

CHAPTER I

INTRODUCTION

1.1 Background of Final Report

The motto of Indonesia is *Bhineka Tunggal Ika*. It means that Indonesia is a multicultural country with unity enthusiasm. Indonesia has a lot of differences, in terms of tribes, local languages, customs, and religions. According to People's Consultative Assembly (2013:181), the complete Indonesian motto of *Bhineka Tunggal Ika* found in *Sutasoma* holy book by *Mpu Tantular* from *Majapahit* Kingdom. *Mpu Tantular* wrote, “*Rwaneka dhatu winuwus Buddha Wiswa, Bhinneki rakwa ring apan kena parwanosen, Mangka ng Jinatwa kalawan Siwatatwa tunggal, Bhinneka tunggal ika tan hana dharma mangrwa*” (Buddhism and Hinduism have different essence, but they have one believe *Jina* or Buddhism value and *Siwa*. Disunited, however still one sense). The expression of Javanese ancient is *Bhineka* (various), *Tunggal* (one), and *Ika* (one/first). Long time ago, *Mpu Tantular* created *Bhineka Tunggal Ika* to avoid dispute among Budha (*Jina*) and Hindu (*Siwa*). Then, our state founder like Sukarno, Muhammad Yamin, and I Gusti Bagus Sugriwa make *Bhineka Tunggal Ika* as the Indonesian motto since they had opinion that *Bhineka Tunggal Ika* agree with Indonesian condition (Indonesia have many kinds religions, believes, culture, politic ideology, languages, and ethnic).

The dominant religion in Indonesia is Islam, however Islam is not the only one. According to Central Bureau of Statistics in 2010, the percentage of

Moslem in Indonesia is 87.18%, Christian 6.96%, Catholic 2.91%, Hindu 1.69%, Buddha 0.72%, and Confucianism 0.05%. Meanwhile in *Orde Baru*, Indonesian Government professes 5 religions; they were Islam, Christian, Catholic, Hindu and Buddha. After the Reformation, based on Presidential Decree Number 6 in the 2000 Indonesian Government rescinds the prohibition of *Tionghoa* or Chinese religion. Eventually, Indonesia professes six religions according to Minister of Religion Affairs in Regulation Number MA/12/2006. The Minister of Religion Affairs Regulation Number MA/12/2006 declared that Indonesian Government professes Islam, Christianity, Catholicism, Hinduism, Buddhism and Confucianism.

The religions and various cases in Indonesia make the government to establish an act about building worship places. According to Aminah and Sihombing (2010:1), the first act comes from International Covenant on Civil and Political Rights (Act Number 12 in the 2005). Both of them explain about religion freedom. Human rights position in freedom of religion based on *Pancasila*. Freedom of religion is based on *Pancasila* in the first principle, “Believe in the one supreme God”. According to People’s Consultative Assembly (2013:45), the explanations of the first principle on *Pancasila* are:

1. The first principle on *Pancasila* show the religious value of Indonesia;
2. *Pancasila* give the transcendental dimension to politics live and show the mutualism relation between God and society;
3. Believe to God based on the religion and believes (*kepercayaan*).

In the 1945 Constitution of Republic Indonesia, the writer found about religions notion in article 28E clause (1) and article 29 clauses (2). It makes the Indonesian Government declare the Regulation of two Ministries by Ministry of Religion Affairs and Ministry of Home Affairs Number 9 in 2006 and Number 8 in 2006 about The Orientation Task of Local Head to Keep religion Harmony Among Religion Communities, Empowerment *Forum Kerukunan Umat Beragama*, and Build Worship Places.

Indonesian needs regulation comprehension about building worship places since not everyone knows and understands about the rules in which stated in Regulation of two Ministries by Ministry of Religion Affairs and Ministry of Home Affairs Number 9 in 2006 and Number 8 in 2006. Based on those phenomena, the writer choose human rights aspect about religion based on law regulations since the writer wants to give knowledge regarding to the law regulation about building worship places in order to minimalize disagreement between religion communities. The writer wants to explain that Indonesian government makes this law regulation about building worship places to give the *Rechtzekerheid* or certainty of law.

On the other hand, the writer chose this topic because the writer found two famous cases in Indonesia. According to Ahmed (2015) there is a case about refusing to build As-Syuhada mosque in Bitung by *Brigade Manguni, Divisi Bela Negara*, and *Waranai* (the several society communities in Indonesia). Another one is according to Bela (2014) about *Forum Umat Islam* and *Front Pembela Islam* (Moslem community in Indonesian) disagreement concerning building Santo

Stanislaus Kostka Church in Bekasi, West Java. Therefore, the writer entitles this final report as **“The Indonesian Society Understanding toward Building Worship Places to Avoid Disagreement Based on Law Regulations”**.

1.2 Objectives of Final Report

This final report is written to give representation of society understanding regarding their disagreement toward law regulation in building worship places. This final report is also intended to increase the reader’s knowledge and awareness regarding the regulations to build worship place, and also give indirect socialization, comprehension, and explanation to the readers about regulation of building worship places to minimalize disagreement among religion communities.

1.3 Significance of Final Report

This final report is expected to inform the society that read my final report especially the people who do not know yet the law or regulation of building worship places. This final report is also expected to be an indirect socialization about building worship places. The writer intended to increase the society knowledge and awareness about the rules to build them and to avoid disagreement between religion communities. By understanding the rules, people are expected not to be judgmental or easy to accuse anything related to it in order to create a more harmonious interfaith life situation since it has been regulated in legislation by the government.