

# REGRESSION AMIDST TRANSITION

Jakarta, 21 May 2025

## I. INTRODUCTION

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In 2024, SETARA Institute released an annual report on the situation of Freedom of Religions and Beliefs (FoRB) in Indonesia, which has been carried out consistently for the past 18 years. This report is compiled based on the results of monitoring of various violations of FoRB that occurred throughout the year, obtained through victim and witness reports, monitoring networks in various regions, and triangulation with media coverage. In its preparation, SETARA Institute uses an approach based on the constitutional rights of citizens as stipulated in the 1945 Constitution of the and refers to international human rights instruments.

The purpose of the publication of this report is to provide annual baseline data that systematically records various incidents of violations of freedom of religion or belief. The data is expected to be an important reference in the formulation of state policies, especially in the Government's Work Plan (RKP) and budgeting through the State Budget (APBN). In addition, this report also plays a role in supporting civil society's advocacy work, as well as being part of efforts to promote the values of FoRB. This FoRB Conditions report is hoped to be able to strengthen the state's responsibility as the duty bearer in the protection of human rights, as well as to strengthen the ecosystem of tolerance in the midst of community life.

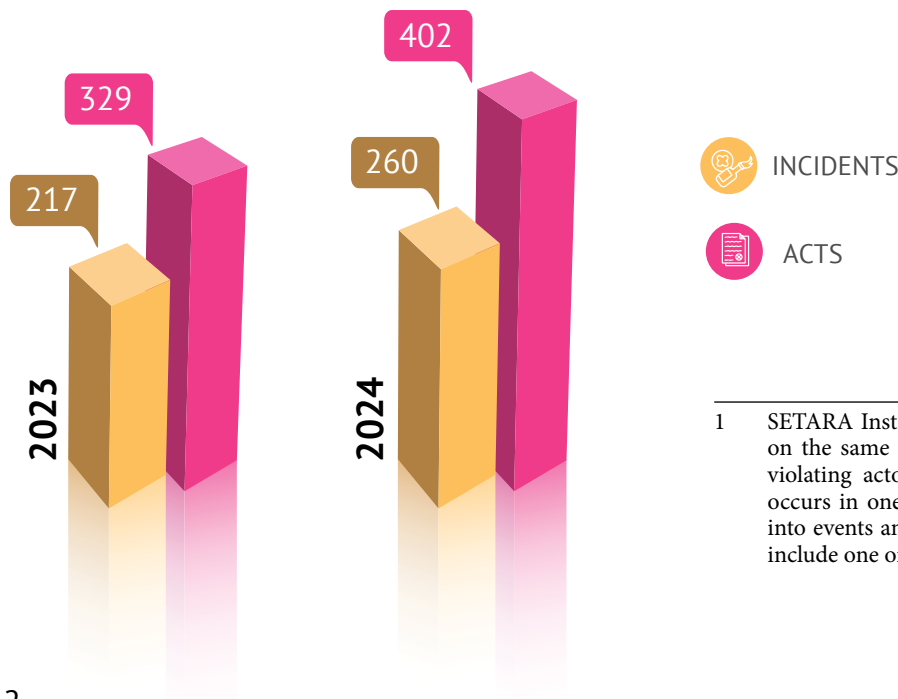
## II. GENERAL FINDINGS

In 2024, there is a strong signal of regression in the protection and respect of FoRB at the end of President Jokowi’s administration and the beginning of President Prabowo’s administration. Towards the end of his leadership, instead of leaving a trail of significant progress in the promotion of FoRB, President Jokowi actually recorded the stagnation of FoRB conditions in a decade. The high number of cases of violations of FoRB over the past ten years is a picture of the state’s failure to ensure the development of a tolerance ecosystem. Not only is the state being present to commit violation by commission and violation by rule, the state also deliberately ignores (violation by omission). Despite the number of state actors committing violations both through its actions and through various discriminatory regulations, it is not uncommon for the state to be silent when violations of FoRB are committed by non-state actors at the social level of society.

On the other side, the transition of government to President Prabowo has also not fully demonstrated a strong commitment to the promotion of freedom of religion or belief. The discovery of various incidents of violations of freedom of religion or belief after the birth of the new leadership shows that President Prabowo has not been serious in articulating Asta Cita 8, which is committed to increasing tolerance between religious communities.

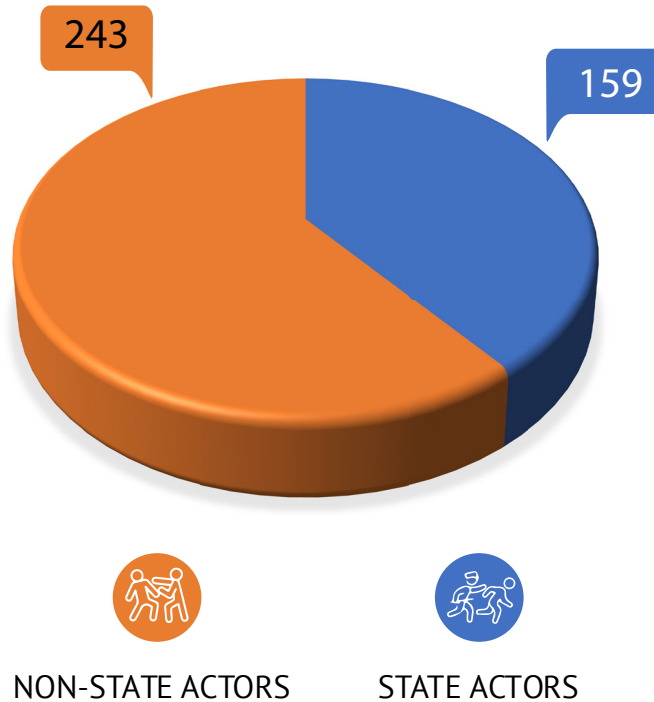
Throughout 2024, SETARA Institute recorded 260 incidents of violations against FoRB,<sup>1</sup> consisting of 402 acts of violation. These numbers show significant increase compared to the previous year, which used to have 217 events with 329 actions in 2023. Of the all the violations, 159 were committed by state actors, while the other 243 were committed by non-state actors. This data indicates an upward trend that needs serious attention, both by the government and civil society.

Graph 1.  
Comparison of Violations against FoRB, 2023-2024



1 SETARA Institute defines an event as an incident that occurs on the same day, while an action is a variation of the FoRB violating actor and a variation of the action category that occurs in one event. SETARA Institute categorises violations into events and actions because one FoRB violation cases can include one or more than one acts of violation.

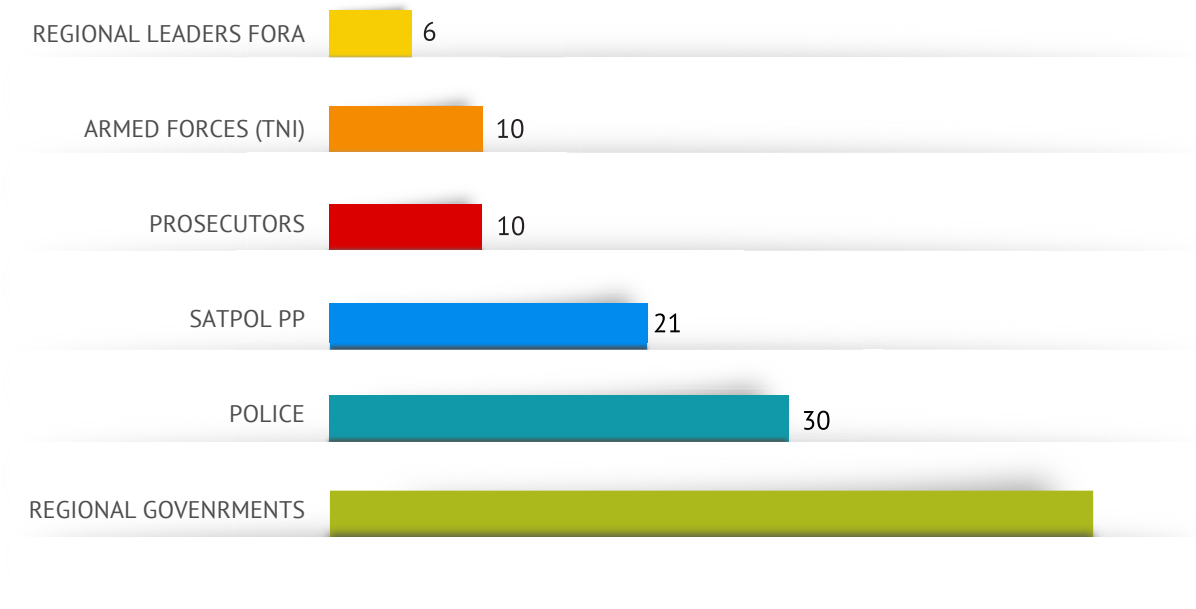
*Graph 2.  
Acts of Violation Committed by State and Non-State Actors*



One factor that is thought to have contributed to the increase in the number of violations of FoRB in 2024 is the dynamics of national politics, especially the implementation of simultaneous general elections on 14 February to elect the President and legislative members, as well as simultaneous regional elections on 27 November. Although the use of religion-based identity politics did not occur as massively as in previous years (2014 and 2019), SETARA’s findings show that the politicisation of religion still appears in a number of regions. This indicates that the claims of some political elites who claim to have abandoned the practice of identity politics have not been fully reflected in practice on the ground, because religious sentiments and racial/ethnic issues are still used in the context of political competition.

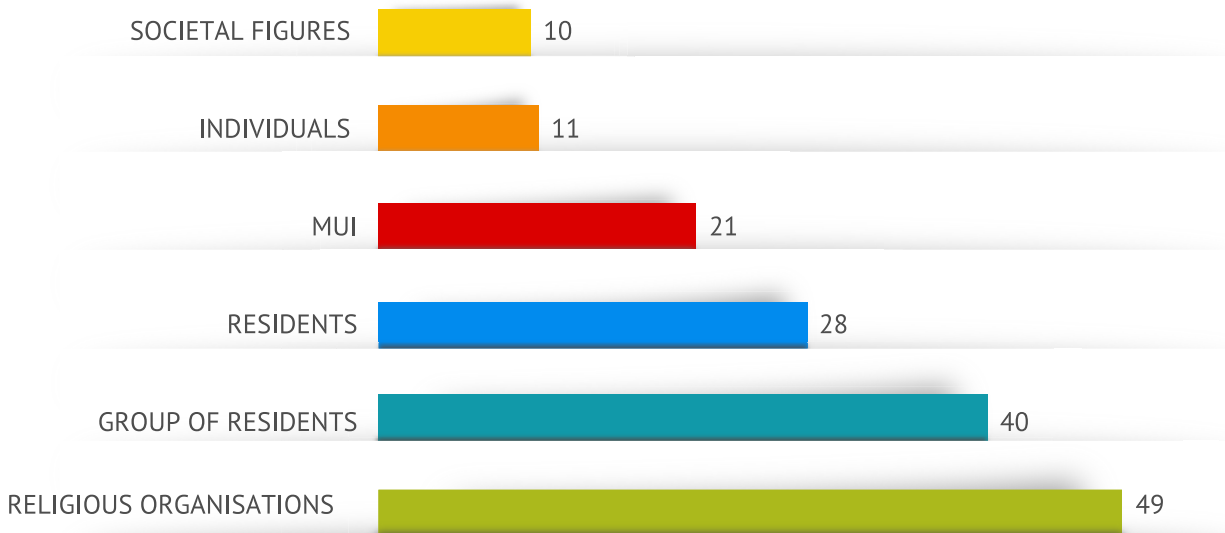
Moreover, government’s attention to the issue of FoRB has been decreasing as President Joko Widodo’s tenure was nearing the end. The focus is shifted more onto the transition of power, which translates to the stagnation to the development of right to FoRB. Such condition reflects the weak societal leadership in safeguarding the tolerance ecosystem. Thus, the commitment to protect and respect FoRB is facing an immense challenge, both in the aspects of state policies, as well as the society’s attitudes and responses.

*Graph 3.  
Six State Actors with Highest Violations*



Of the total 159 acts of violations of FoRB committed by state actors throughout 2024, most came from regional government institutions with 50 acts, followed by the police with 30 acts, Satpol PP with 21 acts, as well as 10 acts each by the armed forces (TNI) and the Prosecutors, and 6 acts by Regional Leaders Fora (Forkopimda). The composition of these offences remained relatively unchanged from the previous year. However, there was a significant increase in the Prosecutor’s Office, which rose to 10 actions. This increase is closely related to the rampant reporting of blasphemy offences, many of which affect public figures such as celebrities, religious figures, certain religious groups, and politicians.

*Grafik 4.  
Six Non-State Actors with Highest Violations*



Meanwhile, violations of FoRB by non-state actors also show an alarming pattern. Most violations were committed by religious mass organisations with 49 actions, followed by citizen groups (40 actions), individual citizens (28 actions), the Indonesian Ulema Council (MUI) with 21 actions, general mass organisations (11 actions), individuals (11 actions), and societal figures (10 actions). When compared to 2023, the contribution of violations by religious mass organisations has increased significantly. This shows the tendency of strengthening conservatism in the religious space, which is often characterised by a narrowing perspective on the diversity of religions and beliefs.

The escalating role of religious mass organisations as perpetrators of violations of FoRB cannot be separated from the increasing mobilisation of religious sentiments in responding to social and political dynamics. Many mass organisations, especially those

based on conservative Islam, actively voice exclusive attitudes towards religious and social groups that are considered different. One case that illustrates this phenomenon occurred in North Maluku, where Sherly Tjondoa’s candidacy as a candidate for Governor in 2024 was strongly rejected by a number of community groups. Sherly was deemed unfit to run because of her minority background: she is a woman, non-Muslim, and of Chinese descent. This rejection shows how religious, ethnic and gender identities are still used as a basis for discrimination in local political contestation.

Such situation suggests the challenges of FoRB protection in Indonesia do not only come from state institutions, but also the society themselves. Strong domination from non-state actors in the acts of violation against FoRB indicates weak commitments to values of pluralism at the grassroots. If this is not seriously responded, either from the legal aspects or

through education of tolerance, the social ecosystem that supports FoRB will forever be threatened, and the process of democratisation in Indonesia will further be regressed, especially in the protection of vulnerable groups.

### III. HIGHLIGHTS DAN TRENDS

FoRB in Indonesia across 2024 still shows a concerning situation. Three main highlights were recorded in the report which show that violations of FoRB are still high, both committed by the community and by state officials. One of the most prominent issues is the increasing cases of intolerance and discrimination, which shows that although various tolerance promotion policies have been implemented, efforts to protect and respect religious rights have not been effective.

First, acts of intolerance originating from the community or non-state actors reached 73 cases, while discriminatory acts committed by institutions or state apparatus reached 50 cases. This figure marks a significant jump compared to the previous year, which recorded 26 acts of intolerance and 23 discriminatory acts in 2023. The proliferation in acts of intolerance and discrimination is influenced by the weak commitment of the state in dealing with the issue of FoRB. The government seems more focused on the political agenda ahead of the national power transition, while the wave of intolerance and discrimination continues to roll without any meaningful handling.

Such situation illustrates the regression in the protection of constitutional rights in upholding their beliefs. The state, which is the supposed main duty bearer for the protection of civil rights and FoRB, actually shows the tendency to ignore the violations committed by intolerant groups in the community and by their own apparatus. The constitutional mandate to protect freedom of religion is proven to have not been optimally fulfilled.

Secondly, criminalisation based on the blasphemy provision in Indonesia is still rampant. Across 2024, the use of this provision has further proliferated, which describes that the law still becomes the tool to suppress freedom of thoughts and expressions, especially in the context of religion. From 15 cases in 2023, the number have almost doubled to 42 cases in 2024.

The details of blasphemy cases throughout 2024 show that both state apparatus and civil society still use blasphemy offences to silence dissenting views. Among them, there were seven cases of indictment and seven cases of determining suspects of blasphemy committed by state apparatus. Meanwhile, community actors contributed 29 cases of reporting related to the same provision. This reflects that the blasphemy article is not only practised by the authorities, but has also become a tool of social subjugation by community groups.

SETARA Institute firmly believes that the criminalisation on the basis of blasphemy in this context is a violation of basic principles of FoRB. In the context of human rights, FoRB belongs to the negative rights, which cannot be disrupted or intervened by the state. Therefore, state apparatus getting involved in criminalising somebody on the basis of religion has violated such principles and destroyed the foundations of a democratic rule of law.

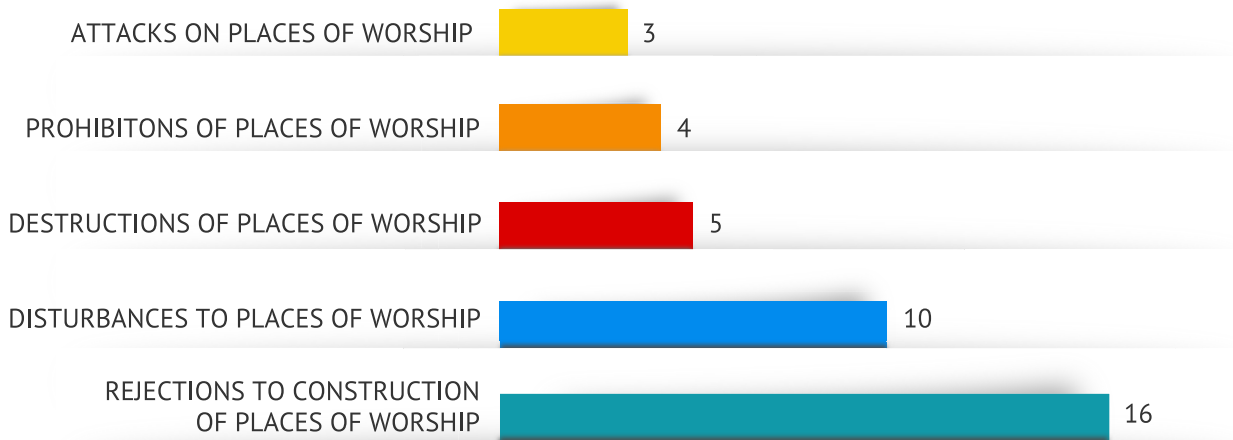
Thirdly, the disruption against the construction and operationalisation of places of worship. Despite the number of disruptions decreased from 65 cases in 2023 to 42 cases in 2024, this figure still shows that the problem of establishing places of worship has not

been resolved systemically. SETARA notes that the disturbance of places of worship in the last five shows a fluctuation of cases that remains high, indicating that this issue has never really been resolved.

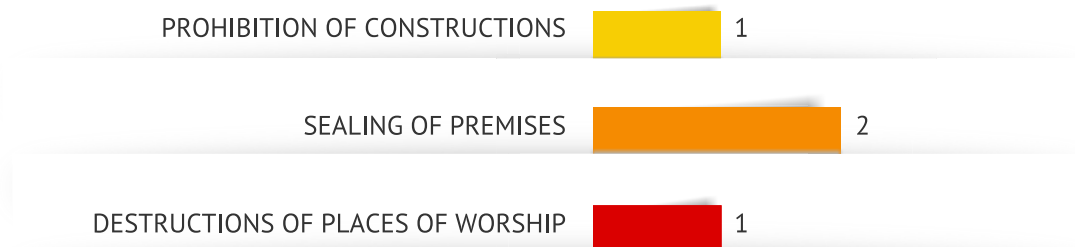
The main issue that keeps recurring in cases of disturbance of places of worship is related to the establishment requirements as stipulated in the Joint

Regulation of the Minister of Religious Affairs and the Minister of Home Affairs (PBM) Number 9 and 8 of 2006. This regulation requires support from 90 prospective users and 60 people from neighbouring residents, which in practice often becomes a legitimising tool to reject the construction of certain places of worship, especially those from minority religious groups.

*Graph 5.  
Acts of Disruptions towards Places of Worship by Non-State Actors*



*Graph 6.  
Acts of Disruptions towards Places of Worship by Non-State Actors*



Even in many cases, when the requirements had been fulfilled, the locals insisted on rejecting the existence of places of worship, and the local authorities showed no courage to uphold justice. This indicates how the Regulation that is supposed to safeguard harmony, is often used as a tool for discrimination. PBM 2006 is not only administratively problematic, but also contains nine *loci* of discriminations, both in the means and the ends of the implementation of the provisions.

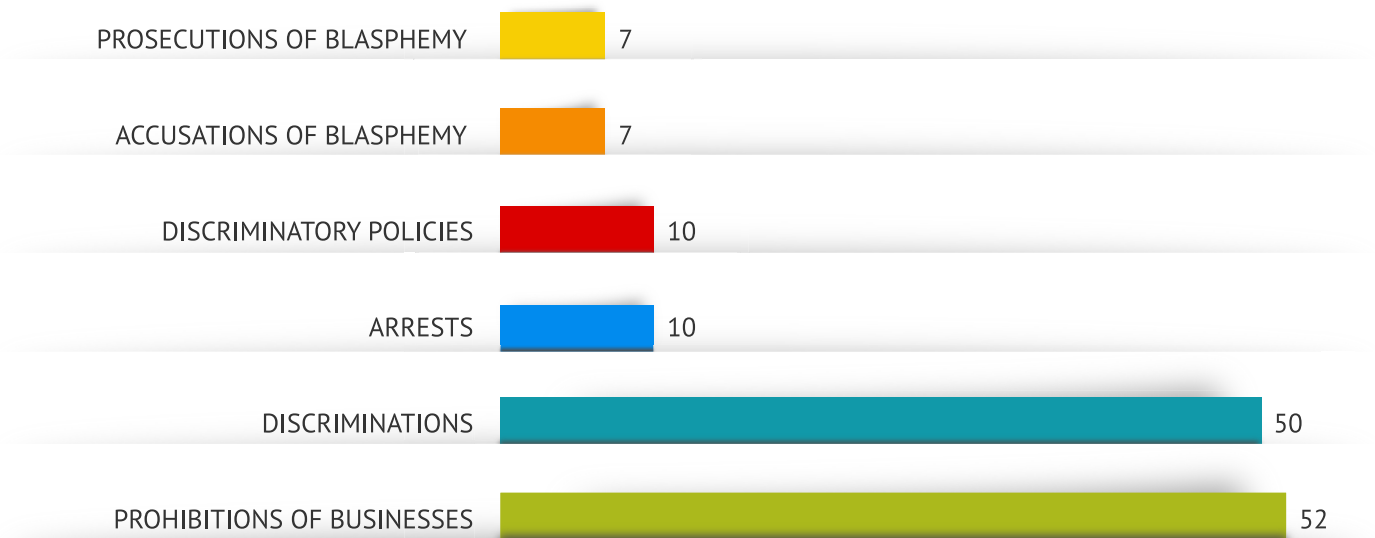
Ironically, the Draft Presidential Regulation

on the Maintenance of Religious Harmony that is currently being drafted has not yet touched upon the discriminatory nature of some provisions in the PBM 2006. This suggests that the state is not yet serious to reform the regulation for the protection of citizens' right to construct places of worship. Without strong political, social, and bureaucratic leaderships, minority groups will continue to face difficulties in holding their prayers properly and freely.

#### IV. DETAILS OF ACTIONS

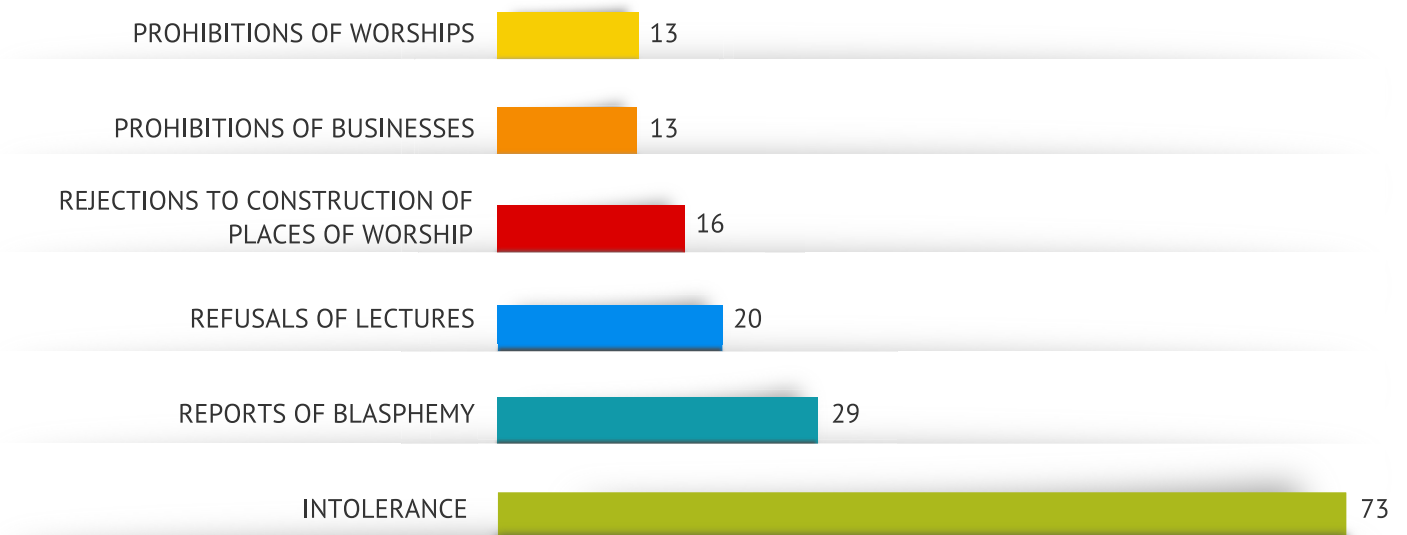
Six acts of violation against FoRB done by state actors are prohibitions to conduct business (52 acts), discriminations (50 acts), discriminatory policies (10 acts), arrests (10 acts), prosecutions of blasphemy (7 acts), and accusations of blasphemy (7 acts).

*Graph 7.  
Six Highest Acts of Violation by State Actors*



While six highest acts committed by non-state actors are intolerance (73 acts), reports of blasphemy (29 acts), refusals of lectures (20 acts), rejections to the construction of places of worship (16 acts), prohibitions of worships (13 acts), and prohibitions of businesses (13 acts).

*Graph 8.  
Six Highest Acts of Violation by Non-State Actors*



## V. VICTIMS OF VIOLATION

Throughout 2024, SETARA Institute documented that violations of FoRB did not only affect individuals and religious minority groups, but also significantly targeted groups of business actors. It was recorded that business actors became the most victims with 69 incidents, followed by individuals with 67 incidents, Christians and Catholics with 35 incidents, religious leaders 30 incidents, local residents 23 incidents, Muslims 17 incidents, politicians 11 incidents, and the Indonesian Ahmadiyah Congregation in 8 incidents. This phenomenon shows a shift in the trend of victim

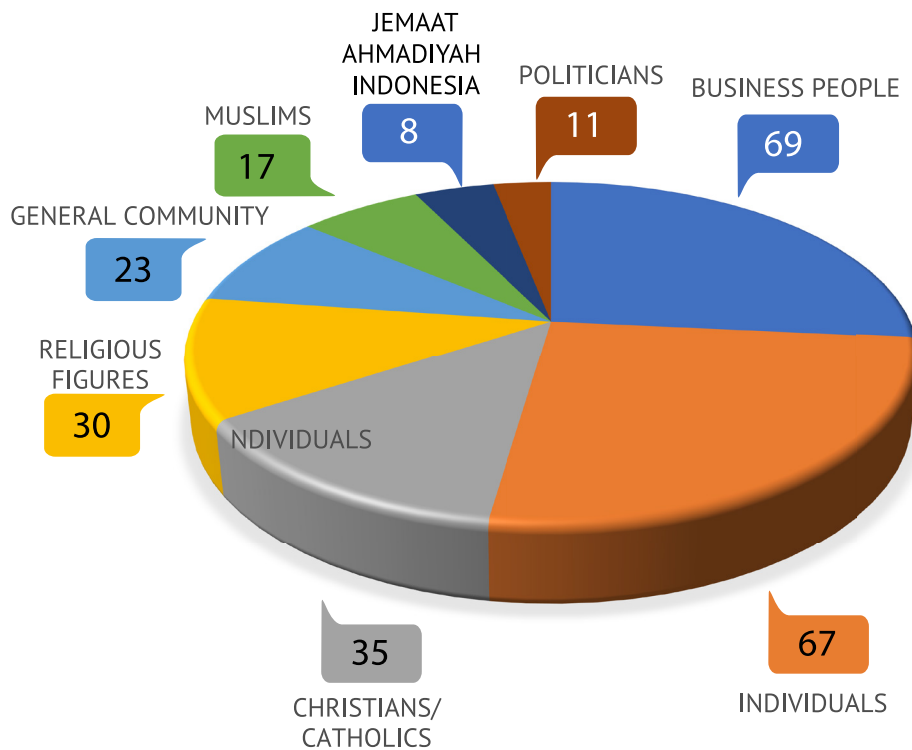
groups compared to previous years, where Christians and Catholics were more dominant in experiencing violations. This year, it is precisely business actors who are the most affected group in the context of violations of freedom of religion or belief, reflecting a new dimension of tolerance issues in Indonesia.

The proliferating number of victims of violations from business actors is not only due to the discriminative practices and routine favouritisms, such as the issuance of Circular Letters prohibiting business activities

during religious holidays such as Idul Fitri, Idul Adha, and Christmas. However, these events also show a new trend of diversification in the forms of violations. One striking example is the case of the prohibition *Kiblat* film screening by religious leaders, which caused losses to business actors who had invested in the activity. In addition, politicians were also recorded as a group that did not escape violations of freedom of religion or belief,

especially in the context of the 2024 political year, which is full of sensitive dynamics on religious and identity issues. This fact underlines that violations of freedom of religion are no longer limited to certain religious communities, but extend to the economic and political sectors, which shows the urgency of protecting freedom of religion or belief in various aspects of public life.

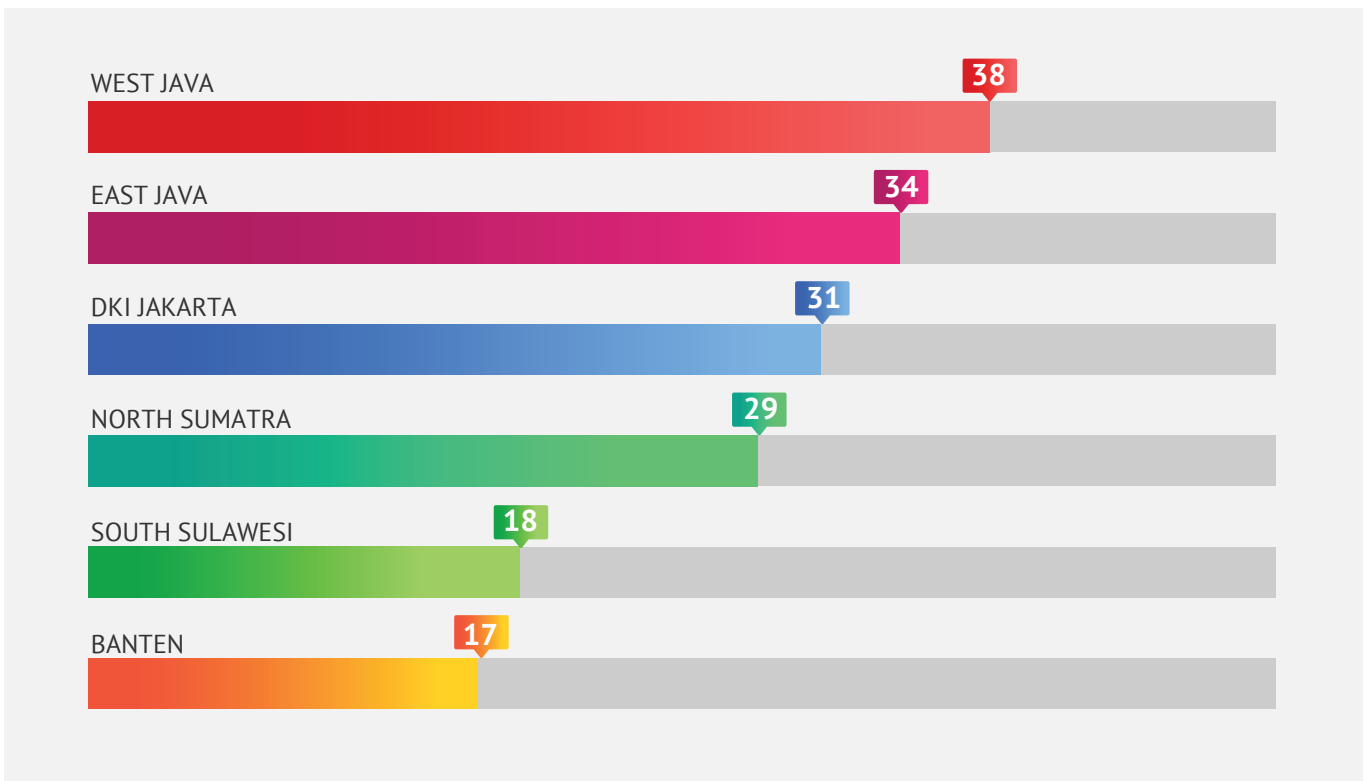
*Graph 9.  
8 Most Impacted Victims*



## VI. REGION SPREAD

Reviewing from the spread of the cases of violations, there is a similar trend continuing from 2023. West Java once again collected the highest number cases, a recurring trend from 2023, with 38 occasions in 2024. While East Java has 34 cases, Jakarta Capital Region (DKI Jakarta) with 31, North Sumatra with 29, South Sulawesi with 18, and Banten with 17 cases.

*Graph 10. 6 Regions with Highest Cases*



## VII. PROJECTION AND CHALLENGES FOR THE NEW NATIONAL LEADERSHIP

The new national leadership under President Prabowo Subianto and Vice President Gibran Rakabuming Raka cannot be separated from the increasingly worrying situation of FoRB in 2024.

Proliferation in cases of violations of freedom of religion or belief not only shows that the root causes of intolerance are still deeply rooted in society, but also reflects the negligence and neglect of the state in

providing protection to the constitutional rights of citizens in the midst of national power transition.

One of the crucial factors that contributed to the worsening condition of FoRB in 2024 was the national political dynamics before and after the elections. Although a number of politicians and public officials expressed their commitment not to use religious issues as a political tool, the reality is that in many regions there are still various forms of violations of FoRB. Practices of intolerance by the community and discrimination by state apparatus continue, showing that political commitment is not always in line with implementation on the ground. In political momentum that is laden with power contestation, identity issues are still a tool for mass mobilisation, and the state often fails to be present to ensure that the rights of every citizen to FoRB are fairly respected and protected.

State's weak leadership in managing the issue of FoRB during the transition period of the administration of President Joko Widodo and Vice President Ma'ruf Amin exacerbated this condition. The government tends to focus more on smooth political succession and economic development agendas, while civil liberties issues, including freedom of religion or belief, are sidelined. As a result, various violations such as the increasingly massive use of the blasphemy article, disturbances to places of worship, and restrictions on freedom of expression in the name of religion, do not receive serious attention and handling. Instead, the state seems permissive of these violations, which worsens public perceptions of the state's alignment on human rights issues.

Prabowo-Gibran's administration faces a major challenge as well as a strategic opportunity to reverse the negative trend. Learning from the failures of the previous regime, the new government must place the issue of freedom of religion or belief as a priority agenda in

national development. Promoting tolerance and respect for diversity is not an additional burden, but an integral part of inclusive and equitable social development. If this government is serious about realising the vision of an advanced and united Indonesia, then the protection of freedom of religion/belief must be aligned in urgency with other sectors.

National political commitment must be translated into concrete policies, regulatory reforms, as well as enhancement of bureaucratic capacities and law enforcements to identify, prevent, and resolve cases of FoRB violations in a just and effective manner. Regulative breakthroughs such as revising the Joint Ministerial Regulation (PBM) No. 9 and 8 of 2006 on the establishment of houses of worship, as well as a moratorium on the use of blasphemy articles that are prone to abuse, are important first steps. In addition, moral and social leadership from the national elite is needed to foster a culture of tolerance to the grassroots, not just a symbolic discourse that is lost in the hustle and bustle of electoral politics.

The early days of the Prabowo-Gibran administration will be an important test, whether the country is able to break out of the cycle of repeated violations of freedom of religion or perpetuate it. Decisiveness and clarity of vision towards the promotion of religious freedom and tolerance will determine the future direction of Indonesian democracy. In a pluralistic country, the courage to side with freedom and diversity is not only a matter of human rights, but also the foundation for stability, security and sustainable national progress.[]

## VIII. POLICY RECOMMENDATIONS

- 1) President Prabowo Subianto shall harmonise and synchronise the promotion of FoRB and tolerance agenda as a part of the prioritised national development agendas.
- 2) President Prabowo to encourage tolerance leaderships and accelerate policies for inclusive governance to mobilise the central and regional governments towards settling issues of FoRB effectively, particularly to address the blasphemy provision and disruptions towards houses of worship.
- 3) President Prabowo to emphasise meaningful participation in the drafting of the Draft Presidential Regulation on the Governance of Religious Harmony, in the objective to enhance the guarantee to FoRB.
- 4) The central government to make the control over discriminative policies more effective, to be aligned with the Law No. 12/2011 (last amended through Law No. 15/2019) on the Establishment of Laws and Regulations, which orders the establishment of a National Regulatory Agency, to ensure the drafting of regulations under Laws to be more systematic with careful plannings and oversights.
- 5) The Minister of Religious Affairs to review the design and the performance of the Religious Moderation Programme, which has been institutionalised through the foundation of a special agency and by the Presidential Regulation No. 58/2023 on the Improvements on Religious Moderation, in order not to spark new inter-religious conflicts and between citizens when in practice.
- 6) The Minister of Internal Affairs to ensure the mainstreaming of inclusive governance for regional governments, through imposing a specialised policy on inclusive governance in managing diversity of the Republic.
- 7) President Prabowo to ensure the promotion of tolerance and social inclusion agendas in the National Long-Term Development Plan (RPJPN) 2024-2045 and the National Mid-Term Development Plan (RPJMN) 2025-2029.[]