

Politics of Cemetery: Religious Minority in Local Indonesia

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Abstract:

In post-authoritarian Indonesia, although the position of followers of belief (*kepercayaan*) before the state has relatively positive progress, some still face problems related to their religious identity. One of the followers of belief groups that still receive religious discrimination is the Sapta Darma community in Brebes, Central Java, Indonesia. For example, the followers of Sapta Darma in this region face problems of the availability of cemetery for their deceased members, while just like some other religions; a burial ground is an important part of their religious ritual and identity. This article attempts to explain what restrictions prevent the Sapta Darma community from obtaining cemetery land for their members and what the Sapta Darma community has conducted to settle the problem. This article is based on qualitative research that was conducted in Brebes. This article shows that the availability of Public Cemetery (TPU) and some people's acceptance of this community serve as the main restriction for the Sapta Darma community to fulfill their need for cemetery land. To settle this problem, they have made some attempts, including seeking the state's recognition and solution independently.

Keywords:

minority religion; Sapta Darma; cemetery

Introduction

In Indonesia, the Religious or Belief Freedom issue starts to be the highlight again after the enactment of the Constitution Court's Decision Number 97/PUU-XIV/2016 on the population administration. The Constitution Court's Decision Number 97/PUU-XIV/2016 contains an amendment to the inclusion of population data element regarding religion for followers of belief (*penghayat kepercayaan*) which was initially left blank or marked with a dash that it is now filled with "Kepercayaan Terhadap Tuhan Yang Maha Esa" (Belief in One True Almighty God). This means that the state has paid attention to and opened equal services for the group of followers of belief (*kepercayaan*). In addition, this progress is also expected to reduce other

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discriminative acts in various sectors received by this group. For example, discrimination related to burial service is a violation of the basic right of each citizen. Pursuant to prevailing regulation in Indonesia, the state through local (regency/city) government ideally provides a Public Cemetery (*Tempat Pemakaman Umum/TPU*) which may be accessed by all people regardless of their religious background.

The issue of minority group's right to a cemetery which may be equally accessed by all citizens lacks attention, both academically and practically. By quantity, it is likely that cases connected with the issue are still fewer than cases related to a place of worship conflict or contestation. There are relatively many studies on place of worship conflict or contestation in Indonesia (Chao, 2014; Crouch, 2007; Maarif et al., 2010). From religious people's perspective, the availability of access to a cemetery is not less important than the place of worship establishment issue. For many religions, burial ground or the like is part of ritual and formation of identity as the follower of a certain religion. For example, according to Islam, a number of rituals related to death (bath, shroud, prayer, and burying corpse) are the right of a dead person and the obligation of those alive. The same also applies to other religions, including the Sapta Darma belief which also has a number of rituals related to death.

Problems may arise when the application of regulation regarding TPU faces constraints. For example, there is no TPU available that may be accessed by all religions in an area. This may be not an important issue for a majority group because of one or another matter they may manage a cemetery for people of the same religion. However, for minority groups, this may prevent them from accessing affordable and appropriate cemetery. This article attempts to study what limitations prevent the Sapta Darma group in Brebes from obtaining burial plots for their members and what the Sapta Darma group may do to settle the problem. This study on the minority religious community is conducted since they indeed face problems related to fulfillment of their need for burial plots. Studies on this matter are still seldom academically, while this issue is one of the problems faced by minority religious groups in Indonesia. As indicated previously, a burial ground as part of religious rituals related to death is something essential for many religions.

According to the 2019 statistical data, 99.7% out of the total people of Brebes Regency are Muslim, while the remaining 0.3% are Christian, Confucian, Catholic, Buddhist, and Follower of Beliefs. However, the political constellation in this Regency shows that most of the seats at the local parliament (DPRD) are held by nationalist parties, namely Indonesian Democratic Party Struggle (*Partai Demokrasi Indonesia Perjuangan/PDIP*) for 13 seats, while National Awakening Party (*Partai Kebangkitan Bangsa/PKB*) and Golkar Party have respectively 10 and 7 seats. The composition of the

number of followers of respective religions is represented in the composition of the number of places of worship recorded per the year 2019 by the Central Statistics Body (*Badan Pusat Statistik/BPS*) of Brebes Regency. Out of 7,171 places of worship, there are 1,255 units of mosques, 5,904 units of *musholla*, 7 units of Protestant church, 3 units of Catholic church, no Hindu temple (*pura*), and 2 units of Buddhist temple (*vihara/klenteng*). Meanwhile, places of worship other than the five acknowledged religions are not well recorded (*Badan Pusat Statistik Kab. Brebes, 2020*).

The data in the paragraph above reflect the situation faced by the minority religious groups, especially those who are called followers of belief. Including in the group of followers is the Sapta Darma community. Sapta Darma (*Sapta* = seven, *Darma* = obligation) is a belief in Indonesia that was established in 1952 in Pare, Kediri, East Java. This group came into Brebes in the 1980s. In their position as a minority group in Brebes, besides having faced issues related to burial grounds, members of the Sapta Darma community have also faced various objectionable treatments which tend to be discriminative. Therefore, studying the issues faced by the Sapta Darma community regarding burial grounds is within the context of issues they face as one of the minority religious groups in Brebes.

In this article, we argue that there are two limitations preventing Sapta Darma members from obtaining burial ground for their family members' corpses. The first limitation has to do with institutional frameworks, which are law and regulation that constrain human behavior and action. In this study, the aforementioned law and regulation should have a direct relation with regulating land for a cemetery. The second one is the social context that has to do with attitude and perception of other religions, especially the dominant one, toward belief and members of Sapta Darma. As a religious minority whose doctrines are not mainstream, acceptance and rejection from other religions toward them is essential to understand their struggle for obtaining a plot of land for their deceased relatives.

This article will be divided into some sections. First, the introduction explains the background and focus of this article. Second, it presents a brief explanation of the research method which serves as the base of this article. Third, it explains the article's conceptual framework. Fourth, it briefly explains the doctrines, history, and development of Sapta Darma in Brebes. Fifth, it studies the cemetery issue faced by the Sapta Darma community in Brebes. Lastly, it concludes the answer to the focus of the problem discussed in this article.

This article is based on qualitative research that was conducted for six months in 2019 by collecting the data from informants chosen through purposive and snowball sampling methods. The informants' background covers followers of Sapta Darma,

representatives of the Government of Brebes Regency, Religious Harmony Forum, Non-Government Organization, and public figures. In addition, the data were also collected from relevant private documents and scholarly works. The research was conducted in a such way because it was in line with its purpose, which was gaining a deep understanding of a religious minority group's experiences in facing and overcoming difficulties of fulfilling their need of cemetery.

The Politics of Cemetery: A Conceptual Framework

Politics in this article is understood as human activity in the form of cooperation, negotiation, and conflict in and between communities, in which people organize the use, production, or distribution of human, natural, or other resources (Leftwich, 2004: 103). In this definition, the resource covers material and non-material ones used by human in fulfillment of their need or desire, both individually and collectively. The material resource includes land, animal, plant, human, river, etc. while non-material resource includes education, knowledge, influence, status, etc. In this context, a cemetery, which is generally in the form of a plot of land, is part of the material resource. In line with the continuous growth of population, land may even become a rare resource since it is limited. Therefore, the government as the only legitimate political authority in a state needs to regulate the use of land, of which amount gets more limited, for a cemetery.

The conflict that related to deathscapes¹ such as a location of a burial ceremony, burial ground, memorial, and all spatial practices related to death may take place between the sacred and the secular or contestation between different religions. The conflict between the sacred and the secular includes one involving race, class, and gender. However, we may also see it in the context of regulation of religious space by the state (Kong & Woods, 2016). In such a context, conflict may occur when the need for a religious community for a cemetery does not conform to spatial regulation implemented by the secular state. Meanwhile, conflict or contestation of cemetery involving two different religions occurs because of different understandings of what is considered sacred and profane or dominance of majority religion over an area. Bowo Sugiarto (2017) regarding migrant Muslims' effort to fulfill their need for a cemetery in Gianyar, Bali is an example of it.

In the aforementioned example, it is explicitly explained that a cemetery cannot be viewed only from the perspective of material value. It also has non-material value since for religious people cemetery in its various forms represents a certain

¹ Teather (2001) defines deathscape as 'the material expression in the landscape of practices relating to death.'

meaning or order of value. It may represent the memory of people we love, a marker of a person's religious identity, historical values, or values of which placement should refer to specific spatial planning. As a landscape, a cemetery is basically the same as other landscapes with its multivocal dimension (Rodman, 1992). This means that a single place may have or produce various experiences or meanings for different people. In the case studied by Sugiarto (2017), Muslims in Gianyar cannot build a new cemetery at any location since Balinese Hinduism as the majority religion in Bali has a special belief in the value of a cemetery and where it should be built according to Bali traditional spatial arrangement.

This study places the politics of cemetery in the Indonesian context as an oligopoly state. According to Yang (2010), an oligopoly state is a state which only gives approval to a number of religions to operate in its territory, but at the same time restricts other religions' practices. Yang (2014) also argues that a pluralistic constitution design does not guarantee a state to be a pluralistic state.² This occurs since it is possible that the prevailing law and regulation indicate restriction on the freedom guaranteed by the constitution. For example, although the constitution guarantees religious freedom, the prevailing law and regulation evidently introduce differentiation of official and non-official religions. Labeling certain belief as non-religion (in Indonesian context is a belief label) is also a strategy that is usually used by the dominant religion in an oligopolistic state to maintain their dominance. Therefore, in studying the dynamics of religious contestation or competition, it is important to pay attention to how a subordinate group survives unfavorable situations.

Following multiculturalism theories as proposed by Kymlicka (1995), Tully (1995), and Young (1990), this study contends that in order to protect a minority group from any kind of discrimination, the state should produce an affirmative public policy which addresses that problem. Sometimes minority groups perceive invisible discrimination due to public policy that seems neutral yet in fact tends to be in favor of the majority group and harmful for the minority. This kind of discrimination is a product of public policy making that only considers the majority's culture, condition, and background. Whereas, the minority group is not involved in the process and its voice is ignored or heard.

Sapta Darma: History, Doctrine, Development

This section will present a brief description of the history, doctrines, and development of Sapta Darma in Brebes. It will also discuss local people's acceptance of the Sapta Darma community in this area. The Sapta Darma belief was originally

² Pluralistic state, according to Yang (2010), is a state which does not give privilege to one or some religions.

formed in Kediri Regency, exactly in Kampung Pandean, Gang Klopakan, Pare Village. Sapta Darma was established by Hardjosepuro or Hardjo Sapoetro. Hardjosepuro was born in Sanding Village, Kawedanan Pare, Kediri in 1916. Having five years of *sekolah rakyat* education, he mastered shamanism and was capable of curing people's illnesses. People's illness was cured by performing *tafakur* or *semedi*. He said to his followers that he received revelation from God to use the Prophecy title "*Sri Gutama*", which means *Sri*: Leader, *Gutama*: Main Path or path of truth. Thus, Hardjosapoero then called himself *Sri Gutama* or completely "*Penuntun Agung Sri Gutama*", which means the leader of the path of truth as a Prophet (Pawenang, 2010).

The revelation of Sapta Darma belief occurred within 4 (four) years from 1952 to 1956. Revelation is the basis of the establishment of Sapta Darma belief, which then leads to the emergence of figures, doctrines, and objective of Sapta Darma. The recipient of the revelation within 4 (four) years was Hardjosepuro. The first revelation was received by him regarding prostration, and the last revelation was regarding *Wahyu Tugas Panuntun Agung*. After the last revelation, the Revelation of Sapta Darma belief received by Hardjosapoero was complete. All revelations were collected in the scripture of Sapta Darma *Wewarah*. The objective of Sapta Darma religious belief is to *menghayu-hayu bahagianya buana*, which means guiding humans to achieve life happiness in the world and in the *langgeng* realm (afterlife), and to realize order and peace in the world.

Sapta Darma has hundreds of followers distributed in Java, Bali, and Sumatera only within several years after its birth in the early 1950s. In 1956, in the distribution of his teachings in Yogyakarta and some other regions in Central Java, Hardjosepuro was accompanied by Sri Suwartini, a student of Faculty of Law, Gadjah Mada University (*Universitas Gadjah Mada/UGM*). Sri Suwartini later bore the title Sri Pawenang and served as the successor of Sri Gutama. In Sri Pawenang's leadership, Sapta Darma grew even more. In 1961, Sapta Darma developed in East Java, Central Java, and also out of Java, such as Palembang, Medan, and Samarinda. The place and domicile of the Sapta Darma community was no longer in Pare, but moved to Yogyakarta until now.

The identity of Sapta Darma may be described through a belief system or doctrines believed by its followers. To its followers, the Sapta Darma doctrines is deemed as pure doctrine, which means that they are doctrines of the relationship of humans with their God. In Sapta Darma teaching, God is called Allah or *Hyang Maha Kuasa* with God's five characteristics of *pancasila*. Sapta Darma has teaching and practice from the revelation received by Mr. Hardjosepuro as the basis of its "original" position and not derived from any other religion. For example, some revelations teach worshipping rituals and practices for the followers of Sapta Darma towards the god.

The Sapta Darma belief has a scripture called *Wewarah Kerokhanian Sapta Darma*. The scripture of Sapta Darma Belief is taken as the guidelines on worship and behaviors in daily life.

Sapta Darma has religious rituals which must be practiced by its followers. The primary ritual is prostrating, with different purposes pursuant to its times of implementation. Mandatory prostration which is one performed for daily worship is different from one performed during death, marriage, or having a wish ceremony. Almost in each big event, the Sapta Darma community prostrates as an attempt for security and smoothness of event with the permission of *Allah Hyang Maha Kuasa*. In addition, they also have specific practices regarding the clothing type of corpse of Sapta Darma members and their burial method. The corpse's whole body will be wrapped with *mori* fabric, but its head is wrapped with *mori* fabric like a turban with different directions depending on sex. Corpse is buried using chest, but they who cannot afford a chest may be buried without a chest.

In general, the Sapta Darma community has an institutional structure like religious organization in general, with institutionalization from central to village levels. The highest leader is *Tuntunan Agung* that is assisted by three organizational leaders. First, the Head of Organization of *Persatuan Warga Sapta Darma* (Persada) assigned to organize social relations between Sapta Darma people and the public. Second, the Head of *Tuntunan* is assigned to accompany spiritual activity. Third, the Head of *Yayasan Sрати Darma* (Yasrad) assigned to manage Sapta Darma in its work, thus anything needed by and for Sapta Darma people will be fulfilled and served by the foundation, for example, death and marriage.

Sapta Darma has existed in Brebes Regency from 1982 and was initiated by Tarmudi, who right now serves as the Head of *Persatuan Warga Sapta Darma* (Persada) of Brebes Regency. The Sapta Darma Belief Institution in Brebes Regency has been registered as one belief organization in Kesbangpol of Brebes Regency from the 1980s. In addition, this organization is also officially registered as a belief organization with the Ministry of Home Affairs. However, until now the members of the Sapta Darma community feel they have not been completely accepted as stigma-free citizens and received equal treatment. In a broad outline, those antipathetic to Sapta Darma associate this community's doctrines with mystical matters and give the stigma of infidel to its members. Meanwhile, those welcoming the Sapta Darma group respect its members like people in general who need to be treated humanely.

The society's objection of the Sapta Darma community in Brebes is reflected in the people's treatment of involving this community's members in various activities in their villages, like what is experienced by Dolin, a member of Sapta Darma who lives in Larangan Subdistrict, who is treated equally to other villagers. Dolin is often

involved in village activities and even appointed as the Head of Youth Organization of Larangan Village, regardless of his status as a follower of belief. Besides Dolin, Tarmudi, who lives in Brebes Subdistrict, has a similar experience. The people who do not object to Tarmudi's status as a follower of belief treat Tarmudi like villagers in general and involve him in activities organized by their village as a representative of a public figure.

Although there is a positive development with regard to the people of Brebes' attitude of the Sapta Darma community, there is still trauma felt by this community's members. In the 1990s, there was a relatively big demonstration from a community group who rejected the existence of *Sanggar* (a kind of place of worship or meeting of the Sapta Darma community) in Pamulihan Village, Larangan Subdistrict, since it was deemed disturbing the environment. With the police's interference, any activities in the *Sanggar* were not allowed for security reasons. Their children had had bad experiences at school, where they were forced to participate in Islamic religious education and were ridiculed by their peers for believing in a different religion. Such an experience posed fear in the community members to reveal their actual identity. Because of fear of bad treatment, many of the community members are still reluctant to change their religious status on their Identity Cards.

Politics of Cemetery

Before the further discussion on the case of focus of this article, this section will start with a brief description of the prevailing legal framework of cemeteries in Indonesia. This brief description is important in order to get to know to what extent the existing regulation gives the minority groups like Sapta Darma the opportunity to fulfill their need for burial grounds. As explained in the conceptual framework section, in an oligopolistic state like Indonesia, the religious freedom guaranteed by the constitution may be restricted by prevailing laws and regulations.

The legal framework in Indonesia regulating funeral or provision of land for a cemetery is Government Regulation No. 9/1987 on Provision and Use of Land for Cemetery Purpose. This regulation classifies cemetery into three categories, namely: 1) Public Cemetery (TPU), which is a cemetery for all people regardless of religion and group and is managed by Regency/City or Village Government; 2) Non-Public Cemetery (TPBU), which is a cemetery which is managed by social and/or religious institution; and 3) Special Cemetery (TPK), which is a cemetery with historical and cultural value. Basically, designation and determination of land area for cemetery purpose, especially of TPU and TPBU categories, are made by Regency/City Government, while TPU is managed by City/Regency or village Government.

The regulation indeed states that classification of a cemetery by religion is possible at TPU and TPBU, but it also clearly states that every person regardless of his religion has the right to equal treatment to obtain a piece of land at TPU. This means that this regulation has sufficiently protected the right of every citizen with any religious background to public services related to the provision of a burial ground. The regulation does not expressly state that a Local Government (Province/Regency/City) or Village Government is obliged to provide TPU. However, this regulation indicates that Regency/City Government, under the coordination of a Governor, has the authority to assign and determine plots of land for a cemetery. This means that since a cemetery or burial ground is something essential to religions in Indonesia, Regency/City Government should establish at least one TPU in its territory. It is assumed that it is quite likely that in one region, one or more religious communities, because of certain causes, are unable to provide special TPBU for their followers. In such a condition, it is important for a TPU to exist, not only to fulfill people's right to public services but also to prevent inter-religion conflict.

The problem faced by the Sapta Darma community in Brebes shows that although Government Regulation No. 9/1987 allows public service in the form of TPU for every citizen regardless of their religion, that there is no affirmative policy from Regency Government will prevent minority religions from accessing cemetery at TPU. Although the Sapta Darma has entered Brebes Regency in 1982, this community is not fully accepted yet by society. One of the problems faced by this community is matters related to the burial of their members' corpses. The main source is that there is no TPU that may be accessed by various religions. Most of the cemeteries in Brebes Regency are *waqf* lands that are specialized for Muslims. Meanwhile, some people reject corpses of Sapta Darma followers to be buried at TPBU managed by Muslim communities.

The rejection of the burial of the corpses of Sapta Darma members started in 2004 in Dusun Si Kancil, Slati village, Larangan Subdistrict. The corpse of a villager who was assumed to be a member of Sapta Darma was rejected to be buried at a cemetery that was previously assumed to be a TPU. The buried corpse was then taken from the cemetery by the surrounding society since the status of the cemetery turned out to be non-TPU. The family had tried to explain to the society and asked the village apparatus for help. However, the village administration also rejected the corpse to be buried in the cemetery and did not give any solution. One of the followers who handled the burial rejection case was threatened by some people to be hit using stones and woods. Finally, the family asked the village apparatus for permission to bury the corpse in their private yard. The village administration allowed it since the place where the corpse was to be buried was private property.

Another case occurred in 2012 when Carlím's relative in Kersana Subdistrict passed away and was also rejected. When his relative passed away, Carlím reported to the village apparatus of his relative's death and asked permission to bury the corpse at the local TPU. The village administration finally decided that the corpse cannot be buried at the local cemetery since it was intended for Muslims. Finally, the corpse of Carlím's relative was buried behind a private house.

Some similar cases occurred in Larangan and Brebes Subdistricts for the same reason. It is important to note that rejection of corpse burial at local cemetery does not only occur only to Sapta Darma followers, but also to followers of other existing organizations in Brebes Regency, including Medal Urip. Sukma Dewi's father who previously served as the Head of local Medal Urip was also rejected by the local village administration and villagers. Through a long discussion process between the village administration and the family and in consideration of the deceased's merit to the village during his life, the deceased's corpse was finally allowed to be buried at a special cemetery.

There are 5 (five) cases of burial rejection to followers of Sapta Darma in Brebes Regency. It is important to note that the issue regarding burial grounds is not only experienced by followers of belief but also followers of other minority religions, like Christians and Confucians in Brebes Regency. Differently from followers of belief, the Christians and Confucians are averagely of middle-upper economic class, thus they are capable of buying land for their family's burial in Tegal and Brebes Regencies. Meanwhile, followers of belief in Brebes Regency with middle-lower economic class are still struggling for their daily necessities. Therefore, they are not capable of buying land for a cemetery as the Christians and Confucians do.

The followers of Belief in Brebes Regency have repeatedly tried to have consultations with governments of villages and the province for a solution to rejection of corpse burial experienced by communities of followers in Brebes Regency. From the consultation with village administration, it is concluded that the local cemetery in their village is of the status of *waqf* land intended especially for Muslims. In other words, any people other than Muslims are not allowed to use the cemetery. The result of the audience with local government represented by the Provincial Office of Public Housing and Settlement Area shows that Brebes Regency does not has TPU. They will discuss this issue to produce regulations to provide TPU in Brebes Regency.

Although Government Regulation No. 9/1987 has given a clear definition of TPU, practically the TPU and TPBU categories are not automatically easy to expect. The unclear status of cemeteries makes their status questionable; whether they are *waqf* land or not, since the supporting documents related to the status of cemeteries in villages do not exist. In 2018 Carlím and some other followers with the support of NGOs

and the Department of Culture of Brebes Regency tried to trace the status of *waqf* lands in Brebes Regency from one village to another. The result of tracing shows that the status of *waqf* land attached to non-public cemeteries is still questionable since there are no supporting documents to confirm the status of the cemetery. In addition, based on the village map showing the land location, many locations of the cemeteries actually belong to the village. In addition, it is not really clear when the cemeteries start to have their status changed to *waqf* land.

The followers, accompanied by NGOs, have repeatedly made audiences with the Government of Brebes Regency. They expect to have direct dialogue with the Regent of Brebes to discuss the provision of land for TPU, but always results in nothing. The Government of Brebes Regency always gives the same response, that it will immediately perform a process to make regulation of provision of a public cemetery for all people regardless of their religious status. However, when the research data were collected, there is no follow-up from the Government of Brebes Regency to provide TPU. Since there is no indication of TPU provision by the Local Government, Persada then has the initiative to make their own cemetery available for Sapta Darma members who are almost 200 people distributed throughout Brebes Regency.

To fulfill the need for a cemetery for their members, Persada collected voluntary funds from Sapta Darma members. The fund collected was then used to buy land to be allocated as cemeteries for Sapta Darma followers in two different locations in Sengon and Sidentong Villages. In addition, there are two more locations of land owned by Sapta Darma which was bought by a member of Sapta Darma in Pamulihan and Tanjung Villages. Thus, there are four locations of cemeteries owned by Sapta Darma. The cemeteries owned by Sapta Darma which are initially allocated to be burial grounds specifically for Sapta Darma followers are currently accessible to all followers who are rejected in their local cemetery.

Sapta Darma members' experiences concerning burial grounds in Brebes show that a cemetery is one of the sites of contestation of religious identity expressed in public space, which is important for analyzing the dynamic of religious diversity governance in Indonesia. For believers, a plot of land for a burial ground is more a parcel of land, instead, it represents a religious symbol and citizenship right in public space at the same time. Thus, the politics of cemetery represents identity politics based on religion that demands recognition of different identities expressed in public space. This case also shows that the state cannot be seen as a neutral and unified institution. Law and regulation about religious diversity might be inclusive at the national level, however public policy at the district level concerning the same issue might ignore identity differences of minority groups. Therefore, this study also emphasizes multiculturalism theories concerning the protection of minority groups; in order to

protect the groups, public policy that affirms and recognizes different identities is an essential approach taken by the government.

Conclusion

This article shows that the problems faced by religious minority groups, especially ones classified as 'belief' (*kepercayaan*), are more than merely the population administrative matters or the negative stigma of their belief. They also face problems related to the provision of a cemetery for their members. There are two main limitations making the Sapta Darma community face difficulty accessing the appropriate cemetery. First, there is the state's partiality regarding the provision of a cemetery which may be accessed by all citizens with any religious background. On the other hand, the provision of land for a cemetery or the like is something essential to rituals of many religions in Indonesia. The non-existence of public cemetery and regulation which guarantees access of all citizens to it makes the circumstance regarding funeral ritual trigger conflict or overlooked rights of some religious groups.

The next limitation is the people's non-acceptance of Sapta Darma followers as equal citizens. This limitation may be more appropriately viewed as a social context covering the issues faced by Sapta Darma followers in fulfilling their need for a cemetery. Slowly, the people's perception of Sapta Darma and followers of belief in general also develops. Therefore, the main limitation which prevents follower groups in Brebes, including Sapta Darma, from obtaining a cemetery is the local government's lack of serious attempt to provide TPU to all people. In addition, the recording of the existing cemetery lands also shows that the government, particularly the village government, does not seriously maintain village-owned land allocated to public facilities.

This article shows that the existence of regulation at the national level allowing all citizens to access public cemeteries is not followed up by governments at local levels. Regardless of the reason, the Government of Brebes Regency does not consider the provision of TPU as something strategic to fulfill the people's rights to public services. Meanwhile, the dominant religious group may utilize the gap of the village's inaccurate administrative recording regarding the cemetery at the village for their benefit. Like what is experienced by the migrant Muslim community in Gianyar (Sugiarto, 2017), the Sapta Darma community in Brebes must find a communal solution (not provided by the state) to settle the issue of a cemetery for minority religion in Brebes. It is important to note that the solution is made after they have attempted for the formal path of having a dialogue with local governments.

In the context of scholarly studies on Indonesia, especially that concern with minority groups of religion and culture, this study shows that a pluralistic

constitutional design does not guarantee the recognition and protection of those minorities unless the government at the local level (regency or city) produce an affirmative public policy. As explained by multiculturalism theories, even though it might happen unintentionally, the culture and religion of a dominant group tend to dominate public policy-making in a country. The dominant group is usually not aware of the belief of minority groups and what they have been going through as the minority, especially when the latter is not quite visible in public space. In a case like this, in order to uphold the religious freedom of minority groups, affirmative public policy that acknowledges and recognizes different identities becomes inevitable.

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