

## The Ambivalence of State Policies in Recognizing Local Religions within Indonesia's Religiously Plural Society

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### Abstract

*This article analyzed the ambivalence of Indonesia's state policies in recognizing local religions within a constitutionally pluralistic society. Although the constitution guarantees freedom of religion and belief, the practical implementation of related regulations reveals inconsistencies that marginalize adherents of local religions. Using a descriptive qualitative approach, this study mapped three forms of policy ambivalence, i.e., constitutional recognition versus administrative restriction, progressive regulation versus conservative bureaucracy, and diversity protection versus uniformity control. Data were collected through observations, interviews with adherents of local religions, and extensive analysis of legal documents and media reports. The findings demonstrated that normative recognition was weakened by bureaucratic practices that limit access to civil rights, education, ritual space, and public services. These inconsistencies placed local religious groups in a position of being "recognized yet constrained," producing systemic discrimination through administrative categorization, supervisory mechanisms, and public order narratives. The article contributes to socio-legal scholarship by proposing a dialectical framework of "protection versus control" to explain how rights are negotiated within the legal-pluralistic context of Indonesia. It argues that substantive equality requires coherence in policy, accountable implementation, and strengthened bureaucratic capacity to ensure that recognition does not become an instrument of exclusion. The study concludes by urging future multimethod research to capture the diverse experiences of local religious communities in navigating state regulatory ambivalence.*

## A. Introduction

State ambivalence toward local religions in Indonesia constitutes a structural form of exclusion rooted in a reductionist political framework that privileges officially recognized religions while marginalizing indigenous beliefs (Haryati et al., 2025; Taufik & Taufik, 2023). A number of state policies, especially regarding religion and citizenship, only favor mainstream religious groups (Taufik & Taufik, 2023). Ambivalence is found in both the realm of policy and treatment of religions, and there is even a sharp dichotomy (Amri et al., 2024; Hamdan et al., 2026). The state places local religion as a cultural element for national integration but rejects its recognition as a legal entity equivalent to the major religions in order to maintain political-religious stability (Omara, 2024).

Adherents of local religions such as *Sapta Darma*, *Towani Tolotang*, and *Penghayat Paguyuban Hangudi Bawana Tata Lahir Batin*, and others have experienced discriminatory treatment due to ambiguous and inconsistent regulations (Umam & Barmawi, 2023; Taufik & Taufik, 2023). In many cases, adherents of local religions, including believers of indigenous faith, face challenges such as discrimination, marginalization, and limited access to civil, political, and economic rights (Qodir & Hefner, 2024; Taufik & Taufik, 2023). These recurring forms of unequal treatment indicate that the problem is not merely administrative but reflects a broader structural gap between formal recognition and the actual enjoyment of equal citizenship rights.

The state's recognition of religion in literature, which has been widely discussed by experts, moves in an exclusive, egalitarian, to plural spectrum. Each of these spectrums produces different normative and governance implications. This explanation of the spectrum confirms that the state is never neutral in determining which belief system is or is not worthy of being included in the category of "official religion". An example can be seen in the exclusive model, where a state constitutionally chooses one dominant religion (mono-recognition), which is often considered unfair as it marginalizes other groups and weakens signals of equal membership in political communities (Jubba et al., 2019; Jubba et al. 2023; de Vries, 2021). Such cases can be found in the statehood practice of countries that evolved out of kingdoms, which include various countries such as those in the Middle East. This model of exclusive recognition shows how the state's constitutional choices can reinforce religious hierarchies and unequal power relations.

At the opposite pole, the secular egalitarian model seeks to ensure equal treatment between religious and non-religious beliefs through constitutional neutrality. It assumes

that the state should not show partiality toward particular religions, although it may still regulate religious affairs through administrative mechanisms, as illustrated by Nigeria's secular framework (Carib, 2015). Similar principles appear in the French *laïcité* tradition and the United States (U.S.) model of neutrality, which manage chaplaincy services and promote public officials' understanding of religious diversity (Carling, 2016). Rather than excluding religion from public life, this model redefines the boundaries between state and religion to promote social equality (Purwanto et al., 2025). It further requires equal protection for both religious and non-religious expressions, including local belief systems, while preventing structural biases against minorities (Qodir & Hefner, 2024). Ultimately, it broadens citizenship by recognizing diversity of belief as a foundation of justice and inclusion.

Between the exclusive and egalitarian models lies the plural recognition model, which seeks to accommodate multiple religions within a shared political order while recognizing the historical evolution of religious identities (Palmer & Tavangar, 2021). This model promotes equal recognition through transparent and non-discriminatory procedures that can be applied to diverse religious communities, thereby reducing inequalities generated by mono-recognition (de Vries, 2021; Carling, 2016). By extending recognition beyond formally institutionalized religions, it enables the state to respond more adaptively to fluid and locally embedded religious traditions. As a corrective to historical patterns of exclusion, plural recognition broadens participation, strengthens inclusion, and enhances state legitimacy by affirming religious diversity as a foundation of justice and equal citizenship in multicultural societies.

The above studies provide a strong understanding that the effectiveness of the exclusive, egalitarian, and plural model of state recognition depends on procedural consistency and the state's commitment to substantive equality in religious governance (Taylorian & Ventura, 2023). However, these studies have not completely unraveled the ambivalence of Indonesian state policies in recognizing local religions, especially the tension between the national legal framework, reflected in administrative practices such as population registration, and the political-social dynamics that make recognition of local religions inconsistent. Accordingly, this article aims to conceptually fill in this gap by offering a systematic analysis of how such ambivalence impacts local religious groups/believers in Indonesia.

Policy ambivalence refers to contradictions between normative objectives and their practical implementation in public governance. It emerges when governments

confront competing political demands, institutional fragmentation, and uncertain policy environments, resulting in inconsistent and often contradictory outcomes (Patunru, 2023; Mukhlis et al., 2024). Such ambivalence is shaped by internal factors, including bureaucratic fragmentation, administrative capacity, and regulatory inconsistency (Barone, 2025; Swann & Kim, 2018); political dynamics, such as actors' interests, electoral incentives, and coalition stability (Hmielowski et al., 2018; Shen, 2026; Ylostalo, 2020); and external pressures from international actors, economic uncertainty, and social resistance (Trihatmoko, 2024; Volodin, 2019). Consequently, policy ambivalence poses a significant challenge to effective governance, particularly in ensuring consistent and inclusive recognition of religious diversity.

Legal pluralism refers to the coexistence of various state, customary, and religious legal systems that challenge the legal centralism assumption of the state as the sole source of law. This pluralism can appear in the form of juridical pluralism recognized by the state as well as empirical pluralism that lives in social practice (Griffiths, 2015). Rooted in colonial and postcolonial contexts, this phenomenon is widely found in South Asia, Africa, and Latin America (Tamanaha, 2021; Bavinck & Jyotishi, 2014). In practice, legal pluralism affects governance and human rights while providing an alternative dispute resolution mechanism despite its potential for causing conflicts between legal systems (Tamanaha, 2011; Ada Tchoukou, 2025; Haider et al., 2025). Varying global instances are apparent in India, Timor Leste, and Afghanistan, which are countries that face the challenge of harmonizing state law, customs, and human rights (Bavinck & Jyotishi, 2014; Yan & Benhima, 2025; Singh, 2019).

This article offers a novel contribution to legal pluralism scholarship by conceptualizing the paradox of *"recognized yet constrained,"* demonstrating how the formal recognition of local religions can coexist with institutional restrictions and generate *hierarchized citizenship* within a multicultural state. Drawing on the Indonesian case, the study examines how constitutional guarantees, state regulations, and bureaucratic practices interact to simultaneously recognize and constrain local religious communities. The analysis focuses on three interrelated tensions: constitutional recognition versus administrative restriction, progressive regulation versus conservative bureaucracy, and diversity protection versus uniformity control. By investigating these dynamics, the article explains how state policies function as instruments of both protection and control, shaping access to citizenship rights, public services, and religious freedom within Indonesia's plural legal order (Tamanaha, 2021; Turner et al., 2023; Taylorian & Ventura, 2023)

This study employed a descriptive qualitative approach by mapping ambivalent forms of policies relating to local religion in Indonesia. There are 3 (three) forms of ambivalent policies that have an impact on inconsistency of practices in the midst of a pluralistic religious society, namely: constitutional recognition vs administrative arrangements, progressive regulation vs conservative bureaucracy, and diversity protection vs uniformity control. The three forms constitutionally provide the foundation for the policy that recognizes local/indigenous religions and believers. However, at the policy implementation level, a distortion of the policy's spiritual drive has an impact on limiting space for the actualization of religious teachings/beliefs. Discriminatory treatment actually arises due to inconsistent policies, and it greatly affects the independence of local religions/ believers in practicing their teachings.

## **B. Method**

This study employed a qualitative research design using a legal pluralism approach to examine the state's treatment of local religions and beliefs in Indonesia. The legal pluralism perspective was used to analyze the interaction between state law and local religious systems, particularly in relation to the recognition, protection, and fulfillment of citizens' civil rights. Through this approach, the study seeks to understand how state policies construct the legal position of local religions and how such policies influence the adherents' existence and religious practices.

The study's primary data consist of official state policy documents relating to religious affairs, including laws, government regulations, ministerial regulations, ministerial circular letters, regional regulations, court decisions, and other legal products governing religion and belief systems in Indonesia. These documents were purposively selected because they represent the state's formal position toward local religions and serve as the main basis for analysis. To enrich and contextualize the findings, secondary and supporting data were obtained from media reports concerning issues faced by local religious communities, such as restrictions of religious expression, obstacles in obtaining civil administrative services, and limitations on the establishment of places of worship. In addition, field-based supporting data were gathered through observations and interviews with local religious adherents and believers who possess direct knowledge and experience regarding the implementation of state policies affecting their communities.

Data collection was primarily conducted through document analysis. State policy documents and relevant media reports were systematically collected and reviewed to

identify provisions and practices reflecting the ambivalent position of the state toward local religions. To complement the documentary data, observations were carried out within local religious communities to gain contextual understanding of how believers practice their religious teachings in everyday life. Furthermore, semi-structured interviews were conducted with three local religious adherents selected purposively based on their experience and knowledge concerning the impacts of state policies on their religious communities. The observations and interviews are not treated as the primary source of evidence; rather, they function as supporting data to validate, enrich, and contextualize the findings derived from the document analysis.

Data were analyzed using the interactive qualitative model of Miles, Huberman, and Saldaña (2018), consisting of data condensation, data display, and conclusion drawing and verification. Policy documents, media reports, observation notes, and interview transcripts were first organized into thematic categories relating to policy ambivalence, legal recognition, religious freedom, and citizenship rights. The data were then presented in tables and narrative forms to identify recurring patterns and relationships. Verification was conducted by cross-checking the authenticity, consistency, and relevance of the evidence. Guided by a legal pluralism framework, the analysis proceeded through three stages: identifying key findings, examining emerging patterns, and interpreting their broader implications. Particular attention was given to the interaction between legal norms and social practices to explain the ambivalent character of state policies toward local religions in Indonesia.

Ethical considerations were observed throughout the research process. The identities and personal information of interview participants were kept confidential, with initials used in reporting the findings. The researchers also respected the religious practices and beliefs of the communities involved during the observation and interview processes.

### **C. Results and Discussion**

The analysis of state policy documents, supported by media reports, observations, and interviews, revealed a persistent pattern of ambivalence in the state's treatment of local religions and belief communities in Indonesia. On the one hand, the state formally acknowledges religious diversity through constitutional guarantees and several progressive regulations. While on the other hand, various administrative arrangements,

bureaucratic practices, and regulatory mechanisms continue to limit the recognition, participation, and religious expression of local religious communities. This contradiction demonstrates that state policies do not operate in a single direction but simultaneously accommodate and constrain local religious groups. Based on the analysis, three major forms of policy ambivalence can be identified and are discussed in the following sections.

## **1. Results**

There are three crucial aspects regarding the ambivalence of state policies toward local religions. In summary, it can be said that a number of policies regarding religion provide religious believers space to practice their beliefs, implying their right to enjoy freedom of religion. At the same time, existing policies restrict the space for local religious groups, especially in terms of recognition, freedom of practice, and relations with adherents of “mainstream” religions. The following paragraphs present the three findings that serve as the basis of this article’s discussion.

### **a. Constitutional Recognition vs. Administrative Arrangements**

The state constitutionally recognizes the existence of religions in Indonesia, although there are still a number of problems, especially in the aspect of administrative practices in society. In the 1945 Constitution Article 29 paragraph 2, it is explicitly stated that “the state guarantees the freedom of each citizen to embrace his/her own religion and to worship according to his/ her religion and belief”. This article is a continuation of Article 29 paragraph 1 which states that “the state is based on the One Godhead”. The “divinity” in the verse refers to one of the key concepts in “agama/religion”, especially “surgawi/heavenly” religions such as Islam and Christianity. Various local beliefs and religions also exist in the community, although the recognition and protection of their adherents still face bureaucratic constraints and discrimination in population administration, despite the Constitutional Court’s 2017 ruling being an important step toward equality.

Various cases relating to identity cards (*Kartu Tanda Penduduk* – KTP) have emerged in the community. Prior to the Constitutional Court’s decision in 2017, adherents of local religions chose to leave the religion column on their ID cards blank. Followers of Sundanese Wiwitan, *Penghayat Paguyuban Hangudi Bawana Tata Lahir Batin*, *Sapta Darma*, *Towani Tolotang*, and other groups experience difficulty accessing public services due to religious identity mismatches. Local religious adherents even face several obstacles when one of their children intend to register as a student at school. This shows that the state’s

alignment is only observed with mainstream religions that are given a number of “privileges” including facilities, wide access, and involvement in various state activities such as the celebration of religious holidays. In this context, the state does in principle recognize freedom of religion but only normatively-constitutionally, while its administrative practice creates discrimination by applying structured restrictions on recognition.

In practice, religious diversity blends with local culture producing distinctive religious forms such as Islam Nusantara (Islam of the archipelago) and various other forms. Indonesia’s religious landscape also shows a strong pluralism dynamic, although challenges relating to the protection of local/indigenous faith and consistency of policy implementation still need to be strengthened. In the 1945 Constitution, Article 28E and Article 29, the state guarantees freedom of religion regardless of the type of religion practiced by the community. However, PNPS Law No. 1/1965 fundamentally restricts the number of “recognized” religions and puts local religions in a vulnerable position, including discrimination against local beliefs.

Forms of administrative discrimination appeared, for example, through the Circular Letter of the Minister of Home Affairs No. 477/74054/1978 concerning instructions for filling in the religion column and regulations governing identity cards (KTP), which established six religions as administrative standards. This administrative framework required citizens to identify themselves within a limited set of officially recognized religious categories, while adherents of local religions and belief systems were placed outside these categories or grouped under a more general classification of “belief.” Such administrative categorization did not adequately reflect the diversity and internal characteristics of local religious traditions and contributed to unequal recognition in population administration.

One of the *Sapta Darma* believers raised an interesting point about the change in religious identity in the KTP. He submitted:

*“When it comes to changing the religion column in the KTP to Believers, there are no obstacles. Well served, in the end many believers changed their ID cards from religion to believers. This movement of displacement has caused some parties/ religious leaders to respond with a rash attitude and discredit believers”.* (Interview, SH, March 2025 in Yogyakarta).

When adherents of “recognized” religions can choose to write their religion on their ID card, adherents of local religions/ adherents have only one choice. Similarly, the terms “religion” and “belief” as stated in the Constitutional Court Decision are still

discriminatory in nuances due to differences in the terminology used. Given such prevailing conditions, it appears that the state's desire to provide recognition to religious believers in Indonesia remains partial and it still raises some fundamental problems in the midst of efforts to build an understanding of the existing plural reality.

#### **b. Progressive regulation vs conservative bureaucracy**

The material test submitted by Nggay Mehang Tana, Pagar Demanra Sirait, Arnol Purba, and Carlim in 2016 with case number 97/PUU-XIV/2016 to the Constitutional Court (*Mahkamah Konstitusi* – MK) on the Population Administration Law of 2006 has brought results. The Constitutional Court's decision in 2017 opened the recognition of Belief in God Almighty. The Constitutional Court's decision in 2017 requires the state to recognize the existence of believers in the KTP and Family Registry (*Kartu Keluarga* – KK). However, the implementation of the decision is inconsistent because technical agencies and local governments are slow to adopt it, resulting in the rise of various problems among religious communities. In fact, there was a policy long before that expressly regulated the principles of public service implementation. Law Number 25 of 2009 concerning Public Services, Article 4-point (g) states that the implementation of public services is based on "equal treatment/non-discrimination".

In the field of education, the Regulation of the Minister of Education and Culture Number 27 of 2016 concerning Belief in God Almighty Education Services in Education Units provides space for students who believe in religion to obtain proper religious education. Accordingly, believers have the right to receive religious education in order to fulfill their right to religious education (Article 2 paragraph 1).

*"Students fulfill religious education through Faith Education by following the provisions of laws and regulations regarding the curriculum".*

This regulation emphasizes that students, who are believers of local/indigenous religions, fulfill their religious education rights through faith education, not through official state religious subjects. Similarly, the government is obliged to provide special curricula, educators, and learning tools for observant students (Article 2 paragraphs 2-3). The curriculum in question must include core competencies (*Kemampuan Inti* – KI) and basic competencies (*Kemampuan Dasar* – KD) to fulfill their educational rights. The most crucial point about this policy is that KI and KD do not come from the state but are compiled by the Indonesian Supreme Council for the Belief in One Almighty God (*Majelis*

Luhur Kepercayaan terhadap Tuhan Yang Maha Esa Indonesia – MLKI) and then submitted to the ministry of education.

The facts in the field differ from the provisions required in the above policy, when local/indigenous-faith believing students find it difficult to obtain their educational rights. This is due to the lack of teachers or extension workers who specifically teach special lessons for students adhering to a local/ indigenous religion. A religious figure acknowledged this by stating the following:

*"Because there is still a small number of religious education extension workers, there are children attending religious lessons that are not in accordance with their beliefs. The lack of extension workers leads to inefficiency in carrying out teaching and learning activities. The distance between one school and another where there are local/indigenous-faith believing students is very far. The limited number of extension workers also leads to those who do not have the capacity to teach ending up teaching/doing extension work". "Local/ indigenous-faith believing students also often experience bullying". (Interview, SH, March 2025 in Yogyakarta).*

Difficulties are still prevalent in educational institutions such as schools, including challenges in finding teachers who support local/indigenous-faith education. This also resulted in these local/ indigenous-faith believing students not learning "religion" for several years after the Constitutional Court's decision. Teachers also do not have budget allocation to provide teaching materials, compelling them to use their personal money. Another unfortunate fact is that *Suaka Online.com* reported in September 2024 that local/ indigenous-faith believing students experienced discriminatory treatment. Some students were told by their teachers to wear a veil when participating in student activities during the month of Ramadan. The students were also included in weekly Quranic recital lessons at schools. This fact shows that efforts to provide widespread recognition to believers or adherents of local religions are not in line with the practice in the community.

In addition to education issues, status as an advocate also has an impact on other life sectors. Marriage processions among groups of local/ indigenous-faith believers are relatively unproblematic. The marriage ceremony is carried out by their leader and the duties are properly conducted. Marriage registration is also carried out according to the rules of the respective region's Civil Registration Office. However, some problems arise in relation to death. In cases where a local/indigenous-faith believer has died, a funeral procession would be held based on the person's belief. However, many would face challenges in finding a cemetery for burial due to rejection by the community. SH acknowledged this condition by expressing the following:

*"In the event of death, even if we have undertaken the pangrukti layon process of local/ indigenous-faith, the potential for problems still exists. Believers (of local/ indigenous-faith) are gathered in groups, for example, in an area (village) that has many (same-faith) followers, this is not a problem, but in a community, group dominated by the majority religious group and only a small number of local/indigenous-faith adherents, this will be a problem because there are several areas of cemetery land claimed to be the burial grounds of certain religious groups. The government also does not have or provide public funerals". (Interview, SH, March 2025 in Yogyakarta).*

Upon consideration of the aforementioned conditions, it appears that the supervision system for fulfilling educational services for local/indigenous-faith believing students has not been implemented properly. Given the lack of supervision, the quality of local/indigenous-faith education services that students receive will be neither good nor optimal. Evaluation of performance, effectiveness, and communication by the education office is also very minimal. As a result of this vacuum, the quality improvement of local/ indigenous-faith education service has no measurement variable. The problems that arise are not properly resolved, including discrimination against students in the form of bullying and educational neglect. This includes difficulties in obtaining a burial ground for believers of local/ indigenous religions due to rejection by the community. Regarding this condition, local/ indigenous-faith adherents are hopeful that a relevant policy is implemented properly in the future so that educational and social needs of local/ indigenous-faith believers can be accommodated by the state and accepted by the community.

### **c. Diversity protection vs uniformity control**

The state often declares its commitment to protecting religious diversity, but its regulatory practices show a tendency to restrict local religious expression through security apparatus, rules of order, and social harmonization standards. Law No. 1/PNPS of 1965 on the Prevention of Religious Abuse and/ or Defamation is an important instrument in this control framework because it positions local/ indigenous faith/ religions as a potential deviation that must be fostered or supervised. The rationalization employed by state apparatus to reinforce such surveillance usually refers to the concept of "public order", which implicitly prioritizes the interests of the majority group. Thus, the state's protection of diversity is normative and not fully realized in practice. Instead, the state reproduces a supervisory mechanism that limits space for local religious movement, consequently positioning them under regulatory pressure that inhibits the autonomous development of religious identity and practice.

At the local level, restrictions on local religions are increasingly apparent through a number of regional regulations that have an impact on religious activities, especially regional regulations with religious nuances and public order rules and regulations on the establishment of houses of worship. Policies such as the Letter of the Acting Regent of Kuningan No. 200.1.4.3/4697/BKP dated December 4, 2024, which prohibits the implementation of the Jalsa Salanah of the Indonesian Ahmadiyya Jamaat, show how local authority is used to control minority groups. SETARA data recorded 217 cases of religious freedom violations throughout 2023, with East Java, Aceh, and Banten as the regions with the highest number of violations. Imparsial reported 23 violations in 2024, mainly related to the issuance of discriminatory regulations, the rejection of the establishment of houses of worship, and the prohibition of religious activities. However, it is recognized that in some sectors of public services, local religious adherents are given space. KL, an adherent of the Hangudi Bawana Tata Lahir Batin Association, said:

*"Currently, there are many regulations that facilitate the management of basic and civil rights services for local/indigenous-faith believers. At the education level, services are available up to universities. In the military sector, there are already options for indigenous-faith believers in the religion column in the TNI form or military registration, so there are not only six religions". (Interview, KL, May 2025 in Yogyakarta).*

These findings suggest that regional policies often reinforce the exclusion of local religions through administrative and socio-political mechanisms that limit their religious space.

The restrictions were further strengthened through the Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 9 and 8 of 2006, which became a regional reference in regulating harmony and the establishment of houses of worship. Among the regulations that restrict local/indigenous religious movements/believers is Article 4 paragraph (1), which stipulates that:

*"The maintenance of religious harmony in districts/cities is the duty and obligation of the regent/mayor".*

Similarly, the provisions for the establishment of houses of worship are regulated in Article 13 paragraph (1), which states that:

*"The establishment of houses of worship is based on real and serious needs based on the composition of the population for the services of the religious people concerned in the sub-district/village area."*

Article 13 paragraph (2) emphasizes that houses of worship should not disrupt public order, and Article 13 paragraph (3) expands the boundaries of the population composition area if local requirements are not met. In addition, strict administrative requirements, including the support of a minimum of 90 KTPs and the approval of a minimum of 60 local residents, are a significant obstacle to local religions or schools of faith. In various regions, including the Sunda Wiwitan community, this regulation often serves as the basis for rejecting the construction of places of worship. From this description, it is evident that the state appears in two faces; a normative face that aims to be a protector but practically becomes a controller that limits religious space through a strict and exclusive legal framework.

The three forms of state policy ambivalence toward local religions or believers described above are presented in the following table to provide a simple illustration.

*Table 1. Forms of state policy ambivalence toward local/ indigenous religions and their implications*

| <b>Forms of Ambivalence</b>                                | <b>Policy</b>                                                                                                                                                                                                                                                                                                                             | <b>Case</b>                                                                                                                                                      | <b>Problem Points</b>                                                                                              |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Constitutional recognition vs administrative restrictions. | 1945 Constitution; Law No. 1/PNPS of 1965; Circular Letter of the Minister of Home Affairs No. 477/74054/1978 about Instructions for Filling in the Religion Column; Law No. 24 of 2013 concerning Amendments to Law Number 23 of 2006 concerning Population Administration.                                                              | Clearing the religion column for adherents of local/ indigenous religions/ believers.                                                                            | The position of adherents of local/ indigenous religions/ adherents of beliefs among adherents of other religions. |
| Progressive regulation, conservative bureaucracy.          | Regulation of the Minister of Education and Culture Number 27 of 2016 concerning Education Services of Belief in God Almighty; Constitutional Court Decision No. 97/PUU/XIV/2016 relating to indigenous faith/belief, the results of the 2006 Administrative Law material test                                                            | Refusal of the Civil Population and Registration Office to process KTP; The absence of "religious" education teachers for students adhering to indigenous faith. | Limited access and infrastructure of local/ indigenous religious believers.                                        |
| Diversity protection vs uniformity control.                | Joint Regulation of the Minister of Religious Affairs and the Minister of Home Affairs No. 9 and 8/2006 concerning Guidelines for the Implementation of the Duties of Regional Heads/ Deputy Regional Heads in the Maintenance of Religious Harmony, Empowerment of Religious Harmony Forums, and the Establishment of Houses of Worship. | Dissolution of rituals and prohibition of the establishment of houses of worship.                                                                                | Reduction of space and sacred practice of religion.                                                                |

*Source: Processed from researcher data, 2025.*

The description above suggests that policy ambivalence has an impact not only on the emergence of “suspicion” toward the state’s partiality for certain religions, but also the weakening of the religious public’s trust in the state. The reasons used by the state to control religion, for example, have become a recurring thing. The marginalization process that has been happening continues to be produced with a new model, even leading to discrimination against local religions/believers in a structured manner. The direct impact of these ambivalent policies is that local religious believers or groups of believers are placed as second-class citizens and do not receive the same treatment as others.

## **2. Discussion**

From the perspective of legal pluralism, religious governance in Indonesia is shaped by the coexistence of multiple normative orders, including state law, religious norms, and local belief systems. Legal pluralism views these normative systems as simultaneously operating within the same social space, each claiming authority over social and religious life (Tamanaha, 2021; Turner et al., 2023; Irawan et al., 2025; Yusuf et al., 2026). Consequently, the recognition of religious rights cannot be understood solely through constitutional provisions or statutory regulations but must also be examined through the interaction occurring between state institutions and the normative systems that exist within society (Umam & Barmawi, 2023; Yanti et al., 2025). This perspective provides an important analytical framework for understanding why legal recognition does not always translate into equal treatment for all religious communities (Taufik & Taufik, 2023).

Within the Indonesian context, the interaction among these normative orders occurs within a religious landscape shaped by the demographic and socio-political dominance of Islam. Although Indonesia does not formally adopt Islam as a state religion, Islamic norms and institutions significantly influence public discourse and policy-making (Nolte, 2023; Qodir & Hefner, 2024; Omara, 2024). This influence has contributed to a state-centered conception of religion that reflects the characteristics of established and institutionalized faiths (Amri et al., 2024; Hamdan et al., 2026; Subakir et al., 2025). Consequently, local religions are often evaluated according to standards that do not fully correspond to their beliefs and practices. This generates an ambivalent condition in which the state formally endorses religious pluralism while maintaining regulatory frameworks that favor dominant religious models, leaving local religions only partially recognized and inadequately accommodated (Taufik & Taufik, 2023; Subakir et al., 2025).

This structural context helps explain the emergence of policy ambivalence toward local religions. The findings demonstrate that the state simultaneously performs two roles: protector and regulator. On the one hand, constitutional guarantees and several progressive regulations provide formal recognition of religious freedom and the rights of believers. On the other hand, administrative procedures, population registration systems, and bureaucratic mechanisms impose classifications and supervisory arrangements that constrain the practical exercise of those rights. In legal pluralism terms, this reflects an unequal relationship between state law and local religious systems, whereby recognition is accompanied by forms of regulation and control (de Vries, 2021; Carling, 2017; Taufik & Taufik, 2023; Warman et al., 2026).

The coexistence of recognition and control becomes particularly visible in the implementation of public policies. Although legal reforms have expanded formal recognition for believers and local religious adherents, bureaucratic practices frequently create obstacles in accessing public services, education, civil administration, and religious facilities (Umam & Barmawi, 2023; Taufik & Taufik, 2023; Rizal et al., 2025). This condition confirms that rights are not realized solely through legal texts but are shaped by everyday administrative practices and institutional interpretations (Safa'at, 2022; Muchimah et al., 2024). The gap between law and implementation therefore produces a condition in which local religious communities are formally acknowledged yet continue to experience exclusion, stigmatization, and unequal access to citizenship rights (Haryati et al., 2025; Taufik & Taufik, 2023).

Taken together, these findings suggest that policy ambivalence should be understood not merely as a problem of regulatory inconsistency but as a consequence of unequal power relations among competing normative orders. The state possesses the authority to determine which religious identities are fully accommodated within the administrative system and which remain at its margins. Through bureaucratic classifications, regulatory standards, and narratives of social harmony, a hierarchy of religious citizenship is continuously reproduced, privileging mainstream religions while limiting the civic space available to local religious communities (Taylorian & Ventura, 2023; Sukirno & Natalis, 2025; Taufik & Taufik, 2023; Hamdan et al., 2026; Warman et al., 2026). Therefore, this study extends the legal pluralism literature by showing that the challenge facing local religions in Indonesia lies not only in obtaining legal recognition but also in transforming that recognition into substantive equality and equal citizenship.

Theoretically, this study contributes to the legal pluralism literature by demonstrating that the challenges faced by local religions in Indonesia stem not only from the coexistence of multiple normative orders but also from the unequal distribution of power among them. By introducing the analytical lens of “recognized yet constrained” within a framework of hierarchical legal pluralism, this article explains how constitutional guarantees, bureaucratic practices, and dominant religious norms interact to simultaneously facilitate and restrict the exercise of religious rights. In doing so, the study extends existing scholarship that has largely focused on legal recognition by highlighting the role of administrative governance in shaping religious citizenship and producing differentiated access to rights (Anugrah et al., 2025; Yusuf et al., 2026).

Beyond the Indonesian context, these findings are relevant to other plural societies in which states formally recognize religious diversity while continuing to regulate minority or indigenous belief systems through dominant legal and administrative frameworks. Comparative experiences show that legal pluralism frequently requires states to negotiate the coexistence of formal law, religious norms, customary systems, and human rights commitments, particularly where different normative orders compete for authority within the same social space (Tamanaha, 2021; Singh, 2019; Yan & Benhima, 2025; Basith et al., 2026). In such settings, formal recognition alone does not necessarily guarantee substantive equality, because registration systems, administrative classifications, and regulatory procedures may continue to shape which religious communities are fully accommodated and which remain at the margins (Taylorian & Ventura, 2023). The Indonesian case therefore contributes to a broader international debate on how diverse societies manage religious difference, demonstrating that legal recognition must be accompanied by equitable administrative practices if pluralism is to translate into meaningful religious freedom and equal citizenship (Turner et al., 2023; Hidayati & Muis, 2025).

Despite these contributions, several limitations should be acknowledged. Its primary focus on policy documents and a limited number of empirical cases does not fully capture the diversity of experiences, strategies, and negotiations among local religious communities across Indonesia. In addition, the analysis emphasizes state regulation and bureaucratic practices, providing less attention to the roles of civil society actors, majority religious organizations, and local political dynamics in shaping recognition outcomes. Consequently, the findings should be interpreted as an analytical account of structural patterns rather than a comprehensive representation of all local religious groups.

## **D. Conclusion**

This article concludes that the ambivalence of state policies toward local religions in Indonesia arises from the gap between constitutional guarantees of religious freedom and their bureaucratic implementation. The findings reveal three interconnected tensions: constitutional recognition versus administrative restriction, progressive regulation versus conservative bureaucracy, and diversity protection versus uniformity control. Together, these tensions place local religious communities in a condition of being *recognized yet constrained*, in which formal inclusion coexists with substantive marginalization.

From a legal pluralism perspective, this study shows that unequal power relations between state law, dominant religious norms, and local belief systems produce a hierarchy of religious citizenship. The concept of “*recognized yet constrained*” contributes to legal pluralism scholarship by demonstrating that legal recognition does not automatically ensure substantive equality when bureaucratic classifications, regulatory practices, and dominant institutional norms continue to shape access to rights. The findings also underscore the need for greater consistency between constitutional guarantees and administrative implementation, including more inclusive bureaucratic practices and stronger institutional accountability in the protection of local religious communities.

Building on these limitations, future research should employ comparative, multi-sited, and mixed-method approaches to capture the diversity of experiences among local religious communities and to examine more closely the roles of civil society actors, majority religious organizations, and local political dynamics in shaping recognition outcomes. Finally, this study is that recognition alone is insufficient; meaningful religious equality depends on whether formal rights are translated into fair, consistent, and non-discriminatory practices in everyday governance.

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### Declaration of Generative AI

During the preparation of this manuscript, the authors used QuillBot solely for language editing and readability improvement. All AI-assisted outputs were carefully reviewed and revised by the authors, who take full responsibility for the content, analysis, interpretation, conclusions, originality, and integrity of the article.

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