

**UNIVERSITI TEKNOLOGI MARA**

**THE FREEDOM OF RELIGION OF  
MINORITY GROUP IN INDONESIA:  
A CASE STUDY ON UGAMO  
MALIM**

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## ABSTRACT

The Ugamo Malim community, an indigenous Batak religious minority in Indonesia, faces ongoing challenges in exercising their constitutional right to religious freedom. Although Indonesia's constitution guarantees freedom of religion, legal and social obstacles continue to marginalize non-mainstream faiths. This study critically examines the extent to which Ugamo Malim adherents experience systemic discrimination, state neglect, and social exclusion, using a triangulated methodology that includes in-depth interviews, questionnaires, and document analysis. This research delves into various theories surrounding rights, legal pluralism, religious freedom, discrimination, minority protection, and the socio-anthropological perspective. It examines how legal frameworks, administrative policies, and societal attitudes work together to limit the religious practices of certain groups. Findings show that Ugamo Malim adherents face structural discrimination in areas such as civil registration and access to state services, which reinforces their marginalization. Additionally, the reluctance of local authorities to recognize their religious identity worsens social alienation and perpetuates legal uncertainties. The analysis reveals that state recognition mechanisms tend to favor majoritarian religious groups, thereby limiting the religious autonomy of Ugamo Malim followers. This case study highlights the contradiction between Indonesia's pluralistic legal framework and the real experiences of religious minorities, revealing gaps in legal enforcement and protection. In conclusion, the study emphasizes the need for institutional reforms, policy changes, and increased legal awareness to ensure that all citizens, especially marginalized faith communities, can fully realize their religious freedom. By addressing these structural inequities, Indonesia can work towards a more inclusive legal and social environment where religious minorities like Ugamo Malim can exercise their fundamental rights without fear of discrimination or repression.

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# CHAPTER 1

## INTRODUCTION

### 1.1 Research Background

The Indonesian Constitution (UUD 1945) enshrines religious freedom, stipulating that all people may worship according to their religion or belief, underscoring the foundational principle of national unity rooted in the belief in one supreme God.<sup>1</sup> This constitutional provision reflects the commitment to pluralism and the protection of diverse religious expressions within the framework of a unified Indonesian state.<sup>2</sup> Furthermore, Pancasila, the foundational pillar of the universal concept, asserts the belief in a singular deity<sup>3</sup>. Concurrently, the government adopts an intolerant stance towards atheism, implementing laws and policies that restrict specific religious practices.<sup>4</sup> These restrictions are particularly stringent against unrecognized religious groups and those classified as "deviant" sects.<sup>5</sup> This dual approach underscores a complex interplay between state-endorsed religious conformity and the suppression of heterodox spiritual expressions, reflecting broader socio-political dynamics within the governance framework. Moreover, the government neglected to exercise its constitutional prerogative to scrutinize or rescind local legislation infringing upon religious freedom. Blasphemy Law No. 1/PNPS/1965 confers legal recognition upon six religious groups: Islam, Catholicism, Protestantism, Buddhism,

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<sup>1</sup> Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (Indonesian Constitution).

<sup>2</sup> Bagir, Z. A., Asfinawati, Suhadi and Arianingtyas, R. 'Limitations to Freedom of Religion or Belief in Indonesia: Norms and Practices', (2020) *Religion and Human Rights*, p. 39.; Hutabarat, F. 'Navigating Diversity: Exploring Religious Pluralism and Social Harmony in Indonesian Society', (2023) *European Journal of Theology and Philosophy*, pp. 6–13.

<sup>3</sup> Pancasila, First Principle, "Belief in One Almighty God."

<sup>4</sup> Nainggolan, D. M. 'Intolerance and Fear: A Critical Analysis of Cases of Religious Intolerance in Indonesia Based on a Study by Martha Nussbaum', (2023) *Formosa Journal of Multidisciplinary Research*, p. 41.

<sup>5</sup> Ardiansah and Ismail, S. B., "Deviant Sects in the Context of the Right to Practice Religion: A Critical Study of Its Position in the Constitutions of Indonesia and Malaysia", (2023) 11 *Journal of Law and Sustainable Development* e1373.