

Book Symposium

Paper Presentations

Scholars-Practitioners
Networking

18 – 20 JULY 2022

INTERNATIONAL CONFERENCE

**Religion and Human Rights:
Pedagogical Challenges and Opportunities
in Higher Education in Indonesia**



UNIVERSITY CLUB (UC) HOTEL UGM
JALAN PANCASILA BULAKSUMUR NO.2, SENDOWO, SLEMAN,
YOGYAKARTA, INDONESIA



INTERNATIONAL CONFERENCE
**RELIGION
AND HUMAN RIGHTS**

*Pedagogical Opportunities and
Challenges in Higher Education
in Indonesia*

MONDAY-WEDNESDAY
18-20 JUL 2022
UNIVERSITY CLUB UGM

Public seminar via Zoom
s.id/RHC2022

Livestream on youtube
 **CRCS UGM**

Organized by



UNIVERSITAS GADJAH MADA
GRADUATE SCHOOL
CENTER FOR RELIGIOUS AND
CROSS-CULTURAL STUDIES



ICRS
INTERNATIONAL CENTER FOR RELIGIOUS STUDIES



The Centre for Human Rights
Multiculturalism and Migration
University of Jember, Indonesia



UNIVERSITY
OF OSLO



BYU LAW
BYRON R. EGERTSON
INSTITUTE FOR STUDY OF
RELIGION AND CULTURE





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ABOUT

There has been abundant literature investigating the relationship between religion and human rights. It ranges from exploring the tensions between or the convergence of the two enterprises, attempts to construct religious justification of human rights principles, or exploration of the many dimensions of the right to freedom of religion or belief (FoRB). A consensus on these matters is not the main issue, but there is a need for a continuous discussion. Yet promotion of human rights partly depends on addressing those issues satisfactorily and the ability to contextualize human rights within the diverse, lived experience of religious communities. One important area of studies and promotion is higher education. Universities teach human rights, law, religion, but the intersection between them as well as specific issues of religious freedom are rarely covered in teaching curriculum.

This conference aims to bring academics, researchers, and practitioners to share experiences and research findings on teaching and promoting human rights in higher education. This conference will invite especially the alumni of FoRB Fellowship program (organized by CRCS, Universitas Gadjah Mada, since 2019), and other religion and human rights scholars and practitioners. The conference will conclude with creating a network of religion and human rights educators, researchers and practitioners to further develop this issue in Indonesia.

AGENDA

Book Symposium

18 July 2022

Four plenary sessions

The first day will explore the newly published bilingual resource book *Shari'a and Human Rights (HAM dan Syariat, Penerbit Mizan, 2022)*. The book was a result of the programs conducted by the Center for the Study of Religion and Multiculturalism, Universitas Muhammadiyah Malang since 2011). Authors of the chapters of the book will be present (in-person or online) and discuss how to utilize the material in teaching religion and human rights.

Paper Presentations

19 July 2022

Parallel sessions

The second day consists of paper presentations based on selection of invited papers. The presentations will address opportunities and challenges of human rights education in universities, and collaboration between higher educational institutions, CSOs and government in FoRB advocacy, either as theoretical discussions or based on teaching or advocacy experience.

Scholars-Practitioners Networking

20 July 2022

Two sessions

The last two sections in the third day will be a workshop to discuss ways to develop the teaching of religion and human rights in Indonesia and the possibility of creating religion and human rights lecturers' network.

ORGANIZER

COORDINATOR

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UIN Sunan Kalijaga**

SEPAHAM (Association of Human Rights Lecturers)

**Center for Human Right, Multicultural and Migration
Universitas Jember**

Sekolah Tinggi Hukum Jentera Jakarta (Indonesia Jentera School of Law)

Yayasan Lembaga Bantuan Hukum Indonesia

**Center for Religion and Contemporary Issues Studies (PuSAIK)
Graduate School, UIN Sunan Kalijaga**

**Oslo Coalition for Freedom of Religion or Belief
Norwegian Centre for Human Rights, University of Oslo**

**International Center for Law and Religion Studies
Brigham Young University**

SCHEDULE

Day 1 – Monday, 18 July 2022

08.30 – 09.00 UC

UC Hotel – Bulaksumur Ballroom
Hybrid

Welcoming remarks

Rector of UGM/Dean of The Graduate School, UGM

Opening speech

M. Iqbal Ahnaf (Convener)

09.00 – 10.00 Session 1

Reflections on Religion and Human Rights in Higher Education

UC Hotel – Bulaksumur Ballroom
(Hybrid)

Speaker:

- 1. Lena Larsen**
- 2. Syamsul Arifin**

Moderator: Zainal Abidin Bagir

10.15 – 11.30 Session 2

Shari'a and Human Rights

UC Hotel – Bulaksumur Ballroom
(Hybrid)

Speaker:

1. Syamsul Arifin

“An Intersection Between Shari'a and Human Rights”

2. Haidar Bagir

“Islam Between Law and Love”

3. Imam Nakha'i

Moderator: Mahaarum K. Pertiwi

SCHEDULE

13.00 – 14.30 Session 3

Human Rights: History, Concepts and Its Future

UC Hotel – Bulaksumur Ballroom

(Hybrid)

Speaker:

1. Cole-Durham

“The Universal Declaration of Human Rights: History and Legacy”

2. Tore Lindholm

“Conceptual Underpinnings and Public Grounds of Human Rights–With an Upbeat Prospect on Religion-based Support of Human Rights”

Moderator: Fatimah Husein

14.30– 16.30 Session 4

FORB and Other Rights

UC Hotel – Bulaksumur Ballroom

(Hybrid)

Speaker:

1. Brett Scharffs

“An Introduction to Freedom of Thought, Conscience, and Religion from a Human Rights Perspective”

2. Lena Larsen

“Islam, Freedom of Religion or Belief and Gender Equality”

3. Zainal A. Bagir

“Combating Intolerance Resolution and The Prospect to Revise Defamation of Religion Regulations”

Moderator: Hurriyah

19.30 – 20.30 Session 5

Hotel – Bulaksumur Ballroom

(Hybrid)

Public Lecture

Heiner Bielefeldt

“The Contribution of Freedom of Religion or Belief to Societal Peace”

Moderator: M. Iqbal Ahnaf/Renata Arianingtyas

SCHEDULE

Day 2 – Tuesday, 19 July 2022

09.00 – 10.00 Session 6

Soft Launching of FORB Online Course, FORB Website and CRCS Books

UC Hotel – Bulaksumur Ballroom

(Hybrid)

Speaker:

- 1. M. Iqbal Ahnaf**
- 2. Leonard C. Epafra**
- 3. Ida Fitri**

10.15 – 12.15 Session 7

Emerging Discourse on FORB

UC Hotel – Bulaksumur Ballroom

(Hybrid)

Speaker:

- 1. Suhadi Cholil**
- 2. Asfinawati**
- 3. Samsul Maarif**
- 4. Ihsan AF**
- 5. Raditya**
- 6. Nelly van Doorn**

Moderator: Zainal Abidin Bagir

PARALLEL SESSIONS

13.30 – 15.00 Session 8/Panel 1

FORB in Higher Education: Legal Framework and Experience

UC Hotel – Bulaksumur (Ballroom)

(On site)

Speaker:

1. Valerianus Beatae Jehanu

“Interpretation Contest of Religious Freedom in The Law-Making Process of The National Education System Law Draft”

2. Rakhmat Hidayat & Mayang Puti Seruni

“Teaching Minority Issues and Indigenous People in the University:
A Reflection from State University of Jakarta”

3. Donald Qomaidiasyah Tungkagi

“The Urgency of Education for Indigenous Religions/Beliefs in the National Education System Bill (RUU Sisdiknas 2022): Challenges, Impacts and Prospects for Religious Diversity in Indonesia”

Moderator: Suhadi Cholil

13.30 – 15.00 Session 9/Panel 2

FORB in Local Contexts

UC Hotel – Yusticia Room

(On site)

Speaker:

1. Harri Santoso, et.al.

“Thaipusam Celebration of Hindu Ethnic India in Banda Aceh City”

2. Zulfan Taufik

“Nagari Adat Bersyariat: Islamic Favoritism in Regional Development in West Sumatra”

3. Nofri Andy. N

“Religious and Cultural Resistance to Implementation Freedom of Religions: The Ahmadiyah Experience in West Sumatera”

Moderator: Maufur

PARALLEL SESSIONS

13.30 – 15.00 Session 10/Panel 3

FORB in Laws and Regulations

UC Hotel – Nusantara Room

(On site)

Speaker:

1. Nella Sumika Putri

"Freedom of religion under Indonesian Penal Code Bill: Protection or Discrimination"

2. Ari Wirya Dinata

"The Strong Rights vis a vis the Fragile People: Asking The Judiciary Power in Protecting FoRB rights in Indonesia"

3. Rahman Mantu

"Restrictions on worship and prohibitions on the establishment of mosques in the province of north Sulawesi"

Moderator: Asfinawati

15.30 – 17.30 Session 11/Panel 4

Human Rights in Islamic and Catholic Higher Education

UC Hotel – Bulaksumur (Ballroom)

(On site)

Speaker:

1. Imam Hanafi

"Building Space from Within: Strengthening Human Rights Education at UIN"

2. Achmad Faidi

"Religious Moderation Movement in Islamic Higher Education: An Instrument for Developing Human Rights Values to Realize Social Harmony"

3. Subandri Simbolon

"Understanding of Human Rights and the Response of Catholic Religious Higher Education Students to Sensitive Issues of Human Rights"

Moderator: Michael R. Quinlan

PARALLEL SESSIONS

15.30 – 17.30 Session 12/Panel 5

Religion, Freedom and Multiculturalism

UC Hotel – Yusticia Room (On site)

Speaker:

1. Otto Gusti Ndegong Madung

“Discourse Theory, Religion and the Justification of Human Rights”

2. Hurriyah

“Understanding the rise of religious politics and restrictions against religious freedom: A rational choice theory on religion”

3. Alimuddin Hassan, et.al.

“When Multicultural Awareness Begins to Fade: Symptoms of Intersectional Discrimination in Education”

4. Manunggal K. Wardaya

“The Problem of Religious Freedom in Indonesia's Marriage Law and Its Teaching Strategy in Higher Education”

Moderator: M. Iqbal Ahnaf

15.30 – 17.30 Session 13/Panel 6

Religion and the Rights of Vulnerable Groups

UC Hotel – Nusantara Room (On site)

Speaker:

1. Michael Jeffri Sinabutar

“The Politics of Recognition and Inclusion: The Fulfillment of Citizens Rights of Spiritual Believers (Study on Indigenous Peoples of the Lom Tribe, Air Abik Village, Bangka Belitung Islands)”

2. Imam Mash'ud

“The Religion Politicization of Masade Community's Local Beliefs (Islam Tua) in Sangihe Island, North Sulawesi”

3. Pandu Hyangsewu

“Analysis of The Meaning of Religion for Transgender in The Middle of The Majority Religious Community”

4. Taufiqurrohim

“The Trend to Close a Sexual Trade Localization in Indonesia: Remapping the Shifting Urban Prostitute”

Moderator: Samsul Maarif

THE SCHEDULE

Day 3 – Wednesday, 20 July 2022

8.30 – 12.30 Session 14

Academic and CSO Networking

UC Hotel – Bulaksumur (Ballroom)

(On site)

The session will be conducted in Bahasa Indonesia

This session will continue several meetings in the past years which discussed ways to strengthen advocacy and research on freedom of religion or belief (FORB). Those meetings, involving academics, activists and representatives of governmental institutions, have always emphasized the need to strengthen collaboration and communication between different actors. The last meeting in Puncak, Bogor, January 2022 (co-organized by PUSAD Paramadina, YLBHI, CRCS and ICRS), has produced a brief analysing the agenda and gaps in knowledge building and advocacy for FORB.

This meeting will discuss several ideas to go further, and at the same time tries to activate the network of the FORB Fellows/lecturers. Several ideas that have emerged from preliminary discussions among the organizers are: creating a roadmap of research and advocacy on FORB, an association of university lecturer teaching FORB, regular (annual) congress on FORB, and the possibility of creating “legal clinics” specializing on FORB in universities.

There is no presentation prepared for this session, but it will be a deliberation among participants to collectively formulate plans to accelerate and bring the research, teaching and advocacy for FORB in Indonesia further. Participants include lecturers and FORB Fellows (from CRCS program since 2019) and representatives of organizations active on issues related to FORB.

12.30 – 13.00 Closing

UC Hotel – Bulaksumur (Ballroom)

(On site)

13:00 Lunch & Check Out

UC Hotel



Parallel Sessions Abstracts



Interpretation Contest of Religious Freedom in The Law-Making Process of The National Education System Law Draft

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Indonesia is a quasi-secular-theistic country that places religion in an important position in the public sphere, including the educational environment. Article 31 paragraph (3) of the 1945 Constitution of the Republic of Indonesia stipulates that "*The government shall endeavor and organize a national education system, which increases faith and piety as well as a noble character in the context of the intellectual life of the nation, which is regulated by law*". Further regulation on what and how the national education system in Indonesia can be found in the provisions of Article 1 number 2 of Law Number 20 of 2003 concerning the National Education System which regulates "*National education is education based on Pancasila and the 1945 Constitution of the Republic of Indonesia. rooted in religious values, national culture and responsive to the demands of changing times*". Enticingly, national education rooted in religious values produces a less conducive learning environment. This can be seen in the academic text of the National Education System Law Draft that cites the research of UIN Syarif Hidayatullah (2017). The research states that 62% of teachers and lecturers and 55% of students agree with the opinion that Muslims are in a state of oppression. This is then considered a problem of religious intolerance that needs to be resolved through changes in the law. Based on this issue, this article intends to answer two questions. *First*, how the legal politics of national education rooted in religious values is developed in various laws and regulations in Indonesia. *Second*, how the interpretation contest of religious freedom in Indonesia developed in the law-making process of the National Education System law draft. Using a socio-legal approach, this article intends to examine the cognitive conceptions of the makers of the Draft Law in understanding what and how national education is rooted in religious values, and how it affects the right to freedom of religion and the right to be free from discrimination for all students. Thus, this research has an interest in providing input in the law-making process of the National Education System law draft.

Keywords: *National Education, Freedom of Religion or Belief*

Teaching Minority Issues and Indigenous People in the University: A Reflection from State University of Jakarta

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This paper aims to reflect on the issues of human rights in the learning process of the course subject "Intergroup Relations" which has undergone several changes and developments in the Sociology Study Program and the Education Sociology Study Program, State University of Jakarta (UNJ). This course also connecting to introduction of freedom of religion belief (FoRB) in the indigenous people. Initially the name of the course was "Intergroup Relations", then changed to "Intergroup Relations and Social Movements" (HAK & Gersos). After that it was changed into "Sociology of Race and Ethnicity" and later will be changed again into "Ethnic Sociology". Specifically, the purposes of this paper are (1) to explain the context of the changing of this course in classroom learning; (2) to explain the learning methods used in lectures so far; (3) to reflect on this course with issues regarding minorities and human rights. The important conclusion of this paper is that despite the various changes in the name of the course and the focus of the study, it has three important strengths in its learning so far, namely: First, this course provided a theoretical basis on ethnicity, race, ethnicity, indigenous peoples, majority and minority relations. Second, this course relied on the strength of field research as an intellectual exercise for students as well as me as a lecturer to explore new knowledge about the theme of indigenous peoples and various related issues. The field research method used can be considered as part of the dialectic between theory and empirical in society. Third, this course encouraged students to have the ability to write articles as a study output as well as a substitute for the final exam. These three strengths became the epistemology of the study which ultimate goal was to build critical awareness about issues and protection of human rights minority, especially indigenous peoples.

Keywords: *Minority, Majority, Indigenous People, Human Rights, Citizenship*

Thaipusam Celebration of Hindu Ethnic India in Banda Aceh City

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Thaipusam is a celebration in Hindu ethnics India. It usually celebrates every 10th month in tamil calendar. There are 91 people Hindu ethnics India in Aceh and 21 people in Banda Aceh City (Ministry of Religion of Banda Aceh City, 2021). Most of them are working as trader and they come from Medan North Sumatera. This research aims to describe of Thaipusam Celebration in Banda Aceh City and how the government and community acceptance to Hindu ethnic India in Banda Aceh City as religious freedom implementation in the community. This research uses qualitative approach and use interviews, analysis media contents and community observation to gain the data. The results of the study show that there is good religious freedom in Aceh, especially in Banda Aceh City in the construction of house of worship and the implementation of religious rituals, this is in accordance with the Aceh Government Law articles 127, 211, 212 and 221 concerning all religions adhered to by the Acehnese population as well as equal and fair treatment of all religious teachings which exists. The small number does not prevent the Hindu ethnics India community to build their house of worship and carrying out their religious celebrations. Other findings show that there is good acceptance of the community both towards the Hindu ethnics India community and the Thaipusam celebrations, this can be reflected in the daily interactions and public welcomes when the celebration takes place. This finding is contradictory to the findings of Setara Institute (2018) which states that the city of Banda Aceh was one of the 10 cities of intolerance in Indonesia.

The Urgency of Education for Indigenous Religions/Beliefs in the National Education System Bill (Ruu Sisdiknas 2022): Challenges, Impacts and Prospects for Religious Diversity in Indonesia

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The Ministry of Education and Technology plans to submit the National Education System Bill (RUU Sisdiknas 2022). This bill had attracted public attention regarding the issue of missing the phrase *madrassa* in the mention and its role in the bill. This bill is included in the 2020-2024 national legislation program, and is directed to become a replacement law for Law no. 20 of 2003 concerning National Education System, Law no. 14 of 2005 concerning Teachers and Lecturers and Law no. 12 of 2012 concerning Higher Education. Interestingly, the RUU Sisdiknas 2022 specifically includes Education for Flows of Beliefs (*Pendidikan Kepercayaan*) parallel to Religious Education. Article 7 of the RUU Sisdiknas states: “*Setiap warga negara berhak...(c) mendapatkan Pendidikan agama/kepercayaan terhadap Tuhan Yang Maha Esa sesuai dengan agama/kepercayaan terhadap Tuhan Yang Maha Esa yang dianutnya, dan diajarkan oleh Pendidik yang menganut agama/kepercayaan terhadap Tuhan Yang Maha Esa yang sama.*” There is a potential polemic in the article, because it does not include detailed reasons for including the article in the academic text. In addition, placing the phrases of religion and belief at the same time also has the potential to be polemical, considering that there is no clear definition of religion and belief in Indonesia. This qualitative descriptive research is based on facts and observations with the addition of related literacy. This paper aims to examine the urgency of Education for Flows of Beliefs in the Bill. Using the perspective of Human Rights, especially Freedom of Religion and Belief, this paper seeks to elaborate on the challenges, impacts and prospects for the advancement of religious diversity in Indonesia.

Keywords: *Education Bill, Religious Education, Education for Flows of Beliefs, Indonesia*

Nagari Adat Bersyariat:
Islamic Favoritism in Regional Development in West Sumatra

Zulfan Taufik

UIN Sjech M. Djamil Djambek Bukittinggi

The dominance of Islamism in West Sumatra has strengthened in the post-decentralization period, primarily through the popularity of the philosophy of *adat basandi syarak, syarak basandi kitabullah* (ABS-SBK). ABS-SBK, which was initially only an unwritten norm, was later used to regulate and control the administration of government in West Sumatra. In contrast to previous studies which have studied the relation of *adat* and *syarak* as Minangkabau identity, this study critically examines 1) how ABS-SBK is implemented by the Nagari government, which is the smallest unit of local government in West Sumatra. 2) how does it have socio-political implications for religious plurality in the Nagari. This study takes the cases of Pakan Kurai (Kota Bukittinggi), Gunuang (Kota Padang Panjang), and Pauh IX (Kota Padang) as 3 of the 18 Pilot Nagari Adat made by the Provincial Government of West Sumatra. The pilot Nagari adat aims to restore Nagari governance per the ABS-SBK philosophy outlined in the two West Sumatran Regional Regulations concerning Nagari. By applying the analytical framework of Grim and Finke (2006) on religious favoritism, The result of this study indicates that Nagari, based on ABS-SBK, has caused discrimination against non-Muslim minorities, both in the form of distinction, exclusion, restriction, and preference. Some of these discriminations can be seen in particular policies related to Islamic education programs (both formal and informal), financial subsidies that directly support Islamic institutions such as mosques, and applying Islamic-based individual and social piety standards.

Keywords: *ABS-SBK, Religious favoritism, Minangkabau, Nagari, West Sumatra*

Religious and Cultural Resistance to Implementation Freedom of Religions: The Ahmadiyah Experience in West Sumatera

Nofri Andy N.

IAIN Bukittinggi

Respect for human rights in the main basis for realizing an ideal democracy, both as an internum and externum forum. Freedom of religion as part of the implementation of human right is not necessarily accepted by the wider community. The facts on the ground that this issue is often contradictory to local religion and culture because the clash has been created by certain actors. The Ahmadiyah of West Sumatera have long felt this challenge, especially regarding freedom of worship and the establishment of places of worship. This discrimination has a bad impact on society and creates a bad stereotype for the Ahmadiyah congregation. In this research the author will reveal how religion and culture will deal with KBB, especially in terms of respecting the human rights of others. The initial findings from this research are: until now the Ahmadiyah have not had the opportunity to carry out worship openly, the existing mosques are still closed, and recitations are still being conducted from house to house.

Keyword: *Resistance, Culture, Human Rights, Internum, Externum*

Freedom of religion under Indonesian Penal Code Bill: Protection or Discrimination

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Presently, Indonesia is reforming its criminal law code through Indonesian Penal Code Bill. In this Bill, crimes related to religion are categorized into crimes against public order, criminal acts against religion and religious life, and special crimes under serious violation of human rights. However, the Bills contains some ambiguity in element of criminal acts in its formulation of criminal acts related to religion. For example, there is no clear interpretation of law regarding the element of “religion” in criminal acts related to religion which may cause some discrimination and abuse of power in the law enforcement. In this paper research, the writer will evaluate the extent to which the regulation of criminal acts related to religion in the Indonesian Penal Code Bill can guarantee freedom of religion without any discrimination for adherents of a particular religion or belief which are align with *lex certa* and *lex stricta* principles.

Keywords: *Freedom of Religion, Penal Code Bill, Protection, Discrimination*

The Strong Rights vis a vis the Fragile People: Asking the Judiciary Power in Protecting FoRB Right in Indonesia

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Freedom of religion or belief is the human rights stated in UUD 1945. Art 29 para (1) and (2) stipulated that the State is based on One God. It indicates that Indonesia is not based on a particular religion, but recognizes religion as part state administration. The recognition of religion guarantees the independence of its inhabitants to embrace their respective religions and to worship. Freedom to embrace religion or belief is an internal forum for everyone, it is absolute right regulated by ICCPR as well as in Article 28 I (1) of UUD 1945. The fulfillment of FoRB is frequently discriminated in Indonesia. For instance, the issue of the religion column in the Citizens Identity Card. Prior the CC verdict, The State merely accommodates only six recognized religions and negates others. Then it is filled by CC. Although the CC still has several home works such as the interfaith married. besides, the issue of wearing hijab for non-muslim students school uniform. The State issued a joint decree of 3 ministers to normalize the situation. However, LKMM challenged it and SC canceled the SKB. The judge's *ratio decidendi* were very dry on FoRB Perspective. The judge only accommodates majority religion interest and neglects the minorities. This paper examines 3 decisions (KTP, Interfaith Married and Hijab for non-muslim). This verdict reviews on *ratio decidendi* and will also appraise based on *breakfasting theory*. As a result, this paper will be assessing justice performance on FoRB norm.

Keywords: *FoRB, CC & SC Verdict, Human Rights*

Restrictions on Worship and Prohibitions on Mosque Establishment in The Province of North Sulawesi

Rahman Mantu

IAIN Manado

A number of institutions (CRCS, Wahid Institute, Setara, Komnas HAM) noted in reports both surveys and research that restrictions on worship accompanied by bans on the establishment of houses of worship are still common in Indonesia. The reason is due to several factors, namely from different views on the regulation of the 3 ministerial decree to the strengthening of majority power over minorities with the pressure of civilian militia groups. Generally, these violations of freedom of religion and belief in the report occurred in muslim-majority areas. However, this study directed the subject of his research in the Muslim minority area of North Sulawesi by focusing on mapping the issues behind it, the triggering factors, and the actors involved in the event. Because this research was conducted in the midst of a pandemic situation, researchers chose to use the netnography method (digital ethnography) in data collection. The final results of this study are expected to answer questions from the problem formulation; first, how cases of restrictions on worship and prohibitions on the establishment of mosques in North Sulawesi, which have been known as role models of harmony between religious people in Indonesia, can the conflict map be like. Second, in general, this study captures the condition of freedom of religion and belief in North Sulawesi in the midst of rampant conflicts over houses of worship and the extent of the contribution of educational institutions and religious organizations in managing diversity.

Keywords: *House of Worship, SKB of Three Ministers, Minorities, Muslims, Mosque*

Building Space from Within: Strengthening Human Rights Education at UIN

Imam Hanafi

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The change from IAIN to UIN shifted the institutional and managerial pattern and changed the scientific paradigm and the learning process. Institutionally, UIN is no longer an exclusive institution, closed to only one field of scientific study, but it has become a university, becoming a universal and multidisciplinary institution. Scientifically, the paradigm built by UIN is an integrative ethos. An effort that is paradigmatic, wanting to have a dialogue with various sciences; Islamic studies, humanities, and science. The sciences cannot stand alone without cooperation, greeting each other, needing each other, correcting each other, and being interconnected in entering scientific disciplines. The implication is that the learning process requires an interdisciplinary, multidisciplinary, and transdisciplinary approach. This is where human rights education gets space to be used as an effort to widen the wings of a universal Islamic study. Moreover, when the presence of General Faculties implies the necessity of UIN to have lecturers who are also cross-disciplinary, cross-ethnic, and even cross-religion.

Keywords: *Human Rights Education, UIN, Cross-disciplinary Science*

Religious Moderation Movement in Islamic Higher Education: An Instrument for Developing Human Rights Values to Realize Social Harmony

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The alumni of FORB Fellowship program 2019
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The proliferation of radicalism, extremism and intolerant behavior in the community has received serious attention from the government, especially the ministry of religion. One of the policies taken by the ministry of religion recently is to build an understanding of the concept of religious moderation in Indonesia. Several social, educational and religious institutions that they cover are asked to be actively involved in helping to realize this mission, one of which is the Islamic Religious Higher Education Institution (PTKI). Several Islamic higher education institutions have established centers for the study of religious moderation. There are four main pillars that are carried out in the religious moderation movement of Islamic Higher Education (PTKI), namely commitment to nationality, commitment to harmony, non-violent behavior and wise to local culture. These four pillars are expected to raise awareness of an inclusive, humanist, tolerant attitude and uphold human rights values in the midst of a multicultural Indonesian civilization. This is certainly a good step, but it still requires strategies and tactical steps to stem the movements of radicalism, extremism and intolerant behavior that are contrary to human rights values and greatly disrupt social harmony. This paper emphasizes the strategic role of the religious moderation movement of Islamic higher education (PTKI) as an instrument in sowing and sowing the values of humanism, inclusiveness, tolerance and human rights through dialogue, mentoring and formulation of the concept of teaching materials included in curriculum construction, especially in the basic courses of Islamic Religious Higher Education in all faculties.

Keywords: *Islamic Moderation Movement, Human Rights Value, Social Harmony*

Understanding of Human Rights and the Response of Catholic Religious Higher Education Students to Sensitive Issues of Human Rights

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This article aims to examine the understanding of Catholic Religion teachers' candidates on the implementation of human rights in their relation to human rights issues such as gender, ideology, and religious minorities. The questions are: first, to what extent do students understand human rights and how do they apply that understanding in approaching human rights issues? Second, how do they transfer the understanding they have especially if those understandings are linked to the Church's views that are closely related to these issues? These questions were analyzed by qualitative research using open-ended questionnaires and semi-structured interviews. From the results of data processing, it was found that the students had an understanding of human rights and implemented that understanding in their relations with groups of different religions with an attitude of tolerance, acceptance of differences and respect. However, with regard to sensitive issues such as LGBTQ, Indonesian Communist Party (PKI) and Local Religion, they still use a textual understanding that LGBTQ people are sinful because they are against nature, members of PKI is an enemy of the state, and local religions are idol worshippers. The main reason is that they rarely come face to face with those who have this gender identity, ideology and religion. Another factor is their lack of understanding of inclusive view of the Church on these issues. Finally, the detail implication and research suggestion are included a necessary to accommodate meeting spaces to raise the spirit of humanity (through which principles of human rights, especially FoRB, are promoted) that is much more inclusive and offer more inclusive interpretations and attitudes of the Catholic Church towards these issues.

Keywords: *Human Rights, Sensitive Issues, Catholic Religious Students, Inclusive, Church Teaching*

Discourse Theory, Religion and the Justification of Human Rights

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This study aims to justify the universal validity of the concept of human rights based on the discourse theory, also known as relational paradigm for the justification of human rights. It refuses dichotomic models of justification concerning the validity of human rights within the narrow frame of absolute versus relative paradigm. The former is emerged from the natural law tradition, right reason of Immanuel Kant and the concept of human dignity as an absolute moral norm. The requirement for metaphysical conditions marks the weakness of the absolute paradigm. This condition is contrary to the moral foundations of a pluralistic society, which do not refer to metaphysical realm. Meanwhile, the latter justifies the validity of human rights in the concept of cultural relativism. It means that human rights are generally connected to particular cultural values and do not have universal validity. However, the relational paradigm tries to establish a relationship between the universal validity and cultural-political practices of human rights. This paradigm also attempts to address the objectivity claim and universality claim of human rights by linking human rights and popular sovereignty. Moving beyond this dichotomic paradigm, this article tries to conceptualize human rights from a religious understanding of the principle of human dignity. Since human dignity is to certain extent regarded as a secular transposition of the religious concept of *imago dei* or the image of God, this article argues that religion can be seen as a pre-political condition for the understanding of human rights.

Keywords: *Human Rights, Universal versus relative justification, Discourse Theory, Religion, Human Dignity*

Understanding the Rise of Religious Politics and Restrictions Against Religious Freedom: A Rational Choice Theory on Religion

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What accounts for the rise of religious politics and restrictions against religious freedom? I argue for the role of ideological and rational calculation as the outcome of religious politics and their further impact on religious freedom. While scholarly debates evolved between champion of secularization theory and functionalism theory, they have failed to explain why religious politics have increased in democratic-setting countries as well as how they have substantially affected restrictions against religious freedom, especially for the minority groups. Although the two approaches have opposite perspectives, few have analysed the similarities between secularization theory and functionalism, in which they believe that religion is not a prima cause for the emergence of religious politics and restrictions on religious freedom. Focusing on the approach of rational choice theory on religion, this article aims to examine mainstream literatures and research perspectives on the study of religion and politics while offers new insight to better understand predictors and causes around religious politics.

Keywords: *Religious Politics, Restrictions on Religious Freedom, Religion and Politics, Rational Choice Theory*

When Multicultural Awareness Begins to Fade: Symptoms of Intersectional Discrimination in Education

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Alumni of Postgraduate Program on Human Rights and Sharia PUSAM MALANG

This paper emphasises that multicultural awareness in a person is relevant to efforts to eradicate discriminatory attitudes carried out by the state or group, or person against other people. In other words, the better a person's multicultural awareness, the better the awareness of human rights, especially on intersectional discrimination.

Multiculturalism awareness refers to the spirit and understanding of the existence of differences, both race, ethnicity, culture, gender, and religion. Meanwhile, intersectional discrimination refers to discrimination based on religion and ethnicity, gender, or social class in society. The world of education is an institution that is often the scene of human rights violations, including freedom of religion and belief. In post-colonial discourse, one of the schools in critical social theory calls it an unequal power relation between the powerful and the ruled. For example, Heiner Bielefeldt's (2019) notes suggest this. Likewise, other research explains that most religious teachers consider the basis of religion or ethnicity (predominantly ethnic Chinese) in giving values, especially at the ranking level.

Keywords: *Multicultural Awareness, Discrimination, Education*

The Problem of Religious Freedom in Indonesia's Marriage Law and Its Teaching Strategy in Higher Education

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As is widely known, legal education in various law faculties in Indonesia is dominated by a legalistic approach. This approach interprets the law as the rules made by the authorities who have the authority to do so. This kind of legal understanding overrides studies that critically analyze the various contents and interests contained in a rule of law. Marriage Law is one of the subjects that is no exception. The teaching of marriage law as well as texts regarding marriage law prioritizes teaching what is the norm of marriage law, namely Law no. 1 of 1974. This kind of teaching is problematic because the law is the result of political contestation, and the regulation of legal marriage in Indonesia is very, very problematic from the perspective of human rights. The Marriage Law is the result of the victory of religious politics which requires people to marry according to religion as a condition for the validity of the marriage. This indirectly forces people to be religious, otherwise there will be no legal marriage. The paper that I compiled will discuss the dangers of dogmatic teaching related to marriage law. The position of my paper is clear, which is to say that teaching what the law states is the same as teaching human rights violations in religious freedom. Teaching law in Indonesia related to marriage law needs another approach so that students are able to criticize the rule of law that is not protective but on the contrary is destructive to religious freedom.

Keywords: *Religious Freedom, Marriage Law, Teaching Strategy, Higher Education*

**The Politics of Recognition and Inclusion:
The Fulfillment of Citizens Rights of Spiritual Believers (A Study on Indigenous
People of the Lom Tribe, Air Abik Village, Bangka Belitung Islands)**

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The *Lom* Tribe is the oldest tribe in Bangka Belitung, commonly referred to as the *Lom* people. During the colonial administration, the Bangka Malays were divided according to their religion, namely the *La* Tribe for Malays who had embraced religion, and the *Lom* Tribe for Malays who did not yet receive a religion. This paper aims to reckon the efforts of fulfilling the rights of the *Lom* Tribe, focusing on two main questions: first, what is the strategy of the *Lom* Tribe to access public services, especially population administration, education, and marriage? Second, are there still discriminatory practices for the Indigenous People of the *Lom* Tribe in accessing public services? This study uses a qualitative method with an ethnographic approach, which aims at revealing the socio-cultural meaning in a particular context. The results show that in accessing public services, indigenous peoples use an institutional approach, build networks with stakeholders at the local level, as well as through the Indonesian Supreme Council of Trustees (MLKI). Discriminatory practices are still found in accessing public services, both in population administration, education, and marriage services for the *Lom* Tribe. For this reason, the Constitutional Court Decision No. 97/PUU-XIV/2016 and Permendikbud 27/2016 can be an entry point in the advocacy work of the *Lom* tribe in accessing public services.

Keywords: *Politics of recognition, Inclusion, Ethnicity, Believers, Advocacy*

The Religion Politicization of Masade Community's Local Beliefs (Islam Tua) in Sangihe Island, North Sulawesi

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The Masade beliefs (Islam Tua) is a belief that developed in Sangihe Islands, North Celebes. It was presented and developed in Sangihe community almost 300 years ago and was spread by Mawu Masade from Mindanao Philippines. Historically, the Masade beliefs (Islam Tua) existed even before the Independence Day of Indonesia, but in reality, they are currently still experiencing problems regarding their right to have their religions and beliefs in Indonesia. Some issues such as the recognition of Masade beliefs as a part from Islamic religion and the right to receive equal treatment without discrimination, became central issues of religions and beliefs freedom in Masade. In order that, the purpose of this study is providing a religious description of Masade beliefs (Islam Tua) and identifying related violations of religions and beliefs freedom against Masade community (Islam Tua). Furthermore, this study used inductive reasoning, historical and human rights approaches with ethnographic research methods to find the main sources data. Therefore, the result of this study explained that the religion politicization in Masade effected the discriminations, and disrespects of the religions and beliefs freedom's right in Masade's beliefs (Islam Tua).

Keywords: *Local Religion, Religion Politization, Masade Beliefs, Religious Discrimination*

Analysis of the Meaning of Religion for Transgender in the Middle of the Majority Religious Community

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The phenomenon of the meaning of religion for transgender people in the midst of Muslim society gets various kinds of reactions. This is because in religious appreciation and meaning, transgender is considered as deviant from the values, norms, and religion prevailing in society. This research is expected to contribute to the development of socio-religious scholarship in explaining how transgender religious appreciation and meaning are marginalized in the midst of Islamic society. The research review is based on the transgender phenomenon in Indonesia which is likened to an iceberg, where the phenomenon only appears slightly on the surface, but holistically it has not been revealed. the meaning of religion for transgender people. Research design what was done was qualitative, where the research team wanted to understand meaning related to a social problem. The method used in This research is a systematic method literature review that is a research method by collecting and providing a synthesis in previous studies. Based on results of the research, a transgender person or group often gets rejection from society in the name of religion. In addition, transgender people are minority groups whose status is deviant to values and norms of the society, so that they are excluded and treated badly from the social environment. Nevertheless, transgender is still a part of society, which, as appropriate, has the right to guarantee the appreciation and religious meaning needs to be fought for.

Keywords: *Religious Meaning, Majority Religion, Transgender, Society*

The Trend to Close a Sexual Trade Localization in Indonesia: Remapping the Shifting Urban Prostitute

Taufiqurrohim

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In 2012, Kementerian Sosial (Indonesian Ministry of Social Affair) has a program to close sexual trade localization. With the program Indonesia free from localization in 2019, some 'legal' places for prostitution are closed. Based on data from Indonesian Ministry of Social Affair, there are 168 localizations in Indonesia and had been closed almost fifty percent in 2017. Although these localizations are closed, the practice of the sexual prostitute is still existed. Thus, it becomes a utopian dream of the government to close the localization and the program makes a different style of prostitution. By using an ethnographical method, this research combines the observational framework and the depth-interview to find the style of the prostitution after the 'execution' of the program. The research finds that the government uses a strategy of economic development and religious approach as a realization of the program. The utopia 'empowerment' of the implementation makes a shifting model of urban prostitution regarding its legalization of the sexual trade. The writer argues that the speculation of the government to close fully the sexual localization manifests the utopian economic and religious life imagination in maintaining or even demolishing the prostitution.

Keywords: *Government Program, Localization, Prostitution, Utopia*



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PUBLIC LECTURE

The
**Contribution of
Freedom of
Religion
or Belief to
Societal Peace**

Heiner Bielefeldt

*United Nations Special Rapporteur
on Freedom of Religion or Belief
(2010-2016)*

MONDAY

18 JUL 2022

19.30 – 20.30 WIB

Public seminar via Zoom

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Livestream on youtube

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SESSION 02

Sharia and Human Rights

Speakers

Discussant

Host



Syamsul Arifin

*Universitas Muhammadiyah
Malang*



Haidar Bagir

*President Director
of Mizan Group*



Imam Nakha'i

*Commissioner of
Komnas Perempuan*



Mahaarum K. Pertiwi

Universitas Gajah Mada

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Multiculturalism and Migration
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in Higher Education in Indonesia

SESSION 03

Human Rights: History, Concepts and Its Future

Speakers

Host



Cole-Durham

*Brigham Young
University*



Tore Lindholm

*The Oslo Coalition on
Freedom of Religion
or Belief*



Fatimah Husein

*Indonesian Consortium for
Religious Studies*

MONDAY
18 JUL 2022
13.00-14.30 WIB

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THE BRIGHAM YOUNG UNIVERSITY
LAW SCHOOL



UNIVERSITAS ISLAM
INDONESIA



UNIVERSITAS ISLAM NEGERI
PONOROGO



PSIK
Pusat Studi Islam dan Masyarakat

SESSION 04

FORB and Other Rights

Speakers

Host



Brett Scharffs

*Brigham Young
University*



Lena Larsen

*The Oslo Coalition on
Freedom of Religion
or Belief*



Zainal Abidin Bagir

*Indonesian Consortium
for Religious Studies*



Hurriyah

*Faculty of Social and
Political Science
Universitas Indonesia*

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18 JUL 2022
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SESSION 07

Emerging Discourse on FORB

Speakers



**Nelly van
Doorn-Harder**
Vrije Universiteit



Asfinawati
STH Indonesia Jentera



Samsul Maarif
CRCS UGM



Suhadi Cholil
UIN Sunan Kalijaga



Ihsan Ali Fauzi
PUSAD Paramadina



Raditya Darningtyas
PUSAD Paramadina



Zainal Abidin Bagir
*Indonesian Consortium
for Religious Studies*

Host

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