

Challenges in Safeguarding Rights for Child Indigenous Faiths

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ABSTRACT

A child of an indigenous faiths community is someone who has grown up in a community that holds certain traditional beliefs or faiths, which are often local and not tied to a major religion or official doctrine. They may follow or practice traditions such as the worship of nature, ancestral spirits, or rituals passed down through generations. In general, protection for minority groups. This research will examine the problematic fulfillment of children's rights of indigenous faiths in Indonesia. The approach method used in the research is normative juridical through legal principles, legal systematics, legal synchronization, and legal comparison. The data analysis method is qualitative juridical obtained through primary, secondary and tertiary data related to case studies of the fulfillment of children's rights of indigenous peoples in the region. The results of the research obtained from the problematic fulfillment of children's rights of indigenous faiths, first, the lack of legal recognition and identity/rejection of childbirth certificate registration for indigenous faiths couples. Second, the right of children to receive education in accordance with the curriculum and teachings of their beliefs. Third, protection from discrimination: Children from indigenous faith communities may be vulnerable to discrimination, and fourth, freedom of religion. The right of children to choose and practice their own religion or belief should be respected and protected.

Keywords: child; indigenous faiths; Indonesia.

INTRODUCTION

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, this is reflected in one of the state's objectives as mandated by the 1945 Constitution, hereinafter referred to as the 1945 Constitution, which is to protect the entire Indonesian nation and all Indonesian blood spilled. Such protection is implemented by protecting and respecting the rights of citizens and by improving the welfare of the entire Indonesian nation, both materially and spiritually.¹ To achieve this goal, the Indonesian nation must carry out development in all fields by paying special attention to and taking sides with parties who are vulnerable to violations of their rights, including indigenous peoples who are often a minority in the country of Indonesia.²

The existence of Customary Law Communities has been clearly and explicitly recognized in the provisions of Article 18 B paragraph (2) of the 1945 Constitution by stating that "The State recognizes

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¹ Ramli, Muhammad Afzal Dan Gede Tusan Ardika, "Studi Kritis Terhadap Ragam Konsep Negara Hukum", *Media Keadilan Jurnal Ilmu Hukum*, Vol. 10, No. 2, 2019: pp. 132-147

² Yoserwan, "Perlindungan Terhadap Perempuan dan Anak Melalui Hukum Adat Sebagai Manifestasi Hak Asal Usul dalam Tindak Kekerasan Terhadap Perempuan dan Anak di Sumatera Barat", *UNES Law Review*, Vol. 5 No.3, 2023: pp. 961-977. <https://doi.org/10.31933/Unesrev.V5i3.375>

and respects the unity of customary law communities along with their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law", and in addition the presence of the State to recognize and protect Customary Law Communities is a form of respect for Human Rights as mandated by the provisions of Article 6 paragraph (1) of Law Number 39 of 1999 concerning Human Rights. In the context of upholding human rights, the differences and needs of indigenous peoples must be considered and protected by law, society, and the Government. In international law, the position of indigenous peoples is recognized and must be protected. This is as mentioned in various international human rights instruments, including the 2007 United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention No. 107 of 1957 concerning the Protection and Integration of Indigenous Peoples, Indigenous Peoples and Semi-indigenous Peoples in Independent Countries, and ILO Convention No. 169 of 1989 concerning Indigenous Peoples and Indigenous Peoples in Independent Countries.

Over the centuries until today, the number of local religions in Indonesia reaches approximately 400 (four hundred) streams of belief in God Almighty that still exist.³ Some of these beliefs include: *Baha'i religion*, *Paguyuban Sumarah*, *Pran-Suh religion*, *Sapta Darma religion*, *Java religion*, *Kawula Warga Naluri*, *Paguyuban Ngesti Tunggal*, *Ngelmu Beja-Mulur Mungkret*, *Ilmu Sejati Prawiro Sudarso*, *Paguyuban Pambuka Das Sanga*, and others. These indigenous faiths and religions are commonly referred to as indigenous religions. Jhon A. Grim in his writing states that indigenous religions are often not based on world religions such as Islam, Catholicism, Christianity, Hinduism, Buddhism, Judaism, and others.⁴ Although in other cases it is found that indigenous religions are strongly influenced by the teachings of world religions and have been fused with local beliefs. The plurality of the Indonesian nation shows that this tradition of tolerance has been built naturally during society before the presence of religion, so that recognition and tolerance are not only for different religions, but also for beliefs. This is important to note as the historical experience of the Indonesian people which will influence the mindset of the nation in the future. A nation cannot develop a new tradition that is totally separated from its historical roots.

According to David Barret and Todd Johnson in the statistics of religions published annually by the International Bulletin of Missionary Research the adherents of local religions in the world as of the 2003 report were 237,386,000 people. In 2003, this number was estimated to be only 3.78% of the world's total population of nearly 6.3 billion people. Compared to the situation in Indonesia, the adherents of local religions are only about 1% of the total population of Indonesia. Most of the adherents of local religions live in Papua, Sumba, the interior of Sumatra, the interior of Kalimantan and the interior of Sulawesi, and some areas of the island of Java. This number in 2003 was estimated

³ Chandra Setiawan, *Keragaman Budaya Spiritual Sebagai Pemersatu Bangsa dalam Buku Laporan Gelar Budaya Spiritual dan Kepercayaan Komunitas Adat*, Jakarta: Direktorat Jenderal Nilai Budaya Seni dan Film, Direktorat Kepercayaan Terhadap Tuhan Yang Maha Esa, 2016, p. 153.

⁴ Jhon A. Grim, *Ecology and Religion*, Washington: Island Press, 2014, p. 32.

to be only 3.78% of the total world population which now totals nearly 6.3 billion people. Compared to the situation in Indonesia, the adherents of local religions are only about 1% of the total population of Indonesia. Most of the followers of local religions live in Papua, Sumba, the interior of Sumatra, the interior of Kalimantan and the interior of Sulawesi, and some areas of Java.

A child of a local indigenous faith is someone who has grown up in a community that holds certain traditional beliefs or faiths, which are often local and not tied to a major religion or official doctrine. They may follow or practice traditions such as the worship of nature, ancestral spirits, or rituals passed down through generations. In general, the protection of minority groups, especially children, in the current global situation is becoming more complex. Various development programs launched by the international community have not fully addressed the fulfillment of the rights of minority groups. In fact, various experiences and studies have shown that the most vulnerable and poorest groups generally come from minority groups, both ethnic and religious minorities.⁵

Children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, the state, government, and local governments as stated in Article 1 paragraph 12 of Law No. 35 of 2014 as a replacement for Law No.23 of 2002 concerning Child Protection. In the Law, Article 65 also mentions the importance of special protection for children from minority and isolated groups as referred to in Article 59 paragraph (2) letter c which is carried out through the provision of infrastructure and facilities so that they can enjoy their culture, recognize and practice their religious teachings, and use their own language.⁶

For them, being a practitioner of local beliefs may be an important part of their identity and daily way of life. They usually practice these beliefs in a supportive social and cultural environment, respecting the traditional values and norms prevailing in their communities. The significance of this research lies in the issue of fulfilling the protection of children's rights of local believers in various regions. As this child is included as one of the minority groups grouped into vulnerable groups. Article 5 paragraph (3) of Law No.39/1999 on Human Rights states that every person belonging to a vulnerable group of society has the right to obtain more treatment and protection regarding their specialty.⁷

There are previous studies that discuss the protection of indigenous peoples, including those researched by Muhammad Risky Surya Pratama with the research theme "Fulfillment of Rights for Indigenous Peoples by the State in the Field of Customary Forests" which examines the applicability of the Forestry Law in fulfilling the right to prosperity for indigenous peoples as stipulated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia,⁸ Yuliana Primawardani, with the research theme "Protection of the Rights of Indigenous Peoples in Carrying out Economic, Social

⁵ Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.

⁶ Danang Risdianto, "Perlindungan Terhadap Kelompok Minoritas di Indonesia dalam Mewujudkan Keadilan dan Persamaan di Hadapan Hukum," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, Vol.6, No. 1 (2017): pp. 125–142, DOI: <http://Dx.Doi.Org/10.33331/Rechtsvinding.V6i1.120>

⁷ Zainal Abidin dan Kustini, "Ketimpangan Antara Pemenuhan Hak Sipil dan Hak-Hak Lainnya pada Anak Sunda Wiwitan Cirendeu, Cimahi", *Jurnal HAM*, Vol.12, No. 3, 2021: pp.485-501, <http://dx.doi.org/10.30641/ham.2021.12.485-502>.

⁸ Muhammad Risky Surya Pratama, "Pemenuhan Hak bagi Masyarakat Adat oleh Negara di Bidang Hutan Adat ", *Jurnal Hukum Ius Quia Iustum* Vol. 29 No. 1, 2022: Pp. 189-210, <https://Doi.Org/10.20885/Iustum.Vol29.Iss1.Art9>

and Cultural Activities in Maluku Province" which examines the problems and violations of the rights of indigenous peoples not only concerning violations of rights to land, forests or resources,⁹ Septya Hanung Surya Dewi, I Gusti Ayu Ketut Rachmi Handayani, Fatma Ulfatun Najicha, who examined "The Position and Protection of Indigenous Peoples in Occupying Indigenous Forests"¹⁰ and the last Stivani Marantka Poro, Ali Imron, Wika Yuaha Shanty, who examined the Legal Protection of Traditional Rights of Customary Law Communities Against the Individualization of Customary Land for Commercial Purposes.¹¹

METHODS

The approach method used in the research is normative juridical through legal principles, legal systematics, legal synchronization, and legal comparison.¹² The normative juridical method is a scientific research procedure to find the truth based on the logic of legal science from its normative side.¹³ The study is conducted on norms and principles contained in secondary data, which are scattered in primary, secondary and tertiary legal materials. Includes a study of legislation on child protection of indigenous peoples, the Indigenous Peoples Bill, books on customary law and local religion in Indonesia, articles in journals related to the object of research.

The data analysis method, namely qualitative juridical, is obtained through primary, secondary and tertiary data related to case studies of the fulfillment of the rights of children of indigenous peoples in certain regions and certain countries. The use of this method is carried out by collecting empirical data on the fulfillment of the rights of children of indigenous peoples in certain areas. The selection of this approach method considers that the law is understood to regulate society, the law must be progressive to achieve concrete goals in society.¹⁴ The research specifications used are descriptive analytical, by providing data or a description of the object of the problem, namely the fulfillment of the rights of children of legal communities in certain areas. The research was conducted in two stages, namely library research to obtain secondary data and field research in the form of interviews to obtain primary data.

⁹ Yuliana Primawardani, "Perlindungan Hak Masyarakat Adat dalam Melakukan Aktivitas Ekonomi, Sosial dan Budaya di Provinsi Maluku, *Jurnal HAM*, Vol 8, No 1, 2017: pp. 1-11, [Http://Dx.Doi.Org/10.30641/Ham.2017.8.1-11](http://dx.doi.org/10.30641/Ham.2017.8.1-11)

¹⁰ Septya Hanung Surya Dewi, I Gusti Ayu Ketut Rachmi Handayani, Fatma Ulfatun Najicha, "Kedudukan dan Perlindungan Masyarakat Adat dalam Mendiami Hutan Adat", *Legislatif*, Vol. 4 No. 1, 2020: pp. 79-92. [Https://Doi.Org/10.20956/Jl.V4i1.12322](https://doi.org/10.20956/Jl.V4i1.12322)

¹¹ Stivani Marantka Poro, Ali Imron, Wika Yuaha Shanty, "Perlindungan Hukum Hak Tradisional Masyarakat Hukum Adat Terhadap Tindakan Individualisasi Tanah Ulayat untuk Tujuan Komersial", *Bhirawa Law Journal*, Vol. 2, No. 1, 2021: Pp. 74-78. DOI: [Https://Doi.Org/10.26905/Blj.V2i1.5857](https://doi.org/10.26905/Blj.V2i1.5857)

¹² Nanda Dwi Rizkia, Hardi Fardiansyah, *Metodologi Penelitian Hukum (Normatif dan Empiris)*, Bandung: Widina Media Utama, 2023, p. 1.

¹³ Johnny Ibrahim, *Teori dan Metodologi Penelitian Hukum Normatif*, Malang: Bayumedia, 2013, p. 57.

¹⁴ E. Saefullah Wiradipradja, *Penuntun Praktis Metode Penelitian dan Penelitian Karya Ilmiah Hukum*, Bandung: Keni Media, 2015, pp. 31-32.

DISCUSSION

Indonesia has guaranteed the right to freedom of religion. Article 29 paragraph (1) and paragraph (2) states that Indonesia is a country based on God Almighty and can guarantee the freedom of every citizen and embrace their respective religions in accordance with their religion and beliefs. This article is the legal basis made by the State for its people in carrying out religious teachings, beliefs and worship rituals that have become constitutional rights. Everyone is free to embrace religion and worship in accordance with the religion believed by the community, so that this article is absolutely a manifestation of religious recognition.¹⁵ In addition to the constitution of Indonesia, religious freedom is also found in Pancasila as the basis of the state's ideology as well as the philosophical foundation of the state. The concept of the one and only god in the first precept is the foundation for the state of Indonesia in guaranteeing religious freedom. The first precept reads: "Belief in God Almighty" contains the value that every Indonesian society is obedient to religion and belief, practices religion and belief in a civilized and respectful way and all religions and beliefs have the same place and treatment.¹⁶

Therefore, in the first precept there is a core meaning to be the main base for freely embracing religion:

1. Belief in God: The precept affirms that the Indonesian nation recognizes the existence of the one and only God, regardless of their differences and religions
2. Freedom of religion: has a very profound meaning that every citizen has the right to practice worship and embrace religion in accordance with their respective beliefs in this context, including:
 - a. Human rights: Inherent in every individual from birth, so the state is obliged to protect and respect these rights
 - b. Religious pluralism: Indonesia's diversity encourages tolerance among religious communities
 - c. State neutrality: it means that the state does not take sides with certain religions, but guarantees the independence of all religions to develop peacefully
 - d. Responsibility: freedom does not mean without limits. Every individual has the responsibility to carry out every obligation in religion and not to commit acts that violate norms.
3. Tolerance and harmony: encourage the establishment of mutual respect, tolerance, and harmony between religious communities
4. Morality and Ethics: belief in God encourages humans to behave honestly and responsibly
5. Unity and Integrity: the precepts become the glue of unity that is intermediate, despite having a diversity of religions and beliefs

¹⁵ Oki Wahyu Budijanto, "P penghormatan Hak Asasi Manusia Bagi Penghayat Kepercayaan di Kota Bandung", *Jurnal Hak Asasi Manusia*, Vol.7, No 1, 2016: Pp.35-44, <https://doi.org/10.30641/Ham.2016.7.35-44>

¹⁶ Sekar Anggun Gading Pinilih, Sumber Nurul Hikmah, "Aktualisasi Nilai-Nilai Pancasila terhadap Hak Atas Kebebasan Beragama dan Beribadah di Indonesia", *Masalah-Masalah Hukum*, Vol. 47 No. 1, 2018: pp 40-46, DOI: 10.14710/mmh.47.1.2018.40-46.

Thus the philosophical meaning of religious freedom in the first precept of "the one and only Godhead", it is important to see how these principles are applied in the context of Indonesia's diverse society. One of the community groups that needs special attention is indigenous peoples, who have special rights, including the right to practice their customs and beliefs

Indigenous peoples that need to be protected by the government include the human rights and cultural rights of indigenous children. As is known, children's rights are part of constitutional rights as stipulated in Article 28 Paragraph B (2) of the Second Amendment to the Constitution of the Republic of Indonesia 1945 which states that, "Every child has the right to live, grow, and develop, protected from violence and discrimination." The implementation of child protection in Indonesia is based on Pancasila and the 1945 Constitution of the Republic of Indonesia as well as the United Nations Convention on the Rights of the Child, which consists of the following basic principles: the principle of non-discrimination of the child, the best interests, the right to life, the right to grow and develop, and the right to have their opinions heard and respected. Positioning children's rights in the legal system is to illustrate the fundamental purpose of life.¹⁷

Child protection is all activities to ensure and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with the dignity of humanity, and receive protection from violence and discrimination. Meanwhile, a child is not yet 18 years old, including children who are still in the womb.¹⁸

In Indonesia, regulations on child protection have been issued in accordance with the needs of the people in Indonesia, the role of the international community in overseeing the fulfillment of children's rights based on the Convention of The Right of a Child also has a positive effect on the development of child protection in Indonesia. The Universal Declaration of Human Rights in 1948 became the basis for the Convention of the Right of a Child. The government in fighting for maximum protection for children finally issued a regulation, namely Law No.35 of 2014 concerning child protection, in this law provides an explanation of how the role of the government in prosecuting and providing protection to every child in Indonesia.

In the UN Convention on the Rights of the Child, children's rights are grouped into 4 categories, namely: The Right to Survival, the right to preserve and defend life and the right to the highest standard of health and the best possible care. Protection Rights, protection from discrimination, exploitation, violence and neglect. Right to Growth and Development, the right to education and the right to achieve a standard of living adequate for physical, mental, spiritual, moral and social development and Right to Participation, the right to express opinions in all matters affecting the child.

¹⁷ Laili Hanifah, M. Ishaq, Legal Protection for Children: A Conceptual Paper, *Advances in Social Science, Education and Humanities Research*, Volume 501 Proceedings of the 6th International Conference on Education and Technology (ICET 2020), p. 2.

¹⁸ Anna Maria Salamor, "Edukasi Undang-Undang No. 35 Tahun 2014 tentang Perlindungan Anak bagi Anak-Anak Masyarakat Adat", *Communnity Development Journal*, Vol. 4 No. 5, 2023: pp. 10427-10431, <https://doi.org/10.31004/Cdj.V4i5.20491>.

However, the children of indigenous peoples have not received proper recognition and protection. The lack of recognition and protection of the existence of indigenous peoples, both juridically and sociologically, has an impact on the lack of state attention to the fulfillment of basic rights as citizens. Where the condition of indigenous peoples is generally underdeveloped in the fields of education, culture, health services and in the socio-economic field. In fact, these conditions tend to put indigenous peoples in a weak and marginalized position due to negative external interventions. Problems with the rights of children from indigenous communities often include several aspects that need attention:

First, the lack of legal recognition and identity/rejection of childbirth certificate registration for indigenous faith couples. Due to the circular letter of Coordinating Minister for Welfare No: B.336/MENKO/ KESRA/VII/1980 dated July 16, 1980 regarding the improvement of the population census form. Strengthened by the Radiogram of the Ministry of Religious Affairs No. MA/610 /1980 to all religious believers: MA/610 /1980 to all Heads of Regional Office of Ministry of Religious Affairs throughout Indonesia dated September 22, 1980. As a result, the children of indigenous faith families in addition to not being able to get the right to education in accordance with their religion and beliefs are also forced to follow the lessons of the dominant religion. On the other hand, they are also stigmatized as non-religious people, children of the Indonesian Communist Party, atheists, and others. In some regions, family couples who marry in local religions must make a declaration of children out of wedlock.¹⁹ Children of local indigenous faith communities may face challenges in the legal recognition of their identity. The legal system may not recognize the religious practices or beliefs of their parents, making administrative processes such as birth registration or birth certificates difficult.

Second, children's right to education. The right to education is affected due to the incompatibility of their religious values or practices with the dominant secular curriculum. This can cause conflicts between children's educational needs and their family's beliefs. For example, based on the research of Moh Rosyid, a child from the Samin community in Kudus, Central Java, Samin children are not sent to school by their parents or go to school but do not pass the compulsory education level. This is because according to the parents of Samin children, there are no Saminist teachers available.²⁰ So there is no formulation of special service education for citizens who adhere to local religions in the midst of granting state authority for citizens of indigenous faiths and who have social disorders in the form of special service education, to examine the legal impact received by religious adherents (other than the six religions explicit in the legislation) in the practice of religious education in schools, to obtain legal arguments related to the limits of 'freedom of religion' for citizens in formal education for religious subjects, to formulate the design of local religious education curriculum in formal education, and the strategy for preparing educators. Therefore, the Government needs to provide curriculum, learning methods and educators that are in accordance with the needs

¹⁹ Sudarto, "Meneguhkan Kembali Keberagaman Indonesia Reempowering of Indonesia Diversity", *Jurnal Masyarakat Indonesia*, Vol. 43 No. 2, 2017: pp. 1-7, <https://Doi.Org/10.14203/Jmi.V43i2.741>.

²⁰ Moh Rosyid, "Hak Pendidikan Anak Dan Penyediaan Guru Penghayat Samin", *Jurnal Hukum Progresif*, Vol. 9, No. 1, 2021: pp. 64-73, <https://Doi.Org/10.14710/Jhp.9.1.64-73>.

of students and indigenous faiths. "Education for indigenous peoples must be based on local customary values, Indonesian national values and human rights values.

Third, protection from discrimination: Children of local faith communities may be vulnerable to discrimination or stigmatization from the wider community or even from authorities who do not understand or respect their beliefs. Regarding protection against discrimination, take the example of the inheritance rights of children of Sundanese Wiwitan believers. The Sunda Wiwitan community is a minority group, one of which lives in Cireundeu, one aspect of the fulfillment of their civil rights, namely the issue of marriage registration is still a serious problem. Research by Intan Netty, and Sonny Dewi Judiasih states that marriages conducted by residents of the Cireundeu traditional village with residents outside the village are not valid under the Marriage Law. For legal protection and the position of children born from these marriages based on Constitutional Court Decision No.46/PUU-XIII/2010 which provides civil rights related to child status, child rights and inheritance, and Constitutional Court Decision No.97/PUU-XIV/2016 provides legal protection by allowing the filling of the religion column with Indigenous so that the marriage can be registered and the implications for the birth of children receive legal protection.²¹

The fulfillment of the rights of illegitimate children, as is known on Friday, February 17, 2012, the Constitutional Court again made a historic decision by stating that illegitimate children also have a civil relationship with their biological father through Constitutional Court Decision Number 46/Puu-VIII/2010, which in the provisions of Article 43 paragraph (1) of the Marriage Law stipulates that children born outside of marriage only have a civil relationship with their mother and their mother's family.²²

Fourth, freedom of religion. The right of children to choose and practice their own religion or belief should be respected and protected, even if they come from local faith communities that may be less well known or understood by the majority. One example is the children of Parmalin believers. Although it is the original belief of the ancestors of the Indonesian people who came from the Batak tribe, discriminatory attitudes towards adherents of the Ugamo Parmalim belief teachings often occur in North Sumatra, one of which is from the world of education. In schools in North Sumatra, from elementary school to high school, Parmalim children are told to study Christianity. For Parmalim, adherents are spread across several districts and cities such as Medan, Simalungun, Samosir, Toba Samosir, North Tapanuli, and the center is in Huta Tinggi, Laguboti, Toba Samosir Regency. In Medan, there are 373 Parmalim adherents spread across 10 sub-districts, namely Medan Amplas, Patumbak, Medan Kota, Medan Denai, Medan Marelán, Tanjung Morawa, Medan Labuhan, Medan Belawan. Some of them belong to Deli Serdang Regency, namely Sunggal and Percut Sei Tua sub-districts.

²¹ Intan Netty, Sonny Dewi Judiasih, "Hak Waris Anak yang Lahir dari Perkawinan Warga Kampung Adat Cireundeu dengan Orang Luar Kampung Adat Cireundeu Dikaitkan dengan Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan dan Hukum Waris Adat", *Jurnal Ilmu Hukum Kenotariatan*, Vol.2, No.1, 2018: pp. 130-139.

²² Hazar Kusmayanti Et Al, "The Justice For Illegitimate Children of Indonesian Women Workers Through Constitutional Court Decision No. 46/PuuVIII/2010", *Jurnal IUS Kajian Hukum dan Keadilan*, Vol. 11, No. 2, 2023: pp. 254-264DOI: <http://Dx.Doi.Org/10.29303/Ius.V11i2.1228>.

Holden Sidabutar, one of the Ugamo Parmalim adherents who has eight children, said that his children were forced to learn Christianity. He said they always try to request that schools with Parmalim students are not given lessons in Christianity. "We always ask them not to do that. We ask that we give religious values. But some refuse. Finally, the religion grade was left blank," he said. Holden said that the Ugamo Parmalim are often discriminated against when dealing with population administration.²³

Fifth, protection from violence or bullying Like children from other religious or belief backgrounds, children from the indigenous faith community are also potential victims of violence or exploitation, especially if they are socially or economically isolated. Quoted from detik jabar, in 2017-2018 there was bullying experienced by a child from the Budi Daya Lembang faith group at his school. The Budi Daya faith group is one of the many faiths in Indonesia that has passed the steep road of growth and is able to survive to this day. Faisal Muzzammil from STAI DR. KH EZ. Muttaqien Purwakarta, in the journal article "Budi Daya Belief Group: A Study of the Meaning of Belief, History of Development, and Main Teachings of the Budi Daya Belief Group", mentions that based on data from the Consultative Council of BKKI (Badan Kongres Kebatinan Indonesia) in 1972, there were 644 belief or kebatinan groups. The number continues to grow from year to year.

Students of believers in Lembang, West Bandung Regency, still experience various forms of bullying. For example, forcing one of the children to join one of the religions, even though it was done in a joking tone, but it happened repeatedly. Kenanga, not her real name, often gets mocking jokes from her schoolmates. This is one of the many bullying that Budi Daya's indigenous girls still must endure.²⁴ This was the case for one of the children studying at a private junior high school under an Islamic foundation in Lembang, West Bandung Regency, West Java. The subject of Islamic Religious Education (PAI) is not compulsory although it is often difficult to avoid. What was compulsory was Arabic language lessons. Not lost from the child's memory, how the PAI teacher at his school once told him to do an assignment to write the laws of the Prophet, even though there was no force. At that time the child was in the first semester of class VIII. A feeling of surprise filled the child.²⁵

Broadly speaking, the author's research finds that children of local beliefs in Indonesia often face several challenges related to religious freedom. The following are some examples of such challenges:

1. **Recognition and Legitimacy:** The government generally only recognizes six official religions, such as Islam, Christianity, Catholicism, Hinduism, Buddhism and Confucianism. This causes many times local beliefs not to get official recognition by the government. Children who practice local beliefs are likely to face difficulties in achieving basic rights such as identity, education, and public service because they are not officially recognized.

²³ <https://Medan.Tribunnews.Com/2017/07/06/Pemeluk-Parmalim-Ini-Disuruh-Belajar-Agama-Kristen.>, accessed on 04/07/2024

²⁴ <https://www.Detik.Com/Jabar/Berita/D-6417337/Perjuangan-Penghayat-Budi-Daya-Melawan-Diskriminasi-Di-Sekolah>, accessed on 04/07/2024

²⁵ <https://Bandungbergerak.Id/Article/Detail/1597585/Terjal-Jalan-Murid-Murid-Penghayat-Kepercayaan-Menghadapi-Perundungan>, accessed on 04/07/2014

2. Education: Children who follow local beliefs can face difficulties in education, either because the curriculum does not support their teachings or because there is pressure to take official religious lessons that are contrary to their beliefs. This may make them feel uncomfortable and even rejected by their identity of trust.
3. Discrimination and Stigma: Often in the community, local beliefs are ignored or poorly understood. This can lead to discrimination or stigma against it. There may be injustice or lack of inclusion of children who adhere to local beliefs in their social and educational environment.
4. Religious Traditions and Ceremonies: Some things that make it difficult for them to celebrate religious ceremonies or traditions, such as restrictions on rituals that must be carried out or difficulties in obtaining permission to hold religious activities both in schools and public environments.
5. Identity Documents: There are issues with official identity documents such as birth certificates or Identity Cards (KTP) that do not contain information about the local religion. The impact can include administrative and legal complications, such as inheritance rights or recognition of citizenship.

To address these challenges, there needs to be efforts to raise awareness of the diversity of religious beliefs, formal recognition of local beliefs, and provide education and training to reduce stigma and discriminatory practices.

In addition, the author develops a creative framework to seek solutions to face challenges, called the "Pyramid of Togetherness". The innovative framework is a solution to face challenges for children who adhere to local traditions that are built in layers, from a strong foundation to an inclusive peak:

1. Pyramid Base; Recognition and Respect
 - a. Official recognition: the government needs to officially recognize all beliefs recognized not only by the six religions but as a whole.
 - b. Inclusive education: the education curriculum must accommodate the diversity of beliefs embraced by every Indonesia
 - c. Fair law: the law must protect the rights of all citizens, without discrimination
2. The Middle Level of the Pyramid: Collaboration and Dialogue
 - a. Interfaith dialogue: Building open and sustainable dialogue by building respect between religions and beliefs
 - b. Government-Community Partnership: the two work together to find solutions for the benefit of the community that adhere to local beliefs
 - c. Research: conducting in-depth research using a holistic approach that looks at symptoms as a whole
3. Pyramid Peak: An Inclusive Society
Tolerant society: the people of Indonesia who uphold the values of diversity and tolerance.

CLOSING

A child of a local indigenous faith is someone who has grown up in a community that holds certain traditional beliefs or faiths, which are often local and not tied to a major religion or official doctrine. They may follow or practice traditions such as the worship of nature, ancestral spirits, or rituals passed down through generations. In general, protection for minority groups. The research results obtained from the problematic fulfillment of children's rights of indigenous local beliefs, first, the lack of legal recognition and identity/refusal to record children's birth certificates for indigenous couples. Second, the right of children to receive education in accordance with the curriculum and teachings of their beliefs. Third, protection from discrimination: Children from indigenous faith communities may be vulnerable to discrimination, and fourth, freedom of religion. The right of children to choose and practice their own religion or belief should be respected and protected. Addressing this issue requires an approach that is sensitive to the specific needs of children from local faith communities, as well as collaboration between communities, governments and human rights organizations to ensure their rights are effectively respected and protected.

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