CHARACTERISTICS OF INDIGENOUS FAITH COMMUNITIES AFFECTING IN THE FULFILLMENT OF CIVIL RIGHTS IN INDONESIA

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Abstract
This article is the result of field research by focusing on the process of civil rights fulfillment given by the state to indigenous faith communities in Indonesia in general and specifically the fulfillment of indigenous faith communities Parmalin (Ugamo Malin) North Sumatra, Baduy (Kanekes) Banten and (AKUR Sunda wiwitan) Cigugur Kuningan West Java. After the Constitutional Court Decision No. 97/PUU-XIV/2016, it became a big change for indigenous faith communities in Indonesia. The existence of different responses from the indigenous faith community is motivated by the characteristics of the indigenous faith itself. For the Parmalin community, the Constitutional Court's decision No. 97/PUU-XIV/2016 is a gateway in further struggle to develop the potential of the Parmalin community to be more advanced in their lives. However, it is different from the indigenous people of Sunda Wiwitan Baduy (Kanekas) in Banten who do not really care about all forms of fulfillment given by the government related to the Constitutional Court decision No.97/PUU-XIV/2016, because of the strong customary values believed by the Banten Baduy community. The struggle of the indigenous people (AKUR) of Sunda Wiwitan Cigugur Kuningan, West Java has not been completed. The fulfillment of the state to the indigenous people has not been in accordance with the constitution.

Keywords: Indigenous, Faith, Sunda Wiwitan

Introduction
Beliefs and religions for the people of Indonesia are fundamental, so they cannot be separated from the life of the nation and state. The formulation of the first principle of Pancasila, which reads "Belief in One God", illustrates how important religion and belief are to society. This proves that the Indonesian people are essentially theists or believe in God, so that the Indonesian people in their groups, both religious and belief communities, have specific interpretations and theological views
according to the teachings of the religions and beliefs they profess (Shandy Harsyahwardhana, 2020).

The Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution is essentially obliged to provide protection and recognition of the determination of personal status and legal status of population events or important events experienced by the Indonesian population (SIPP KEMENPAN RB, 2022). Constitutional Court Decision No. 97/PUU-XIV/2016 granted the petition of believers by stating the word "religion" in Article 61 Paragraph (1) and Article 64 Paragraph (1) of Law No. 23/2006 on Population Administration as amended by Law No. 24/2013 on Amendments to Law No. 23/2006 on Population Administration is contrary to the 1945 Constitution of the Republic of Indonesia and has no binding legal force conditionally to the extent that it does not include belief.

An identity card or residence certificate is one of the rights of every citizen who has reached the age of 17 years. The identity card or what is called a KTP is the basis of identity for all citizens in carrying out a series of fulfillments in order to obtain public services for several necessary accesses, such as employment, social security rights, education, marriage and death (Fulthoni, 2009).

The Constitutional Court Decision No. 97/PUU-XIV/2016 became a major change in the community of believers. The Constitutional Court's decision led to the recognition of believers to God Almighty as stipulated in Article 28 paragraphs (1) and (2) of the 1945 Constitution of the Republic of Indonesia, which recognizes the right of every human being to embrace religion and belief, which is an inherent right of every person. The Constitutional Court Decision No.97/PUU-XIV/2016 resulted in the existence of indigenous people of indigenous faiths getting equal treatment as Indonesian citizens who embrace the six major religions, but the implementation in the field after the Constitutional Court Decision No.97/PUU-XIV/2016 is felt to be different in each region and area. The Parmalim, Baduy and Cigugur communities are believers in Indonesia with different regions. There are differences in the fulfillment of civil rights between indigenous people who believe in Parmalim and Sunda Wiwitan in Baduy and Cigugur Kuningan. The characteristics and factors of geography, social and the strength of kinship relations in customs become a major influence in the process of fulfilling civil rights in each indigenous community of believers in Indonesia.

Problem Formulation

Based on the background of the existing problems, the following problems can be formulated: How do the characteristics of indigenous faith communities affect the fulfillment of civil rights in Indonesia?
Research Methodology

In achieving the objectives as described in this article, the research used primary and secondary data collection methods. The primary data uses quantitative data collection techniques, obtained directly from informants through interviews with figures from the Sunda Wiwitan Baduy community, AKUR Sunda Wiwitan Cigugur Kuningan and Parmalin North Sumatra. Interview guidelines containing a series of questions about a problem to be studied. While secondary data using normative juridical includes legal theories, legislation including (1945 Constitution, Law No. 23 of 2006 concerning Population Administration, Law No. 24 of 2013 concerning amendments to Law No. 23 of 2006 concerning Population Administration, Law No. 24 of 2013 concerning the Constitutional Court as amended by Law No. 8 of 2011 concerning the Constitutional Court and Constitutional Court Decision No. 97/PUU-XIV/2016, as well as other regulations that are still relevant as supporting legal facts for the community of believers. Meanwhile, tertiary legal materials are taken from the internet.

Discussion

Characteristics of indigenous people of indigenous faiths affect the fulfillment of civil rights in Indonesia

Before the decision of the Constitutional Court No. 97/PUU-XIV//2016 in Indonesia, there were two groups of indigenous faith communities in including a religious identity in the ID card. The first group was forced to fill in the religion column with one of the official religions recognized by the government (Islam, Protestantism, Catholicism, Hinduism, Buddhism, Confucianism). The reason this group lists one of the religions is so that it is easy when faced with administrative needs, getting official documents from the state related to marriage, family cards (KK) and children's birth cards. As well as getting public services from the government related to their status as citizens, although the government has actually also given them the freedom not to fill in the religion column in their population documents. This group is also of the view that the practice of belief in God Almighty can actually be juxtaposed with their official religion. The second group tends to show their identity as believers by not filling in the religion column in the civil registration document. The believers in Indonesia choose this attitude due to the government policy that gives freedom to the believers not fill in the religion column (Madalina, 2019) The choice of the second group is certainly very detrimental, because by not listing religion in the ID card column, the rights of this community of believers are not fulfilled by the state.

The results of the Constitutional Court Decision No. 97 / PUU-XIV / 2016 certainly have a view on the freedom to choose a religion which is a
basic right for every Indonesian citizen, in accordance with Article 29 paragraph (2) of the 1945 Constitution explaining the right to embrace belief in God Almighty where it is a human right that comes from natural rights, this right is inherent in every human being, not a gift from the state. In the context of statehood, this statement is no longer just something that has doctrinal value but has become a norm in the basic law (constitution), therefore it will bind all branches of state power and citizens, it is stated normatively that the interpretation of religion and belief is to have the same rights in Article 28E paragraph (1) and paragraph (2) and Article 29 paragraph (2) of the 1945 Constitution. (Madalina, 2019).

The practice of civil rights fulfillment in indigenous faiths after the Constitutional Court Decision No. 97/PUU/XIV/2016 in the implementation in the field is very different, the response to the Constitutional Court Decision No. 97/PUU-XIV/2016 is sometimes seen as not being a change and satisfaction for some indigenous faith communities, especially indigenous peoples. The author will examine the differences in practice in the implementation of civil rights fulfillment in 3 (three) indigenous peoples of indigenous faiths Baduy in Banten, (AKUR) Sunda Wiwitan in Cigugur Kuningan West Java and Parmalim in North Sumatra.

a. Baduy (The strong principle of ancestral teachings of the Inner Baduy and Outer Baduy communities affects the fulfillment of civil rights from the state)

The Baduy community area is geographically located in Kanekes Village, Leuwidamar District, Lebak Regency, Banten Province. Lebak Regency itself is located in the south of Banten, so it is also commonly referred to as South Banten. The Baduy indigenous community is located in the western part of Java Island, in an area that is part of the Kendeng mountain range (900 meters above sea level). The term Inner Baduy has various characteristics and rules that are different from Outer Baduy. However, in principle, their difference lies in the strictness and looseness of the customary rules that they must live by (Fatkhuromah, 2010).

The Inner Baduy community has stricter customary rules than the Outer Baduy community, isolating themselves from the times is a life choice so that the customary rules of the karuhun mandate are still adhered to. Ngabarata pakem meditates on the earth for the sake of their descendants, ngabarata lengkem maintains nature so that the universe remains balanced. Keeping promises to help each other for those in need, helping those who are difficult, escorting those who are afraid, giving to those who want to take care of the queen to sort out the conquerors. Life must be honest and simple, the rukun that must be done is farming huma and gardening naturally without harming the land, food security that they have practiced for centuries. Plants are valued
the land is purified so that the community is sentosa gemah ripah loh jenawi (Indigenous Organic Broadcast, 2020).

The task of the guardian of nature for hundreds of years, urang tangtu the hermit, urang panaping the companion, urang dangka the guardian. The boundary wall of the 20th century's pace of time is blown away by the uncontrollable pace of the development of the times, hitting the solidity layer by layer of the firmness of the heart, the firmness of the mind, the obedience of the soul, slowly eroding the order slowly weakened, the tongue is no longer chanted. The philosophy of the Baduy community that the author has described is evidence of the obedience of the Baduy community as a symbol of hope and concern.

However, in the concept of Baduy customary law, both have their own roles that are bound in maintaining their culture. The basic principle of Baduy is based on the philosophy of "lojor teu meunang cut, pondok teu meunang spliced" which means "long cannot be cut, short cannot be spliced". The concept of this teaching is the balance of nature and the preservation of nature. The teaching that Baduy adheres to makes Baduy have an obligation to protect nature by not opposing natural laws (Indigenous Organic Broadcast, 2020)

Baduy indigenous people have a belief in Gusti Sikang Sawiji-wiji as a god in their teachings that have been passed down from generation to generation from their ancestors with the name Sunda Wiwitan. The Sunda Wiwitan belief believes that Baduy is a local community that is made into a mandala (sacred area) officially guarded by the king (Puun), because the community is obliged to maintain the kabuyutan, a place of worship for ancestors. This is in accordance with the words of Mrs. Ratu Tati, an adherent of the Sunda Wiwitan belief in Kuningan, who said that "Indeed, our teachings and those of the Kanekes are the same, but their duties are different. Kanekes tapa in mandala, I tapa in nagara. They (Inner Baduy people) are the ones who are chosen to meditate in the mandala, while we here are included in people who meditate in the nagara, they only want to play their angklung in that area." (Ratu Tati, 2022)

The decision of the Constitutional Court No. 97/PUU-XIV/2016 is a big breakthrough for believers in Indonesia, but for the Baduy community, especially the Baduy community, the Constitutional Court's decision does not bring significant changes. Because for the Baduy community, the order of life has been regulated in the ancestral teachings. One example of the fulfillment of civil rights in recording marriages and making Family Cards (KK) of Baduy indigenous people is carried out by a system of sending officers of the population and civil records office or what is referred to as disdukcapil directly to the Baduy customary area. This was conveyed by Salman as an indigenous community of outer Baduy who said that "disdukcapil officers come to our area to serve the Baduy community for the purposes of marriage, recording the addition
of Baduy residents in the family card" (Salman, 2022). The unevenness of marriage registration carried out by Baduy indigenous people makes the marriage registration system because the registration process must be approved first by Puun as an elder in Kanekes.

Baduy indigenous people who are apathetic to the result of the Constitutional Mahmakah decision No. 97/PUU-XIV/2016 make the state intervene to take care of the fulfillment of civil rights needed by Baduy indigenous people such as marriage registration. The difficulty of civil rights fulfillment given by the state to Baduy indigenous people is related to the strong customary law system and Baduy indigenous people's belief in the prohibition to leave their territory. Baduy indigenous people certainly obey the teachings and directions given by Pu'un as the king of Kanekes, the obedience of Baduy indigenous people is certainly related to the history and philosophy of life they believe in.

Savigny explains that law exists as an expression of the soul of the nation (volgekist) about what is considered right and just. The enactment of customary law is certainly seen from a conceptual point of view by looking at the history of the nation's soul that varies over time. The soul of the nation will certainly be an internal factor as a determinant of community compliance with the law itself. Baduy community still has a principle that they must follow Puun's words in any case that will interfere in their territory. This is in accordance with what was conveyed by Salman as the outer Baduy community who said that "For the community, it actually depends on the customary decision, because if the customary decision is not allowed, it cannot be imposed" (Salman, 2022).

The strength of customary law obeyed by Baduy indigenous people certainly comes from internal factors sourced from the characteristics of the community itself that believes in the values contained in its customary law. This is in accordance with the definition given by Satjipto Rahardjo that legal culture is a force in society rooted in tradition, the value system adopted will determine how the law is accepted and how the law is implemented.

b. AKUR Sunda Wiwitan Cigugur Kuningan (After the Constitutional Court Decision No. 97/PUU-XIV/2016 the struggle has not been completed)

After the Constitutional Court Decision No. 97/PUU-XIV-XIV/2016 triggered pro and con reactions in the community. But with the Constitutional Court’s decision, citizens who adhere to believers can get rights that have never been obtained. For example, related to the issue of population bureaucracy and other rights related to basic rights as citizens (Tempo, 2017). Regardless of the pros and cons according to Law No. 24 of 2003 concerning the Constitutional Court as amended by Law No. 8 of 2011, especially the Explanation of Article 10 paragraph (1)
states that the decision of the Constitutional Court is final, namely the decision of the Constitutional Court has permanent legal force since it was pronounced and no legal remedies can be taken. The final nature of the Constitutional Court's decision in this Law includes the provision of binding law (final and binding).

The implementation of the Constitutional Court Decision No. 97/PUU-XIV/2016 is that one of them can include beliefs in KTP and KK. As a follow-up, the Ministry of Home Affairs, especially the Directorate General of Population and Civil Registration. The first issuance was the issuance of Family Cards (KK) based on the Minister of Home Affairs Regulation Number 118/2017 which was stipulated on December 5, 2017 and promulgated on December 11, 2017 in Permendagri Number 118/2017. Based on the issuance of Pemendagri No. 118/2017, a Circular Letter of the Director General of Population and Civil Registration No. 471.14/10666/DUKCAPIL (SE Dirjendukcapil) dated June 25, 2018 was issued. Regarding the Ordering of Family Cards (KK) for believers to the God Almighty (Sukirno, 2020).

The issuance of changes to the ID cards of believers in God Almighty through Minister of Home Affairs Tjahjo Kumolo, on April 4, 2018, said that the government decided to separate the columns of religion and faith in electronic ID cards. Furthermore, the Minister said, previously there was a proposal to write indigenous beliefs in the same column as religion, but representatives of six religions rejected the proposal, because the flow of belief is different from religion. According to Retno Lastani, Secretary General of Majalis Luhur Kepercayaan Indonesia (MLKI), the decision taken by the Ministry of Home Affairs is not in line with MLKI's expectations, because it deviates from the Constitutional Court's decision that religion must be interpreted to include belief in God Almighty. Furthermore, Retno Lastani argued that the Ministry of Home Affairs should comply with the Constitutional Court's Decision, so that the KK and KTP-el column remains religion and then filled with belief in God Almighty. However, MLKI still accepts it(Sukirno, 2020)

In contrast to the opinion of Ratu Tati Djuwita as the Karuhun Urang indigenous people from the local religious center Adat Karuhun Urang (AKUR) assessed the Ministry of Home Affairs' decision to fill in the religion column in the KTP with the format of Belief: Belief in God Almighty, as a policy that is still hesitant and confusing. Ratu Tati Djuwita mentioned that before Mr. Cahyo Kumolo as the minister of home affairs died, he had a discussion through whatsaap media which stated that there was an indication that the KTP for believers was in a different form, so Ratu Tati Djuwita argued that it was clearer that the existence of his belief was made citizen number 2 (two) (Ratu Tati, 2022). so discrimination is still felt by the AKUR Sunda Wiwitan Cigugur Kuningan community.
AKUR as a local religious center adheres to the principle of not going against the state's decision, on the contrary, it is still consistent with the constitution that the government must guarantee each resident to embrace his religion and belief, not the context of being recognized and not recognized. As a democratic country based on justice and respect for the independence of each of its citizens as a form of Human Rights (HAM) regarding divinity. The essential individual right belief is brought from birth, not given by anyone and not also given by the government.

c. Parmalim Beliefs (Acceptance of Constitutional Court Decision No. 97/PUU-XIV/2016 by Ugamo Malim as a way to facilitate the fight for the rights of believers)

Parmalim is one of the local beliefs that still exist in the archipelago, this belief was born in the Batak Land area of North Sumatra during the time of the Sisingamangaraja XII kingdom and its adherents are called parmalim. The teachings of the Malim belief strongly uphold the customs of the Batak ethnic group. Custom is an attitude, behavior, habits and conventions in accordance with the norms that are passed down(Lothar Schereiner, 1996). The existing custom developed into a law that regulates all aspects of Batak life in ancient times, although it was never collected in writing. This law is currently referred to as customary law.

Adherents of the Malim belief believe that adat is not just the result of the culture of the previous Batak people who were passed down from generation to generation, but the existence of adat in the Malim community is believed to originate from God Debata Mulajadi Nabolon, which is passed down through humans he chooses. This is related to the theory that existing customs are called "ghost sanctioned customs" which means "customs authorized by the spirit", because customs have religious meaning, so they must be practiced. Malim believers hold the view that Batak customs have always been sacred, and if they dare to ignore the principles of customary teachings, it will bring sanctions from the supernatural(Edward M. Brunner, 1974).

Parmalim have a number of beliefs about their gods, namely the belief in the supernatural consisting of Debata Mulajadi Nabolon (God Almighty), Debata Na Tolu (God of the Three), Si Boru Deak Parujir (God of Earth Creation), Nagapadohaniaji (God of Earth Preservation), and Si Boru Saniangnaga (God of Water). The four are believed to be the owners of the Malim kingdom in the sky (Banua Ginjang), which was also created by Debata Mulajadi Nabolon as the Great God with a higher status(Ibrahim Gultom, 2010).

The Constitutional Court Decision No.97/PUU-XIV/2016 became a change in the stage of the struggle of the Parmalim community in North Sumatra. When referring to the purpose of law expressed by Jeremy Bentham, namely "the greatest happiness of the greatest number" which
means "the greatest happiness for the greatest number of people" as the basis of utilitarianism theory which is used as the basic theory for the acceptance of the Parmalim community from the Constitutional Court Decision No.97/PUU-XIV/2016. The happiness of the people in a country is one of the guarantees of human rights, therefore with this decision, it is considered a manifestation of the purpose of law put forward by Jeremy Bentham. The Parmalim indigenous community is a community that always affirms the principle of the struggle that should be achieved by believers in Indonesia.

The Parmalim view that struggle is not always the same as demanding. Struggle is a process carried out with joint efforts in achieving changes to the breakthroughs issued by the Parmalim community. Raja Monang as the leader of the Ugamo Malim indigenous organization said that "Struggling is not necessarily demanding. struggling is together. demanding is different like giving my rights, right. struggling together, you and I can fight together, yes we can, struggling we mean different from demanding."(Raja Monang, 2022), so that when the issuance of the Constitutional Court decision No. 97/PUU-XIV/2016 is one of the things that is useful in further developing the concepts and ideas that they want to pour in the future so that it is easier to realize.

The process of marriage registration in the Parmalim community has been fulfilled after the decision of the Constitutional Court No. 97/PUU-XIV/2016, as well as the process of making ID cards that are not complicated by the local office, in contrast to Sunda Wiwitan in Kanekes, which ignores the registration of marriages to be registered by DISDUKCAPIL. The problem of registration does not become an obstacle due to the availability of Parmalim indigenous people who always accept and support the results of the Constitutional Court decision No.97/PUU-XIV/2016. The support of the local government is also one of the strong drivers of the existence of Parmalim believers in the fulfillment of civil rights that they can get after the decision. The local government as the determinant of regional policy will certainly not complicate the fulfillment of civil rights needed by the Parmalim indigenous people. Likewise, the meaning of the word "Believers" on the KTP is not something that must be criticized. In contrast, AKUR Sunda Wiwitan Kuningan considers that the writing of "Believers" in the ID card column should be specific in its inclusion like the six major religions in Indonesia.

The education sector has become one of the focuses of the Parmalim community after the decision of the Constitutional Court No. 97/PUU-XIV/2016, because in the past the major problems they experienced were in the education sector. Raja Monang as the head of the Ugamo Malim belief organization said that "In the past, the biggest problem was in education, for example, the religion teacher at school was only this religion. everything is studied according to that religion even though there are 6 (six) religions. Let alone us, others also suffer. For example,
in our area, Toba is predominantly Christian, so the religion teacher is Christian. What if there are Muslims in remote areas and there are no religious teachers? Should they be forced to learn Christianity? Religious education is an important factor in the process of instilling belief values in the children of the Parmalim community. The cultivation of concepts and ideas related to education for indigenous believers is expected to be realized soon after the decision of the Constitutional Court No. 97/PUU-XIV/2016.

CONCLUSION

The decision of the Constitutional Court has led to the recognition of believers to God Almighty, this certainly affects the existence of indigenous people of believers in Indonesia as a form of recognition of the rights of every human being to embrace religion and embrace belief in everyone. In the practice of fulfillment, there are differences in acceptance in the indigenous people of Sunda Wiwitan (Baduy), AKUR Sunda Wiwitan Cigugur Kuningan and Parmalim of Constitutional Court No.97/PUU-XIV/2016. The Sunda Wiwitan Baduy indigenous people who are still firm in the principles of customary law and strong kinship make them obey the rules of Pu’un as the king of Kanekes (Pupuhu adat), so that in the process of fulfilling civil rights must be discussed first with Puun. The state should not interfere in civil rights matters into its territory if there is no agreement or permission allowed by the Pu’un. This is evidenced by the "jemput bola" system of disdukapil as a form of state intervention into the kanekes region to register all civil rights that should be owned by Indonesian people.

The AKUR Sunda Wiwitan Cigugur Kuningan community argues that the government through the Ministry of Home Affairs' decision regarding the inclusion of religion and belief in ID cards is considered confusing and not in accordance with the right to freedom of religion according to the constitution.

It is different with the indigenous people of the Parmalim belief in North Sumatra who actually accept and utilize the decision of the Constitutional Court No.97PUU-XIV/2016, so that various problems of marriage registration, making deeds, family cards (KK) are not difficult to do. Social factors and local government support for the existence of the Parmalim belief are also one of the factors for the easy fulfillment of the required civil rights. The decision of the Constitutional Court No.97 / PUU-XIV / 2016 is also used as a stepping stone in further developing the concepts and ideas they want to pour out for believers that it is easy to realize, such as in the education sector which is one of the focuses of the Parmalim community after the decision of the Constitutional Court No.97 / PUU-XIV / 2016.
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