

Discrimination against Shia Minorities in Indonesia: A Human Rights Perspective

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Abstract

Religious freedom is a fundamental human right guaranteed by the Constitution of Indonesia and international human rights instruments. However, discriminatory practices against religious minority groups remain a pressing challenge. The Shia community, as one of these minorities, has often faced social exclusion, stigmatization, restrictions on religious activities, and unequal treatment in public life. In Makassar, the presence of Shia organizations has frequently encountered resistance from certain segments of society. This study aims to analyze the process of discrimination against the Shia minority in Makassar, identify the forms of discrimination experienced, and examine government policies in addressing such issues. Employing a qualitative descriptive approach, data were collected through in-depth interviews, observation, documentation, and literature review. Informants included Shia community leaders, religious leaders, academics, and government representatives, selected purposively. Data analysis followed the Miles and Huberman interactive model, consisting of reduction, display, and conclusion drawing. The findings reveal that discrimination against the Shia community is shaped by theological differences, identity politics, and institutional factors. It manifests in direct, indirect, and regulatory forms. Although legal frameworks exist to protect religious freedom, their implementation remains ineffective, creating a gap between constitutional guarantees and the lived realities of the Shia minority in Makassar.

Keywords: Human Rights; Freedom of Religion; Religious Discrimination; Social Exclusion; Shia Minority.

A. INTRODUCTION

Indonesia is a country of law that guarantees the protection of human rights, including the right to freedom of religion and belief (Mustaming & Shariah, 2021).

This guarantee is affirmed in Article 28E paragraph (1) and paragraph (2) and

Article 28I paragraph (1) of the Constitution of the Republic of Indonesia of 1945 which states that everyone is free to embrace religion and worship according to his religion and has rights that cannot be reduced under any circumstances (*non-derogable rights*) (Isaac, 2022). In addition, Law No. 39 of 1999 on the “national legal framework for the protection of human rights,” which affirms the right to recognition, guarantees, protection, and fair legal certainty for every person, without distinction based on status or group (Nurcahyani, 2024). However, in the practice of national and state life, various forms of discrimination are still found against religious minority groups that show the gap between legal norms and social reality.

The phenomenon of discrimination against religious minority groups in Indonesia has increased since the Reform era. Increasingly open political freedom is not always followed by increased tolerance between religious communities. Reports indicate that there are still violations of freedom of religion and belief targeting minority groups, including Ahmadiyya and Shia. The Shia group is one of the communities that often faces stigma, social rejection, restrictions on religious activities, and acts of violence committed by certain community groups. The case of attacks on the Shia community in Sampang, Madura, is one of the clear examples of how minority groups are marginalized in social and political life. This condition shows that the protection of the rights of religious minority groups is still an important issue in the Indonesian democratic system.

Discrimination against Shia groups does not only occur in East Java, but is also found in various other areas, including Makassar City. The existence of Shia organizations such as the Indonesian Ahlul Bait Jamaah Association (IJABI) and

the Indonesian Ahlul Bait (ABI) in Makassar often faces rejection from certain community groups. Various religious activities organized by the Shia community often receive social pressure and open rejection on the grounds of differences in religious understanding. This situation shows that the Shia group as a minority still faces obstacles in exercising their constitutional right to religion and belief freely.

The issue of discrimination against Shia groups has been a concern for a number of researchers. Zulkifli (2009) through his research on the development of Shia in Indonesia explained the dynamics of the growth of the Shia community and the emergence of various anti-Shia movements in Indonesia. Sofjan (2016) in his research on the minoritization and criminalization of Shia Islam in Indonesia explained that the Shia community experiences a process of minorization that leads to marginalization and criminalization in socio-political life. Meanwhile, Nuruddin (2021) examined the exclusion and self-defense strategies of the Shia community in Makassar which showed that Shia groups developed various survival strategies to deal with the social pressure and discrimination they experienced. The three studies make important contributions in understanding the dynamics of the Shia community in Indonesia, but they share a number of significant shortcomings that this study seeks to address. From a methodological standpoint, these studies primarily rely on secondary data and sociological observation, and none employs a systematic legal analysis grounded in human rights instruments or public policy frameworks. As a result, they are unable to assess the extent to which discriminatory practices constitute violations of enforceable legal norms. From a theoretical standpoint, the existing literature

largely adopts a sociological lens focused on social exclusion and survival strategies, without engaging with legal theories of non-discrimination, state obligations under international human rights law, or frameworks of minority rights protection. This leaves a theoretical gap in understanding how the state's failure to act intersects with normative legal duties. From a normative standpoint, none of the prior studies examines the gap between the constitutional guarantees of religious freedom and the actual implementation of protective policies at the regional level, nor do they critically evaluate the adequacy of government responses to discriminatory practices. These combined shortcomings point to a need for a study that integrates human rights and public policy perspectives to analyze discrimination against the Shia community not merely as a social phenomenon, but as a legal and governance problem that demands accountability from the state. Beyond these gaps, previous studies have also focused predominantly on Shia communities in East Java particularly the Sampang case while the dynamics in Eastern Indonesia, especially Makassar, remain underexplored, despite the city's unique position as the metropolitan hub of Eastern Indonesia and a region with a distinctive socio-religious and political context.

In contrast to previous research, this study focuses on discrimination against the Shia minority group in Makassar from an integrated human rights and public policy perspective. Makassar was chosen as the research location for several substantive reasons. First, as the largest city in Eastern Indonesia and a regional center of Islamic education and political activity, Makassar offers a qualitatively distinct context from cases studied in Java one in which the intersection of local

political dynamics, religious authority networks, and Shia community organization produces forms of discrimination that differ in structure and intensity from those documented elsewhere. Second, whereas the Sampang case in East Java involved large-scale physical displacement, the Makassar case is characterized by subtler but persistent forms of institutional and regulatory discrimination, making it a particularly relevant site for analyzing the gap between legal guarantees and state practice. Third, the active presence of Shia organizations such as IJABI and ABI in Makassar, and their ongoing encounters with social and administrative resistance, makes the city a strategic location for studying how minority groups navigate legal and institutional barriers in a democratic but majoritarian context. Academically, this study contributes to existing scholarship in three ways: it provides an empirically grounded analysis of discrimination that integrates legal, human rights, and public policy frameworks; it shifts the geographic focus of Shia discrimination studies from Java to Eastern Indonesia; and it generates findings that can inform normative recommendations for improving state protection of religious minorities at the regional level. Thus, this study offers novelty in both its analytical approach and its contribution to the development of minority rights protection frameworks in Indonesia.

Based on this description, there is a gap between the constitutional guarantee of religious freedom and the reality of discrimination that is still experienced by the Shia community in Makassar. Therefore, this study aims to analyze the process of discrimination against the Shia minority group in Makassar, identify the forms of discrimination experienced by the Shia community, and

examine government policies in overcoming discrimination against the Shia minority group. Specifically, this study seeks to understand how the process of discrimination against the Shia community takes place in Makassar, to identify what forms of discrimination are experienced by the Shia minority group, and to examine how the government has responded through policy to address such discrimination. These questions are examined through a human rights and public policy lens in order to assess not only the nature of discriminatory practices, but also the degree to which the state fulfills its legal obligations to protect the rights of religious minority groups.

B. RESEARCH METHOD

This study uses a qualitative research method with a descriptive research type that aims to understand and analyze the phenomenon of discrimination against the Shia minority group in Makassar City. In accordance with the journal guidelines requiring at least two legal approaches, this study employs three complementary approaches: a human rights approach, a public policy approach, and a sociology of law approach. The human rights approach is used to examine the extent to which discriminatory practices against the Shia community constitute violations of rights guaranteed by the 1945 Constitution, Law Number 39 of 1999 on Human Rights, and the International Covenant on Civil and Political Rights (ICCPR) as ratified through Law Number 12 of 2005. This approach enables the study to evaluate state obligations to respect, protect, and fulfill vis-à-vis the experiences of the Shia minority. The public policy approach is used to critically assess how local government policies and regulations are formulated and

implemented in relation to the protection of religious minority groups, and to identify the gaps between normative frameworks and their application in the field. The sociology of law approach is employed to understand how social forces, community norms, and power dynamics among religious groups shape the practical operation of law and policy, and why formal legal protections often fail to translate into effective protection for minority groups in the field. The location of the study was chosen because Makassar is one of the areas with significant development of the Shia community in Indonesia, and because it presents a distinctive socio-religious and political context that has been underexplored in existing scholarship, making it highly relevant to study the dynamics of discrimination against religious minority groups. The data sources in this study consist of primary data and secondary data. Primary data was obtained through in-depth interviews with informants selected using *purposive sampling* techniques, namely individuals who have knowledge, experience, and direct involvement with the problems being studied, including Shia community leaders, religious leaders, academics, and related government parties. Meanwhile, secondary data was obtained through literature studies which included books, scientific journals, documents, laws and regulations, reports of human rights institutions, and various other relevant written sources. Data collection techniques are carried out through interviews, observations, and documentation. Furthermore, the data was analyzed qualitatively using the Miles and Huberman interactive analysis model consisting of data reduction, data presentation, and conclusion or verification to obtain a comprehensive understanding of the process of discrimination, forms of

discrimination, and government policies in overcoming discrimination against the Shia minority group in Makassar.

C. RESULT AND DISCUSSION

Freedom of religion and belief is one of the fundamental human rights and cannot be reduced under any circumstances (non-derogable rights). This right not only guarantees the freedom of individuals to embrace religion and practice their beliefs, but also requires the state to provide equal protection to all religious groups, including minority groups (Nowak, 2003). In a pluralistic society, the protection of minority groups is an important indicator in assessing the quality of democracy and respect for human rights (Kymlicka, 2001). However, various studies show that religious minority groups still face various forms of discrimination, social exclusion, and restrictions in exercising their citizenship rights (Sofjan, 2016; Nuruddin, 2021). The findings of this study, drawn from in-depth interviews with Shia community leaders, religious leaders, academics, and local government representatives, together with direct observation and documentation, confirm and extend these patterns in the specific context of Makassar. Critically, this discussion does not merely describe what occurs; it analyzes why it occurs, what legal and institutional frameworks enable or fail to prevent it, and what obligations the state has failed to fulfill. By integrating field data with human rights, public policy, and sociology of law frameworks, this section demonstrates that discrimination against the Shia community in Makassar is not an incidental social phenomenon but a structurally embedded condition that reflects a systematic gap between constitutional norms and state practice.

Discrimination against the Shia community in Indonesia shows a gap between the constitutional guarantees of religious freedom and the social realities faced by minority groups. In many cases, differences in religious identity not only give birth to social stigma, but also give rise to acts of rejection, restrictions on religious activities, and various forms of violence that hinder the fulfillment of basic rights of citizens. This condition is also found in the Shia community in Makassar City who on several occasions face social pressure and obstacles in carrying out their religious activities. What the field data reveal, however, is not simply a pattern of community prejudice, but a more deeply embedded structure in which institutional actors—including local religious authorities and, indirectly, local government—either actively contribute to or passively enable discriminatory conditions. One community leader interviewed for this study stated that their organization had repeatedly attempted to register formal events through official channels, only to find that pressure from external religious organizations caused local government offices to delay or deny permits without providing a legally adequate justification. This testimony illustrates not merely social intolerance but a failure of the state to perform its protective function under Article 28I of the 1945 Constitution and Article 22 of Law No. 39 of 1999 on Human Rights. Analyzed through a human rights framework, this constitutes a breach of the state's obligation to protect citizens from discriminatory interference by third parties—an obligation that is not satisfied by mere non-interference but requires active enforcement. From a public policy perspective, the absence of a clear and consistently applied regulatory framework for managing inter-religious disputes at the municipal level creates conditions in which administrative discretion is

effectively weaponized against minority groups. The sociology of law dimension is equally significant: the normative authority of majority religious discourse in Makassar operates as an informal legal order that co-exists with, and in practice overrides, the formal constitutional guarantees. This dynamic explains why legal protections remain ineffective even in the absence of explicitly discriminatory legislation. Based on the results of the study, discrimination against the Shia minority group in Makassar can be understood through the process of discrimination, the forms of discrimination experienced, and government policies in responding to these problems.

1. The Occurrence of Discrimination against Shia Minority Groups in Makassar

In a democratic society that upholds the principles of human rights, every citizen should receive equal protection regardless of religious background, ethnicity, or belief. Nevertheless, social reality shows that minority groups are often in a position to be vulnerable to various forms of discrimination. The Shia community as one of the religious minority groups in Indonesia faces various obstacles in exercising its constitutional rights. This condition is also found in Makassar City, where the Shia community experiences various forms of social rejection influenced by religious, political, and social dynamics of the community. Therefore, it is important to understand how the process of discrimination against the Shia group is formed and developed so that the factors behind it can be known.

The results of the study show that discrimination against the Shia minority group in Makassar does not occur suddenly, but is the result of the interaction of various social, political, and religious factors that last for a long period of time. From a human rights perspective, discrimination is an act that reduces, restricts, or eliminates the rights of a person or group based on a particular identity, including religious identity. The findings of the study show that the process of discrimination against the Shia community in Makassar is influenced by global factors and local factors that are intertwined.

At the global level, the strengthening of anti-Shia sentiment in Indonesia cannot be separated from the political and sectarian conflicts that occurred in the Middle East, especially the Syrian conflict after the Arab Spring. The conflict is not only understood as a political conflict, but is reduced to a conflict between Sunnis and Shiites. The narrative was then disseminated by various religious groups in Indonesia and formed a negative perception of the local Shia community. As a result, Shia groups in Makassar are often perceived as representations of conflicts that are not actually related to their daily social lives.

At the local level, theological factors are the main triggers for the emergence of discrimination. Differences in views on the concept of Imamah, Muslim leadership, and some worship practices are used as an excuse by some groups to consider Shia as a group that deviates from the majority of Islamic teachings. These differences are no longer understood as diversity of religious interpretations, but are constructed as a threat to religious purity so that various forms of social rejection give rise to various forms of social rejection.

In addition to theological factors, identity politics also strengthens discrimination against the Shia community. In some local political momentum, religious identity is used as an instrument to mobilize political support. The majority group is often used as a basis for political legitimacy so that the interest of protecting minority groups is neglected. This phenomenon shows that discrimination against Shia is not only based on religious differences, but also related to the political interests that are developing in society.

From the perspective of exclusionary political theory, the process of discrimination experienced by the Shia community in Makassar shows that there is a systematic effort to limit minority groups' access to social and public spaces. The Shia group is placed as "*the others*" or an outside group whose existence is considered different from the dominant group. This condition shows that discrimination against the Shia community is a form of social exclusion that is contrary to the principles of democracy and human rights that guarantee the equality of every citizen.

2. Forms of Discrimination Experienced by Shia Minority Groups in Makassar

Discrimination against minority groups does not always appear in the form of physical violence that is directly visible. In many cases, discrimination takes place through various social, cultural, and policy mechanisms that slowly limit the space for minority groups to move in social life. The human rights perspective views that any form of restriction that causes a person or group to lose the opportunity to enjoy their rights equally can be categorized as discriminatory acts. Based on the findings of the study, discrimination

experienced by the Shia community in Makassar takes place in various forms that are interrelated, ranging from direct discrimination, indirect discrimination, to discrimination that gains legitimacy through certain regulations or policies.

The results of the study show that discrimination against Shia minority groups in Makassar takes place in various forms, both direct and indirect. This form of discrimination shows that the problems faced by the Shia community are not only related to the freedom to practice worship, but also to access to social space and recognition as equal citizens.

Direct discrimination is seen in various acts of intimidation, dissolution of religious activities, and threats against Shia-affiliated individuals and organizations. Some religious activities organized by the Shia community have received rejection from certain community groups on the grounds of maintaining the purity of the faith. This rejection is often accompanied by mass pressure that causes religious activities to not take place as they should. Field data from this study confirm this pattern in concrete terms. One informant, a leader of a Shia organization in Makassar, recounted that a commemorative religious gathering held in 2022 was forcibly dispersed by a crowd of approximately one hundred individuals affiliated with a hardline Sunni organization, while police officers present at the scene did not intervene to protect participants or disperse the crowd. Another informant, an academic with direct knowledge of the event, noted that no legal proceedings were initiated against those responsible for the dispersal. In the context of human rights, such actions constitute a violation of the right to freedom of religion and

assembly guaranteed by the constitution, and the failure of law enforcement to intervene represents a breach of the state's obligation to protect rights under Article 28I(4) of the 1945 Constitution. Analytically, this is not merely a case of social intolerance but of state complicity through omission a pattern that the human rights framework identifies as a failure of the duty to protect.

In addition to direct discrimination, the Shia community also experiences indirect discrimination through the process of social stigmatization. Labeling as a "heretical sect" disseminated through religious lectures, social media, and public forums creates a negative image of the Shia community. As a result, some community members choose to hide their religious identities to avoid social pressure. This phenomenon is corroborated by multiple informants in this study. One informant, a young professional who identifies as Shia, stated: "I do not tell my colleagues at work. It is easier that way. If they know, they look at you differently, and some will avoid you completely." Another informant, a female member of a Shia study circle, described concealing her participation in religious activities from her own family to avoid conflict. These testimonies are analytically significant: they reveal that discrimination in this context operates not only externally but also internalizes within affected individuals, producing a form of identity concealment that effectively constitutes a denial of religious freedom. From a human rights perspective, this represents a violation of the right to manifest one's religion or belief, which is protected under Article 18 of the ICCPR. The sociology of law framework further illuminates this dynamic: the informal social sanctions enforced through community norms function as a parallel

system of coercive control that operates beneath the threshold of formal legal prohibition yet produces materially similar effects.

Another form of discrimination is structural discrimination related to access to public spaces and social services. The Shia community often has difficulty obtaining permits for religious activities or using public facilities for their religious activities. Although there is no formal prohibition explicitly prohibiting the existence of Shia, various administrative and social barriers prevent the rights of this group from being enjoyed on an equal footing with the majority. This structural dimension is documented in field data collected for this study. A government representative interviewed for this research acknowledged that permit applications for Shia-organized events had been subjected to longer processing times and additional scrutiny compared to comparable applications from majority religious organizations, often citing “social order” concerns as grounds for restriction. A local Shia leader corroborated this, noting that their organization had applied for use of a municipal public facility on three separate occasions and been denied each time, while organizations affiliated with majority Islamic groups regularly used the same facility without objection. Analyzed through a public policy framework, this pattern reflects a structural misalignment between the formal non-discriminatory mandate of local government and the de facto application of administrative power in a way that privileges majority religious groups. The human rights framework identifies this as indirect discrimination—policies or practices that appear neutral on their face but produce disproportionately adverse effects on a protected minority group, in violation of the non-

discrimination principles embedded in Article 26 of the ICCPR and Article 28I of the 1945 Constitution.

The findings of this study show that discrimination against Shia in Makassar has moved from individual forms to more systemic discrimination. From the perspective of minority theory, this condition shows that there is an unbalanced power relationship between the majority group and the minority group. The majority group has a greater capacity to determine the social norms that are considered legitimate, while the minority group is in a position that is vulnerable to various forms of social marginalization.

When analyzed from a human rights perspective, all forms of discrimination are contrary to the principles of non-discrimination and equality before the law. The state has an obligation to ensure that every citizen can practice his or her beliefs without fear, intimidation, or unauthorized restrictions.

3. Government Policy in Addressing Discrimination against Shia Minority Groups

Protection of minority groups is one of the important indicators in assessing the quality of democracy and the enforcement of human rights in a country. The state is not only obliged to guarantee freedom of religion through constitutional norms, but also to ensure that these rights can be enjoyed by all citizens without discrimination. In the context of the Shia minority group in Makassar, the effectiveness of state protection can be seen from how government policies are formulated and implemented in dealing with various forms of discrimination that occur. Therefore, an analysis of government

policies is important to assess the extent to which the state carries out its obligations to protect the rights of religious minority groups.

Normatively, Indonesia has various legal instruments that guarantee freedom of religion and protection of minority groups. These guarantees are contained in the 1945 Constitution of the Republic of Indonesia, Law Number 39 of 1999 concerning Human Rights, and the International Covenant on Civil and Political Rights which has been ratified through Law Number 12 of 2005. These regulations affirm that the state has an obligation to respect, protect, and fulfill the rights of every citizen without discrimination.

However, the results of the study show that there is a gap between the available legal framework and the implementation of policies in the field. Local governments often face a dilemma between exercising their constitutional obligations to protect minority groups and socio-political pressure from majority groups. In some cases, governments tend to take compromising steps by restricting the activities of minority groups in order to avoid social conflict. This kind of policy ultimately reinforces discriminatory practices because the state fails to provide effective protection.

The existence of the Forum for Religious Harmony (FKUB) and various inter-religious dialogue programs is a positive step in building social tolerance. However, the effectiveness of these programs is still limited because they are more oriented towards maintaining social stability than solving the root causes of discrimination. The approach used tends to be administrative and has not fully placed the protection of the rights of minority groups as a top priority. This assessment is supported by field data. An informant from an academic

institution who had participated in FKUB-facilitated dialogue sessions noted that Shia representatives were rarely included in the forum's deliberations, and that when discrimination incidents were raised, the forum's response prioritized conflict de-escalation rather than accountability. A Shia community leader similarly observed that after a dispersal incident, the government's response was to convene a dialogue meeting at which all parties were urged to "maintain peace," but no investigation into the incident was conducted and no compensation or legal remedy was offered to those affected. Analyzed through a public policy framework, these findings expose a fundamental conceptual limitation in the government's approach: the conflation of social stability with the protection of rights. These are not equivalent objectives. A policy that achieves stability by suppressing the legitimate claims of a minority group does not comply with the state's human rights obligations—it merely reproduces the power asymmetry that generates discrimination in the first place. Under international human rights standards, the state is obliged not only to prevent conflict but to ensure access to effective remedies for those whose rights have been violated (ICCPR, Article 2(3)).

The findings of the study also show that weak law enforcement is one of the factors that cause discrimination to continue. Acts of intimidation and rejection of the activities of the Shia community are often not followed by adequate legal proceedings against the perpetrators. This condition creates impunity that allows repeated discriminatory practices without any deterrent effect. Field data illustrate this directly. Of the five incidents of forced dispersal of Shia activities documented by informants in this study, none resulted in

criminal prosecution of those responsible. In one case, a police officer present at the scene of a dispersal reportedly told a Shia community leader that he could not intervene because “the community was too large.” In another case, a formal report filed with the local police was closed without investigation. These accounts reveal that impunity for discriminatory violence is not merely an incidental failure of law enforcement but reflects an institutional disposition that effectively treats majority group pressure as a legitimate basis for inaction. From a human rights analysis standpoint, this constitutes a systemic violation of the state’s obligation to protect—one that cannot be remedied through dialogue programs alone but requires enforceable accountability mechanisms and substantive reform of law enforcement culture and practice at the regional level.

From a human rights perspective, the state has three main obligations, namely to respect, to protect, and to fulfill the rights of citizens. This obligation not only requires the state not to discriminate, but also requires the state to take active measures in protecting minority groups from discriminatory actions committed by other parties. A critical question that the existing literature has not adequately addressed is why government protection has consistently failed to perform optimally. This study identifies three interlocking explanations. First, at the structural level, there is an absence of a dedicated regional legal framework for minority religious protection. Local governments in Makassar operate under national legislation primarily Law No. 39 of 1999 on Human Rights and the ICCPR as ratified through Law No. 12 of 2005—but lack implementing regulations at the municipal level that would translate these

obligations into enforceable administrative procedures. This gap means that when a Shia organization is denied a permit or its activity is dispersed, there is no clear local legal mechanism through which the affected party can seek a timely administrative remedy. Second, at the regulatory level, Joint Ministerial Decree No. 9 and No. 8 of 2006 on the Guidelines for the Implementation of Duties of Regional Heads and Deputy Regional Heads in Maintaining Religious Harmony, the Empowerment of the Forum for Religious Harmony, and the Establishment of Houses of Worship which grants FKUB a quasi-regulatory role has in practice been used to restrict minority religious expression rather than protect it. Because the FKUB composition in most regions is dominated by majority religious representatives, its consensus-based decision-making model structurally disadvantages minority groups. The Joint Decree does not establish minimum quotas for minority representation nor does it provide minorities with a right of appeal against FKUB recommendations. This regulatory design flaw means that a mechanism nominally intended to foster harmony functions in practice as an instrument of majoritarian control. Third, at the institutional level, the absence of an independent complaint mechanism at the regional level for violations of religious freedom means that victims of discrimination have no accessible local recourse short of filing a report with the National Commission on Human Rights (Komnas HAM) in Jakarta a process that is costly, slow, and inaccessible for most community members. The legal solutions that follow from this analysis are correspondingly specific. The regional government of Makassar should enact a Regional Regulation (Peraturan Daerah) on Religious Harmony that

guarantees equal access to public facilities for all registered religious organizations, establishes a clear administrative procedure for event permits with a non-discriminatory standard of review, and creates a local mediation and complaint mechanism accessible to minority communities. The composition and procedures of the local FKUB should be reformed to ensure proportional minority representation and to create a mandatory consultative process for any FKUB recommendation that may restrict minority religious activity. At the national level, the Joint Ministerial Decree of 2006 should be revised to include an explicit non-discrimination clause and to require that regional governments report annually on the protection of minority religious groups to the Ministry of Religious Affairs. Law enforcement agencies should be required to process reports of religiously motivated intimidation and dispersal as priority cases under the existing criminal provisions of the Indonesian Criminal Code (KUHP) concerning unlawful coercion (Article 335) and incitement (Article 156a), with internal disciplinary consequences for officers who fail to intervene when violations occur in their presence.

In sum, the failure of government protection is not merely a matter of political will; it is rooted in specific regulatory deficiencies that must be identified and corrected if the constitutional guarantee of religious freedom is to become a practical reality for the Shia minority in Makassar.

D. CONCLUSION

This study yields three principal findings. First, discrimination against the Shia minority in Makassar has evolved from individual acts of intolerance into a structurally embedded condition sustained by the convergence of global anti-Shia

narratives, local theological contestation, and the instrumentalization of religious identity in local politics. This shift from individual to structural discrimination is significant because it places the problem beyond the reach of purely social interventions and demands legal and institutional responses. Second, discrimination takes place across three interconnected forms: direct discrimination through intimidation and forced dispersal of religious activities, indirect discrimination through social stigmatization that compels identity concealment, and structural discrimination through administrative barriers that deny equal access to public spaces each of which independently constitutes a violation of rights guaranteed under the 1945 Constitution and the ICCPR. Third, government protection has failed not merely in degree but in kind: the legal frameworks in place are normatively adequate but structurally undermined by the absence of regional implementing regulations, the majoritarian design of FKUB, and a law enforcement culture that treats majority group pressure as a legitimate basis for inaction. Taken together, these findings demonstrate that closing the gap between constitutional guarantees and the lived reality of the Shia minority in Makassar requires targeted regulatory reform, institutional redesign, and enforceable accountability mechanisms not dialogue programs alone.

The forms of discrimination experienced by the Shia group in Makassar take place in layers, ranging from intimidation, rejection of religious activities, and social stigmatization to restrictions on access to public spaces and religious activities. This

Recommendations

The government needs to strengthen the implementation of human rights principles in any policy related to freedom of religion and belief, especially through

fair enforcement of the law against any acts of discrimination and violence directed against religious minority groups.

Local governments, security forces, and related institutions need to increase their capacity and commitment to provide equal protection to all religious groups without being influenced by majority group pressure. This protection must be realized through security guarantees, easy access to public spaces, and respect for the constitutional rights of every citizen.

In addition, it is necessary to strengthen tolerance education, interfaith dialogue, and diversity literacy involving the government, religious organizations, universities, and civil society. These efforts are important to build a collective awareness that diversity is part of democratic life that must be respected and protected as a form of respect for human rights.

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