



The Fulfillment of Citizens Rights of Spiritual Believers

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Abstract

The *Lom* Tribe is the oldest tribe in Bangka Belitung, commonly referred to as the *Lom* people. During the colonial administration, the Bangka Malays were divided according to their religion, namely the *La* Tribe for Malays who had embraced religion, and the *Lom* Tribe for Malays who did not yet receive a religion. This paper aims to reckon the efforts of fulfilling the rights of the *Lom* Tribe, focusing on two main questions: first, what is the strategy of the *Lom* Tribe to access public services, especially population administration, education, and marriage? Second, are there still discriminatory practices for the Indigenous People of the *Lom* Tribe in accessing public services? This study employs a qualitative approach with an ethnographic approach, which aims at revealing the socio-cultural meaning in a particular context. The results show that in accessing public services, indigenous peoples use an institutional approach, build networks with stakeholders at the local level, as well as through the Indonesian Supreme Council of Trustees (MLKI). Discriminatory practices are still found in accessing public services, both in population administration, education, and marriage services for the *Lom* Tribe. For this reason, the Constitutional Court Decision No. 97/PUU-XIV/2016 and Permendikbud 27/2016.

Introduction

There are 102,508 Indonesians who adhere to the belief system or known as adherents of belief. This amount is comparable to 0.04% of 272.23 million people of the population (reference??). The adherent of belief had existed before the six "official" religions were recognized. However, the adherents of belief can be enumerated in the religion column on the Identity Card (KTP) since July 1, 2018. The majority or 86.87% of Indonesia's population is Muslim. A total of 7.49% of the Indonesian population is Christian, 3.09% is Catholic, 1.71% is Hindu, 0.75% is Buddhist, and 0.03% is Confucian. (databooks.katadata.co.id). Adherents of Belief in God Almighty or often referred to as "believers of the faith" are scattered in various regions in Indonesia and they become part of various groups. The data states that there are 187 groups of the adherents of belief in Indonesia, of which the majority exist in Java with the following figures; Central Java with 53 groups, East Java with 50 groups, Yogyakarta with 25 groups, DKI Jakarta with 14 groups, West Java with 7 groups, and Banten with 1 group. The remaining groups of Believers are in North Sumatra with 12 groups, Bali has 8 groups, Lampung has 5, East Nusa Tenggara has 5, North Sulawesi has 4, West Nusa Tenggara has 2, and Riau has 1 group (Dewi et al. 2022).

Indigenous peoples and people of belief are members of ancestral religions, although not all adhere to these religions because some people reject the label because of the impact they would have on society, the economy, politics, and culture. Their traditional rituals or beliefs are often referred to as culture, not religion (Ma'arif 2017). For the followers of ancestral religions, they believe that Religion's primary purpose is to provide moral guidance to help people live secure lives both now and in the future. Religion is acknowledged as the teaching of love for the creator (vertical relationship) and God's other creations (horizontal relationship), nature, plants, animals, inanimate objects (Handoko et al. 2020). Despite being frequently viewed as a departure, the



existence of local religion plays a sociologically significant role in the process of transformation and change.

The Lom people are located in the Gunung Muda village of Air Abik, Bangka Belitung(?). The distance between this settlement and Belinyu Regency's capital is 20 kilometres. Many of the Lom community's traditional institutions in Bangka Belitung continue to practice the ancestral faith known as *Igami Maras*. The Lom people continue to have a faith in mysteries and stories because of this belief. Respect for natural resources including trees, rocks, and animals as well as belief in the *Bubung Tujuh* are seen as having magical abilities to affect life. According to conventional understanding, this practice qualifies as worship. Traditional leaders of the Lom tribe are thought to uphold and preserve the customs and beliefs of their forefathers.

The history of the Lom people is a cultural history characterized by unique customs and belief systems that have been preserved across generations. The results of a 2006 Bangka regency Balitbang study confirmed that several rituals and commemorations in the Orang Lom community, such as rituals of marriage and divorce, birth of babies, death processions, and the commemoration of the seven straws, namely post-harvest village alms, can be a cultural asset to be proud of in increasing regional economic capital as well as community social capital. The demand for recognition of the rights of the Orang Lom community does not originate in a vacuum. It emerges from two interrelated things, namely historical factors and current conditions.

In two distinct villages in the Belinyu District of the Bangka Regency—Air Abik, Gunung Muda Village, and Pejam, Gunung Pelawan Village—there are adherents of the ancient religion known as Bangka Belitung. According to BPS 2020, there are 61 people in Pejam and 116 people in Air Abik who practice the ancestral religion. The indigenous inhabitants of Bangka Island are frequently referred to as the Lom people. It is called Lom because it does not follow a recognized religion; if it did, it would not be called Lom or Lah. This phrase first originated historically as a method of demographic classification during the Dutch colonial era (Salfutra, Haryadi, and Darwance 2019). Soerjono Soekanto thus claimed that the "Lom tribe or Lom people" were a Bangka Malay tribe. The Lom people were dispersed over the Bangka Island in the early days, according to the history of the Bangka people. A local ethnic group known as the Lom tribe is classified as either a religious or non-religious society (those who have not yet adopted religion or are unconnected to religion) (Salfutra et al. 2019)

Expression of religiosity of believers becomes an integral part of showing individual and communal identity, although there is no clear distinction in social relations. Historically, adherents of the faith have often received discriminatory treatment in public administration, implementation of marriage, and inclusion of religion in the identity card column, worship services, and religious education services in schools. For example, in 1978 when MPR Decree No. 14 of 1978 was issued regarding the Outline of State Policy, which stated that Belief in God Almighty is not a religion but a culture. Such political decisions are the beginning for believers to get discriminatory treatment (MPR 1978)

For those who supported the inclusion of religion on the citizen's identity card, there was some hope following the ruling of the Constitutional Court ruling Number 97/PUU-XIV/2016. Government Regulation Number 40 of 2019 concerning the Implementation of Law Number 23 of 2006 Concerning Public Administration, which regulates the "Procedures for Registration of Marriages for the Adherents of Belief in God Almighty," strengthened this policy. Additionally, the rule Number 27 of 2016 on Education Services for Belief in God Almighty in Educational Units was issued by the

Minister of Education and Culture. This paper aims to look at efforts to fulfill the rights of the Lom Tribe with a focus on two main inquiries: first; what is the strategy of the Lom Tribe to access public services, especially public administration, education, and marriage? Second; are there still discriminatory practices for the Indigenous People of the Lom Tribe in accessing public services?

Trying to carry the concept of identity seems to be a basis for discussing issues of ethnicity. Quoting Taylor's statement that the identity that is the focus of his discussion includes what he calls a unified identity, including religion, gender, ethnicity, "race", and sexuality. The relationship between personal identity, on the one hand, is the focus of Taylor's study, and a collection of identities, on the other hand, appear to be personal identities that appear to have two main dimensions. The collector dimension, which is the intersection between their collective identity and the personal dimension, consists of other social or moral aspects as important features include intelligence, cheerfulness, and the desire to own property which is the basis of a form of collective identity. (Barely et al. 2021)

Identity, according to Stuart Hall, is something that is created within, is never complete, and is constantly in progress. Identity is a keyword that denotes any meaning, including social, political, cultural, and more. In some circumstances, identity can also represent anxiety, dread, and ego. When the identity word is on the defensive, this happens. The presence of a certain identity in an object that has always existed (its originality) is questioned by Jean Baudrillard since identity is neither something static nor something that is continually changing. This is because everything has gone through a deconstruction event. One will "lose one's identity in the desert" when there are many of a subject. According to Homi Bhabha, in postcolonial studies, it is also stated that in forming cultural identity, it has become a demand for minority groups that are included in the major culture to adapt to these cultural groups, one of which is by producing a new identity that has been adapted to the local culture as a form of resistance to the original culture. Negotiations with local cultures which then gave birth to hybrid cultures and domination practices (Gandhi 2007).

Research Method

This study uses a qualitative method with an ethnographic approach with the aim to reveal the socio-cultural meaning in a particular context. Using the understanding of the informants, this method is utilized to investigate the field data in depth. According to the informant's statement, the field data are given qualitatively. The information is then examined and described in accordance with the informant's behavior, which indicates their style of thinking, feeling, and acting. Interviews and secondary data collecting were used as data collection approaches. Several sources, including primary sources and secondary data, are employed in the data analysis, including key informants. An interactive model was used for data analysis, data reduction, data presentation, and conclusion-making (Cresswell 2015). The focus of this paper emphasizes the strategic aspects of the Lom tribe in accessing public administration services, marriage, and education services. The informants in this study were the traditional rulers and the people of the Lom community. The informants in this research were traditional community leaders, village heads, academics. The selection of informants was carried out using purposive sampling technique. Data collection was carried out using an in-depth interview model

This research uses a case study approach. It is considered very appropriate in order to take a native perspective in viewing phenomena (native point of view) related

to the phenomenon of religious education that they experience at school or in their community. Of course, ethnography has its own characteristics and steps. The steps referred to are as stated by Spradley in the book *Ethnographic Methods*, as follows: determine informants, conduct interviews with informants (online or offline), make ethnographic notes, ask descriptive questions, conduct ethnographic interview analysis, make domain analysis, ask questions structural, make taxonomic analysis, ask contrasting questions, make component analysis, and write ethnography. This work step became a reference in conducting this research. (Spradley 2016)

Sources of data in this study use primary data sources and secondary data. In accordance with the type of research used, the primary data in this study is in the form of data descriptions from the results of in case study both online and offline conducted with the Lom indigenous people as informants taking into account the information and data obtained, especially children. Apart from that, an offline Focus Group Discussion (FGD) was also conducted, which of course, was adapted to the ethnographic method or way of working. Meanwhile, secondary data is in the form of ethnographic data regarding the Indigenous People of Lom.

Data collection techniques in this study were carried out in accordance with research interests. In-depth interviews as primary data were conducted with research subjects, namely children or youth of the Lom Orang Traditional Community, Traditional Leaders, Lom Indigenous community leaders, Teachers, and School Principals, in Riau Silip. Interviews were conducted both offline and online. Focus Group Discussion (FGD) online/online involving all parties. Observation of the educational environment and the indigenous people of the Lom to see the cultural processes that occur in the indigenous people of the Lom. Documentation study of the results of previous ethnographic writings to see the values of the Lom Indigenous people.

The validity of the data obtained from this study uses triangulation. The triangulation used in this research is source triangulation and inter-researcher triangulation. Source triangulation was carried out by comparing the results of observations by conducting an in-depth interview process, comparing what was explained in general with what was conveyed personally, and comparing the results of in-depth interviews with the available documents. Triangulation between researchers is very appropriate because there are several researchers who have different research experiences involved in the analysis process. The concrete form is usually an evaluation team consisting of colleagues who have had research experience.

In this study, the data analysis process used an interactive analytical model from Miles and Huberman (Denzin and Lincoln 2011) including the stages of data reduction, data presentation, and drawing conclusions. In the reduction stage, the data obtained from the in-depth interview process is then selected, focused according to the need to answer the problem formulation, simplified, and abstracted. Meanwhile, at the data presentation stage, it is done by presenting the data obtained during the research, namely in the form of narratives, tables, or pictures. After the two stages have been completed, the final part is the process of drawing conclusions. At this stage, the data obtained is then collected, organized with theoretical studies, and then conclusions are drawn.

Rights Fulfillment Strategy

The 2016 Constitutional Court ruling on the inclusion of belief in the ID card (religion column). Believers in the struggle for identity take a long and winding road to recognition as believers and citizens. The identity of the Lom as a believer is a reality,

unless they are willing to be called as double minority. Although it is permissible to include belief in God Almighty in the Identity Card section, the majority of the population still does not include belief. This situation is an implication of the inclusion of one of the "official" religions in the Identity Card section, prior to the 2016 Constitutional Court decision. The choice of the citizens is also a consequence of the obligation of believers to choose one of the six official religions in Indonesia in order to access civil services.

The Constitutional Court's decision then provides access for believers, in which those whose religion has not been "recognized" still get public services, even though the religion section remains blank. Twenty families were recorded to have included belief in God Almighty in the religion section on the Identity Card. Residents who have not made changes, allegedly because of the legality factor of the Lom indigenous community, are still in the process of coordinating with the Indonesian Supreme Council of Trustees (MLKI). This is an administrative procedural path that must be taken to get recognition from the state as a citizen of a believer's country.

The religious observances or ceremonies that the Lom people do on a regular basis all through the year serve to demonstrate their presence. In order to receive governmental recognition and affect opportunities or chances to receive civil rights services, believers of faith are required to register with recognized institutions. The Lom people registered the community of believers with state institutions in cooperation with the Indonesian Supreme Council of Trustees (MLKI), as part of their efforts. Because of this, the Lom indigenous community creates the administrative records needed for registration, which include information on the composition of the community's institutions, its leaders, and its residents' values and guiding principles. Instead of pursuing religion, this technique aims to win acceptance from the State as a believer.

Some of the realities experienced by believers include, First Believers through indigenous communities establish relationships with the surrounding community by promoting mutual respect and respect for differences in their choice of religion, faith, or belief. This condition is supported by the cultural adhesive factor as the community of Air Abik village. Second, the practice of democracy in the form of decision – making by deliberation and consensus; there is recognition from the surrounding community of believers in Air Abik village. Third, Social solidarity that is built in indigenous communities, as parties who experience discriminatory treatment from the State in obtaining population administration services, marriage, and religious education services.

Academics, Malay community leaders, and other pertinent stakeholders supported believers during the Orang Lom Customary Institution registration procedure in an effort to acknowledge the existence of believers. The Orang Lom community's mentality promotes cultural strength and the idea that self – existence must be defended by respecting the rights of believers. Humans are treated as ends in interactions, not as means, in the society that is being created (Seda, Kurniawan, and Pera, 2023) (Seda, Kurniawan, and Pera 2023).

Fulfillment of Marriage Services and Religion Education Services

Identity Politics originated in the 1970s in the United States when dealing with issues of minorities, gender, feminism, race, and ethnicity, as well as social groups who felt marginalized. In its development, it extends to issues of religion, belief, and various cultural ties. Political action that advances the interests of group members by virtue of their shared identity or features is known as identity politics. The struggle with identity politics is more focused on the struggle for justice and equality in enjoying public facilities. Social identity (religion, class, race, ethnicity, gender, and sexual orientation)

and political identification (nationality and citizenship) are the categories of identity. Political identity determines an individual's position in a society through a sense of belonging and, at the same time, marks the position of other subjects in the sense of otherness. Social identity determines an individual's position in social relations or interactions. While identity politics refers to the use of political mechanisms for organizing identity (both political identity and social identity) as political resources and means, political identity is a construction that establishes the position of the subject's interests within the ties of a political community.

According to Heyes (2002), identity politics refers to political action that puts a group's members' interests first because they share a common identity or set of features. Identity politics refers to a movement that is built on identities. Cressida Heyes underlined that identity politics is, in a broad sense, a political activity that theorizes the experiences of injustice suffered by particular people in particular social contexts. The movement of "marginalized people" in specific social, political, and cultural contexts is more the focus of identity politics. The effective use of identification in political conflicts has a considerable positive impact on identity as a central idea in the political sphere (Darmawan 2013).

The possibility and emergence of identity politics as a political source and weapon in the struggle for dominance is evident in modern political practice. Discourse on identity politics aims to be understood simply and operationally. Identity politics, for instance, is a political movement that emphasizes distinctions as the primary political category, according to Agnes Heller. Donald L. Morowitz (1998) defined identity politics as establishing a clear line to determine who will be accepted and who will be rejected in Haboddin (2012). Donald L. Morowitz and Agnes Heller both highlighted a resemblance, namely that identity politics is characterized as a politics of difference (Haboddin 2012). Identity politics, in Kauffman's opinion, are a result of the concerns of members of a social group who feel marginalized by the dominance of other groups in a country or state. Examples like what occurred in the US show how the practice of differentiating across community groups has raised consciousness of groups who feel marginalized, such black people and other ethnic groups against white people (Maarif et al. 2010).

In accordance with Government Regulation No. 40 of 2019 about the Implementation of Law No. 23 of 2006 regarding Public Administration, which in article 39 chapter VI regulates 'Procedures for Registration of Marriage for Believers in One God'. This policy is an opportunity for adherents of belief to access marriage services, although in the process they collide with the legality requirements of customary communities from state institutions which require registration at the Directorate General of Culture. Although the Identity Card (religion section) has listed believers in God Almighty, the Family Card has not undergone any changes or adjustments in the Religion column, as a consequence of the legality of indigenous communities not being registered with state institutions. Therefore, the *Orang Lom* customary community has been registered with a state institution, which has an impact on the recognition of Lom believers, leaders of the Lom belief have also been registered, making it easier to carry out the registration of marriages for those who are the believers in the Lom people community in the civil registry.

One of the subjects of this study is that in terms of marriage, women have a higher social stratification than men, When young and old women who are married to men from the Lom people usually follow the religion that is embraced by the wife. For example, the wife who was originally a Christian, the husband also became a Christian.

This tradition indirectly threatens the existence of the Orang Lom indigenous community. In addition, the factor of death also threatens this existence. Therefore, the adherents of belief are considered a marginalized group in Indonesia. Discrimination experienced by adherents of faith includes being forced to commit themselves to certain religions which are officially recognized on identity cards and other administrative documents (Baskoro 2019).

Problems in the realm of education arise during the period of student acceptance; believers confront challenges as a result of the absence of religion from the child's identity. Adherents of belief employ the tactic of hiding behind the official religion by making a forced choice of one of the official religions authorized by the state. Children of education believers are subject to a circumstance that constitutes a type of discrimination with regard to opportunity to acquire education from the State. The inability to exercise these rights might be viewed as a form of losing one's citizenship,, because they have not been registered in the population administration which requires believers to embrace one of the formal religions.

Access to religious education services for believers is still limited, because children are required, or can be said obliged, to study one of the six official religions. The social reality shows the fact that children (from the adherents of belief) get bullied from other students at school. The stigma that children from Air Abik village have no religion, wear bracelets through their upper – arms, is one form of bullying experienced by children of the believers. In addition, in the past, when children of the adherents of belief didn't wear the hijab, they precisely could not make friends in the school environment (apart from the fact that it was a form of social exclusion), but after wearing the hijab, gradually some wanted to make friends with them. The role of religious symbols, including religious attire, has been and will continue to be controversial in a number of countries. Likewise, the necessity of installing religious symbols has become an area of debate in many congregations (Bielefeldt 2019).

In the world of education, the equality of students in obtaining education is absolutely to be provided by the government, especially in obtaining religious education for the adherents of religions and spiritual education of belief for believers, in this case citizens must obtain the fulfillment of the right to access education in faith. (Maulana 2019). The current condition is that there are no teachers who teach the adherents of belief in schools, therefore the Orang Lom indigenous community is preparing human resources to become teachers of faith in God Almighty in schools. The procedure that must be followed is to submit an application to the Majelis Luhur Kepercayaan Indonesia (MLKI), the Indonesian Supreme Council of Belief, by recommending a teacher from the Indigenous community. After that, the Council will recommend the teacher to the Ministry of Research, Technology and Education, and immediately appoint the teacher to the school.

This strategic move is a result of Regulation No. 27 of 2016 concerning Educational Services for Belief in God Almighty in Education Units, which explicitly states in Article 2 that "students fulfill religious education through faith education by adhering to the provisions of the laws and regulations governing the curriculum." Additionally, according to article 4 of the Regulation of the Minister of Education and Culture of the Republic of Indonesia No. 27 of 2016 concerning Educational Services Belief in God Almighty in the Education Unit, "Educators provide belief education lessons in accordance with the teachings of students' beliefs with reference to the learning as referred to in article 2 paragraph 3".

Of course, Law 20 of 2003 concerning the National Education System, Article 12 paragraph (1) letter, which stipulates that every student in every educational unit has the right to receive religious education in accordance with the religion he or she adheres to and is instructed by teachers of the same religion, or in other words, religious teaching personnel must be religious in accordance with the material being taught and the pupils' respective religions. Unfortunately, the teaching staff provided is limited to mainstream religions, such as Islam, Christianity, Catholicism, Hinduism, and Buddhism. Meanwhile, students with religions other than these religions generally do not receive religious teaching services in accordance with their beliefs. Such a situation is experienced, for example, by students with a background of adherents of the faith, where they are forced to take religious lessons that are not in accordance with their beliefs. This has an anthropological impact on students who believe in having what (Hausmann, Levine, and Tory Higgins 2008) calls multiple beliefs or multifaitth.

Conclusion

Believers in accessing citizens' rights include public administration, marriage, and religious education services by utilizing existing regulations, even though in accessing these services, they collide with the status of indigenous communities that have not been registered with state institutions. The Orang Lom Customary Institution has been registered with the Indonesian Supreme Council of Belief (MLKI). The approach used is more of a formal and bureaucratic administrative approach, so it is necessary to get support from academics, practitioners, and related stakeholders. Every regulation related to believers in God Almighty opens the opportunity for freedom and access to citizen rights services.

Discriminatory practices experienced by believers as part of the consequences of their identity and neglect of recognition as citizens. This condition does not discourage the spirit of believers in expressing their identity and fighting for equality and justice for believers. Awareness as a citizen who obeys regulations is manifested in the form of fulfilling formal requirements from the state in order to be able to access the rights of citizens. The Constitutional Court Decision Number 97/PUU – XIV/2016 and Regulation of the minister of education and culture 27 of 2016 provide equal space and rights for believers.

Access to education for believers has been stagnant for a long time. As a result, believers are compelled to adhere to the policies of public institutions in order to freely access educational services. Adherents of belief are made to feel weak in this situation, as if they lack the ability to dispute the rules already in place, in addition to the difficulties they encounter with regard to dominance in the religious community. The implementation of the citizenship policy is an effort to fulfill the state's official rights over its citizens, with the goal of filling the gap in the fulfillment of civil rights by minimizing social irresponsibility and bureaucratic complexity.

Communicative action ultimately aims at a consensus. This consensus can be considered rational if the communication participants can express their opinions and attitudes towards the validity claims freely and without coercion. The success of communication depends on the listener's ability to "accept or reject" the validity claims. That is, the validity claims must be simultaneously true, correct, and honest so that listeners can take their stand. Therefore, reaching a consensus requires the simultaneous acceptance of these claims of truth, accuracy, and honesty.

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