The Position of Kejawen in the Indonesian Constitution

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Abstract
The paradigms of world religions often influence Indonesia’s general understanding of religion. Indigenous religious practices are often labeled as animistic practices. The adherents of the Indigenous religion are often regarded as worshipers of trees, mountains, and the like. Such is the case with adherents of the Indigenous religion on Java Island (Kejawen). From the results of a literature study that utilizes various literature and paradigms related to the existence of religion in Indonesia, this study tries to look further into the position of Kejawen in the Indonesian constitution. The results of this study found that Kejawen adherents still experience many discriminatory actions due to the lack of comprehensive understanding of the Indonesian people regarding the importance of symbolic recognition and the resources of Kejawen teachings. In addition, Kejawen adherents also feel they have a historical burden because they are not considered adherents of a religion “recognized” by the State. Kejawen is often associated with occult and shamanic traditions. The Indonesian constitution clearly states that the State must be fair in guaranteeing and giving freedom to every citizen to choose, adhere to, and practice their religions or beliefs. Kejawen, as part of the indigenous religion, should also be protected and guaranteed in relation to its rights and freedoms and placed in an equal position with other religions.

Keywords:
Kejawen, Constitution, and Indigenous religion

Abstrak
Paradigma agama-agama dunia seringkali mempengaruhi pemahaman umum terkait agama di Indonesia. Praktik agama asli sering dicap sebagai praktik animisme. Para pemeluk agama asli, seringkali dianggap sebagai penyembah pohon, gunung, dan lain sejenisnya. Seperti halnya yang terjadi pada penganut agama asli di Pulau Jawa (Kejawen). Dari hasil studi pustaka yang memanfaatkan berbagai literatur dan paradigma terkait eksistensi agama di Indonesia, studi ini mencoba melihat lebih jauh...

Kata Kunci:
Kejawen, Konstitusi, dan Agama Asli

Introduction

Syamsul Maarif, in “Pasang Surut Rekognisi Agama Leluhur dalam Politik Agama di Indonesia”, explained that initially the definition of religion was not only influenced by its relation to public affairs but also determined by its interrelated economic and political contexts, because well in advance of the independence of Indonesia, when indigenous people (kaum adat) and abangan people (kaum abangan) were the upholders of indigenous religions and beliefs, the term “religion” was not so massively known as it is today (Maarif, 2018: 7).

The first social and religious tension from which emerge the trend toward making use of religion as political machines can be traced back to two conflicts in the colonial era, namely the conflict between Islam and custom and the conflict between santri and abangan (Maarif, 2018: 11,111). This tension introduced the term ‘politics of religion’, a term which can be defined as a political manoeuver of a particular group of people in the name of religion to legitimize their power and control over others, making the social polarization between the two social groups (santri and abangan) starker even after the independence day. Santri (those who considered Islam as their religion and way of life) tended to support the
establishment of an Islamic state, while *abangan* (those who considered Islam as their religion but still practiced their previous beliefs, called Javanism, or *Kejawen*) recommended the establishment of a secular state, in which religious affairs as a personal business should be separated from civic affairs and the state. The then-President of Indonesia Soekarno tried to reconcile the sharp difference by forming a committee called BPUPKI (Investigating Committee for Preparatory Work for Independence), which managed to suggest the differentiation between religion and belief, as mentioned in Article 29 (1) to accommodate the suggestion of *santri* and Article 29 (2) to accommodate that of *abangan* (Maarif, 2018: 15-19). KRT Wongsonegoro, the former Deputy Prime Minister of Indonesia, defined the word ‘kepercayaan’ in the Article as the *kebatinan* belief (Putri, 2017).

In 1946, the Indonesian government formed Department of Religious Affairs (what is now Ministry of Religious Affairs), as a response of *santri* after the Jakarta Charter was rejected and revoked. This provided a loose definition of religion which includes only the core elements of religions, such as doctrines about God, prophets, holy books, international recognition, and adherents. Such definition deligitimized and criminalized particular groups of indigenous beliefs also called *kebatinan* and regarded them as heresy, not religions, and their adherents were not recognized as believers. Moreover, Article 4 of Regulation of the Minister of Religious Affairs Number 9 of 1952 mentions that religions of ancestors were treated as pseudo-religions or primitive animistic ‘culture’ which needs to be modernized (Martin, 2005: 9).

To date, There are only 6 (six) state-recognized religions (official religions) in Indonesia: Islam, Protestantism, Roman Catholicism, Hinduism, Buddhism, and Confucianism, whereas the 1945 Constitution and the above mentioned regulations textually states that religion and belief are inseparable and both hold the same position, but the constitution is understood and practiced in such a different way that both are considered two different things.
On 10 November 2016, Tjahjo Kumolo (the Minister of Home Affairs) suggested followers of indigenous beliefs and faiths to leave the religion column on their KTP (Civil Identity Card) and KK (Civil Family Card) blank. Instead of removing the social stigma from adherents of local religions and beliefs, the suggestion, in fact, implied that those adherents are anti-Pascasilaist citizens or are accused of being communists, or atheists. From 2010 to 2016, there were six incidents of the rejection of funeral for the dead bodies of the adherents of local faiths, because general people considered them different. Furthermore, adherents of local faiths have a volatile relationship with believers of missionary religions, which causes them to experience social alienation from other members of society due to more and more frequently used practice of political religions.

Since 1 May 2018, the adherents of indigenous faith have been indeed allowed to fill the religion column with ‘penghayat’, or believer (Permana, 2018). However, the social stigma attached to the adherents of indigenous faith for a long time, according to Dian Jennie Cahyawati, the Director of Puan Hayati, still imposes historical burden. A number of families of the adherents of indigenous faith feel hesitant about passing down their values and faith to their children; likewise, their young generation hesitate to take up the relay baton since with the status of the adherents of indigenous faith they feel that they will have an uncertain future (Gandhawangi, 2021).

Kejawen, an indigenous faith on the island of Java, is confronted with the same problem. Kejawen is, in essence, Javanese people’s worldview in relation to religion, faith, and tradition (Hakiki, 2014: 159-174); or refers to all the Javanese beliefs related to divinity, worship, and faiths outside Islam (Kartapradja, 1985: 5). Its existence in the community of widely-recognized religions make kejawen come under severe social censure for deviating from the teachings of world religions.

Constitutional Court (MK) of the Republic of Indonesia issued Decision Number 97/PUU-XIV/2016 stating that the status of the indigenous religion or faith can be written in the religion column on Identity
Card and Family Card without any detailed mention about the name of religion. In this case, Sudarto of Setara Institute said that the decision of MK gives no absolute guarantee for the fulfillment of all the civil rights of the adherents of indigenous religion or faith given that the discrimination from which they have suffered results from the lack of an appropriate recognition of their existence (Erdianto & Nadlir, 2017). Herein lies the urgency of this study, namely, to precisely know the position of Kejawen in the Indonesian constitution.

Exploration of Kejawen can actually be found in some previous studies. Mega Ariyanti (2019) found that the adherents of Kejawen practice 18 kinds of fasting rituals, which based on Javanese philosophy of life will help human beings to reach the spiritual maturity and true happiness. Fasting is related to its constituting referents, including some activities, eating and drinking arrangements, and other physical matters. Furthermore, fasting is also considered to have spiritual significance, namely as an ascetic mode of life adopted to fulfill particular needs or to gain knowledge and wisdom useful for personal, family and social life.

The spiritual dimension of Kejawen becomes the main focus of the study of Muhammad Adiz Wasisto (2021). Wasisto saw the urgency of teachings of Kejawen in the spiritual, psychological, and social development in Indonesia, especially when it is related to preserving peace and stopping violence. He found that any form of cultural wisdom, the involvement of community coexistence, and the belief of major religions in the country which adopts pluralist and inclusive ideology, as reflected in Pancasila can all be said to have roots in Kejawen. The national motto of Indonesia “Bhinneka Tunggal Ika” presents an excellent example of this point. In this regard, it is not surprising that the mystical dimension of Kejawen deeply influences the way of life of Indonesian people, Javanese people in particular. Most of them still preserve the culture of their ancestors, believe in myths and associate them with Javanese cultures, like the traditions of performing some rituals such as hajatan, slametan, or moving into new houses which are conducted in accordance with primbon, Javanese horoscope or compendia (Pratiwi & Febriana, 2021).
However, the adherents of indigenous religion or faith in Indonesia still need an uphill struggle for their existence, official recognition of their beliefs, state protection service and their other civil rights. All of these need to be performed on the basis of democracy and anti-discrimination (Bustami, 2017) because many of them have still to bear historical burdens in the forms of social stigma and as heretics. This is what is experienced by a community in East Java called “Aboge”. Moch. Ichiyak Ulumuddin (2016), found in his study that the religious practices of Aboge are often mistakenly understood and even considered to deviate by most people upholding major religions. Besides, because Aboge is not deemed to be one of the officially recognized religions, its adherents find difficulty getting their civil rights. What is more, they are often considered to be unbelievers.

As mentioned above, the previous studies on Kejawen put their focus on its rituals, mystical phenomena, political identity, and discrimination against them. Meanwhile, this study focuses on the position of Kejawen as one of the indigenous religions or faiths among Javanese people before the government, by considering whether their existence is recognized and they enjoy their human freedom. In addition, the paradigm to be embraced in this study stresses on the importance of the religions of ancestors as an alternative for people to see world religions properly. The paradigm of indigenous religions or faiths is a fresh perspective offered by academicians to know how the adherents of indigenous religions see the world (Kabir, 2020). This paradigm is developed on the basis of intersubjective relationships, which are described in three ethical principles, namely responsibility, ethics, and reciprocity (Maarif, 2018: 118).

**Kejawen as Indigenous Religion of Java**

Picard saw that the definition of religion in Indonesia does not necessarily reflects the actual situation of religious practices among Indonesia people since they practice not only practice world religions
but they uphold the indigenous religions of their ancestors. According to the theory of Tylor’s theory of animism (Taylor, 1958: 9-19), whereas the belief of indigenous religions consists of four (4) important elements: occult, mystical union, sangkan paran ing dumadi (God as the source of everything), and nobility (Katapradja, 1981: 69-70). Meanwhile, Islam and Christianity dominate the religious landscape in Indonesia as the religions of the majority of Indonesian people (Ulimuddin, 2016: 106-107).

The religious practices of Kejawen are commonly different from those of monotheistic religions like Islam or Christianity (Abimanyu, 2021: 20-21). Kejawen include arts, cultures, traditions, rituals, attitudes, philosophy of life of Javanese people. Adherents of Kejawen, in fact, have different levels of understanding and different codes of practices in accordance with the characteristics of individuals or groups and cultural contexts in their surroundings. Some practitioners included teachings of Hinduism in their practice of Kejawen, and other practitioners included Buddhist teachings in their corpuses just as some others did those of Islam. For example, practitioners of Kejawen in Yogyakarta will use Islamic terminologies to explain teachings of Kejawen because the lexicon of religion in this region has been influenced by Islamic terminologies, the historical legacy of Muslim kingdoms flourishing in the late 14th century. Meanwhile, the Osing community in Banyuwangi, who have a deep historical root in Hinduism, will not adopt the same terminologies as those in Yogyakarta due to the lack of Islamic influence. However,  

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1 According to Tylor, the theory of animism is a key to understanding the origin of religions. How did all of them begin? In the past, wild philosophers (a term Taylor used to refer to shamans and thinker in the past) interpreted dreams and deaths as something containing spirits which have personality and are separated from bodies. They subsequently made an analogy and extension that spirits take control over many things outside human beings, like nature. A question then arose: are there among spirits the ones taking control over particular elements? From the question occur gods, angels, and devils, each of them accepting their own responsibilities. Then, is there the supreme power? Zeus, Odin, Amon-Ra, Amaterasu, and Allah, Yesus, and Yehova occur (Pals, 2006: 15-27).
it is unlikely to illustrate and explain the relation of *Kejawen* in a simple way, because each of its complexities and nuances marks the beginning of hundreds of years of interaction of theology with cultures and customs. Up to the present, *Kejawen* has continued to develop and respond to contemporary social situations (Lubis, 2019: 276).

Whatever people call *Kejawen* will still refer to the same ‘Rta’ (a basic principle, the natural truth and law). The universe expands in its own law, like the Earth which rotates on its axis and orbits the Sun. Planets revolve around the Earth and together with it orbit the sun. *Rta* (the natural law) was created by God for this life. There will be a destruction if a component of the nature disobeys the order (Widyoko, 2021).

From the Javanese point of view, *Sastrajendra Hayuningrat Pangruwatening Diyu*, the concept of *Mamahayu Hayuning Buwana* is about great wisdom. *Sastrajendra* is to find one’s inner peace and transform instincts into general welfare. Then, *tan kena kinaya ngapa embuh ora weruh*, meaning beyond any explanation and speculation, is not intended to ascend to heaven, *nirvana* (nirvana), or *moksha* (liberation), but to reach *dharma* (virtuous, proper, moral life). *Rta* itself is aimed at the welfare of all people.

The concepts of *sanatana dharma*, *mokshartam Jagadbithaya* to ascend to *moksha* is the philosophy of self-liberation. But unfortunately *moksha* is always perceived to be something humans can get only after death. *Moksha*, in its original concept is *mokshartam* (self-liberation from all conditions). The true wisdom of all creatures is to ascend to *moksha*, the true liberation: free from confusion, duality, and any bondage in a full consciousness that one’s self comes from a particular “belief system”.

There is an interesting story of Rishi Dayananda, the founder of Arya Samaj. When he was leaving for the ceremony of Shiva Ratri, he saw a rat roaming around a *lingga* (an aniconic representation of the Hindu god Shiva) and eating food there. He said, “What’s wrong with this God? He cannot even save Himself from a rat. What kind of gods is it? It is merely a statue, Pratima.” But when he considered the incident from another point of view, he realized that the rat, just like humans, need food. If
worshipers bring their offerings in the form of food and and those rates eat it, absolutely that will not matter to God. God is not the Pratima. When humans create Pratima, a statue, or whatever they call it, their objective is only to remind themselves of super-consciousness (Krishna, 2020).

The concept that God is inseparable means that God manifests Himself in every single individual and in every single thing in the universe. All is the manifestation of His power, and when ‘it’ comes, what will happen is pangruwating diyu, the finding of inner peace. What follows this step is that every individual can read the Book without writing any single word on it, including implied wise words. In contrast, most people write words before reading them. Javanese people have an ascetic practice called “laku”, which should be conducted by releasing or liberating one’s self from doctrines, dogmas, man-made conditions, and any kind of fear. The practice called laku helps individuals to live in full consciousness and walk on the path of truth in harmony with nature, science, and environmentally friendly technology to the extent that they can live in balance. In this term, Kejawen has a similarity with Confusianism or Taoism, but its teachings differ from those of both (Abimanyu, 2021: 21).

The most frequently performed spiritual practices (laku) of Kejawen are Pasa (fasting) and Tapa, or meditation (Santoso, n.d.: 1). The symbolization of “laku” commonly involves using objects or elements considered to originate in Java, such as keris (a Javanese dagger), wayang (a

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2 Ikhsan Tanggok, in “Mengenal Lebih Dekat tentang “Agama Konghucu di Indonesia” said that Confucianism (Khonghucu) is considered to be a religion in that it has the concept of the Almighty God, Prophet (Khonghucu), Holy Book (Su Si), houses of worship (Lithang), procedures for worship, and the concept of eschatology. However, Confucianism, on the other hand, does not deserve to be called a religion because it does not explain the afterlife (life after death), prayer, communication between living people with the dead, and means of maintaining the relationship even after one dies. According to Fung Yu Lan, Confucianism is no more than Platonism or Aristotelianism (Yu-Lan, 1990: 1).

3 Taoisme was founded by Laozi who lived in 604-517 BC (the 6th century BC) in the end of the Chunqiu period. According to James Miller, in his book entitled “Daoism: A Short Introduction”, the history of Taoism develops in its relation, or it is even closely related, to Confucianism and Buddhism (Miller, 2003).
traditional puppet), the chanting of *mantra* (a sacred utterance), and the use of particular types of flowers considered to have symbolic connotation among others (Sutiyono, 2014: 75). According to Yana MH, Javanese people have practiced fasting before the arrival of Islam in Java for a number of purposes. The adherents of *Kejawen* believe that those who perform ascetic practices (*tirakat*) will get reward in the future. In *Kejawen* teachings, there are at least 18 types of *laku pasa* (fasting), including *pasa mutih, pasa ngerub, pasa ngebeng, pati geni, ngelowong, ngrowot, nganyep, ngisdang, ngepel, ngasrep, pasa senen kemis, wungon, tapa jeg, lelana, tapa kungkum, pasa ngalong, ngeluwang, and pasa weton* (MH, 2010: 31-32).

The ultimate goal of the ascetic practices is the unity of servant with God (*manunggaling kawula gusti*), which is considered the core belief of *Kejawen* teachings (Chakim, 2007: 258). The concept of *manunggaling kawula gusti* illustrates the wholeness of this worldly life, which combines the nature of the universe, human thoughts, rationality, and imagination, and the existence of souls. The concept of the unity of all existence sees humans as a miniature (microcosm/little universe) of the universe which is considered to be macrocosm (great universe) (Asmara, 2013: 154). This analogy illustrates the connection of everything, and *Kejawen* teachings tend to explain the involved patterns in such a way that the connection seems clear. This principle can be illustrated through a story of a Javanese saint of *Kejawen*, Syekh Siti Jenar (Chodjim, 2007: 11).

Furthermore, the teaching *manunggaling kawula gusti* can be interpreted as the total consciousness of the unity of perception, meaning that an actual existence does not deny the existence of the other (Wasisto, 2021: 101-102). When hitting this point, one cannot choose to stay in a cave or lock oneself in a room. Instead, he will actively take part in an effort of securing general welfare, as well-articulated in javanese values: *mamahayu hayuning kelhargapamongan* (harmonious relation with family/relatives), *mamahayu hayuning Sasama/Pelemahan* (harmonious relation with all fellow creatures), and *mamahayu hayuning buwana/parabyangan* (harmonious relation with the universe) (Krishna, 2020).
Kejawen in the Constitution of Indonesia

In 2016, Constitutional Court (MK) of the Republic of Indonesia won the lawsuit of indigenous peoples in the judicial review by issuing the Decision Number 97/PUU-XIV/2016 (Wasisto, 2021: 98), stating that the existence of indigenous peoples is officially recognized in relation to administrative bureaucracy, including the inclusion of indigenous religions or faiths in the religion column on Civil Identity Card (KTP) and other civil administrative documents, and marriage and school registration for adherents of indigenous religions or faiths. Moreover, the most important part in the result of the judicial review was the judge’s consideration which heals the dichotomy or division between religions and beliefs or faiths by way of the fulfillment of human rights guaranteed under the 1945 Constitution. However, in reality, those adherents are still a far cry from the better fate and a happy life. There are many incidents in clear breach of what should be under constitutional guarantee. The adherents of indigenous religions or faiths are treated as if they were guests in their own house. They often suffer from intentional discrimination event at the constitutional level as well as bearing a social stigma from their fellow members of society, who are nota bene the upholders of major religions like Islam and Christianity (Langaji, 2013: 31).

Historically, Kejawen is not classified as a religion, but instead it belongs to the category of a belief or faith. The existing Constitution displays appalling ignorance of indigenous beliefs in Indonesia. For instance Article 29 of the 1945 Constitution, the permanent constitution guaranteeing religious freedom in Indonesia, divided the terms religion and belief (the 1945 Constitution of the Republic of Indonesia/Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, 2002: 21). The regulation of the Minister of Religious Affairs (PMA) Number 9/1952/Article 4, even states that indigenous beliefs or faiths constitute cultural backwardness by still sticking to ancestor worship (Martin, 2005: 9). On the contrary, the historical record reveals that indigenous beliefs were deeply held long for
any of the major world religions arrived in Indonesia (Rachmat, 1981: 23). Besides, Indonesia is the house of more than 300 peoples with their own cultural identities who use 250 different local languages and uphold both major world religions and indigenous beliefs (Achmad, 2012: 4).

In addition to the two legal standpoints, the enforcement of the Presidential Decree Number 1/PNPS/1965 on the Prevention of Blasphemy and Abuse of Religions, better known as Anti-Blasphemy Law in Indonesia, constitutes the most overt discrimination against adherents of indigenous beliefs. According to Samsul Maarif, particular groups of major religions often commit legal abuse by using the Anti-Blasphemy Law to establish political control over minority groups of indigenous peoples referred to as “Penghayat Kepercayaan”, like Kejawen (Wasisto, 2021: 99). Subsequently, another legal standpoint discrediting indigenous beliefs is the Resolution of the People’s Consultative Assembly Number IV/MPR/1978 stating that religious beliefs are not considered to be religions (Klosko, 2012: 8). Nowadays, the administration management of indigenous beliefs is no longer under the coordination of the Ministry of Religious Affairs, but under the coordination of the Ministry of Education, Culture, Research and Technology instead. This implies that indigenous beliefs are seen more as cultural expressions than as religious practices. Besides, Law Number 1 of 1965 and the Decree of Attorney General Number KEP-108/JA/5/1984 on the Establishment of Coordinating Board for Monitoring Mystical Belief are still in effect (BAKOR PAKEM) (Viri & Febriany, 2020: 110).

Recently, Bobby Prasetyo directed a short film titled “KTP” (2016) produced by ASA Film. The film presents a vivid illustration of the complexity of Indonesian bureaucracy in relation to the dynamic nature of indigenous beliefs or faiths. It is the story about Mbah Karsono (Mirkoen Alawi), an adherent of Kejawen who had difficulty filling in the religion column on his Civil Identity Card (KTP). Consequently, he cannot gain access to health services because the government offers only six alternative choices for the religion column. In addition, the film also contains the
mention of the phrase “palu arit” (lit. Hammer and sickle, a symbol of the Communist Party of Indonesia, or PKI), which reminds Indonesian people of Indonesia’s 1965 tragedy. This tragedy caused a string of incidents of the government’s discrimination against the adherents of Kejawen and other indigenous beliefs in Indonesia. During the period, those adherents were forced to choose to uphold one of the five official religions (now: six official religions; otherwise, they were accused of being members or sympathisers of the Communist Party of Indonesia (PKI) (Abidin et al., n.d.).

Therefore, the definition of religion which has been adopted by the Indonesian government and widely used in the academic world is the bitter legacy of Western thoughts flourishing in the 19th century: world religions. The paradigm of world religions, in the history of its usage, to define the word ‘religion’ has turned into division, discrimination, and criminalization, whereas each country has to treat every single individual of its citizens evenly. Taking this into consideration, an open and friendly definition of religion which disallows any form of discrimination needs to be proposed.

Conclusion

This study shows that the paradigm of world religions strongly influence the way the word ‘religion’ is defined and understood in Indonesia. This results in the fact that indigenous beliefs are treated as guests in their house, as it were. Kejawen, for instance, does not belong to or is not regarded as one of the religions since, according to the widely adopted definition of the word ‘religion’, a religion must have such religious concepts of divinity, prophethood, holy books, international recognition, and followers. As a matter of fact, in essence, individuals can be said to be religious or considered to be believers if they can keep their surrounding environment in harmony. In this regard, the ultimate goal of Kejawen teachings is to help individuals to achieve what is conceived
as *Manunggaling Kavulo Gusti* (‘unity of existence’), a spiritual experience which prompts them to be actively involved in an effort of promoting general welfare. As mentioned above, of the *Kejawen* core teachings and values are *Mamahayu Hayuning Keluarga/Pamongan* (harmonious relation with family/relatives), *Mamahayu Hayuning Sasama/Pelemahan* (harmonious relation with all fellow living creatures), dan *Mamahayu Hayuning Buwana/Parabyangan* (harmonious relation with the universe).

This study makes it clear that the government need to consider including indigenous beliefs or faiths to belong to the category of religions, taking into consideration the fact that the Constitutional Court issued a decision to heal the dichotomy between religions and beliefs. Tetapi realitasnya, *Kejawen* seringkali mendapatkan perlakuan diskriminatif. This can hopefully end discrimination against the adherents of *Kejawen*, who only hope to have obtain their human rights as citizens and to enjoy equal services and security guarantee, especially the for their freedom of religion and faith. The fulfillment of the rights for freedom of religion will definitely affect the fulfillment of other human rights, such as services for health, education, civil administration, marriage registration, and funeral among others.

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