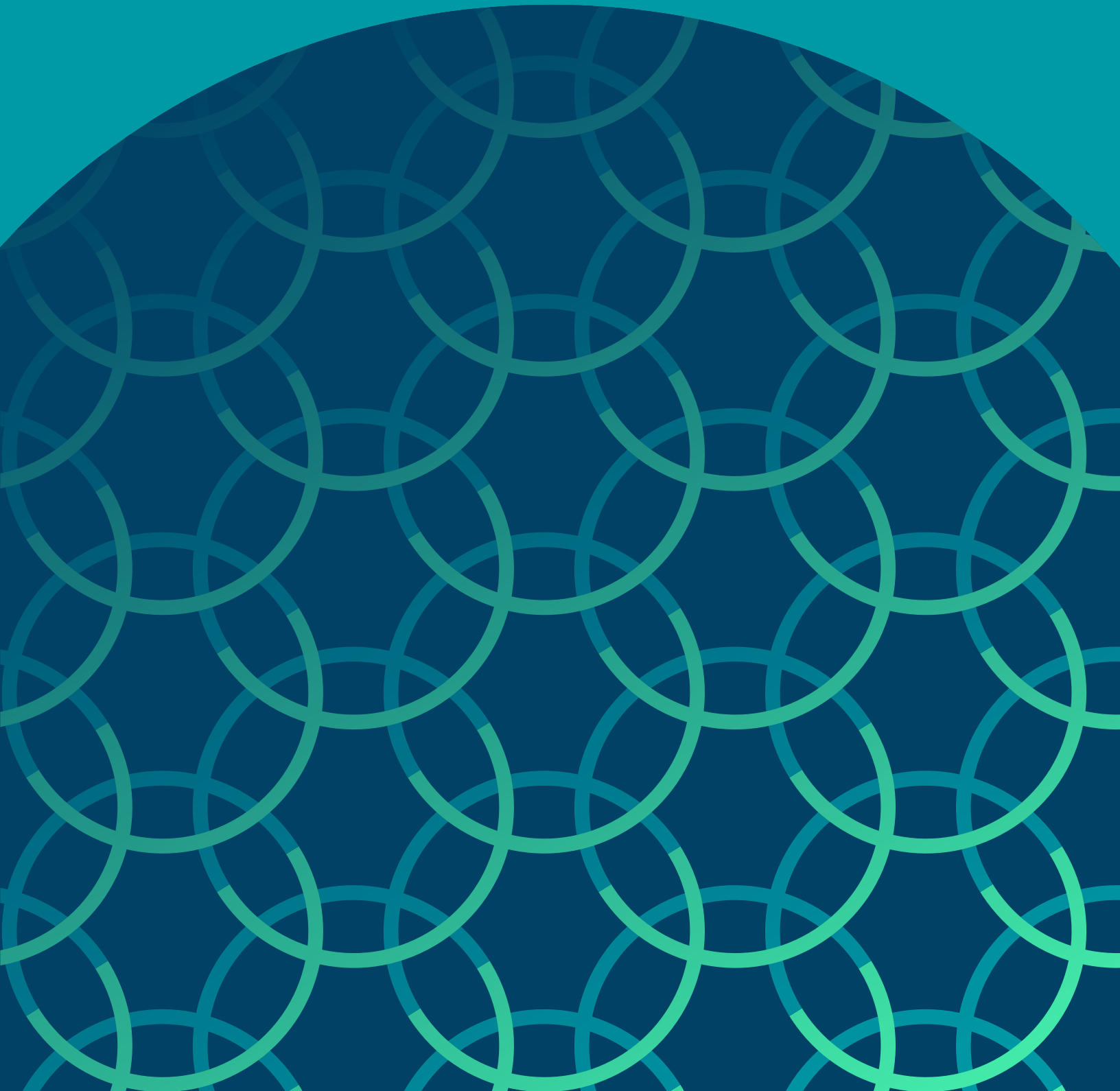
Another compelling example is where an ethnic minority, which intersects with a religion, pushed back against the majority ethnic group and religion with a reinvigorated identity. The Balinese Hindu, via a revitalized identity, encouraged more confidence in Balinese political, economic and cultural fields (*Ajeng Bali*)<sup>55</sup> with the aim to establish hegemony over social, cultural and economic practices locally. As the basis of social practice in Bali, identity construction is regulated through two discourses internalized since childhood, namely adat (customary law) and ajeng (a new protectionist ethos in the identity discourse on Balinese culture).<sup>56</sup> After decentralization in 1999, this was done through support from local mass media (e.g., the *Bali Post* newspaper). In addition, several intellectuals created the Ajeng Bali slogan. Following the national political practices of the Javanese and Islamic figures, Ajeng Bali underscores how vital locality is for participation in local electoral politics. Moreover, the position of Bali as a tourist destination run by Balinese and supported by global players shapes the articulation of this distinct identity-making, which then strengthens their bargaining in national politics. However, the application of Ajeng Bali also risks potential conflict with minorities in Bali. For example, in 2014, there were also expressions of rejection of Islamic religious symbols.<sup>57</sup>

Another form of claims-making is in response to the vertical violence that occurs between government and community, or individuals of different power and social status.<sup>58</sup> For example, the Free Aceh Movement's (*Gerakan Aceh Merdeka*, GAM) demand for autonomy and freedom that is due to resource exploitation and unequal distribution of economic opportunities. In 1976, GAM challenged the central government to provide independent resources management, and this conflict was resolved through international and national

interventions via the Helsinki Memorandum of Understanding (MoU), which determined that Aceh could be self-governing. The MoU has not been fully implemented. Horizontal violence occurs among communities. It is inevitable and includes political elements (political parties), such as the Independent Voice of the Acehnese Party (*Partai Suara Independen Rakyat Aceh*), the Aceh People's Party (*Partai Rakyat Aceh*) and the Aceh National Party.<sup>59</sup> After a long process of negotiation, the Aceh special autonomy policy was implemented, and the province received shares from resources such as oil and gas. However, poverty and socio-economic disparities still exist in Aceh.<sup>60</sup> This conflict has often been related to racial conflict in other areas in 2001, such as in Gayo (GAM v. Javanese ethnics). They now have reconciled and have committed not to initiate any conflict.<sup>61</sup>

In a similar vein, vertical violence in Papua for freedom (i.e., demanding independence) is based on economic and political reasons, such as discrimination and the unequal distribution of economic resources. There are a number of organizations, such as the Free Papua Movement (*Organisasi Papua Merdeka* (OPM), National Committee for West Papua (*Komite Nasional Papua Barat*) and the United Liberation Movement for West Papua (ULMWP), which generally demand separation from Indonesia. They are categorized as Papuan Separatist Group or Organisasi Papua Merdeka or Armed Criminal Group (*Kelompok Kriminal Bersenjata*).<sup>62</sup> A senior researcher from the non-government organisation "IMPARSIAL", who had participated in Security Sector Reform policy advocacy since early 2000 in Indonesia, argued that conflicts in Papua going back to 1969 continue due to economic marginalization, stigmatization and distrust between the government and Papuans.<sup>63</sup> Hence, although the implementation of the Papuan Special Autonomy Law is the most viable policy option from a conflict management perspective, it is still thought of as flawed for the following reasons: first, a lack of clarity around the definition of the indicators measuring the success of this special autonomy. Second, the Human Development Index (*Indeks Pembangunan Manusia*) in Papua and West Papua Provinces remains one of the lowest among provinces in Indonesia. Third, infrastructure development is emphasized over the development of the human resources in Papua. Fourth, the armed conflict caused casualties on both sides and has created a widespread sense of insecurity.<sup>64</sup>

**PART III.  
LEADERSHIP FOR PLURALISM**



## 7. POLITICAL PARTIES

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 7

**Most political parties are more concerned with voters' diverse faiths than their ethno-racial diversity or with the urban-rural divide. As far as voter aspiration is concerned, some Islamic parties choose to endorse regulations or policies that accommodate Muslim needs.**

During the New Order regime (1968–98), the number of political parties was reduced from ten to three with the following major streams: modernist and traditionalist Islam, technocratic nationalist and socialist-nationalist Christians. Indonesia's post-New Order period (1998–on) has witnessed the emergence of more than 30 new political parties with a variety of ideological platforms. Parties are founded either on the basis of different varieties of nationalism or instituted on certain religions (most are Islamic; very few are Christian).<sup>65</sup> In the five legislative elections of the post-New Order period (1999, 2004, 2009, 2014 and 2019), religious-based parties have never received support from the majority of Indonesian voters. Each of these elections was won by different nationalist parties.<sup>66</sup>

No political party has been established based on an ethno-racial group as has been the case in Malaysia. Nonetheless, it is interesting to note that the government only allows the establishment of regional political parties in the province of Aceh. This ability is not available in the other provinces. In the 2019 election, there were 14 political parties campaigning to win 575 seats in the national legislature. There are four local parties in Aceh participating alongside the national political parties for 81 seats in the provincial legislature.<sup>67</sup>

Every political party has platforms that welcome candidates to run for office regardless of race, gender, ethnicity and religious background. Even an Islamic right-wing party, such as the Prosperous Justice Party (*Partai Keadilan Sejahtera*, PKS), is now open to non-Muslim members and recruits them to be candidates at the national and municipal or provincial levels.<sup>68</sup> PKS not only supports non-Muslim candidates to participate in the election of district heads in Papua, but it also promotes non-Muslim figures to be representative of the Islamic party at the district legislature in Tolikara and Lanny Jaya, Papua.<sup>69</sup> Other Islamic-based political parties, such as the United Development Party (*Partai Perstuan Pembangunan*, a conservative Islamic party), the National Mandate Party (*Partai Amanat Nasional*, a modernist religious party) and the National Awakening Party (*Partai Kebangkitan Bangsa*, a traditionalist religious party), also nominate and support non-Muslim figures to be leaders of the province or districts in Papua and West Papua. Their political support for candidates from non-Muslim backgrounds is based on these regions being largely non-Muslim (e.g., Papua, West Papua, Maluku and East Nusa Tenggara), but it also has to do with the candidates' capacity and commitment to lead the province.<sup>70</sup>

Most political parties are more concerned with voters' diverse faiths than their ethno-racial diversity or with the urban-rural divide. As far as voter aspiration is concerned, some Islamic parties choose to endorse regulations or policies that accommodate Muslim needs. These regulations are backed up not only by Islamic parties but are also supported by nationalist parties. This has to do with predominant Muslim populations in some provinces and districts in the post-New Order era that have enacted regional

regulations, which are mostly inspired by Islamic legal tradition (sharia or *fiqh*).<sup>71</sup> In addition, to ensure that non-religious parties are not seen to counter Muslim needs and to obtain more votes from Muslim citizens, leaders of these non-religious parties show their support for these regional regulations. Because of this, non-Muslim minority groups believed that they have no adequate political means to challenge the decisions and regulations that clearly exclude them.<sup>72</sup> By extension, the introduction of such laws often causes non-Muslim groups to feel like outsiders or second-class citizens.

## 8. NEWS MEDIA

### AVERAGE SCORE: 7

#### A. Representation in the Media | Score: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 6

#### B. Prominence of Pluralistic Actors | Score: 7.5

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 8

RURAL-URBAN AREAS | SCORE: 7

There is diversity in the ownership of media and communication channels, including social media, in Indonesia. However, the coverage of issues is not balanced between majority and minority groups.<sup>73</sup> This lack of diversity means that media and television channels largely represent the interests of the majority over minority groups. Content is heavily Jakarta-centric in terms of geographical context (34.1 percent), Islam-centric in terms of religious orientation (96.7 percent) and Java-centric in terms of ethnic identities (42.8 percent). Religious content on most TV channels and programs (such as news, variety shows, infotainment and reality programming) is mostly conservative, especially following the elections for governor of Jakarta in 2017.<sup>74</sup> Thus, it is not only about a lack of diversity but also a trend of the hyper-imposition of content favouring the majority.

Big corporations, political elites and religious majority leaders are among the dominant groups who generally control media content in Indonesia. Aside from the major players in big media companies, NGOs also have their segmented media. As many as 12 groups of 31 major media companies control information channels from Aceh to Papua. These information channels range from print newspapers and magazines to radio, television and online news networks.<sup>75</sup> By and large, these media groups tend to present an unbalanced description of minority groups. As media channels in Indonesia are highly beneficial for those who are seeking power and profits, the principles of diversity, pluralism and cultural differences risk being jeopardized and weakened. The depiction of several

**The media reports seem to be provocative because adequate social background and comprehensive information as to how and why conflicts occur is largely missing. Moreover, expert views and suggestions for ending or minimizing conflict are often absent as well.**

religious minority groups (i.e., the Ahmadiyah and Shi'a communities)<sup>76</sup> in the media is often inaccurate, thus the richness of Indonesian population and culture is at stake.<sup>77</sup>

The Alliance of Independent Journalists in Indonesia has pointed out that the media does not pay enough attention to the backgrounds of minority groups, whether they are ethnic, racial or religious.<sup>78</sup> If anything, the media tends to report on ethnic conflicts (such as in Sambas and Ambon) by only describing the conflict itself and the cause. It does not provide historical context or seek to address issues behind the conflict identified by experts.<sup>79</sup> Thus, the media reports seem to be provocative because adequate social background and comprehensive information as to how and why conflicts occur is largely missing. Moreover, expert views and suggestions for ending or minimizing conflict are often absent as well.

The media tends to prioritize the audience rather than citizens' rights. This was underscored in UNESCO's examination of diversity in the media landscape. UNESCO's survey found a lack of coverage in the mass media regarding inclusiveness and balanced coverage.<sup>80</sup> To some extent, the media has repressed minorities' concerns and ideas within democratic values. This was done by not providing enough context for human rights issues that surround cases of discrimination and intolerance and/or not covering these cases at all. The rights of minorities, such as people with disabilities, religious groups, LGBTQ+ and other vulnerable people in Lombok, West Nusa Tenggara, for instance, were often marginalized or neglected by the media.<sup>81</sup> In rural areas, the media's role is important in maintaining Indonesia's diversity by preventing minority groups from being discriminated against and mistreated. Unfortunately, the media also often lack the capacity to play an educational role in communal conflicts. In a discussion held in Lombok following an incident of intolerance (a discussion attended by journalists and leaders of provincial religious communities), the media was urged to help spread the narrative on human rights protection to a wider audience. They were also asked to present news content with more intensity and in a way that respects diversity and offers perspectives that avoid provocative messages with regard to differences in religious beliefs, ethnicity and gender.<sup>82</sup>

## 9. CIVIL SOCIETY

### AVERAGE SCORE: 8.5

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 9

RURAL-URBAN AREAS | SCORE: 8

Civil society organizations (CSOs) in Indonesia have been very vibrant since the collapse of the New Order regime in 1998. Their legitimacy was built over years of contributing to the enhancement of freedom of expression and freedom of association. Civil society actors such as NGOs, religious organizations and cultural organizations have made significant changes, on the individual and institutional level, for promoting pluralism and strengthening Indonesia's diversity.

**Civil society actors such as NGOs, religious organizations and cultural organizations have made significant changes, on the individual and institutional level, for promoting pluralism and strengthening Indonesia's diversity.**

The diversity of ethnic groups in urban as well as in rural areas has been advocated by AMAN. AMAN works collaboratively with other organizations (Association for Community and Ecology-Based Law Reform (HuMA), the Adat Territories Registration Agency/ Badan Registrasi Wilayah adat (BRWA), the Epistema Institute and the Working Group on ICCAs Indonesia).<sup>83</sup> This forum supports people of adat communities who live in rural areas with accessing education and training, community organizing and facilitation; legal assistance, advocacy and campaigns on various issues; facilitating access to national and international networks; and preparing documents of adat law as well as maps of adat territories.<sup>84</sup>

Many CSOs in Indonesia strongly support and promote religious pluralism and the diversity of beliefs.<sup>85</sup> Most of these organizations come from Muslim communities that engage nationally with several social empowerment programs. Non-Muslim CSOs primarily operate in rural areas where non-Muslims are the majority population (e.g., Bali, North Sulawesi, East Nusa Tenggara and Papua). They have some local engagement activities with their followers in the villages.<sup>86</sup>

Among Muslim CSOs that actively advocate pluralism and respect for Indonesia's diversity is the WAHID Institute (WI). Inspired by prominent pluralist Indonesian President Abdurrahman Wahid, WI works collaboratively with the largest Indonesian Islamic organization (*Nahdlatul Ulama*). Established on September 7<sup>th</sup>, 2004, WI seeks to realize the principles and intellectual ideals of Abdurrahman Wahid in building moderate Islamic thought that promotes democracy, multiculturalism and tolerance among Muslims in Indonesia and throughout the world. WI is fully dedicated to informing the public about the importance of religious tolerance and the need to respect other believers' rituals and faiths. Among its many programs, WI organizes activities among progressive Muslim activists and facilitates dialogues between religious leaders and political figures in the Islamic and Non-Islamic Countries.<sup>87</sup>

Other important social organizations promoting religious pluralism is 'Pusat Kajian Islam & Masyarakat' (Center for Research on Islam and Community, State Islamic University Jakarta) and 'Setara Institute' (Institute for Democracy and Peace). They offer various programs and activities with respect to disseminating Islam and pluralism, sharing knowledge of different religions about pluralism and conducting public policy research on issues of diversity, peace and inclusiveness.<sup>88</sup> A women's religious scholars (*ulama*) organization, Conference on Indonesian Religious Muslim Women Scholars (*Konferensi Ulama Perempuan Indonesia* (KUPI)), was established in 2017 and has contributed to the empowerment of women rights, the eradication of sexual violence and the protection of the environment.<sup>89</sup> Recently, KUPI has turned to combating violent extremism and countering narratives of hatred and intolerance.

Nahdlatul Ulama and Muhammadiyah are two of Indonesia's largest Muslim organizations. These organizations continue to promote inclusiveness and pluralism through "Moderate Muslim" programs. They both strongly commit to and actively undertake various programs to create a peaceful Indonesian society, which can only be achieved through tolerance and respect for different religions, races, ethnicities, gender and other elements<sup>90</sup> by way of ending discrimination and violent acts against minority groups. In conjunction with this work, these organizations strive to show that Islam is a peaceful religion that welcomes diversity.<sup>91</sup>

## 10. PRIVATE SECTOR

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 7

**The government continues to build and raise awareness of the need for businesses to respect, promote and protect all human rights in alignment with the national development agenda.**

Cultural diversity for an organization or company is considered a positive force for achieving its goals.<sup>92</sup> Gender, race, ethnicity, educational and economic background, religion and physical limitations are examples of cultural diversity that generally exist in the workforce. Cultural diversity in Indonesia's workforce has received careful attention, especially after the Indonesian government passed Law No. 11/2005, which ratified the International Covenant on Economic, Social and Cultural Rights. The government continues to build and raise awareness of the need for businesses to respect, promote and protect all human rights in alignment with the national development agenda. A series of laws have been enacted, such as Law No. 25 of 2007 on Capital Investment, Law No. 40 of 2007 concerning Limited Liability Companies and Law No. 19 of 2003 on State-Owned Enterprises. These laws were passed to ensure that companies upheld their responsibilities with regard to human rights and the environment. Other administrative measures include Presidential Decree No. 26 of 2010 on Transparency of State Income and Local Government Income acquired from Extractive Industries, Government Regulation No. 47 of 2012 on Corporate Social and Environmental Responsibility and Presidential Regulation No. 26 of 2010 on Transparency of National/Local Extractive Industry Revenues.<sup>93</sup> As a result, many industries send clear messages about equal requirements and consider employees' rights to be part of their concerns.<sup>94</sup>

Indonesia's private sector is required to have open bidding for recruitment reflecting principles of professional and non-discrimination. It welcomes people from various backgrounds, including gender.<sup>95</sup> According to the 2017 employment outlook survey, the private sector in Indonesia welcomes different employees from various social and cultural backgrounds (96 percent). This number is similar to Singapore (97 percent) and Malaysia (94 percent). More precisely, Indonesia prioritizes employees based on sex or gender (55 percent), religious minority status (38 percent) and ethnic minority status (30 percent).<sup>96</sup>

Despite an increasing labour supply over the past two years (approximately 140 million workers) and the national growth of the Labour Force Participation Rate (LFPR) to almost 70 percent, the male LFPR still leads with a rate of 83.2 percent. Meanwhile, the female LFPR is only 55.5 percent. On an annual basis, the LFPR for men rose 0.17 percent, while the women's LFPR only rose 0.06 percent.<sup>97</sup> Nonetheless, Indonesia's private sector does not pay equally between men and women. Data issued by Indonesia's National Statistics Agency (*Badan Pusat Statistik* (BPS)) in 2019 shows that unequal pay between men and women has continued to increase since 2015: from 269,000 (IDR) to 560,600 (IDR) and 618,800 (IDR) in 2018 and 2019, respectively.<sup>98</sup> BPS has asserted that the wage gap is a long-standing issue due to the assumption that women are less likely to participate in the workforce. In addition, women also tend to be placed in low-value positions. This problem is an obstacle to women getting equal employment,

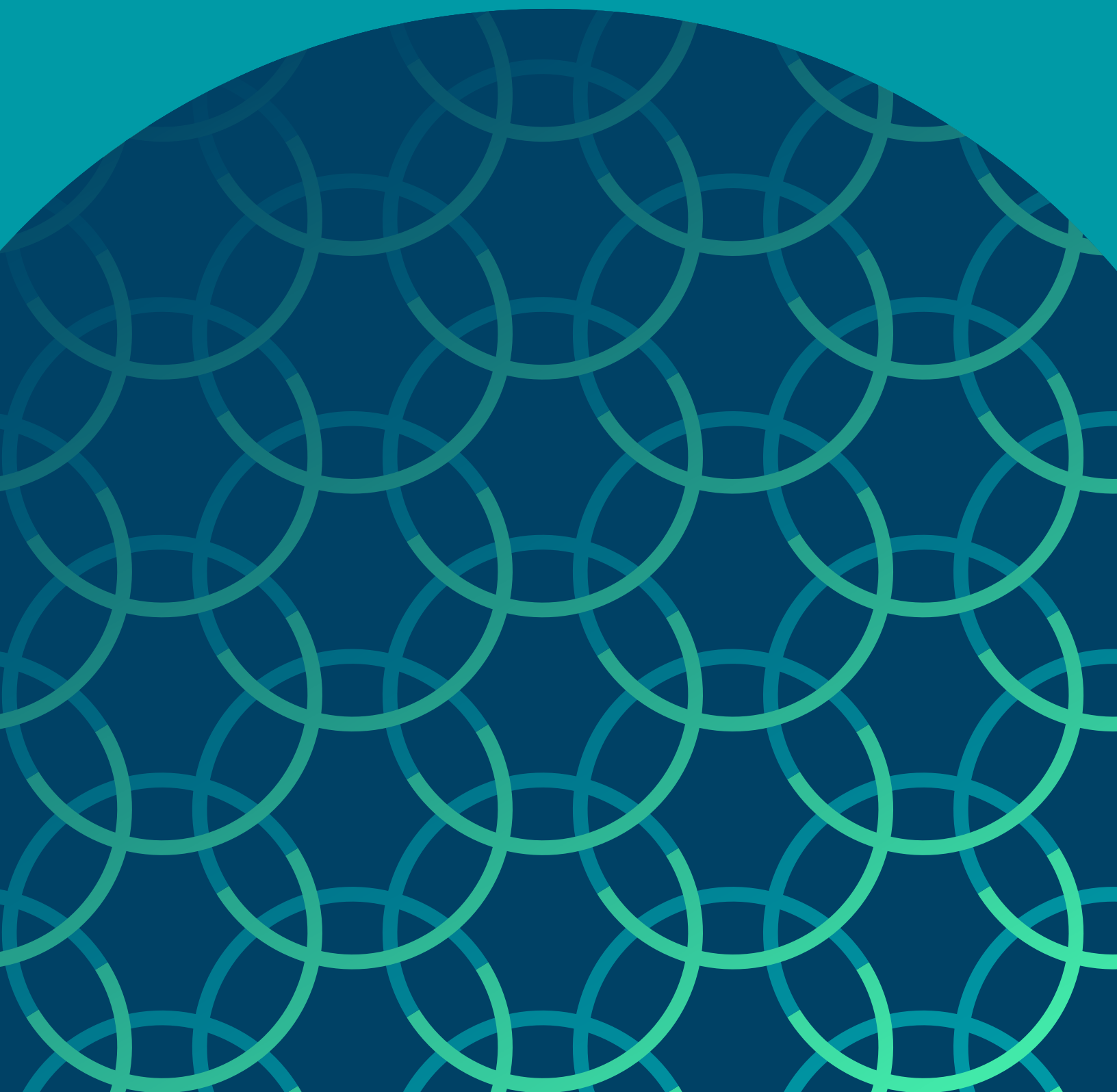


**The wage gap is a long-standing issue due to the assumption that women are less likely to participate in the workforce. In addition, women also tend to be placed in low-value positions.**

income and leadership positions.<sup>99</sup> Elly R. Silaban, president of the Confederation of All Indonesian Trade Union, and Yorrys Raweyai, general chair of the Confederation of All Indonesian Workers' Union, endorse women going to their unions for equal wages and increasing their representation in decision-making.<sup>100</sup>

In spite of the wage gap, there have been best practices in gender representation in both the workforce and in leadership. Unilever, for example, has committed to and applied inclusiveness and diversity to its workforce, especially with regard to gender and disabilities. In 2019, there were 44.1 percent of women appointed to a director position and 40.7 percent in managerial positions. The company also provides gender-responsive facilities, such as day care and nurseries for its female workers. In addition, maternity and paternity leave are provided.<sup>101</sup> Other companies have adopted this practice as well.

# PART IV. GROUP-BASED INEQUALITIES



# 11. POLITICAL

## AVERAGE SCORE: 6

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

**Since the ID card is necessary as proof of citizenship and to the right to vote certain Indigenous groups or adat communities living in rural or remote areas have difficulties in procuring national identity documents, thus they may lose their political rights**

Regardless of race, gender, ethnicity and religious background, Indonesian citizens are welcome to take part in political parties to exercise their rights to vote and run for elected office, so long as they have the required KTP (such as resident identity card and passport). Since the ID card is necessary as proof of citizenship and to the right to vote or to be nominated as an electoral candidate, certain Indigenous groups or adat communities living in rural or remote areas have difficulties in procuring national identity documents, thus they may lose their political rights.<sup>102</sup>

In addition, some Indigenous communities located in the most remote areas are not equally represented to express their interests. They do not have adequate access to sources of political power because no single political party exclusively represents and defends the interests of Indigenous communities. Likewise, the presence of the Regional Representative Council (*Dewan Perwakilan Daerah* or DPD) of Indonesia could not do much to fulfill such expectations. The DPD equally co-exists with the People's Representative Council (*Dewan Perwakilan Rakyat* or DPR) to make up the People's Consultative Assembly (*Majelis Permusyawaratan Rakyat* or MPR) and is specially assigned to channel the needs of people who live in rural or remote areas.<sup>103</sup>

As is the case most everywhere, those in the majority often enjoy privileges and political benefits. The Javanese form the largest ethnic group, and Islam is the most popular religion in Indonesia; thus, it is held that political parties seeking to win Indonesia's presidential election must nominate a Javanese Muslim candidate. Any presidential candidate whose background is not from the majority (ethnically and religiously) will most likely lose the election. It is worth noting that political inequality has resulted from the preferences of Indonesian voters choosing between candidates with non-Indigenous ethnic backgrounds. Voters are more inclined to vote for candidates with Arabic descent rather than candidates whose lineage is Chinese. Perhaps this has much to do with the religious affiliation of the candidates: Arabic candidates are likely always to be Muslim, which is the majority population, while those with Chinese origins are usually Christian, Buddhist or Confucian. An example of this is Jakarta's 2017 gubernatorial election in which there were two candidates, Anies Baswedan, of Arabic descent, and Basuki Purnama, of Chinese origin.<sup>104</sup>

Identity politics has been a major feature in Indonesia's political scene since 1998. This particular phenomenon was observable in various ways including in administrative decentralization, regional autonomy and, more blatantly, in bloody conflicts between ethnic groups as well as in heated tensions between religious communities at different locations in Indonesia.<sup>105</sup> The impact of identity politics has been destructive to Indonesia's diversity. It creates polarization amongst voters in both national and regional elections. Instead of considering candidates' proposed programs, the voters mostly pay

**Instead of considering candidates' proposed programs, the voters mostly pay attention to issues related to whether candidates are natives from the voters' own region, speak their language and have the same religious affiliation.**

attention to issues related to whether candidates are natives from the voters' own region, speak their language and have the same religious affiliation.<sup>106</sup> Identity politics brings unnecessary debates into the public discourse (mostly expressed on social media) between “tolerant” and “intolerant” camps. Thus, it inevitably raises serious questions about the ongoing compatibility of religion (i.e., Islam) and democracy in Indonesia.<sup>107</sup>

As far as women and political inequality are concerned, Indonesia's post-New Order regime has enacted several laws that revise the previous policy which had neglected women's political rights. Through Law No. 22/2007,<sup>108</sup> it was stipulated that the membership of election committees should be 30 percent women. Likewise, both Law No. 2/2011 on political parties and Law No. 8/2012 on legislative elections require that women be 30 percent of those nominated as candidates for national, provincial and district legislatures. In the 2014 election, for example, with a target of 30 percent women's representation in Parliament, the national legislature reached only 17.32 percent (97 out of 560 seats).<sup>109</sup>

## 12. ECONOMIC

### AVERAGE SCORE: 6

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

Deep economic inequality remains the main issue in Indonesia's increasing economic growth. In the Centre's *Pluralism Perceptions Survey* conducted by the Indonesian Survey Institute, as many as 91.6 percent of respondents categorized income distribution as “fairly unequal” and “not equal at all.”<sup>110</sup> These responses were consistent across groups across gender, income, education, age and location (city/rural). Regarding income changes in the last five years, public perception reflects that Indonesia's economic inequality is still deep. As many as 24 percent of the poorest respondents said their income had decreased significantly. For comparison, 56 percent of respondents from the wealthiest group felt that their income was increasing.<sup>111</sup>

The World Bank noted that various factors have affected economic inequality in Indonesia. These include gaps in opportunity, wealth and property ownership, unequal employment in the labour market and the vulnerability of poor people in weathering economic instability.<sup>112</sup> People of Chinese background are dominant in many economic sectors.<sup>113</sup> Though they are a minority group, Chinese business people occupy many of the top positions in retail, real estate and multinational companies. This has been the situation for decades, and according to *Forbes*, most of the wealthiest people in Indonesia are from a Chinese background.<sup>114</sup> A 2017 report published by Oxfam and the International NGO Forum on Indonesian Development concluded that the collective wealth of the four richest people in Indonesia, which stands at \$25 billion (US), is equal to the combined assets of the poorest 100 million people.<sup>115</sup>

**More than 300,000 Indigenous individuals have been forcibly relocated, and even more likely displaced; thus, the Indonesian government was asked to “ensure that meaningful consultations [were] undertaken with the concerned communities, with a view to obtaining their consent and participation in [the project].”**

The rise of economic elites is thanks to the government’s support and long collaboration with big corporations and wealthy individuals, including those with Chinese origins. This has been worsened by the failure of government programs to empower and grow the economic capacity of the grass-root people, especially Indigenous adat (customary) communities in rural areas. Many of these Indigenous communities rarely engaged (and were neglected) in the development of their own areas, which was also often overlooked at higher government levels as well. The exploration and exploitation of the land and existing natural resources in these rural areas began during the New Order period, and, in fact, a contract renewal of natural resources was signed by the government in the aftermath of the collapse of the New Order regime.<sup>116</sup> A recent case in Kalimantan, in which a multinational company’s megaproject was about to commence, has invited concern from the UN Committee on the Elimination of Racial Discrimination, which has urged the Indonesia government “to secure the possession and ownership rights of local communities before proceeding further.”<sup>117</sup> More than 300,000 Indigenous individuals have been forcibly relocated, and even more likely displaced; thus, the Indonesian government was asked to “ensure that meaningful consultations [were] undertaken with the concerned communities, with a view to obtaining their consent and participation in [the project].”<sup>118</sup>

Several provinces have experienced violent conflict due to economic inequality. This situation tends to emerge between the host ethnic group and the guest groups coming to the region to pursue employment. Host groups may be initially welcoming to the guest groups until they feel threatened due to a seeming decrease in economic power. These types of conflict can also be represented as tension between different religious groups. The host ethnic group in these regions are Christians, while the guest groups are Muslim (Javanese, Minang and Bugis in Papua; Buton, Bugis and Makassar in Maluku; and Madurese in Kalimantan). The “visitor/guest” groups are considered to have more economic access to resource allocation, support and facilities than the “host” groups.<sup>119</sup> In Kalimantan, for example, the Madurese took control of the woodworking, mining and plantation sectors. They are also predominant in other business sectors.<sup>120</sup> The same is true for Central Sulawesi. Nonetheless, the economic inequality between the host and guest groups in Central Sulawesi is connected to different access to government jobs, contracts and private sector employment and the services provided. In the districts of Poso and Donggala, both religious and ethnic identities played a role in creating this inequality.<sup>121</sup>

## 13. SOCIAL

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 6

Indonesia provides its citizens, regardless of religious and socio-cultural backgrounds, with access to public goods and services such as education, health care and social welfare. Parents with valid Family Cards or KTPs can enroll their children in public schools from the primary to university level. Religious education, both formal and informal, is

**Unequal access to quality education has been a key issue for poor people. They lack opportunities for achieving jobs with higher skills and higher pay. This lack of access to quality education often leads to increases in socio-economic inequality.**

similarly available. Religious communities are welcome to establish private educational institutions. The government has founded public religious schools and/or universities for each religion in various cities across the country.<sup>122</sup> Along with their own religious followers, these public educational institutions also admit students of other religions.

Despite such broad access, quality education remains a challenge. Quality education is available mainly through private institutions that are mostly located in larger cities, and it can be cost prohibitive. Equal access to quality education in Indonesia is an issue for the urban poor and for those who live in remote or rural areas. Data from 2016 shows that there are approximately 93 million (36 percent of the population) people living in poverty.<sup>123</sup> Unequal access to quality education has been a key issue for poor people. They lack opportunities for achieving jobs with higher skills and higher pay. This lack of access to quality education often leads to increases in socio-economic inequality (i.e., limited access to employment). These groups are unable to gain the skills and competencies needed to enter the workforce and meet job requirements.

While Indonesia has had success in preventing maternal and infant mortality as well as unhealthy childhood diseases (widely known in Indonesia as ‘stunting’), the country has encountered challenges in malnutrition, increased obesity and health management inequalities.<sup>124</sup> There has been an unequal access to health services between the urban and the rural areas. The rural areas, especially in the outermost islands, borders and other underserved regions in Eastern Indonesia, have been most negatively affected by this imbalance circumstance.

The annual rate of growth in private health care facilities is higher than public hospitals (7 percent vs. 2 percent), and this growth largely takes place in urban areas. For this reason, many health care workers, including medical specialists, are reluctant to go to remote areas. The 2017 Risnakes survey showed that substantial gaps remain in the availability of health care workers in Indonesia. A lack of physicians has been particularly detrimental to community health clinics (*puskesmas*), especially in the eastern regions of the country. The rapid growth of private health care facilities in larger centres and inadequate incentives for service in underserved and remote areas have resulted in major health care personnel disparities, with eastern regions of the country most adversely impacted.<sup>125</sup>

Rural and remote areas have limited access to health care facilities and services, such as Primary Healthcare Facilities (*Fasilitas Kesehatan Tingkat Pertama*) and Advanced Referral Healthcare Facilities (*Fasilitas Kesehatan Rujukan Tingkat Lanjut*). Rural areas also suffer from the irregular availability of pharmaceuticals and medical equipment. A similar disparity is noticeable between public and private health care facilities. The distribution of primary health care facilities across regions is still a challenge, and the government is still seeking to redress disparities by developing more public health care facilities in rural areas. The 2017 Indonesia Health Profile noted that the number of health clinics increased by 7 percent between 2014 and 2017. Approximately 35 percent of these facilities support in-patient care.<sup>126</sup> These types of services and facilities in rural areas are very helpful in improving the capacity of health clinics in providing health services as well as in educating villagers about health care and disease prevention, particularly during the COVID-19 pandemic.

## 14. CULTURAL

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 8

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 7

**The cultural expression of the Shi'a community has been openly criticized and resisted by some Muslim groups. Between 2013 and 2016, the ceremonial celebration of Ashura by the Shi'a community in various cities was banned, and the people who gathered for this celebration were persecuted.**

Founded on the five pillars that form its national ideology (*Pancasila*), Indonesia recognizes and respects diverse cultural expression and the richness such expression engenders. Every citizen, regardless of background, can freely express their culture in public. These dynamic cultural identities are often shared and displayed at the national and regional level for formal or informal meetings and celebrations. For example, current president Joko Widodo (commonly referred to as Jokowi) has worn different cultural dress in formal state meetings out of respect and to recognize Indonesia's diverse culture.<sup>127</sup> President Jokowi's gesture contributes to social cohesion and public life and encourages Indonesian ethnic groups to live together, and to exchange and collaborate in displays of their cultural distinctions.

However, given the increasing trend of Islamization across many aspects of Indonesian life, several public schools in West Sumatra, for example, have enforced dress codes that require non-Muslim female students to wear Islamic attire.<sup>128</sup> Moreover, cultural expression (i.e. the use of cultural dress which showed a bit of bodyparts for women) are increasingly being met with criticism. When people celebrate their culture on a special day by displaying cultural attributes (clothes, dance, etc.) from different regions or ethnicity, specific Islamic groups contended that such events show female bodies (*aurat*) and are, therefore, not compliant with the religious values (Islamic) they say has been embraced by the majority of Indonesians.

It is worth noting that post-New Order governments have allowed the celebration of the Chinese New Year (*Imlek*), which had been banned for more than three decades under the authoritarian regime. The Chinese New Year was given holiday status similar to other religious festive days, such as Eid Celebration (*Idul Fitri*) and Christmas Day. This has allowed Indonesian citizens with Chinese origins to rediscover their cultural heritage.<sup>129</sup> Expressions of Chinese identity in various forms (e.g., performances of the lion dance (*barongsay*), moon cake, Chinese astrology, cash rewards (*angpau*), etc.) have begun to appear more frequently on private television channels during the festive season.<sup>130</sup> This not only provides an opportunity for native Indonesians to learn about Chinese culture, but it also benefits all Indonesian citizens in terms of cultural diversity and economic resources, particularly through tourism.

Despite these moves to embrace cultural expression, certain religious and Indigenous beliefs are not welcome in public and are considered adversarial; these include Ahmadiyah, Shi'a, Baha'i, Gafatar and others.<sup>131</sup> The cultural expression of the Shi'a community, for example, has been openly criticized and resisted by some Muslim groups. Between 2013 and 2016, the ceremonial celebration of Ashura (commemorating the martyrdom of Husain, the Prophet Muhammad's grandson) by the Shi'a community in various cities

(Kendari, Bogor, Bandung and Yogyakarta<sup>132</sup>) was banned, and the people who gathered for this celebration were persecuted.

While there has been public resistance to minority groups practising cultural expressions in public, some people and institutions have extended their support and defended the rights of religious groups to celebrate their festive occasions. Institute of One Equity (*Yayasan Satu Keadilan* (YSK)), for instance, challenged the decision of the mayor of Bogor to prohibit the Shi'a community from performing their cultural practices of Ashura. The YSK submitted a petition to the State Civil Court of Bogor requesting that the Court invalidate the decision.<sup>133</sup> In a similar vein, Yaqut Cholil Qoumas, the current Minister for Religious Affairs (MoRA), made a declaration—several days after being sworn in—showing his strong commitment to respect the Ahmadiyah and Shi'a minority groups based on human rights considerations.<sup>134</sup> Furthermore, in March 2021, the minister made a controversial move by extending holiday greetings during Naw-Ruz, a Baha'i holy day.<sup>135</sup> When such greetings sparked criticism from some Muslim groups, the minister argued that every Indonesian citizen must be protected as stipulated in the Indonesian constitution and under other relevant laws. Human rights activists consider this kind attitude as a way to show respect for religious believers in Indonesia, and such a particular greeting to the Baha'i community drew attention from all citizens.<sup>136</sup>

## 15. ACCESS TO JUSTICE

### AVERAGE SCORE: 6

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 6

**Litigation is seen as being procedurally complex, requiring extensive funds and time. This view of the court system has led many potential litigants to use informal legal mechanisms in their villages or adjudication processes to resolve their cases.**

The Access to Justice Index in Indonesia was launched in 2019. This index was developed by the Ministry of National Development Planning (*Badan Perencanaan Pembangunan Nasional*) in collaboration with a consortium consisting of the Indonesian Judicial Research Society, the Indonesian Legal Roundtable and the Indonesian Legal Aid Foundation. The Index is based on several elements: a legal framework, a dispute settlement mechanism, legal aid, the quality of the legal settlement process, the result of the legal settlement process and people's literacy about the law. The 2019 Access to Justice Index score was 69.6 (with a scale from 0 to 100).<sup>137</sup> This score is considered sufficient in that Indonesia has provided enough access to justice, the existing conditions of the formal justice system notwithstanding because it does not adequately serve all people. The Index reveals that crime, family and children, and land or environmental issues have been the most common legal disputes.

Though the Indonesian judiciary has a relatively strong, independent position, it is stipulated that different courts (civil, military, administrative and religious) should provide participants with direct access and simple and fast processes at a low cost. However, litigation is seen as being procedurally complex, requiring extensive funds and time. This view of the court system has led many potential litigants (especially in rural areas)



**Although the Constitutional Court is authorized to examine cases of overlapping jurisdictions and inconsistencies in regulations under the constitution, it is restricted to national legislation.**

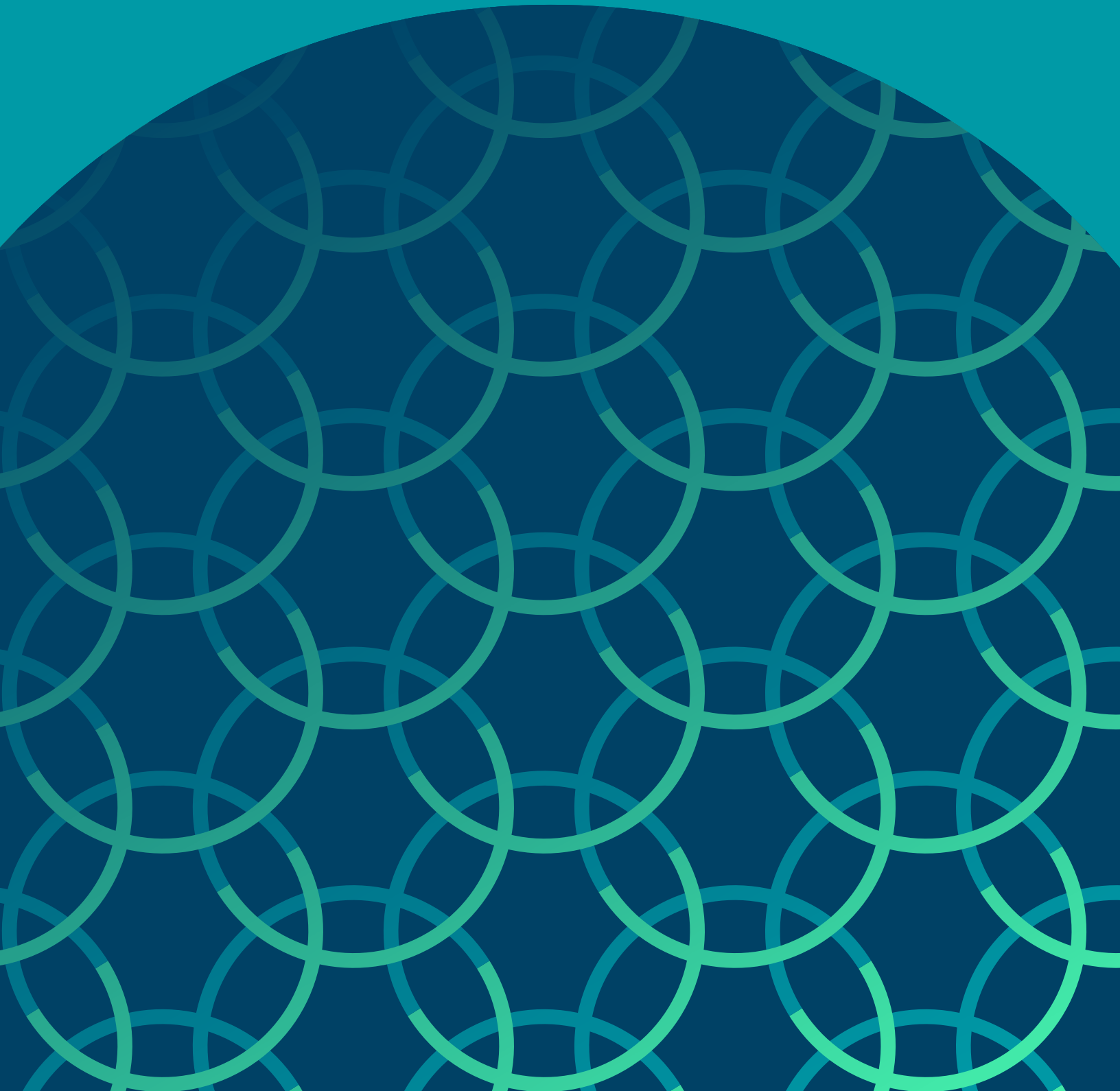
to use informal legal mechanisms in their villages or adjudication processes to resolve their cases. In fact, in Aceh, the regional regulations require the first step in the legal process to be dispute settlement at the village level. This shows that dispute settlement based on the informal justice system should, in some ways, be given more priority than a formal legal mechanism in courtrooms. In other words, although disputants have the opportunity to choose their preferred legal process, the legal system in Aceh favours a local mechanism for dispute settlement. As in some other provinces, villagers in Aceh often prefer to have their cases processed by non-court justice, in part, because of their skepticism about the ability of the state officials to deal successfully with their various legal problems.<sup>138</sup>

As far as equal access to justice is concerned, minority religious groups and Indigenous communities have often been the most severely affected. The Ahmadiyah community in East Lombok, West Nusa Tenggara, was attacked several times, during which some of its members were forcefully evicted and their houses destroyed. Yet, no legal action was taken by state officials to prosecute the offenders.<sup>139</sup> Similarly, although the Constitutional Court recognized and consistently protected the interests of Indigenous communities in Indonesia, through its Decision No. 35 of 2012 with regard to the judicial review of Law No. 41 of 1999 on Forestry, the decision was not directly followed up by the national or provincial governments. With the absence of implementation, the very existence of Indigenous communities and their rights, as well as their authority in adat forests, is tenuous.<sup>140</sup>

Unequal treatment of ethnic groups by law enforcement agencies is also an issue in the Indonesian justice system. In 2020, seven Papuan activists were charged with committing a treasonous act and were sentenced to almost a year in prison. A year earlier, the activists had been involved in peaceful anti-racism protests in Jayapura in support of a Papuan university student who had experienced racial discrimination while living in a dormitory in Surabaya. According to human right activists, the Balikpapan District Court – East Kalimantan inappropriately applied the Criminal Code's Articles on treason in adjudicating the case, noting that these Articles have been used to persecute pro-independence political activists in Maluku and Papua over the last decade.<sup>141</sup> For the human right activists, these particular Criminal Code provisions should not be applied in the case of the seven anti-racism protestors because they were simply expressing their views against racial discrimination and exercising their rights to freedom of expression and peaceful assembly.<sup>142</sup> In response to this case, some 200 Papuan politicians, religious leaders and members of the DPR signed a petition to President Jokowi asking him to free the defendants and dismiss the charges.<sup>143</sup>

As noted in Indicator 4, problems accessing justice in Indonesia often relates to dispute settlement mechanisms at higher court levels. Although the Constitutional Court is authorized to examine cases of overlapping jurisdictions and inconsistencies in regulations under the Constitution, it is restricted to national legislation. The Supreme Court, which is authorized to review provincial and district regulations that are inconsistent or contravene national laws, has, in several cases, noted its inability to examine the political or other disputes that occur in the provincial/district governments.<sup>144</sup>

**PART V.  
INTERGROUP RELATIONS  
AND BELONGING**



## 16. INTERGROUP VIOLENCE

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 7

**Among the religious minority groups in Indonesia who have been targeted by violence are the Shi'a and Ahmadiyah communities.**

Intergroup violence between people of different faiths or religious affiliations occur not only because of feelings of superiority of one group over another, but it is also due to a lack of tolerance of different religious practices and beliefs. Violence between different ethno-racial groups is often connected to economic and political inequalities.

Indonesia's diversity continues to be tested by various emerging conflicts that occur in some regions and between different groups. According to a 2012 report from the Denny JA Foundation, in the 14 years since the end of the authoritarian regime, there have been at least 2,398 cases of violence and discrimination across Indonesia. Of these, 65 percent were connected to religious background. Of the remaining 20 percent of the cases of ethnic violence, 15 percent were gender violence, and 5 percent were sexual violence.<sup>145</sup> These incidents took place in rural and urban areas.

Among the religious minority groups in Indonesia who have been targeted by violence are the Shi'a and Ahmadiyah communities. In 2013, in Sampang, Madura island, East Java Province, an arson attack was directed at Shi'a homes.<sup>146</sup> This incident resulted in the destruction of 49 homes, dozens of injuries and a death. Over the past several years (2015–20), Shi'a communities in other cities have also been targeted (e.g., Bogor, Bandung, Yogyakarta, Solo or Surakarta and Makassar).<sup>147</sup> Some of the perpetrators of these attacks were inspired by Salafi-Wahhabi teachings which claim that it is legitimate to kill Shi'a followers who are believed to have deviated from Islamic tradition. Ahmadiyah minorities who have migrated to locations such as Cikeusik Banten, Makassar and East Lombok<sup>148</sup> have also experienced severe persecution over the past decade. They have been brutally attacked; their homes have been destroyed, and they have been expelled from their own villages.

Violent incidents between Muslim and non-Muslim communities have also been quite frequent. This has been especially so in Bantul, Yogyakarta, a region where proselytization has been alleged. Together with the National Alliance of Bhinneka Tunggal Ika (*Aliansi Nasional Bhinneka Tunggal Ika*, ANBTI) based in Yogyakarta, the SETARA Institute advocated for religious tolerance, freedom and equality amidst increasing incidents of intolerance and conflicts in Bantul. From 2016 to 2018, examples of this conflict include the refusal to permit non-Muslims to live in one of the region's villages; social service activities initiated by specific churches, aimed at helping nearby villagers, were rejected; Muslims who established a special religious school for transgender students were urged to shut down the school; and an appointed village leader was not welcomed by some villagers because the leader was non-Muslim.<sup>149</sup>

The strengthening of ethno-religious identities in the post-New Order regime ushered in a period of increasing conflicts between racial ethnic groups in some areas in what

**The strengthening of ethno-religious identities in the post-New Order regime ushered in a period of increasing conflicts between racial ethnic groups in some areas in what has been categorized as “horizontal conflicts.”**

has been categorized as “horizontal conflicts (conflict among community members).”<sup>150</sup> A reason for this tension could be a sense of external threat in the host ethnic group that leads them to put greater emphasis on identities and the control of local resources and to deny elements (cultural, political and economic) of the guest group. As a result, tense interactions, and even open confrontation, have taken place between the host and guest groups. Examples of this include Malay Muslims in Tanjung Balai, North Sumatra, being wary of the local Chinese minority group;<sup>151</sup> Papuan Christians of Tolikara believing that they have less access to benefits and resources compared to incoming Muslims from Sumatra, Java and Sulawesi;<sup>152</sup> and the Dayak Tidung of Tarakan, East Kalimantan, competing with Buginese who have migrated into the region over many decades.<sup>153</sup>

## 17. INTERGROUP TRUST

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 7

Despite existing social and political tensions between competing groups, intergroup trust between communities of various backgrounds largely remains at acceptable levels. The *Pluralism Perceptions Survey*, which covers personal perspectives on working with people of different races, religions and ethnicities, showed that most Indonesians accept other co-nationals as co-workers who collaborate and rely on one another in the workplace. Approximately 71 percent of respondents believe that the majority of Indonesians can be trusted. Respondents did note discomfort working with supervisors who are of a different religion (80.3 percent), but respondents accepted working with supervisors who are from different races or ethnic groups (45.8 percent agree, and 40.8 percent somewhat agree).

Of 1,000 respondents (503 males and 497 females) aged 19–89 (median age: 43) with a university education (43.4 percent), most felt comfortable with a supervisor who adheres to a different religion than their own. Buddhist, Christian, Hindu and Muslim respondents acknowledged that such relationships would need to be in professional settings. Moreover, although their religious affiliation differed from their supervisor or employer, most respondents felt that they were hired because of their professional background and, thus, have been treated equally, including for promotions.

An example of intergroup trust being rebuilt after violent incidents is Central Kalimantan, which suffered ethnic-based violent conflict, beginning on February 18<sup>th</sup>, 2001.<sup>154</sup> Known as the “Sampit Conflict” (after the district’s capital city<sup>155</sup>), the conflict connects to the region’s history of natural resource extraction (mining, forestry and palm oil) by national, local and international companies and individual actors. Indonesia’s inter-island migration policy in the mid-1990s added to the tension given that the local people felt being disadvantaged as the region is economically dominated by transmigrants. These pressures ultimately contributed to the accumulated grievances, which escalated into

**Pela is a customary pledge made for an event between two villages or more as well as between people. Each village or person commits to creating a bond of fraternity, or solidarity, and thus feels accountable to offer respect, companionship and mutual assistance.**

deadly violence involving the Madurese and Dayak ethnic groups (who had once been allied during the colonial period).<sup>156</sup> A “peace pact” ended the conflict in the year after the riots for the good of the region and the groups’ economic development. In the years since, Sampit has experienced rapid development, both in the economic and industrial fields.<sup>157</sup>

Ambon, Maluku, provides another example of intergroup trust in rural areas. Local terms for indicating the concept of mutual trust in this region are *pela* and *gandong*. *Pela* is a customary pledge made for an event between two villages or more as well as between people. Each village or person commits to creating a bond of fraternity, or solidarity, and thus feels accountable to offer respect, companionship and mutual assistance. The term *pela* in fact refers to the bond of unity and solidarity between two or more Christian lands or Islamic lands, and between Islamic and Christian lands. Unlike *pela*, *gandong* is a kinship relationship acquired through shared ancestral blood.<sup>158</sup> Through these concepts, intergroup trust in Maluku has been strengthened, and *pela* and *gandong* were invoked to help end the protracted ethno-religious conflict<sup>159</sup> between 1999 and 2001.<sup>160</sup> Ambon is more accurately referred to as a segregated plural area. “Segregated” as a reflection that some locals “enjoy the segregation” and feel more secure and comfortable living in the same religious community. Even though Christian–Muslim relations have not fully recovered, and the local community is still feeling anxious, Christians and Muslims in Ambon (and other Maluku regions) have begun to realize that there is no point in maintaining hostility and hatred. Christians and Muslim community groups began to communicate and interact again in public spaces. Both communities began to show solidarity by exchanging gifts, food, souvenirs and just extending well wishes (during Eid or Christmas, for example). In several areas in Maluku, Christians and Muslims worked together to raise and donate funds, materials and food and volunteered to rebuild churches and mosques that were destroyed by the riots. Every Eid al-Adha, several churches in Maluku, especially the churches under the Maluku Protestant Church Synod, the largest Christian group in Maluku, declare themselves the “Orang Basudara Church” and extend “Qurban offerings” to Muslim communities as a symbol of unity.<sup>161</sup>

## 18. TRUST IN INSTITUTIONS

### AVERAGE SCORE: 6.5

RACIAL-ETHNIC GROUP(S) | SCORE: 6

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 6

RURAL-URBAN AREAS | SCORE: 7

Over the last several decades, a succession of Indonesian governments has made efforts to reform public services in order to gain more public trust and to enhance their political legitimacy. Despite this, the 2021 Edelman Trust Barometer reveals that the level of public trust in the government has decreased slightly. The data shows a decline in trust in government leaders (65 percent) and journalists (67 percent). Instead, Indonesians trust more well-known local sources, such as religious leaders (83 percent) and the “CEO of my company” (85 percent).<sup>162</sup> Trust in these four institutions is still at a good level.

**As far as public trust in institutions is concerned, the level of trust is quite low, particularly with regard to law enforcement and the judiciary.**

But this trust is being tested every day and should not be taken lightly, especially as the COVID-19 pandemic continues.

As far as public trust in institutions is concerned, the level of trust is quite low, particularly with regard to law enforcement and the judiciary. Public legal services have faced criticism. The condition of the rule of law in Indonesia remains steady over the past seven years (2015–21), which is at 0.52 (and increased slightly to 0.53 in 2020).<sup>163</sup> Among the reasons behind this has been the serious challenge faced by the legal apparatus in the promotion and defence of pluralism in Indonesia. Incidents and conflicts between different groups have taken place (often without adequate legal settlements), showing that the system is unable to provide the necessary protection for minority groups.<sup>164</sup>

According to the Centre's *Pluralism Perceptions Survey*, about 36 percent of Indonesians do not or likely do not trust the police and public law enforcement. Regarding fair law enforcement, the number of respondents who agree (13.8 percent) and likely agree (22.2 percent) is less when compared to those who likely disagree (38.2 percent) and disagree (23.4 percent). In total, the majority (61.6 percent) is not satisfied with the work of the Indonesian legal apparatus. This finding was in line with the 2018 *Corruption Perceptions Index*. It revealed that trust in the Indonesian legal apparatus is very low, with an approximate score of 20 out of 100.<sup>165</sup>

Responses to the question of whether Indonesians have trust in the justice system in general were slightly better. Forty percent of respondents likely agree and 25.4 percent agree that they have trust in the justice system in general. Those who do not respond positively were at 31.5 percent (disagree 12.5 percent and likely disagree 19 percent). Yet, when they were asked the extent to which they believe in the Indonesian police and justice system, only a few respondents (24 percent) had a positive response. This is possibly due to unfair enforcement of the law or the perception of widespread corruption. As discussed in Indicator 15 via the case examined by the Balikpapan Civil Court, achieving complete trust in the justice system remains doubtful.

General public trust in the Indonesian health system has significantly improved. Health care facilities and services are available and widely accessible, including its infrastructure. The Indonesian government has introduced various social insurance programs for low-income communities such as the National Health Assurance (*Jaminan Kesehatan Nasional*). In 2017, the World Health Organization acknowledged that “indicators of overall health status in Indonesia have improved significantly. Indonesia has experienced an increase in health infrastructure in the last two decades.”<sup>166</sup> This includes accessible public and private hospitals, improved community health centres and skilled medical workers. This has been corroborated by the *Pluralism Perceptions Survey*; approximately 74 percent of Indonesians believe that the public health system protects their health. In a similar vein, public trust in education is more likely where educational systems support different social, cultural and economic backgrounds, such as providing scholarships for higher education and free tuition for high schools. These scholarships come either from the governments (such as LPDP, BIDIK MISI and Bank Indonesia<sup>167</sup>) or private companies in the form of corporate social responsibility.

Finally, it is worth noting that Indonesians do likely trust a public institution such as the Komnas Perempuan, whose tasks include addressing gender issues and social problems. The Komnas Perempuan pays special attention to emerging women's problems such

as sexual or gender-based violence that take place in both rural and urban areas. With the support of its national network of NGOs, it has been successful in initiating a public campaign on women's empowerment and gender equality.<sup>168</sup>

## 19. INCLUSION AND ACCEPTANCE

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 7

**In the post-New Order period, no single race or ethnic group has been denied the opportunity to show their culture's richness on important national events or holidays. Instead, these events have become showcases for Indonesia's diversity.**

Regardless of racial, ethnic or religious background, many groups and individuals who live in rural or urban areas feel included and accepted in society. Such inclusion and acceptance are observable through public representations on various occasions, be they social, cultural or political. Racial and ethnic groups are well-represented on TV screens and in movies and songs, in dance and in the arts. In fact, in the post-New Order period, no single race or ethnic group has been denied the opportunity to show their culture's richness on important national events or holidays. Instead, these events have become showcases for Indonesia's diversity.<sup>169</sup> As an example, the SETARA Institute distributed a survey on the 10 most tolerant cities in Indonesia in 2020 and 2021. One indicator is economic development, especially the level of welfare that supports tolerance. In this context, the factor that supports the success of Salatiga being inaugurated the Most Tolerant City in 2020 is the absence of discrimination in policy-making.<sup>170</sup>

As far as inclusion and acceptance in educational institutions are concerned, groups or communities of different backgrounds in diverse regions feel that they have not experienced any limitation. Papuan Christians are welcome to take part in higher education provided by Muhammadiyah, the second largest Muslim organization in Indonesia. In fact, their female students and lecturers are not required to wear the traditional dress of Muslim women while attending activities on Muhammadiyah University campuses.<sup>171</sup> Among the university's students are sisters and nuns who freely participate in the school's various activities. Their needs have been well addressed, including flexible tuition repayment.<sup>172</sup>

The Centre's *Pluralism Perceptions Survey* shows that inclusion and acceptance in other social sectors, such as in the workplace and marriage, have been positive and encouraging. Most respondents are confident that they would be likely hired in their professional role as any other Indonesians (93 percent), and they see no significant difference between women and men. With regard to job promotion, they feel that they would be very likely to get promoted based on their professional experiences (92.8 percent). They believe that having a different religious background is not a determinant factor for job promotion. However, at the workplace, when it comes to the acceptance of a supervisor whose race, ethnicity or religion is different, the result slightly decreased to 86.6 percent. Meanwhile, on acceptance in marriage issues, 74.8 percent of respondents are comfortable if their family members marry someone from other communities.

**Feelings of exclusion among minority groups have been noticeable in the province of Aceh. Following the Indonesian government's granting of permission to formally implement sharia in 1999, Islam has been the official religion of Aceh, and followers of non-Islamic religions are treated as "guests."**

Feelings of exclusion among minority groups have been noticeable in the province of Aceh. Following the Indonesian government's granting of permission to formally implement sharia in 1999, Islam has been the official religion of Aceh, and followers of non-Islamic religions are treated as "guests." With regard to employment in Aceh, jobs in local government offices are considered the privilege of Muslim citizens. Few non-Muslims "[work] in local government offices, except those who were already there before the implementation of sharia; however, most of these [employees] have [now] retired."<sup>173</sup> Non-Muslims in Aceh may only have access to national government posts in areas such as the armed forces, the police force, the Attorney General's provincial or district offices and in three ministry offices that have regional branches (the Ministry of Religious Affairs, the Ministry of Finance and the Ministry of Law and Human Rights). It should be noted that these national government employees are largely members of non-Aceh ethnic groups who have temporarily relocated to the region because of a promotion or job rotation.

The Chinese minority group in Aceh has even more difficulty accessing jobs in local and national government offices. They are unable to gain access to government employment because of the past regime's policy against Indonesian Chinese has its remnants in the region. The Chinese in Aceh follow multiple faiths, including Buddhism, Christianity, Confucianism and Islam (though Chinese Muslims are few in number), and as such, they feel that they have been denied recognition as Acehnese, even though their ancestors have been in the region for centuries. Though Chinese children have excellent skills and talents in science and sport as students of Chinese lineage attending Christian schools, they would not be welcomed as representatives of the province of Aceh in national student competitions. Thus, many young Chinese leave Aceh after finishing high school or, even earlier, after finishing junior high school to pursue further study or employment in places such as Medan, Batam and Jakarta. The rest remain in Aceh where they work in local trade, with private enterprises or national companies, or teach at Christian schools.<sup>174</sup>

## 20. SHARED OWNERSHIP OF SOCIETY

### AVERAGE SCORE: 7

RACIAL-ETHNIC GROUP(S) | SCORE: 7

FAITH AFFILIATIONS AND BELIEF(S) | SCORE: 7

RURAL-URBAN AREAS | SCORE: 7

The feeling of being a member of and included in Indonesian society has been widely felt and shared by different ethnic identities across the country. On a national scale, such feeling is closely related to the historical awareness of how the anti-colonial struggle has informed voluntary efforts to unite under one nation that consists of different ethnicities and religions. The creation of the Budi Utomo movement on May 20<sup>th</sup>, 1908 (long before Indonesia's Independence Day), became a foundational milestone in the history of the nation. The Youth Pledge taken on October 28<sup>th</sup>, 1928, under the slogan "One Homeland, One Nation," reinvigorated the feeling of being united as Indonesians



**A strong feeling of being Indonesian is reflected in the Centre's *Pluralism Perceptions Survey* data which shows that almost all respondents identified themselves as Indonesian regardless of their ethno-racial, religious or territorial contexts.**

and as one nation. This culminated in the proclamation of Indonesian independence on August 17<sup>th</sup>, 1945. These heroic events are commemorated every year and are “ingrained” in the consciousness of Indonesian students through the nation’s education curriculum.

A strong feeling of being Indonesian is reflected in the Centre's *Pluralism Perceptions Survey* data which shows that almost all respondents (97.3 percent) identified themselves as Indonesian regardless of their ethno-racial, religious or territorial contexts. In addition, both men and women largely identify as Indonesian. This indicates that they acknowledge and embrace their identity as Indonesians and feel full ownership of Indonesia as part of Indonesian society. This, in turn, leads them to refuse any identification as “others” or “guests” in the country. Nonetheless, it must be noted that there were a few respondents (2 percent) who answered “disagree/somewhat disagree” to the question: “How do you feel about this statement, ‘I identify as an Indonesian’?” Another question also shows consistency in views of shared ownership of society. When asked whether or not respondents agreed with the statement “I am glad to be an Indonesian,” almost 98 percent responded positively (agree/somewhat agree), with 2 percent expressing disagreement.<sup>175</sup>

By and large, these widely shared perceptions of being Indonesian are in line with post-1998 political developments. Less than 10 years after the collapse of the New Order authoritarian regime, people in three provinces (Aceh, Papua and East Timor) expressed their discontent toward Indonesia and harboured sentiments of ethno-nationalism. The more ethno-nationalism is being embraced, the less people feel that they and their region are part of Indonesia. As a result, the East Timor secessionist movement resumed in 1999 through internationally backed mediation, and the province eventually separated from Indonesia and became an independent nation. The conflict in Aceh was finally settled through the Helsinki Peace Agreement in 2005,<sup>176</sup> which granted the province special autonomy in some aspects of governance. The former combatants established a local political party and became the ruling government in the first local election held in 2006. In both the provinces of Papua and West Papua, however, continued armed conflict led by OPM, even though it has lessened, could provoke and sustain ethno-nationalism sentiments with (international) support. This conflict is ongoing and far from settled.<sup>177</sup>

## RECOMMENDATIONS

- 1) The government can foster partnerships with civil society organizations, youth- and women-led organizations and traditional leaders in the development and revision of inclusive legislation, policies and programs. They should likewise collaborate with these organizations in the implementation of these policies to further enhance pluralism in this work.
- 2) Revise and reform language used in regulations to ensure their proper use for protecting minority groups and reduce instances of misunderstandings due to unclear language. The report notes with concern how regulations such as the Joint Ministerial Regulation No. 9 and 8 of 2006 and the City of Tangerang Municipal Regulation No. 8 of 2005 have impacted Muslim minority groups' ability to build mosques and have restricted women's basic rights to access work and a livelihood, respectively. The revision of language in such regulations can reduce instances of government agencies partaking in discriminatory practices against minoritized communities.
- 3) Improve access to civil registries and government facilities that provide KTPs, particularly in rural areas, forests and remote locations populated by adat communities. This will allow approximately a million Indigenous community members to fully access government services and facilities as well as enable them to exercise their right to vote. This has the potential to enhance a sense of belonging across minoritized groups in Indonesia.
- 4) The Indonesian government can accord full recognition of Indigenous peoples and should consistently protect the rights of Indigenous communities by developing legislation that addresses the Constitutional Court's decision No. 35 of 2012, as discussed in the report. The implementation of this Court decision should meet international standards as established in the UN Declaration of the Rights of Indigenous Peoples (UNDRIP). This includes the recognition of Indigenous groups' authority in adat forests and the provision and enforcement of the right to free, prior and informed consent to prevent granting concessions to plantations and companies in Indigenous territories. Doing so would result in decreased displacement of Indigenous groups and loss of access to customary lands due to land exploitation.
- 5) Revise and improve legislation regarding cultural expression to explicitly protect minority religious and Indigenous beliefs, particularly as it concerns the Ahmadiyah, Shi'a, Baha'i and Gafatar communities, among others. Although Indonesia's national ideology, Pancasila, recognizes and respects diverse backgrounds, minority religious practices are ostracized and banned in some cities, limiting these groups' rights to practice cultural expressions. The Indonesian government should work with civil society organizations that focus on these issues, as well as members of those religious and Indigenous groups, to develop a strategy to promote respect for their cultures and protections for religious minority groups that are disproportionately impacted by violence.

- 6) Effectively pursue and enhance universal and consistent access to healthcare facilities and services, particularly in rural areas and in the outermost islands, borders and other underserved regions in Eastern Indonesia. The Indonesian government should reinforce their efforts to develop more public healthcare facilities in rural areas as well as ensure consistent access to pharmaceuticals and medical equipment to improve the capacity of health clinics.

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