

Pancasila, *Nonagama*, and Human Rights: A Critical Study of Socio-Cultural and Constitutional Practices in Indonesia

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ABSTRACT

This study aims to analyse the role of Pancasila as the nation's philosophy in ensuring justice and equality for minority groups, particularly *nonagama*, who have long received limited attention in both academic discourse and public policy. The research employs a qualitative approach using a literature study method and thematic as well as critical document analysis of discourses on *nonagama* and interpretations of Pancasila's principles, especially the first precept. The findings reveal three main obstacles faced by *nonagama* groups in attaining justice and equality: (1) the exclusive interpretation of Pancasila's first precept, (2) a prevailing social paradigm that links morality with religiosity, and (3) low public awareness of pluralistic values. These findings imply the need for a reconstruction of understanding Pancasila in a more inclusive and open manner, so that it can guarantee constitutional rights for all citizens without discrimination. The originality of this research lies in its focus on *nonagama* groups from the perspective of Pancasila—an area rarely addressed in previous studies—thus contributing new insights to the discourse on pluralism, inclusivity, and human rights in Indonesia.

ABSTRAK

Penelitian ini bertujuan untuk menganalisis peran Pancasila sebagai falsafah bangsa dalam menjamin keadilan dan kesetaraan bagi kelompok minoritas, khususnya *nonagama*, yang selama ini kurang mendapat ruang dalam diskursus akademik maupun kebijakan publik. Pendekatan yang digunakan adalah kualitatif dengan metode studi kepustakaan dan analisis dokumen secara tematik dan kritis terhadap wacana *nonagama* serta penafsiran prinsip-prinsip Pancasila, terutama sila pertama. Hasil penelitian menunjukkan bahwa terdapat tiga hambatan utama bagi kelompok *nonagama* dalam memperoleh keadilan dan kesetaraan, yaitu (1) penafsiran eksklusif atas sila pertama Pancasila, (2) paradigma sosial yang masih mengaitkan moralitas dengan religiusitas, dan (3) rendahnya kesadaran masyarakat terhadap nilai pluralisme. Temuan ini mengimplikasikan perlunya rekonstruksi pemahaman terhadap Pancasila secara inklusif dan terbuka, sehingga mampu memberikan jaminan hak konstitusional bagi seluruh warga negara tanpa diskriminasi. Keaslian penelitian ini terletak pada fokus kajian terhadap kelompok *nonagama*

dalam perspektif Pancasila, yang masih jarang disentuh oleh penelitian sebelumnya, sehingga memberikan kontribusi baru dalam pengembangan wacana pluralisme, inklusivitas, dan hak asasi manusia di Indonesia.

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1. INTRODUCTION

Pancasila and the Constitution of the Republic of Indonesia (UUD NRI 1945) affirm the guarantee of freedom of religion and belief through Articles 28E and 29 (Suryana, 2019). Normatively, every citizen has the right to determine their beliefs, including positioning themselves as *nonagama* (non-religious). However, in practice, the socio-political reality in Indonesia often shows inconsistencies between constitutional norms and their implementation. The lawsuit of Raymond Kamil and Indra Syahputra to the Constitutional Court regarding the abolition of the religion column in the national identity card (KTP), which was eventually rejected, illustrates how the state tends to emphasize religious dimensions in its legal interpretation (Detik.com, 2024). This emphasis reinforces the impression that citizens must embrace a religion and potentially closes the space for justice for *nonagama*. The term *nonagama* (non-religious) refers to individuals or groups who do not identify themselves with any officially recognized religion (Peucker, 2020). This position does not necessarily mean rejecting spirituality or moral values but rather reflects a personal stance that separates belief systems from institutionalized religion. In the Indonesian context, *nonagama* can include atheists, agnostics, secular humanists, or those who believe in certain ethical or philosophical principles without affiliating with formal religious institutions (Hasani, 2016).

Furthermore, legal interpretations and policies saturated with religious nuances have triggered discrimination and intolerance against *nonagama*. This condition contradicts the principle of pluralism and the democratic spirit promised by Pancasila as the nation's philosophical foundation. Consequently, *nonagama* groups are vulnerable to being perceived as deviant, even considered disobedient to the state. The situation has been reinforced by research from civil society organizations showing that intolerance in the public sphere remains high toward those outside the mainstream religions (SETARA Institute, 2024). A survey conducted by The Wahid Foundation (2022) found that around 76% of young Muslims supported religious violence and 46% supported acts of intolerance, indicating that intolerance has penetrated younger generations. Further, a study in junior and senior high schools in Jakarta revealed that approximately 48.9% of students and 28.2% of religion teachers agreed with acts of violence in the name of religion and morality, highlighting the importance of instilling tolerance paradigms from an early age. Even in a global context, religious-based discrimination remains significant: a report in the United Kingdom showed that about 32% of people who disclosed their religious beliefs in the workplace experienced negative reactions, ranging from mockery to discrimination. Although the context differs, this data illustrates that intolerance—whether religious or *nonagama*—represents a universal phenomenon that affects social life. Thus, the condition clearly shows a serious gap between the inclusive ideals of Pancasila and the socio-political reality still biased toward religiosity.

Research on *nonagama* has developed considerably in the global context. For example, a study in Canada mapped the categories of *nonagama* into five typologies: spiritual British Columbia, dispersed Prairies, vestigial Ontario, non-believing Quebec, and stigmatized Atlantic Canada (Thiessen & Wilkins-Laflamme, 2017). The focus of this study lies more on the dynamics of identity, perception, and attitudes of *nonagama* individuals in liberal-secular societies.

In Indonesia, research on the relationship between religion, the state, and Pancasila has predominantly examined issues of religious majority-minority relations, radicalism, and interreligious relations (Azra, 2006; Mujiburrahman, 2022; Muttaqin, 2023). These studies highlight how Pancasila is positioned as a “middle ground” in mediating religion-based conflicts. However, *nonagama* groups have remained largely unaddressed, and the discourse has been limited to formal religious contexts.

Meanwhile, constitutional law studies have emphasized the guarantee of constitutional rights through the ICCPR and Law No. 12 of 2005 on civil and political rights (Hadi Kusuma & Susilo, 2020; Marzuki, hajjiah Hasibuan, & Fitri, 2025). Nevertheless, the primary focus of legal research has revolved around the rights of officially recognized religions or indigenous belief systems. In fact, *nonagama* as a social category, which undeniably exists in society, has received little attention from either constitutional or philosophical perspectives.

From this body of literature, a clear research gap emerges. First, global studies have primarily addressed identity and sociology of *nonagama* without linking them to the philosophical foundations of a nation or the constitutional framework. Second, research in Indonesia has mostly concentrated on majority-minority religious discourses, leaving *nonagama* groups outside of the analysis. Third, legal studies have not explicitly addressed the *nonagama* issue within the interpretation of Pancasila and constitutional rights. Therefore, this study seeks to fill this gap by connecting the phenomenon of *nonagama*, the interpretation of Pancasila, and the constitutional guarantees in the Indonesian socio-cultural context.

This study aims to analyze how Pancasila as the nation’s philosophical foundation responds to the existence of *nonagama* groups in Indonesia. Specifically, this study intends to: (1) understand the social phenomenon of *nonagama* in Indonesia, (2) examine the role and interpretation of Pancasila, particularly its first principle, in relation to the presence of *nonagama*, and (3) assess the extent to which the constitutional rights of *nonagama* groups can be fulfilled within the socio-cultural and legal framework of Indonesia.

The main argument of this study asserts that Pancasila, in essence, embodies openness, humanism, and inclusivity, which should accommodate diverse beliefs, including *nonagama*. However, the dominance of theistic interpretations and the prevailing social paradigm that link morality with religiosity have narrowed the inclusive scope of Pancasila. Accordingly, this study hypothesizes that reconstructing the understanding of Pancasila in a more open and pluralist direction is the key to ensuring justice and equality for *nonagama* groups in Indonesia.

2. RESEARCH METHOD

This study focuses on the conceptual analysis of the relationship between *Pancasila* as the nation’s philosophical foundation and the phenomenon of *nonagama* in Indonesia’s social, cultural, and legal contexts. The unit of analysis consists of texts, academic literature, legal documents, and public discourses that represent interpretations of *Pancasila* and *nonagama*.

This research employs a qualitative approach with a library research design. Creswell and Creswell (2022) argue that qualitative research enables scholars to explore the meaning individuals or groups attribute to social phenomena. This method is appropriate because the study aims to interpret the ideological meaning of *Pancasila* and its interaction with the phenomenon of *nonagama* in Indonesian society.

The study relies on secondary data, including books, journal articles, mass media reports, legal documents, and institutional publications (Djunatan, Haq, Viktorahadi, & Samosir, 2024). These sources were selected for their relevance to the research topic and their ability to provide comprehensive perspectives on the issues of *nonagama* and the interpretation of *Pancasila*.

Data were collected through a systematic review of literature using academic search engines such as Google Scholar, SINTA, Elsevier, and *ScienceDirect*. The searches focused on keywords such as “*Pancasila*,” “*nonagama*,” and “religiosity.” In addition, mass media sources and research reports were analyzed to enrich the findings.

The data were analyzed thematically and interpretively (Rifa'i, 2023). The analysis process involved organizing, coding, categorizing, and identifying patterns across the data. The information was then classified into three thematic clusters: (1) the conception of *nonagama*, (2) *Pancasila* and *nonagama*, and (3) *nonagama* within Indonesia's sociocultural and constitutional context. The classified data were subsequently examined critically and presented narratively. To ensure validity, the study conducted cross-verification of multiple credible sources. As a methodological limitation, the study did not include direct interviews with experts but relied entirely on literature and document analysis.

3. RESULTS AND DISCUSSION

The Conception of *Nonagama*

The term *nonagama* remains relatively unfamiliar in Indonesian public discourse compared to atheism or agnosticism, which are more popularly understood. In general, society tends to interpret atheists as those who "do not believe in God/religion" and agnostics as those who "believe in a transcendent power but not in organized religion," even though such categorization is far more complex. In academic literature, *nonreligion* has been described as a relatively new and broader term that encompasses a spectrum of self-identifications beyond formal religious affiliation, either in the form of rejection or disinterest in religious institutions (Bullivant & Lee, 2016; Lee, 2012). Levin et al. (2022) emphasize that *nonagama* is not merely synonymous with opposition to religion but rather reflects an individual's choice not to affiliate with formal religions or their institutional symbols.

From a comparative perspective, *nonagama* is often placed alongside atheism, agnosticism, non-theism, and areligion; however, it is conceptually broader because it captures various fluid forms of self-identification. This complexity of categorization creates significant challenges, particularly in Indonesia, where society tends to perceive reality through a binary lens: "religious" and "non-religious." This dichotomy cannot be separated from the intimate relationship between religion and culture in daily life. Saragih and Fitrianti (2023) argue that in the Indonesian context, religion and culture are deeply intertwined, shaping and interpreting one another. Consequently, religious communities tend to place *nonagama* at the margins, often framing it as a threat to social harmony.

From a juridical standpoint, there are currently no legal provisions in Indonesia that explicitly regulate or prohibit *nonagama* identity. Articles 28E and 29 of the *UUD NRI 1945* guarantee freedom of religion and belief, while restrictions under Article 156a of the *KUHP* are limited to blasphemy against recognized religions (Razak, 2017). This means that claiming a *nonagama* identity does not, in principle, constitute a legal violation. However, in social practice, the absence of legal recognition combined with the dominance of religious-moral paradigms often produces vulnerability for *nonagama* groups. A formally neutral legal position thus becomes paradoxical when juxtaposed with strong social sentiments, resulting in discrimination and stigmatization.

The dominance of this religious perspective is reinforced by the fact that Indonesia ranks among the most religious countries in the world. According to CEOWORLD (Wilson, 2024), Indonesia is listed in the top ten countries with the highest religiosity levels, scoring 98.7 in the "feel religious" index. This finding demonstrates that Indonesian society holds a very strong religious affiliation, which explains why *nonagama* identity struggles to gain acceptance, both culturally and administratively. Thus, the existence of *nonagama* in Indonesia faces significant challenges within a predominantly religious majority.

Other studies reveal that *nonagama* often emerges as a result of complex socio-psychological processes. Pramono and Bagir (2021) view *nonagama* as a fluid identity formed through the negation and affirmation of religiosity in situational contexts. Perez and Vallières (2019) further argue that atheism—as one form of *nonagama*—can arise from three main factors: intellectual doubt (*reason and enquiry*), moral criticism (*criticism and discontent*), and emotional suffering (*personal development*). Their study indicates that the choice to become *nonagama* is not merely an ideological

rejection but also reflects lived experiences, personal quests for identity, and interactions within local communities.

In Indonesia, data reported by David Hutt (2025) on *dwt.com* estimated that approximately 3.5 million Indonesians identify as atheists out of a total population of 270 million. Although the figure remains an estimate, the fact that most conceal their beliefs to avoid discrimination or criminalization underscores the real vulnerability experienced by *nonagama* groups. This condition highlights a clear gap between the constitutional ideals that guarantee freedom of belief and the social reality that restricts *nonagama* expression.

Ultimately, the development of *nonagama* in Indonesia should be understood as a reflection of modernity, rationality, and critical engagement with formal religiosity. The stigmatization of *nonagama* as “immoral” or a “social threat” further widens the gap between religious and non-religious groups, creating the potential for structural injustice. Therefore, the findings of this study emphasize the importance of a critical understanding of *Pancasila* as the nation’s philosophical foundation to bridge this gap. The principle of humanity embedded in the second sila of *Pancasila* should serve as an inclusive basis for recognizing identity diversity, including *nonagama*, thereby ensuring that the constitutional rights of all citizens are fulfilled fairly and equally.

Table 1. Forms of Bias toward *Nonagama* in Indonesia

Dimension	Manifestation of Bias	Implications for <i>Nonagama</i>
Social	Public dichotomy of “religious vs. non-religious”; stigma of <i>nonagama</i> as immoral.	Social exclusion, marginalization, limited access to public spaces with open identity.
Legal	No explicit recognition of <i>nonagama</i> in the <i>UUD NRI 1945</i> and its derivative laws.	Ambiguous legal status: formally not prohibited but vulnerable to criminalization (Art. 156a).
Cultural	Dominant religiosity in Indonesian culture; religion embedded in customs and symbols.	<i>Nonagama</i> seen as taboo, contrary to local norms, and perceived as a cultural threat.
Political	Constitutional Court rulings emphasize the “obligation to have a religion.”	Risk of discriminatory policies; constitutional rights of <i>nonagama</i> not fully guaranteed.
Global	International surveys: Indonesia among the world’s most religious countries (98.7%).	Expression of <i>nonagama</i> faces low acceptance; higher pressure compared to secular societies.

First, in the social dimension, Indonesian society tends to frame reality through a simple dichotomy of “religious” versus “non-religious.” This mindset generates stigma that equates *nonagama* with immorality or social deviance. As a result, individuals identifying as *nonagama* often face marginalization and feel compelled to conceal their identity to gain acceptance within their communities.

Second, in the legal dimension, although Articles 28E and 29 of the *UUD NRI 1945* guarantee freedom of religion and belief, no regulations explicitly recognize *nonagama*. This creates a paradoxical situation: identifying as *nonagama* is not legally prohibited, but expressions of belief that fall outside recognized religions remain vulnerable to prosecution under the blasphemy clause, particularly Article 156a of the *KUHP*. Consequently, the legal position of *nonagama* is ambiguous—formally neutral yet practically at risk of criminalization.

Third, in the cultural dimension, religion in Indonesia is not only a belief system but also an integral component of cultural identity embedded in customs, traditions, and collective symbols. This condition positions *nonagama* as taboo, inconsistent with national cultural values, and

perceived as a threat to established cultural harmony. The lack of cultural accommodation further narrows the public acceptance of *nonagama*.

Fourth, from the political perspective, the Constitutional Court's decision to reject the removal of the religion column in national identity cards (*KTP*) underscores the state's tendency to emphasize religious affiliation. As a result, the constitutional rights of *nonagama* citizens are not fully guaranteed, leaving them vulnerable to discriminatory practices in public policy.

Finally, from the global context, CEOWORLD data (Wilson, 2024) ranks Indonesia among the ten most religious countries in the world, with a "feel religious" score of 98.7. This high religiosity illustrates the strong dominance of religion in Indonesian society and explains why *nonagama* identity struggles to gain recognition in public spaces. Unlike in liberal-secular contexts, *nonagama* in Indonesia faces layered pressures—from social norms, legal frameworks, and state policies—that significantly limit its acceptance.

Pancasila and Nonagama

According to Sri Soeprapto (2014), who referred to the thought of Notonagoro as well as the interpretations of Soerjanto Poespowardojo and Alfian, the implementation of *Pancasila* in state administration is not merely the enforcement of formal norms but rather the development of *Pancasila*'s fundamental values into collective principles and norms. This perspective affirms the position of *Pancasila* as an open and dynamic ideology capable of adapting to societal change. Such a philosophical outlook remains relevant to understanding the challenges of contemporary Indonesia, as the openness of *Pancasila* should provide space for diverse interpretations, including those addressing the phenomenon of *nonagama*. Based on this premise, the study adopts the approach of *Pancasila* as an open ideology as the primary analytical lens.

Nevertheless, reality demonstrates that the hegemony of religious interpretations often narrows the space for the existence of *nonagama*. The choice of an individual to identify as *nonagama* is frequently regarded merely as a personal stance, whereas external factors also play a significant role. Krisna Yogi Pramono and Bagir (2021), in his work *Meninggalkan Agama: Identifikasi, Stigma, dan Diskriminasi Warga Non-Agama di Indonesia*, reveals that decisions to become agnostic or atheist may stem from experiences of religious socialization, spiritual identity-seeking, intellectual doubt, or exposure to philosophy and science. Thus, self-identification as *nonagama* is dynamic, situational, and reflective, rather than an act of instant rejection.

Although official data on the number of *nonagama* adherents remain limited, several studies indicate that this group is growing. Rohmawati (2022), for instance, estimated that 1.5% of the population, or approximately 3.5 million Indonesians, identify as atheists. This figure, while approximate, suggests that *nonagama* is not a marginal phenomenon but a social reality requiring recognition. Unfortunately, adherents are still frequently stigmatized as heretical, immoral, or nihilistic. Speed et al. (2018) argue that the assumption equating *nonagama* with nihilism or the absence of life's meaning is largely speculative rather than empirically grounded. Moreover, psychological studies demonstrate that atheists and religiously unaffiliated individuals are not systematically different from believers in terms of psychological well-being or meaning-making (Galen & Kloet, 2011).

When related to *Pancasila*, the stigmatization of *nonagama* is particularly problematic. *Pancasila* as a national philosophy is not a rigid, coercive legal norm but a fundamental value framework intended to guide society toward inclusivity. However, reality shows the prevalence of narrow interpretations, particularly of the first principle, "Belief in the One and Only God" (*Ketuhanan Yang Maha Esa*), which is often reduced to a formal obligation to adhere to religion. Such interpretations contradict the spirit of Article 29 of the *UUD NRI 1945*, which affirms freedom of religion and belief, and deviate from the principles of democracy and human rights upon which the Republic of Indonesia was founded.

Saragih (2018) emphasizes three important points in understanding the first principle of *Pancasila*. First, the concept of divinity must not be reduced to the perspective of a single religion but should be understood within the plural context of Indonesia. Second, divinity encompasses

universal attributes that transcend doctrinal and anthropomorphic interpretations of any religion. Third, the principle of divinity arose from a historical awareness of the reality of diversity, which must be preserved, honored, and respected in every aspect of life beyond religious rituals. Based on these considerations, the first principle should be understood substantively as the foundation for building respectful social relations, including those involving *nonagama*.

Unfortunately, practices in society and the state still reveal bias. Social paradigms that equate morality with religiosity, combined with state interpretations that inadequately accommodate pluralism, have fostered discrimination against different belief systems. As a result, *nonagama* adherents are frequently labeled immoral or even non-*Pancasilaist*. Such social pressures generate fear and alienation, illustrating that *Pancasila* as an ideal guide has not yet been fully realized in the nation's life.

The findings of this study affirm that the primary challenge does not lie in the text of *Pancasila* itself but in the interpretative practices and implementation of its values. As an open philosophy, *Pancasila* inherently provides space for the recognition of diverse beliefs, including *nonagama*. Therefore, a more inclusive reinterpretation is necessary so that *Pancasila* can genuinely serve as the foundation of social justice and national unity.

Table 2. Narrow vs. Open Interpretations of the First Principle of *Pancasila* and Their Implications for *Nonagama*

Aspect	Narrow Interpretation ("Belief in God = obligation to adhere to religion")	Open Interpretation ("Belief in God = inclusive value framework")
Definition of Divinity	Restricted to formal, theistic religions recognized by the state.	Encompasses universal, humanistic, and pluralistic dimensions of divinity.
Relation to Citizenship	Citizens are expected to affiliate with one of the official religions.	Citizenship rights are not contingent upon religious affiliation.
Social Perception	<i>Nonagama</i> adherents viewed as immoral, deviant, or non- <i>Pancasilaist</i> .	<i>Nonagama</i> seen as legitimate identity deserving respect and recognition.
Legal Implications	Risk of criminalization through blasphemy laws (Article 156a of the KUHP).	Protection under constitutional rights of freedom of thought and belief (Articles 28E and 29 of UUD NRI 1945).
Impact on Pluralism	Limits inclusivity, reinforces religious hegemony.	Strengthens diversity, equality, and democratic values in national life.

The comparative analysis between narrow and open interpretations of the first principle of *Pancasila* reveals a significant divergence in its implications for *nonagama*. The narrow interpretation, which reduces "Belief in the One and Only God" to a mandatory affiliation with formal theistic religions, reinforces exclusionary practices. Under this framework, *nonagama* identities are marginalized, stigmatized as immoral or deviant, and exposed to the threat of legal sanctions under blasphemy provisions. Such an interpretation not only contradicts the constitutional guarantees of freedom of religion and belief enshrined in Articles 28E and 29 of the UUD NRI 1945 but also undermines Indonesia's democratic and human rights commitments.

Conversely, the open interpretation situates *Pancasila* as an inclusive philosophical foundation that transcends sectarian or doctrinal boundaries. By recognizing divinity in universal and pluralistic terms, this perspective affirms that citizenship rights are not dependent on religious identity. In this way, *nonagama* adherents are acknowledged as legitimate members of the nation, whose rights and dignity deserve equal protection. Such a view aligns with

Pancasila's role as an open ideology capable of responding to the evolving diversity of Indonesian society.

In conclusion, the findings underscore that the main challenge lies not in the text of *Pancasila* itself, but in the dominant religious interpretations that restrict its inclusive potential. Reinterpreting the first principle through an open lens is crucial to ensure that *Pancasila* fulfills its role as the foundation for social justice, pluralism, and national unity in contemporary Indonesia.

Nonagama in Indonesia's Socio-Cultural and Constitutional Context

The Pew Research Center (2023) reported a consistent trend since 2012: atheists, agnostics, and the religiously unaffiliated have increasingly experienced hostilities in 27 countries – rising by five percentage points in 2020 – including verbal harassment, physical violence, and even murder. These incidents span Asia-Pacific, the Middle East–North Africa, Europe, Sub-Saharan Africa, and the Americas (including the United States). This global reality provides a critical point of departure, underscoring that the vulnerability of *nonagama* is not an anomaly unique to Indonesia but a cross-national sociopolitical phenomenon that frames comparative perspectives and policy lessons.

From this global framework, the issue converges on *theist normativity* – the normalization of theism as the standard of being a “good” citizen (The Conversation, 2021). When religiosity is equated with the morality of an ideal citizen – as evidenced by a 2015 U.S. survey in which 69% of respondents affirmed that belief in God was essential to being a “true American” – anti-atheist stigma becomes easily legitimized. This spiral explains why, across many contexts, *nonagama* identities are framed not as rational choices but as deviations from majority norms.

Consequently, Mackey et al. (2020) found that nonreligious individuals – particularly in the U.S. South – demonstrated higher stigma consciousness and were more likely to conceal their identity in public, reducing the likelihood of publicly identifying as “atheist” compared to private contexts. Similarly, Cheruvallil-Contractor et al. (2021) observed that “nonreligious” labels are often construed as a negation of religion rather than autonomous identities. These findings reinforce Wohlrab-Sahr and Kaden's (2014) argument that nonreligious groups are frequently categorized negatively as “less committed to values,” a stereotype that erodes safety and equal participation in social life.

Building on this pattern of stigma, a comparison between Indonesia and the United States highlights parallel dynamics despite contextual differences. Both nations embed religiosity into civic identity, albeit with different emphases: Indonesia centers on the first principle of *Pancasila*, while the U.S. employs civil-religious narratives such as “In God We Trust.” Bullivant's (2020) observations of the “rise of the nones” in the U.S. show how media attention helped catalyze the self-awareness of nonreligious communities as marginalized minorities. A similar analogy applies in Indonesia, where many *nonagama* adherents conceal their identity – such as by filling in a recognized religion on their national identity card – for safety and administrative convenience, a practice some moderates regard as “compelled dishonesty.”

The story of “Tina” (Koalisi Advokasi KBB Indonesia, 2025) – born into a *Nahdliyin* family but later identifying as agnostic and concealing her identity after the rise of intolerance in 2017 – illustrates the human face behind statistical trends. Likewise, Timo Duile (in The Conversation, 2017) noted that many secular or atheist individuals refrain from disclosing their identity due to risks of family conflict, divorce, or ostracism. These micro-testimonies confirm that the ecosystem of “safety” for expressing one's convictions remains weak, even as the constitutional framework ostensibly promises protection.

At this point, the problem narrows to the domestic sphere: *Pancasila* as *philosophische grondslag* and *staatsfundamentaalnorm* (Adhayanto, 2015; Tongat, 2012) should ideally serve as an open guide that accommodates diversity. However, Indonesia's political history also records traces of monopolistic interpretations of *Pancasila* (Ramage, 1995), in which official interpretations constrained meaning and suppressed alternative understandings. Franz Magnis-Suseno (1987)

aptly warned that when the state monopolizes interpretation, dissenters are not only “defeated” but automatically “wrong.” This risk of “uniformity” has resurfaced in proposals such as the reactivation of the *P4* civic indoctrination program (Tirto.id, 2020).

Normatively, Article 29(2) of the *UUD NRI 1945* guarantees freedom of religion, which in legal reasoning encompasses freedom of belief, including non-affiliation. Yet the specific regulatory architecture—such as Presidential Decree No. 1/PNPS/1965 and Article 156a of the *KUHP*—was designed to protect recognized religions from blasphemy. In judicial review case No. 56/PUU-XV/2017, government expert M. Ridwan Lubis (2005) argued that the Blasphemy Law remains necessary for national policy cohesion, even though “it was not intended to restrict freedom.” This framework, however, produces a legal gray area: expressions of *nonagama* can be interpreted as “deviation” or “propaganda” against recognized doctrines, subordinating constitutional guarantees to restrictive practices.

In contrast, *penghayat kepercayaan* (indigenous faith practitioners) have achieved recognition, including the right to record their beliefs on identity cards, precisely because their traditions meet the criterion of “divinity” (Siallagan & Syuhada, 2023). This logic reveals an asymmetry: when formal definitions demand theistic elements, *nonagama*—which falls outside such criteria—remains structurally excluded. The dominant public narrative of “mandatory religiosity” further legitimizes rejection of *nonagama*, even though the constitution mandates nondiscrimination.

At the discursive level, interpreting the first principle narrowly as strict monotheism often produces epistemic bias (Hastangka, 2018). More inclusive approaches exist—such as Al-Chaidar’s (1998) interpretation of “*Ketuhanan Yang Maha Esa*” as a concept compatible across major traditions—yet debates remain confined within intra-religious circles. As a result, *nonagama* continues to be overlooked in policymaking discourse, leaving its legitimacy eroded and its safe spaces diminished.

The construction of Indonesian national identity, rooted in ethnicity and religion, was reconfigured during the formation of the nation-state (Ergun, 2022). Syamsuddin (2002) outlines three paradigms of state–religion relations: (1) identical, (2) symbiotic-interdependent, and (3) secularistic. Given that Indonesia is neither a religious state nor fully secular, the symbiotic-interdependent model remains most viable: religion functions as a substantive partner of the state, while *Pancasila* remains the state’s foundation. In this model, religious preference should not serve as a justification for imposing affiliation or labeling *nonagama* (Cragun, 2016).

Distinguishing the vertical dimension of divinity from *Pancasila* as a moral code of coexistence provides a clear compromise: religiosity remains a private sphere, while public ethics rest on humanity, deliberation, and social justice (Tsoraya, Asbari, & Santoso, 2022). When “goodness” is reduced to “mandatory religiosity,” distorted adages emerge—such as “better to be religious but corrupt than moral but nonreligious”—which undermine substantive justice and negate the dignity of *nonagama* citizens.

If the root of the problem lies in interpretive practice, the solution must be a recontextualization of *Pancasila* as an open ideology. This entails: (i) affirming that constitutional rights adhere to citizens regardless of religious affiliation; (ii) separating private piety from public civic ethics; and (iii) designing anti-stigma policies—including safe administrative procedures for *nonagama*—alongside public literacy programs to reduce *theist normativity* as the sole moral standard. Within this framework, labeling *nonagama* as “non-*Pancasilaist*” is not only unfounded but counterproductive to national cohesion.

The body of evidence thus demonstrates that the vulnerability of *nonagama* stems from the intersection of global *theist normativity*, domestic hegemonic interpretations of the first principle, and regulatory gray zones that enable stigmatization. The problem lies not in the text of *Pancasila* itself, but in its interpretive practices. Therefore, the mandate moving forward is to realize interpretive practices consistent with the *raison d’être* of *Pancasila*: to guarantee humanity, justice, and unity within diversity—including the diversity of non-affiliation.

Table 3. *Nonagama* in Socio-Cultural and Constitutional Contexts of Indonesia

Dimension	Manifestations	Implications for <i>Nonagama</i>
Global Context	Rising hostilities against atheists/agnostics across 27 countries (Pew Research Center, 2023).	<i>Nonagama</i> adherents face harassment and stigma not only in Indonesia but as a global trend.
Social Norms	<i>Theist normativity</i> : “good citizens must be religious”.	Strong stigma: <i>nonagama</i> equated with immorality, deviance, or lack of values.
Identity Practice	Many conceal their <i>nonagama</i> identity.	Pressure to camouflage as religious for safety and administrative acceptance.
Legal Framework	Ambiguity: freedom of belief guaranteed (Art. 28E & 29 UUD NRI 1945) vs. blasphemy law (Art. 156a KUHP).	<i>Nonagama</i> legally unrecognized; vulnerable to criminalization or exclusion.
Religious Hegemony	Sila Pertama interpreted narrowly as “obligation to have religion.”	Nonreligion seen as non-Pancasilaist; creates exclusion from national identity.
State–Religion Nexus	Indonesia not a theocracy but practices “symbiosis-interdependen” (Syamsuddin, 2002).	Religion dominates public life, making <i>nonagama</i> structurally subordinated.
Philosophical Role of Pancasila	<i>Pancasila</i> as open ideology (Soeprapto, 2014).	In principle inclusive, but monopolistic interpretations reduce its openness.

The table illustrates that the challenges faced by *nonagama* in Indonesia are multidimensional, spanning from global hostilities to local socio-cultural structures, legal ambiguities, and political-ideological interpretations. At the social level, the dominance of *theist normativity* has created a rigid dichotomy between “religious” and “non-religious,” reinforcing stigma that portrays *nonagama* as immoral or deviant. At the legal and political level, the paradox between constitutional guarantees of freedom of belief and restrictive blasphemy laws results in an ambiguous space where *nonagama* adherents are formally protected yet practically vulnerable.

At the philosophical level, *Pancasila* should function as an open ideology that embraces diversity, including nonreligious identities. However, the monopolization of its interpretation—especially of the first principle, *Ketuhanan Yang Maha Esa*—has limited its inclusive potential, often equating citizenship with mandatory religiosity. This narrowing not only undermines the ideals of democracy and human rights but also contradicts the very spirit of *Pancasila* as a unifying philosophical foundation.

In conclusion, the findings suggest that the core issue lies not in the text of *Pancasila* itself, but in the hegemonic interpretations and socio-legal practices that exclude *nonagama*. Reinterpreting *Pancasila* inclusively—as a moral code for coexistence rather than a religious dogma—becomes essential to ensure that all citizens, regardless of belief or non-belief, enjoy equal rights and recognition in Indonesian society.

Discussion

This study found that the main challenges for *nonagama* in Indonesia stem from three interrelated factors: first, the narrow interpretation of the first principle of Pancasila, *Ketuhanan Yang Maha Esa*, which is often reduced to a formal obligation to embrace one of the state-recognized religions; second, the social paradigm that equates morality with religiosity, positioning *nonagama* identities as immoral, deviant, or even non-Pancasilaist; and third, the lack of public awareness regarding pluralism, which sustains stigmatization and marginalization. In addition, legal ambiguities—between constitutional guarantees (Articles 28E and 29 of the UUD NRI 1945) and restrictive provisions such as Article 156a of the KUHP—further reinforce the vulnerable status of

nonagama. These findings highlight a paradox: while Pancasila is philosophically open and inclusive, its interpretive and practical application in Indonesian society often narrows its potential.

The persistence of stigma against *nonagama* is caused by the dominance of theist normativity in both social and political life. Religion in Indonesia has historically functioned not only as a personal belief system but also as a key marker of cultural and national identity. This intertwining of religion and state discourse strengthens the perception that being religious is synonymous with being a good citizen. Consequently, any departure from this norm is perceived as a threat to moral order and national unity. At the legal level, the state's reliance on theistic frameworks to regulate religion results in a legal gray area that places *nonagama* adherents at risk of exclusion or criminalization.

Globally, research on *nonagama* has developed extensively. Thiessen and Wilkins-Laflamme (2022) mapped the nonreligious into five typologies in Canada, focusing on identity, perceptions, and attitudes within liberal-secular societies. Their work demonstrates that *nonagama* identity is diverse and context-dependent, shaped by social and cultural environments. In contrast, Indonesian scholarship has concentrated primarily on majority-minority religious relations, radicalism, and interfaith dialogue (Azra, 2006; Mujiburrahman, Nuraeni, Astuti, Muzanni, & Muhlisin, 2021; Muttaqin, 2023), highlighting Pancasila as a "middle ground" but rarely addressing *nonagama*. Legal studies, meanwhile, have emphasized constitutional guarantees through the ICCPR and Law No. 12 of 2005 (Hadi Kusuma & Susilo, 2020; Marzuki et al., 2025), but their focus remains on recognized religions or indigenous belief systems. Compared to these works, the novelty of this study lies in its integration of *nonagama* into the discourse of Pancasila—an area largely neglected in both philosophical and legal scholarship in Indonesia.

Historically, the marginalization of *nonagama* reflects Indonesia's long-standing tradition of embedding religion into nation-building. Since independence, Pancasila has been positioned as a compromise between religious and secular-nationalist groups, but its interpretation has gradually tilted toward theistic dominance, reinforcing exclusionary tendencies. This phenomenon can be better understood within the broader framework of religious nationalism, which refers to the fusion of religion with national identity and politics, often resulting in the moralization of citizenship through religious lenses (Sturm, 2018; Wagoner, Diarra, Barbieri, & Antonini, 2025). Similar to cases observed in the United States, India, and Israel, religious nationalism in Indonesia privileges religion as a prerequisite for national belonging and undermines pluralism (Juergensmeyer, 2019; Zvyagelskaya, 2024).

Socially, the stigma against *nonagama* underscores the persistence of binary thinking—"religious vs. non-religious"—that simplifies complex identity dynamics into rigid categories. This binary not only reproduces moral hierarchies but also reflects what scholars identify as the psychological and sociopolitical implications of religious nationalism: increased xenophobia, exclusionary citizenship, and the delegitimization of minority or nonreligious identities (Saiya, 2024; Wagoner, Belavadi, Gardikiotis, & Antonini, 2025). Such attitudes generate discrimination in public spaces, where nonreligious individuals often feel compelled to hide their identities. Research indicates that strong religious nationalism tends to correlate with hostility toward "the other" and the erosion of democratic commitments to diversity (Colella, 2020; Stroope, Rackin, & Froese, 2021). Consequently, the Indonesian case of *nonagama* stigmatization resonates with global patterns in which religious nationalism fosters exclusion, marginalization, and structural inequalities (Neo & Scharffs, 2021; Roy, Purkayastha, & Narayan, 2025).

Ideologically, the findings reveal a gap between the openness of Pancasila as an inclusive philosophy and its monopolistic interpretations in practice. The first principle, instead of being a universal foundation for plural coexistence, has often been instrumentalized as justification for compulsory religiosity, undermining Pancasila's role as a unifying framework. Historically, this tension reflects the dual nature of Pancasila, which was initially conceived as a secular ideology to accommodate Indonesia's plural society but simultaneously embedded with a strong religious dimension (Cribb, 2010; Hangabei, Dimiyati, & Absori, 2021). While its openness should have

encouraged pluralist interpretations, in practice, the dominance of theistic readings has privileged certain religions and marginalized alternative identities, including *nonagama* (Duile & Ricardo, 2024).

This monopolization of interpretation can also be traced back to the New Order era, when Suharto reinterpreted Pancasila to eliminate communist influences and institutionalized “Pancasila Democracy” as a pseudo-democratic framework that constrained plural voices (Karjono, Riyanto, Kurniawan, & Nayan, 2024). Although the Reformasi period opened space for reinterpretation, debates about the role of Pancasila in contemporary politics remain fraught with contestation (Shimada, 2022). For example, recent legal reforms continue to wrestle with how Pancasila can serve as a foundation for modern governance while balancing local religiosity and global legal norms (Akbar Hadiprabowo, Wasino, & Kurniawan, 2024; Siregar, Utomo, & Sholeh, 2024).

Contemporary ideological battles further illustrate Pancasila’s contested nature. In gender policy reforms, competing actors have strategically mobilized Pancasila to support conflicting visions of gender roles and relations, reflecting ongoing ideological contestation in post-Reformasi Indonesia (Hidayahtulloh, 2024). Similarly, civic education and community engagement programs have been deployed to socialize Pancasila values as a means of strengthening law-abiding behavior and fostering national unity, even though the inclusivity of such efforts remains debated (Arifin, Riyanto, Fibrianti, & Karsinah, 2024; Prakoso, Rokhman, & Handoyo, 2024).

In sum, Pancasila’s ideological interpretation is dynamic, shaped by historical legacies, political agendas, and contemporary reforms. While its text embodies openness and inclusivity, its monopolistic application risks reducing Pancasila into an instrument of exclusion rather than a foundation of plural coexistence. Understanding this dialectic is crucial to reimagining Pancasila not as a tool of conformity but as a living philosophy that genuinely upholds diversity in Indonesia’s socio-political life.

The function of this research lies in its contribution to broadening the discourse on pluralism in Indonesia by bringing *nonagama* into the conversation. It demonstrates that Pancasila, as an open ideology, provides the philosophical space to accommodate diverse beliefs, including nonreligious identities. However, the dysfunction appears in how Pancasila is currently interpreted and applied. Instead of serving as a source of inclusivity, its theistic interpretation has produced exclusionary outcomes: stigmatization, legal ambiguity, and political narratives that equate nonreligion with disobedience to the state. This dysfunction threatens the credibility of Pancasila as the nation’s moral compass and undermines Indonesia’s commitment to democracy and human rights. Indeed, the second principle of Pancasila, “just and civilized humanity”, aligns directly with universal human rights standards, while the fifth principle, “social justice for all Indonesian people”, reinforces the importance of equitable treatment and access to basic resources (Pradana, 2018; Rideng, Wijaya, & Saripan, 2022). Yet, these humanistic foundations are often overshadowed by restrictive interpretations of the first principle that privilege religiosity over inclusivity.

Scholars have argued that a reinterpretation of Pancasila is necessary in the face of globalization and democratization, requiring a synthesis of liberal and communitarian philosophies to strengthen its relevance to human rights discourse (Madung & Mere, 2021). This need becomes evident in legal practice, such as debates surrounding Indonesia’s new Criminal Code, which raises concerns about whether its provisions reflect Pancasila’s humanistic values and adequately protect individual freedoms and minority rights (Arifin, Putri, Aksan, & Linda, 2023). Furthermore, the consistency of Pancasila in ensuring judicial independence remains fragile, challenged by executive intervention and corruption—issues that weaken the rule of law and obstruct the protection of citizens’ rights (Kadir, Gunarto, Hussain, & Taher, 2025).

From a cultural-philosophical perspective, scholars highlight that the humanistic dimension of Pancasila resonates with Hans Küng’s idea of global ethics, emphasizing solidarity, dignity, and respect for all (Boiliu, Sihombing, Sampaleng, & Simanjuntak, 2022). This suggests that Pancasila possesses the normative resources to serve as a bridge between national identity and universal human rights. However, the gap between principle and practice indicates an urgent need for reinterpretation that prioritizes inclusivity over monopolistic readings. Without such efforts,

Pancasila risks being instrumentalized as a tool for exclusion, rather than functioning as the foundation of justice and unity it was intended to be.

To overcome these dysfunctions, several strategic steps are required that combine philosophical, legal, educational, and socio-political dimensions. First, there is a need for a philosophical reinterpretation of Pancasila, particularly its first principle, so that divinity is understood in universal and pluralistic terms rather than narrowly confined to theistic religion. Such an open reading would restore Pancasila's role as an inclusive foundation capable of embracing the diversity of belief and non-belief within Indonesian society. Second, legal reform must be pursued by clarifying constitutional guarantees to explicitly protect freedom of belief, including the right to non-affiliation, while also revising blasphemy provisions to prevent their misuse against *nonagama* groups. Third, public education should be strengthened by embedding pluralism and tolerance into civic and religious curricula, cultivating respect for diverse identities from an early age and countering stigmatization at its roots. Fourth, concrete policy measures are needed to establish safe and inclusive administrative mechanisms that allow nonreligious citizens to express their identity without being compelled to affiliate with officially recognized religions. Finally, active engagement of civil society is crucial, particularly through interfaith and cross-community dialogues that consciously include nonreligious perspectives, ensuring that *nonagama* voices are represented in national conversations on pluralism. Together, these measures would not only address the dysfunctions identified in the interpretation and application of Pancasila but also reaffirm its capacity to serve as a unifying moral compass for a diverse and democratic Indonesia.

In sum, this study highlights that the marginalization of *nonagama* in Indonesia is not caused by Pancasila as a text but by restrictive interpretations and practices that betray its inclusive essence. By reinterpreting Pancasila as an open ideology, Indonesia can address historical biases, dismantle social stigmas, and strengthen constitutional protections. Doing so would not only affirm the dignity and rights of *nonagama* citizens but also revitalize Pancasila as the true philosophical foundation for justice, pluralism, and unity in diversity.

4. CONCLUSION

This study concludes that the primary challenges faced by *nonagama* in Indonesia are rooted in three interrelated dimensions: the exclusive interpretation of the first principle of *Pancasila* (*Ketuhanan Yang Maha Esa*), the prevailing social paradigm that equates morality with religiosity, and the lack of public awareness of pluralism. These factors have generated stigma, discrimination, and legal ambiguity, leaving *nonagama* adherents vulnerable despite constitutional guarantees of freedom of belief. The findings affirm that the problem does not lie in the philosophical text of *Pancasila* itself but in its hegemonic and narrow interpretations, which undermine its inclusive essence.

The main contribution of this research lies in bringing *nonagama* into the discourse on *Pancasila*—a perspective that has been largely neglected in Indonesian scholarship. By connecting philosophical, sociocultural, and constitutional dimensions, this study provides a new lens for analyzing pluralism and inclusivity in Indonesia. It demonstrates that *Pancasila*, when interpreted as an open ideology, has the capacity to protect diverse identities, including nonreligious ones, and to serve as a foundation for social justice and national unity. Thus, this study contributes to expanding the academic discussion on religious studies, constitutional law, and the sociology of religion in Indonesia, while also offering a critical reflection relevant to the global debate on religion, identity, and human rights.

As a methodological limitation, this study relied solely on secondary data through literature and document analysis, without incorporating direct interviews or field research. Consequently, the perspectives of *nonagama* adherents themselves could not be fully captured. Future research should therefore include empirical fieldwork to provide deeper insights into the lived experiences of *nonagama* communities in Indonesia. Comparative studies with other nonreligious communities in Southeast Asia or the Global South would also be valuable in enriching the understanding of

how philosophical foundations like *Pancasila* interact with nonreligious identities in diverse sociopolitical contexts.

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