Dialogue Model For Resolving Freedom of Religion Conflict

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Abstract. Indonesian People, a multicultural citizen with Bhinneka Tunggal Ika as their motto. According to the constitution, the country guaranteed freedom of religion. As data found, the actor of violating freedom of religion is state individuals and the group of people. The state has provided state law instrument along with formal institution as the facilitator for resolving the freedom of religion conflict namely Religious Harmony Forum. In 2015, SETARA Institute recorded 196 religious freedom violation incidents with 236 form of action spread all around Indonesia.The mapping of religious freedom conflict covering the establishment of worship place, worship activity, and worship place management. The aim of this paper is to evaluating and founding appropriate dialogue model that suitable to the context and conflict need befell religious people or flow of beliefs. This research use qualitative method and socio legal approach that emphasize on empiric law antropologically. In the practice of the religious freedom, the dialogue model needs a certain and appropriate model that suitable for parties in conflict, conflict cause, and conflict location. During the time of religious freedom, conflict need a drag on thought energy and time. Therefore, dialogue model for overcoming freedom of religion conflict is not simple.

1 Introduction and Literature Review

Every conflict that occur need a solution so that social life takes place as before as the conflict of freedom of religion and belief (KBB). According to reports from the Human Rights Commission the 2016 KBB conflict stretched from eastern Indonesia to the west including Menado, Belitung, Denpasar, Kendal, Rembang, West Java (Bogor, Kuningan, Bandung, Cianjur, Tasikmalaya, Bekasi) Tangerang, DKI Jakarta, Aceh, Singkil. KBB's complaints in 2016 amounted to 97 cases while in 2015 there were 87 cases [1]. An increase in the number of cases of KKB complaints indicates that the community members are aware of reporting complaints, especially the KBB conflict.

The main causes of the KBB conflict include the first; restrictions or prohibitions on places of worship (44 complaints), second; restrictions and prohibitions on worship or religious activities (19 adherents) [1][10]. Whereas in 2017 the path of solutions to overcome KBB conflicts in general is juridically conducted using 2 (two) lines, namely litigation and non-litigation, all of which use dialogue media as a communication forum for the conflicting parties.

Interaction between individuals and between communities can take place positively and negatively which can be called conflict. Conflict is the relationship between two or more parties (individuals or groups) who have or feel they have goals that are not in line [2]. According to Ralf Dahrendorf, every conflict group has the potential for consensus [3]. Ted Robert Gurr emphasized 4 (four) characteristics of the first conflict; there are two or more parties involved, they are involved in the actions of the third hostile; they use acts of violence aimed at destroying, injuring and obstructing the fourth opponent; conflicting interactions are open so that they can be detected easily by independent observers [4].

The conflict has a variety of types and one of them is religious conflict. Conflict in multicultural communities is easy to occur with SARA reasons (religious and racial tribes). The cause of the conflict according to Magnis Suseno, consists of: a) modernization and globalization; b) accumulation of hatred in society; c) culture of violence; and d) political system [5]. This cause in conflict can refract, so it is necessary to be able to detect conflicts that occur around us. In fact, any religion or belief does not teach conflict. Precisely the teachings of religion and/or belief convey goodness and truth and justice. Understanding adherents of less perfect religion or belief or only partial understanding leads to conflict. KBB conflicts can be mapped. First, involving cross-religious communities in the form of communal or collective violence, second; sectarian conflicts involve intra-religious sects.

According to the report of 2016 National Committee Human Right Indonesia for KBB Conflicts based on the first, regional or location, the highest conflict occurred in the top 5, in West Java 21 cases, DKI Jakarta 19 cases, North Sulawesi, 11 cases, Central Java 7, Aceh, 6 cases. Second, the complaint category contains the issues mapped as follow [1].

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Table 1. The mapping of complaint category in KBB conflict

No	Issue	Amount
1.	Limitation, Banning, or Destroying Religion Worship Place	44
2.	Restrictions/prohibitions on worship/religious activities	19
3.	Threat/intimidation of religious groups	12
4.	Prohibition of Belief	8
5.	Disputes on internal interpretation / religion	5
6.	Criminalization	4
7.	Misdirection	2
8.	Discrimination	1
9.	Restrictions on corpses	1
10.	Omission	1
	Total	**97**

From the table above, the conflict can be observed because the establishment of places of worship is larger than other issues/issues and in conjunction with restrictions on religious activities contribute a significant number. While the issue that concerns also about the restriction of the place of the body can occur in different religious sects and even in different religions, although only one in number can potentially increase the nominal amount for the perpetrators who limit the place of the body.

Table 2. Victim data for violating the rights of KBB

No	Victim	Amount
1.	Muslim Place of Worship	24
2.	JAI Member (Jemaat Ahmadiyah Indonesia)	22
3.	Christian Place of Worship	17
4.	Religious community	15
5.	Individual	8
6.	Ex-Gafatar	3
7.	Syia People	2
8.	Islamic Boarding School	2
9.	Trust Group	1
10.	Buddhist	1
11.	Individual-children	1
12.	Not mentioned victim	1
	Total	**97**

From the table above the Muslim place of worship contains a large number of numbers along with JAI's condition which has the potential to become a victim because of the number of minorities.

Table 3. Listened to the perpetrator

No	Perpetrator	Amount
1.	Regional Government	52
2.	People Community	12
3.	Police	5
4.	MUI (Indonesian Council of Ulama')	5
5.	Without information from the complained party	5
6.	Personal	3
7.	Central Government (Ministry)	2
8.	Other State Government	2
9.	Educational Institution	2
10.	FJI DIY	2
11.	Jayawijaya Church Forum	1
12.	New Indonesia Movement Alliance	1
13.	LPI	1
14.	GMIM	1
15.	DOBRAK	1
16.	GMAHK Jemaat Zen Li	1
	Total	**97**

From the table above the main actors or perpetrators violating the KBB rights are actually from the local government through devices that have the potential to do coercion and violence to victims.

2 Objective of Study

The purpose of this study is to map and analyze KBB conflicts and the right dialogue model to overcome KBB conflicts.

3 Methodology

The research method used is qualitative with a doctrinal and nondoctrinal legal approach to aspects of legal anthropology to obtain a comprehensive description of the object under study. Sources of research data include primary, secondary and tertiary data, covering humans in actions, events and documents and related archives and others. Data processing using interactive and noninteractive models is then analyzed using interactive analysis models.

4 Discussion

4.1 The Table of Conflict and the Dialogue Model for Overcomes the Conflict

Table 4. The cases related freedom of religion and beliefs conflict

No	Cases	Related Parties	City/ District	Province	Solving	Year
1.	Blocking Ashura activities	Syia Community ad Islamic People Forum (abbreviated to FUIS) and FPI (Blocker party)	Semarang City	Central Java	Dialogue by presenting religious leaders (Islam), Police, Soldiers, Youth Activists, and Government Parties	2016 and 2017
2.	Rejection of the Joint Iftar Activities at the Church of Christ Raja Ungaran which was attended by Sinta Nuriyah Abdurrahman Wahid	Organizing Committee (Church of Christ the King Ungaran) with Islamic Defenders Front (FPI), Semarang Muslim Community Forum (FUIS)	Semarang District	Central Java	Dialogue facilitated by Polrestabes Semarang. NB. The Activity is moved to Banyumanik and there is a Rejection also.	2016
3.	Expulsion of Sangga Buana Belief Flow	Adherents of the Sangga Buana School of Belief and the Penaruban Village Community	Purbalingga District	Central Java	Citizens of the faith community are forced to repent	2016
4.	Coercion of Stu-dents' Beliefs in Semarang 7 Voca-tional School by the Principal and Education Office of Semarang City	Students Adhering to the School of Trust, School, and Service	Semarang City	Central Java	Through mediation by the Indonesian Ombudsman Central Java Representative	2016
5.	Construction of the Anggro Catholic Spiritual Park	Catholic Church and Anggrung Kertek Village Community Wonosobo.	Wonoso-bo	Central Java	It was mediated by an Advocate named Sugiyat who finally was able to resuscitate local residents and get a Building Permit	2010-2018
6.	The Government Seals the Al-Hida-yah Mosque belonging to Ahmadiyah	Ahmadiyah and Government	Depok City	West Java	Sealed by City Government	2017
7.	Destruction of Sapta Darma Believers' Places of Worship	The masses and adherents of the Sapta Dharma sect of belief	Rembang District	Central Java	Agreed together	2015

According to Ralf Dahrendorf, every conflict group has the potential to develop consensus [3]. The consensus that is meant by communicating and according to Jurgen Habermas consensus relates to the interaction between humans in communicating. Communication takes place in free domination to get an atmosphere of dialogue and discourse or everything that will be used as a consensus [6].

The word dialogue comes from the Greek word meaning logos between two parties or dual speech to exchange views, opinions and values of thought ideas. There are 4 (four) psychological principles based on the true dialogue first load; openness to other parties, second; willingness to speak and give responses to other parties, third; mutual trust both parties provide correct information in their own way. The principles of dialogue above require a process that is not simple if the parties to the conflict at the adjustment stage or even openly dishonest one another. Therefore, it is natural that the dialogue process can be taken many times to find a meeting of open honest mutual new objective and critical understanding of each other. Re-growing the psychic realm that was originally covered by the curtain because the absence of mutual understanding of nature and the authentic and fresh psychological form allows both parties to develop their true personal self [7].

4.2 Dialogue Model for Solving Conflict of KKB

Dialogue overcoming the KBB conflict has several treatments with a covering approach [8]. First, based on strength through intimidation, physical violence and terror because all parties in conflict mobilize all the energy to put forward the power of the majority vote and the minority votes to be defeated which occur in authoritarian and totalitarian situations, including oppressive and repressive, easy violations occur. the number is c. win-lose or even lose-lose in order to perish, destroying the warring party because of having a position; e. the defeated party is not willing and dissatisfied, second; rights-based parties that have the superiority of rights over opposing groups that are supported by laws or policies. The superiority of this right seeks to seek and punish rights violators. The process used to demonstrate the superiority of the rights and truths of litigation pathways, courts and arbitration and some. Third; interest-based offers alternative solutions to the use of power and excellence rights approaches in the form of negotiation, mediation, joint problem solving, brainstorming, dialogue and others. This approach involves various parties with various religious and sectarian backgrounds. The mechanism in this approach is in the form of negotiation and dialogue that uses several principles, including a. collaborative b. creative c. solving problems. maintaining relationships e. resilient because of solving problems [9].

Dialogue Model Overcoming KBB Conflict is based first; saving tolerance, second; a dialogue that is intact and authentic to empathize with those who communicate third; dialogue person who is open to expressions and criticism; fourth; a dialogue person who is disciplined obeys the outcome of the conversation and the context of the fourth discussion; the establishment of mutual trust for parties to conflict so that the communicative ratio serves to test itself in an open dialogue environment. While obstacles for those who have dialogue a. language barriers that are influenced by cultural aspects in the formation of colored emotions and associations that live in a particular culture, b. a picture of another person who is wrong, bad prejudice on others [7].

The conflict resolution dialog model needs to be mapped first:
1. Conflicting Actor (State or State apparatus with society or between individuals with society);
2. Conflict location will determine the character of the parties to conflict in determining the management in a conflict-based strength, the superiority of rights and interests that will determine the cultural style of the conflicting parties.
3. The content of the conflict concerns the substance or main causes of the conflict that require careful identification or sorting of conflicts, because various conflicts are able to refract the conflict category;
4. Conflict weight needs to be identified as conflict is a mild, moderate and severe conflict along with the origin of natural conflict or artificial conflict.

Tools for dealing with KBB conflicts, both state law, local customary law and/or social institutions on conflict parties, which are facilitated by neutral parties, include the Religious Harmony Forum (KUB), the government, religious leaders, community leaders. The right dialogue model to overcome the KBB conflict in the sense of Pancasila in the form of consensus, can be used negotiation, mediation, expressing opinion, and throwing the discourse so that fellow party conflict will trust and open each other

The fourth media above is not an absolute thing to do is still open to other dialogue models as part of the reconciliation process according to the mandate of Law No.7 year 2012 concerning handling conflicts. Furthermore, from the reconciliation process to the rehabilitation stage in post-conflict areas and areas affected by conflict, subsequent reconstruction is in the form of provision and improvement of social, health, education, economic services, places of worship and improvements to the provision of services for the fulfillment of specific women's basic needs, children, elderly and groups of people with special needs.

5 Conclusion

Dialogue is a process of communicating between conflicting parties to be open and honest by using communicative and objective critical awareness in examining each other's opinions; because the dialogue process occurs not once but can take place many times. Model of dialogue in overcoming the KBB conflict listening on the basis of conflict and conflict management that can be mapped on negotiation, mediation, brainstorming and the delivery of discourse to all parties in

dialogue, part of the reconciliation process towards rehabilitation and reconstruction, as mandated by Law No.7 year 2012.

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