Freedom of Religion or Belief as a Public Virtue in Diversity Governance in Indonesia

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Abstract

The main concept of virtue ethics is to promote character virtues, such as justice, courage, and self-control. The main framework developed in virtue ethics focuses on how character virtues can shape a good life, treat oneself and others correctly, and build a peaceful community. Thus, diversity management is the way the state regulates communities of citizens who represent certain religious identities and also the relationships between other communities. This study uses a qualitative research method with an interdisciplinary approach that integrates the concepts of ethics, sociology of religion, and critical hermeneutics. In this research method, the author constructs the idea of freedom of religion or belief as a public virtue based on virtue ethics in diversity management, specifically religion or belief. This study finds: first, freedom of religion or belief is a form of public virtue; second, virtue is a character trait that must be evident in the habitual actions of individuals and communities in the public sphere. These traits and characteristics form the basis of moral character within a community. Values such as tolerance, respect for the rights of religious freedom, and solidarity among religious communities are lived out in society or communities; third, virtuous activities are activities that are characteristic of religious or belief communities.

Keywords: Religion; Public Virtue; Diversity Government; Indonesia

Introduction

There is a real tension between freedom and harmony, both in theory and in practice, in the context of diversity management. These two concepts have emerged and clashed throughout Indonesian history, from before Indonesia's independence to the present day (Sutanto, Sormin & Rafsadie, 2024, 245). Lukman Hakim Saifuddin, Minister of Religious Affairs of the Republic of Indonesia in 2019, asked the Ministry of Religious Affairs (Kemenag) to embed the concept of religious moderation in the management of religious diversity (Kementerian Agama RI, 2019, v). For the Minister of Religious Affairs, religious moderation is not something new for this nation, but the value of religious moderation exists in all religions, because all religions basically teach the same human values. He clearly stated, "Indonesian society has deep-rooted social and cultural capital. We are accustomed to being tolerant, respectful of brotherhood, and appreciative of diversity. It can be said that these fundamental values are the foundation and philosophy of society in the archipelago in practicing religious moderation"

The term and discourse of moderation had been used in Indonesia before the Ministry of Religious Affairs policy emerged (Ali-Fauzi, 2023, 80). The religious moderation program has played a central role as a government policy on the management of religious life since 2019. Religious moderation has become one

of the strategies for character or moral development in the context of human resource development (Sutanto, Sormin & Rafsadie, 2024, x). As a national program and part of the priority programs of the 2020-2024 National Medium-Term Development Plan (RPJMN), two institutions: Communion of Churches in Indonesia (PGI) and Center for Religious and Cross-cultural Studies (CRCS) UGM, are serious issues in the effort to realize the commitment to FoRB, which has been mandated by the Constitution since 1945 (Junaedi, 2022). Academics and FoRB activists such as Trisno S. Sutanto, Asfinawati, Ihsan Ali-Fauzi, Maufur, Suhadi Cholil, and Zainal Abidin Bagir view "how central the paradigm of religious harmony is and how strong harmony remains in Indonesian religious politics" (Sutanto, Sormin & Rafsadie, 2024, x).

However, according to FoRB thinkers, the concept of religious moderation as a middle ground needs to be considered. This is because religious moderation does not explicitly include the concept of FoRB. Prioritizing harmony over religious freedom has neglected the principles of the Indonesian Constitution. The concept of harmony, which is the goal of religious moderation, has never explicitly appeared in the constitution. This can be seen from 1945 to the present day, after Indonesia went through several important historical periods and several attempts at constitutional change. The concept of religious harmony has been maintained and is strongly based on the main normative principles in religious governance in Indonesia (Sutanto, Sormin & Rafsadie, 2024, x).

I used a qualitative research method with an interdisciplinary approach that integrates the concepts of ethics, sociology of religion, and critical hermeneutics. In this research method, the author constructs the idea of freedom of religion or belief as a public virtue based on virtue ethics in the governance of religious diversity. Research data was collected through analysis of scientific articles from recent years, documents, and books related to freedom of religion or belief and religious moderation. Based on the problematic situation described above, the author then formulates two fundamental questions: How is freedom of religion or belief a public virtue in the context of religious diversity in Indonesia? Then, how can the principle of virtue ethics be integrated into the implementation of religious moderation to strengthen the management of diversity?

The concept of religious moderation is considered a middle ground in managing religious life to support the development of peace and national unity. The practice of religious governance through cultural strategies carried out by the Ministry of Religious Affairs is mentioned to complement and strengthen spaces for encounters between community groups, inclusive values, and tolerance (Kementerian Agama RI, 2019, iv), although this is not what happens in the reality of religious life. A series of religious moderation efforts seek to realize this in three strategic areas, namely the establishment of houses of worship, inter-institutional synergy, and public space management. These aspects should support religious freedom and

strengthen national values, but often become sensitive points that can cause social friction. The management of diversity is carried out sectorally without strong coordination. This management results in several things: policy fragmentation, inconsistent implementation at the regional level, and in some cases, it actually gives rise to seeds of intolerance and social injustice (Fakhrurraji, 2025, 600).

Diversity management is the way the state treats communities of citizens who represent certain religious identities and also the relationships among other communities. Ideally, in a democratic-secular country, the state should not regulate religion. However, in reality, even mature democracies still regulate religion in various forms. According to studies on religion and politics, the concept of FoRB is part of human rights that should protect individual freedom, but it also creates boundaries, definitions, and rules as a form of religious diversity management by the state. If this is the case, then it is necessary to review and ensure that the management of religious diversity is fair, non-discriminatory, guarantees equality, and protects the rights of individuals to practice their religion and beliefs (Bagir, Mubarok, Rafsadi, Mulyartono, 2021, v).

The religious moderation policy issued by the Ministry of Religious Affairs still faces various serious problems, especially issues of freedom and guaranteed protection of FoRB rights for every citizen. Apart from state policies through the strengthening of religious moderation, there has been a growth in regulations, government agencies, and law enforcement agencies (APH) at the national and regional levels that are still and increasingly discriminatory. There is still a contrast between legal regulations that guarantee FoRB and the social reality that is still hampered or discriminatory. This context shows the need for a new approach to diversity management that does not only focus on legal regulations, rules, and sanctions. However, it is important to examine diversity management as a means of strengthening the morality and character of citizens through virtue ethics. The virtue ethics approach is one way to build a more just, inclusive, civilized public culture and a fundamental basis for diversity management. The urgent reason for choosing virtue ethics as a new ethical approach is to build public virtue for the sake of achieving FoRB.

Discussion

Virtue Ethics as the Foundation of Public Virtue

Virtue ethics has emerged from a rich history to become one of the most rapidly developing fields in contemporary ethics. The concept of virtue ethics differs from other approaches in moral philosophy. This can be seen in the distinctive way virtue ethics treats the concept of "truth" or "right action." Virtue ethics, often associated with the philosopher Aristotle,

has traditional roots, teaching that what is right is a category of certain people. These individuals are those with noble character, such as those who are courageous, humble, honest, fair, and wise. People of noble character will certainly express the virtues within themselves through consistent actions (Russell, 2013, 1). Initially, this concept was introduced to distinguish normative ethical approaches that emphasize virtue or moral character. Meanwhile, other ethical approaches, such as deontological ethics and utilitarianism, emphasize obligations or rules and the consequences of actions (Hursthouse, 2001, 1-2).

According to utilitarian ethics, a decision or action is considered ethically correct (moral) if it brings about positive results. The assessment of whether a decision is good or bad is based on whether good or bad things happen or not. This differs from deontological ethics, which states that ethical decisions can be justified not on the basis of positive results or negative impacts, but on the basis of the decision maker's motivation. In other words, the action can fulfill what is understood as an obligation. Therefore, the basis of the concept of deontology is that the good or bad of an action is the obligation itself. In other words, deontological ethics emphasizes that obligations are absolute (Weruin, 2019, 315-219). Broadly speaking, the two ethical concepts above emphasize the ethics of duty, the good or bad of behavior, or more precisely, the right or wrong of an action morally measured by its conformity with moral principles or rules that must be obeyed unconditionally. The ethics of duty views the right or wrong of an action as measured by its conformity with moral principles or rules that must be obeyed unconditionally. Utilitarian ethics and deontological ethics are based on duty or ethics of doing (Gufron, 2016, 105).

Dissatisfaction with the deontological and utilitarian approaches has led to the rise of virtue ethics. Although virtue ethics emphasizes character and good habits as the core of an individual's moral life, it does not ignore rules or norms as emphasized by deontological and utilitarian ethics (Russell, 2013, 1-2). For example, consider the case of helping someone in need. If this case is presented to a utilitarian, they will emphasize that the consequences of helping will maximize the welfare of the person being helped. Meanwhile, for a deontologist, helping is an action that is in accordance with moral rules. This attitude is based on values such as "If you want to be treated that way, then treat others that way." This is different from the virtue ethics school of thought, which emphasizes that helping others is an act of kindness or moral character. On the other hand, virtue ethics basically asks questions such as, "What kind of person should we be?" Therefore, the motivation for action is based on the highest good or superior activity.

Etymologically, the word "virtue" is a translation of the English word "virtue" which comes from the Greek term 'ἀρετή'. The word "arête" is often associated with piety. According to ancient Greek, the word "arête" means strength or ability (Gufron, 2016, 101). The word used by the philosopher Aristotle to

refer to 'excellence' is arête, which is generally translated as "virtue" (Aristotle, 2009, xii). Virtue can also be interpreted as the ability of humans to fulfill their roles in achieving their deepest goals (Loho et al., 2024). Aristotle believed that *eudaimonia* (happiness) must be an activity and can be achieved by all humans. This activity must be an activity that is unique to humans. This is because *eudaimonia* is *summum bonum* (the highest good). Every activity is not only an action that is in accordance with reason, but also done in the best way, namely an activity that is excellent, of high quality, and accompanied by virtue (Bowin, 2019, 6). Thus, happiness is a life lived through rational activities that are in harmony with excellence or virtue (Aristotle, 2009, xii).

Virtue is a character trait that must be evident in an individual's habitual actions. Aristotle said that this habitual trait is very important, because it is necessary to know that good things are done consistently. For example, honesty as a virtue or virtue. This habitual trait is possessed by a person if it is practiced continuously even if it is not beneficial to him. An honest person will view honesty as a matter of principle, and this action arises from a strong and unchanging character (Rachel, 2005, 310). Virtue is understood as a person's strength or ability to be a true human being. Virtue is closely related to humans, and a virtuous person is a noble person who does what is good and right in carrying out their responsibilities (Loho et al., 2024, 6332). The term arête is often translated into Indonesian as "virtue" or "goodness." In this paper, the author uses both translations interchangeably depending on the context of the discussion.

The main concept of virtue ethics is character virtues, such as justice, courage, and self-control. The main framework built in virtue thinking focuses on how these character virtues can shape a good life, treat oneself and others correctly, and build a peaceful community (Russell, 2013, 1). Virtue ethics is an ethical theory that argues that moral philosophy does not primarily deal with the rightness or wrongness of human actions according to certain moral norms or principles, but rather with the goodness or badness of human behavior or character. The fundamental question of ethics according to virtue ethics is not primarily what actions should be taken, but how humans as humans should live (Gufron, 2016, 105).

The development of virtue ethics in the modern era provides an in-depth description of the essence of virtue. Alasdair MacIntyre is one of the thinkers of communitarianism, along with theorists such as Michael Sandel, Michael Walzer, and Charles Taylor. Of these thinkers, the author is interested in exploring MacIntyre's concept of virtue ethics, which emphasizes the urgency of community tradition as the basis of morality in the contemporary context. He attempts to rehabilitate Aristotle's concept of virtue and construct a more particular view of virtue ethics (Adiprasetya, 2016, 2). This contemporary philosopher and communitarian figure criticizes the idea of universal principles and the idea of rational-atomistic individuals who are separated from their communities. Human historicity is fundamental because it emphasizes that humans and their moral thinking cannot be separated from the historical context and community

traditions in which they live. If humans are bound to their social groups, then the rationality of their moral judgments and actions is relative to those groups and does not refer to universal values as desired by the Enlightenment philosophers (Kamuri, 2017, 65-66).

In MacIntyre's phenomenal book After Virtue, he explains that human virtue in the contemporary era must have three important elements. First, practice. Practice is a complex and cooperative social activity that enables individuals to learn to achieve excellence and obtain intrinsic values that can only be obtained through consistency. Practice is a meaningful virtue. Second, the narrative order of a single human life. Human life is a story that contains a plot, purpose, and unity of meaning (Alasdair MacIntyre, 2007, 187). Third, moral tradition. A living tradition is not merely a habit but a process of thought and practice that has developed throughout history and within communities, discussing the virtues that shape that tradition (MacIntyre, 2007, 222).

MacIntyre attempts to provide a rational foundation for morality in the modern-enlightenment project and his proposal to return to virtue ethics, which emphasizes the need to return to moral traditions and practices that provide the basis for a meaningful life. MacIntyre's proposal seems more relevant to the Indonesian context, especially given the pluralistic nature of Indonesian society. MacIntyre constructs a more particular view of virtue ethics (Adiprasetya, 2016, 2). The concept of tradition and communitarianism that MacIntyre builds and champions is a tradition that focuses on the achievement of virtue in human actions. He emphasizes the importance of tradition and community in determining and directing morality, as well as paying attention to the social and cultural context in establishing virtue. Virtue ethics offers an internal basis for human moral engagement and focuses on human agents (Adiprasetya, 2016, 2).

According to MacIntyre, modern-enlightenment ethics preoccupies itself with the question of "What should I do?" and is overly concerned with issues of norms, rules, or principles that must be obeyed. In an increasingly bureaucratic and differentiated society, laws and regulations are indeed needed to ensure clarity regarding the boundaries of rights and obligations in communal life. However, this needs to be placed in the context of virtue ethics, because the understanding of rights and obligations will be fragile if it is not based on a commitment to an agreed common goal (Gufron, 2016, 112). Such questions only make sense when placed in the context of a more fundamental question, namely: "What kind of person do I want to be?" This second question is the main question in virtue ethics. This question is also closely related to the fundamental question in teleological ethics: "What is the ultimate goal of my life as a human being?" Only when this more fundamental question has been answered does the question of the norms, rules, and principles to be obeyed, or the question of "what should I do?" make sense (Sudarminta, 2014, 21). Thus,

such pre-Enlightenment ethical products are not virtues in the context of diversity, so they need to be returned to virtue.

Virtue is a character trait that guides humans toward a good life. Virtue is not merely a rule of conduct, but a way of shaping character that is in harmony with the "meaning of humanity" and its orientation toward a good life. Dorothea Frede adds that "virtue is a disposition that determines our actions in accordance with true human nature, while vice does the opposite" (Dorothea Frede, 2013, 125). With this foundation, virtue ethics is able to provide a reasonable explanation of "Why should humans act morally according to virtue ethics? Because in that ethics, the answer to the question of what I should do can be placed in the answer to the question of what kind of person I want to be" (Sudarminta, 2014, 23). As a moral framework, it can connect character building with more complex social goals. It explains that the tradition of republicanism makes "The public good to provide the standard for individual behavior. The virtues are those dispositions which uphold that overriding allegiance" (MacIntyre, 2007, 236-37).

The public virtue in this context is not only about personal morality or individual satisfaction, but also about shared practices that support the common good. In every community or national tradition, virtue not only serves personal perfection but also forms the basis for attachment to the public good. In this section, encouraging virtue in humans transforms from a mere individual moral orientation into public virtue, which binds individuals to social and political order and goals. In other words, public virtue is the political consequence of ethical virtue, namely that good morals support actions for the common good. If people from various communities can find agreement on basic human values, whether through a religious or secular perspective, these values can be used as a basis for building public virtue, which can serve as a moral guide for living together. Such public virtue can be used as a universal or public moral foundation if it is widely agreed upon through dialogue and cooperation among diverse communities.

FoRB as a Public Virtue

Freedom of religion or belief (FoRB) creates a condition in society where people can pursue high spiritual goals without being hindered by anyone. Thus, it includes the aspect of the individual rights of citizens to associate with the religion or belief they believe in. RF implies that every citizen has equal rights to choose their religion or belief, to worship, and to do everything related to their religion (Manese, 2020, 54). As a human right, RF is considered a negative and positive right. Negative rights mean that no one should be forced by the state or any other party to practice a religion or belief, including converting to another religion. Positive rights mean that everyone has the right to choose a religion or belief, establish a new community, and practice

worship and religious teachings, either publicly or privately, including not practicing any religion (Madung, 2020, 7).

In the context of Indonesia's diversity, the most difficult challenge is how to manage diversity while maintaining unity. This nation has inherited not only extraordinary complexity in terms of ethnicity, language, customs, religious beliefs, skin color, separate islands, and so on; but at the same time, since the proclamation of independence of the Republic of Indonesia in August 1945, we have also been determined to continuously strive for and maintain Indonesian unity (Bagir & Jimmy, 2022, 28). Thus, both diversity and efforts to achieve unity must be considered. Both must be managed fairly and peacefully. This is because if we only emphasize unity and deny diversity, the result will be uniformity; conversely, if we only emphasize diversity without efforts to maintain unity, the end result will be dangerous socio-political fragmentation. Finding a balance between diversity and unity is the task of "diversity politics" that will continue to challenge our journey as a nation and country (Bagir and Sormin, 2022, 29).

The most fundamental point that needs to be explained is that the basis for freedom of religion has long been laid down in the Indonesian Constitution. Freedom of religion is part of human rights as international law that has been recognized in Indonesian national law. In the 1948 Universal Declaration of Human Rights (UDHR), Article 18 of the UDHR states the following regarding freedom of religion: "Everyone has the right to freedom of thought, conscience and religion; which includes the freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance" (Hasanuddin, 2017, 99). Article 18 of the International Covenant on Civil and Political Rights (ICCPR) states regarding freedom of religion or belief: "Everyone shall have the right to freedom of thought, conscience and religion. This right includes freedom to choose a religion or belief of one's choice, and freedom, either alone or in community with others, in public or in private, to manifest one's religion or belief in worship, observance, practice, and teaching" (Hasanuddin, 2017, 100).

Specifically regarding FoRB, the Constitution provides very broad guarantees, stating: [1] "Everyone is free to embrace a religion and worship according to their religion, choose education and teaching, choose employment, choose citizenship, choose a place of residence within the country and leave it, and have the right to return." [2] "Everyone has the right to freedom of belief, to express their thoughts

and attitudes, in accordance with their conscience." (Article 28E of the 1945 Constitution, italics added). The constitution explains that rights and FoRB are free choices "in accordance with one's conscience" that must be respected and protected. No institution can obstruct, negate, or impose a person's religion or beliefs (Bagir and Sormin, 2022, 39).

After the 1998 Reformation, Indonesia has laid down democratic principles that uphold freedom, including freedom of expression in religious life in society, which is in line with the state ideology, Pancasila (Singgih, 2023, 220). The post-New Order democratic context provides a more open and free space and atmosphere for religious political expressions, with the pull and push of "religious politics" becoming more intense (Bagir & Sormin, 2022, 9). According to Zainal Abidin Bagir, this phenomenon began when the authoritarian regime that ruled Indonesia for 32 years was overthrown in May 1998 (Bagir et al., 220, 39). Experts say that the fundamental problem with SRHR in Indonesia is that various events occurring today, "ranging from restrictions on religious activities, discrimination, hate speech in the name of religion, persecution, violence, and so on, show that SRHR violations continue to occur, both by state and non-state actors. These violations clearly contradict Article 28E paragraphs (1) and (2) and Article 29 paragraph (2) of the 1945 Constitution (ISFoRB, 2024, 5). In addition, it is important to see from a broader perspective that these issues are influenced by politics and laws related to religious governance, the roots of which date back to the proclamation of independence in August 1945, and some even to the colonial era. Bagir et al. identify that "The current legal and political landscape of Indonesia is shaped by several conflicting elements, where the old and the new are mixed, resulting in a complex form of religious governance. The norms and practices of FoRB restrictions not only reflect the interpretation of restrictions in the ICCPR, but also the way the state regulates religion" (Bagir et al., 2014, 1).

Based on the SETARA Institute report, throughout 2024 in Indonesia, there were 260 incidents involving 402 violations of FoRB. This number of human rights violations has increased compared to the previous year, 2023, which saw 21 incidents involving 329 violations. Of the total violations, 159 were committed by state actors, while the other 243 were committed by non-state actors. The data above concludes that the human rights situation in Indonesia is deteriorating. According to the SETARA Institute, this situation "is a strong signal of regression in the protection and respect for human rights at the end of President Jokowi's administration and the beginning of President Prabowo's administration" (SETARA Institute, 2025).

One of the causes of rampant human rights violations in Indonesia is the lack of knowledge and awareness about human rights issues, both among the general public and the government and law enforcement agencies. To address this issue, there is a need for education and

teaching on FoRB that can shape public sensitivity and critical thinking in viewing the complexity of FoRB issues, as well as building public awareness to respect and uphold the principles of FoRB (ISFoRB, 2024, v).

The paradigm of religious moderation aims to create a harmonious public space, while FoRB has a broader goal than simply harmony; it is more about respect for the rights of individuals who practice their religion or beliefs. Manullang, in this case, quotes Carolyn Evans' view that FoRB is an essential part of human dignity and is important in building a meaningful life. Manullang and Evans agree that "FoRB must be understood as a right that protects individual autonomy, recognizes the importance of religion for individuals, and ensures that the state does not intervene in this freedom without strong justification" (Manullang, 2025, 22). This shows that there is tension between religious moderation and FoRB, which is problematic.

FoRB is a complex and often debated issue, especially in relation to diversity management in Indonesia. FoRB is recognized as a fundamental right, but in practice it still faces significant challenges, especially in communities where religious identity is laden with social and political interests (Suheri, 2024, 155). Although FoRB is often viewed as a universal right, its implementation is still limited by local power dynamics, making it difficult to fully realize in a pluralistic society. The tension between the universal framework of human rights and the socio-political realities in various social contexts necessitates a more contextual and equitable understanding of FoRB.

An important category in virtue ethics is justice. As a moral excellence, justice applies not only to individuals and their own actions, but also to other people. Justice cannot be separated from fairness, which is also a virtue (Kuzior & Marszałek-Kotzur, 2021, 198). Justice as fairness is an effort to formulate principles that regulate the distribution of rights and obligations among all members of a society, so that the distribution of rights and obligations can be properly guaranteed. Therefore, fair agreements among all members of society are crucial, because only fair agreements can encourage social cooperation (Hasanuddin, 2017, 111).

FoRB is a public virtue, which is ethical in nature and relevant in a pluralistic society. The virtue of FoRB is a core value and guide for religions in the public sphere (Sinaga, 2022, 340). Every human being fundamentally wants their right to FoRB to be respected and protected. Conversely, violating a person's right to FoRB means denying their position as a rational, free, and equal moral person. Conversely, recognizing a person's right to FoRB means respecting them as a rational, free, and equal moral person. In this context, FoRB is part of fundamental human rights (Hasanuddin, 2017, 111). Aristotle associated justice with humans and the state. He understood it as a bond that connects people in a community, and

linked its dimensions to the basis of their order. Justice refers to behavior towards others that can be considered right. He also associates justice with a "permanent disposition" to act justly and fight for what is fair. Aleksandra Kuzior & Izabela Marszałek-Kotzur explain two types of justice. First, distributive justice, which relates to the community and ensures that its members share in the common good. Second, commutative justice, which relates to the obligations of individuals towards others. Both must exist side by side in equal proportions (Kuzior & Marszałek-Kotzur, 2021, 198).

Public virtue is understood as a trait or characteristic that enables a community or group to function well or excel morally, supported by members of that community as part of the group's identity. Public virtue explains personal identity formed through self-imposed commitments. Public virtue is collective in nature and is not necessarily possessed by all members of the group (J. Von Eschenbach, 2020, 2). This means that values such as tolerance, respect for human rights, and solidarity among religious communities are lived out within society or the community.

In this case, FoRB is a form of public virtue. These traits and characteristics form the basis of moral character within a community. Eschenbach states, "Generosity is a virtue that may be ascribed to an entire group collectively and not distributed among each member. But more importantly for the purpose of global ethics, it can also be a moral excellence endorsed by a community as constitutive of its identity and thus impose obligations upon its citizens who identify with or are members of that community."

Conclusion

FoRB is part of human rights, which began with Indonesia's independence. The importance of FoRB is not only written in the constitution but also in the moral call to live a religious or faith-based life as the most important part of public religiosity of religion or belief in Indonesia, which must be realized in public virtue. Public virtue offers a way to treat others fairly and equally, which stems from the virtues adopted by a community as part of its collective identity. Communities must determine the values or public virtues that are considered important, such as FoRB, and then uphold those values through rules, practices, and actions together with community members. In this way, the community defines itself as a community that respects FoRB.

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