

Human Rights Protection and Marginalization of The Shia Minority in Indonesia: A Case Study of Religious Discrimination in Makassar

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Abstract

The protection of religious freedom is a fundamental component of human rights and democratic governance. However, religious minority groups in Indonesia continue to face various forms of discrimination and social exclusion. This study examines the marginalization of the Shia minority community in Makassar and analyzes the extent to which human rights protection is implemented in addressing religious discrimination. Using a qualitative case study approach, data were collected through in-depth interviews, observation, and document analysis involving members of the Shia community, religious leaders, academics, and government representatives. The findings show that discrimination against the Shia community is manifested through restrictions on religious activities, social stigmatization, limited access to public spaces, and institutional responses that often prioritize social stability over the protection of minority rights. Drawing on human rights and social exclusion perspectives, this study argues that the marginalization of the Shia community is shaped by the interaction of social, political, and institutional factors that reinforce unequal power relations between majority and minority groups. The study contributes to the literature on religious freedom and minority rights by showing how formal legal guarantees can coexist with ongoing exclusionary practices at the local level. Strengthening institutional commitment, legal protection mechanisms, and inclusive governance is therefore essential to ensure substantive religious freedom and equal citizenship in Indonesia.

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

1. Introduction

Human rights constitute the principal foundation of a democratic state that upholds the principles of equality, freedom, and respect for human dignity. One of the fundamental rights universally recognized is freedom of religion or belief, which is guaranteed through various international instruments, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). As a state that has ratified numerous international human rights instruments, Indonesia constitutionally guarantees every citizen's right to embrace a religion and practice their beliefs without discrimination. This guarantee is reflected in the 1945 Constitution of the Republic of Indonesia, particularly Article 28E and Article 29 paragraph (2), which affirm every individual's right to worship according to their religion and belief.

Nevertheless, the implementation of religious freedom protection in Indonesia continues to face various challenges. Amid the religious, ethnic, and cultural diversity that characterizes Indonesian society, discriminatory practices against religious minority groups persist. Various reports from national and international human rights institutions indicate that religious minority groups frequently experience restrictions on religious activities, social rejection, intimidation, and even violence, all of which hinder the fulfillment of their basic rights as citizens. This condition reveals a gap between the normative guarantees provided by the state and the realities faced by minority groups at the community and institutional levels.

One minority group that is often a target of discrimination is the Shia community. As one of the major schools of thought within Islam with a long history in global Islamic civilization, the presence of Shia adherents in Indonesia has in fact spanned several decades and developed through various social and religious organizations. However, within Indonesia's socio-political context, the Shia group is often positioned as distinct from mainstream Islam, rendering it vulnerable to stigmatization and marginalization. The forms of discrimination experienced by the Shia community include not only the rejection of their religious activities, but also restrictions on public space, the spread of negative stigma, and the emergence of policies that indirectly limit their freedom to practice their beliefs.

The phenomenon of discrimination against the Shia community cannot be understood merely as a matter of theological difference. Various studies show that the marginalization of religious minority groups results from a complex interaction of social, political, cultural, and institutional factors. In the context of post-reform

democracy, the expanding space for political freedom in Indonesia has been accompanied by the strengthening of identity politics, which often turns religious and belief differences into instruments of social and political mobilization. As a result, minority groups face not only pressure from society but also potential exclusion through policy mechanisms and institutional practices influenced by majority group interests.

The city of Makassar is an interesting location for examining this issue. As a center of social, economic, and educational activity in eastern Indonesia, Makassar exhibits complex religious dynamics. The Shia community has existed in this city for a considerable time and has developed through various organizations and religious activities. However, in the course of its development, a number of Shia community activities in Makassar have frequently faced rejection from certain groups who view Shia teachings as a threat to the dominant religious orthodoxy. This situation has given rise to various forms of restriction on the religious activities of the Shia community, ultimately raising questions about the effectiveness of human rights protection for minority groups at the local level.

Studies on the Shia community in Indonesia have thus far extensively discussed historical aspects, the development of the Shia movement, sectarian conflict, and survival strategies employed by minority groups in facing social pressure. However, there remains limited research that specifically analyzes the relationship between human rights protection and the marginalization experienced by the Shia community at the local level. Most studies have focused separately on the dimensions of conflict or legal aspects, thereby failing to provide a comprehensive explanation of how discriminatory practices unfold through the interaction between state actors, community groups, and existing social structures.

Building on this gap, this study seeks to analyze the marginalization of the Shia minority group in Makassar from a human rights perspective. This research does not only focus on the forms of discrimination experienced by the Shia community, but also examines the factors that drive marginalization and how the state fulfils its obligations to respect, protect, and fulfil the rights of religious minority groups. This study is thus expected to contribute to the development of scholarship on human rights, religious freedom, and minority protection within a plural democratic society.

Argumentatively, this article proceeds from the assumption that the marginalization of the Shia community in Makassar is a manifestation of the tension between the constitutional guarantee of religious freedom and the exclusionary practices that continue to occur in social and political life. Understanding the dynamics of discrimination against the Shia group is therefore important not only for the protection of minority rights, but also as an indicator of the extent to which the principles of democracy and human rights are upheld in the governance of diversity in Indonesia. This research aims to analyze the forms of discrimination experienced by the Shia community in Makassar, identify the factors causing this marginalization, and evaluate the implementation of human rights protection for religious minority groups at the local level.

Human rights are basic rights inherent in every individual from birth and cannot be revoked by anyone. In modern international legal development, human rights are regarded as a set of universal rights that must be respected, protected, and fulfilled by the state, irrespective of an individual's religious, ethnic, racial, or social identity. One of the fundamental rights that has gained widespread recognition within the international human rights regime is freedom of religion or belief.

Freedom of religion is part of the civil and political rights guaranteed under Article 18 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). This right encompasses the freedom of a person to adopt, maintain, change, or express their beliefs, whether individually or collectively, in private or public. From a human rights perspective, the state holds three primary obligations: to respect, to protect, and to fulfil the rights of its citizens. The state is therefore obliged not only to refrain from discriminatory acts, but also to provide protection to groups vulnerable to rights violations.

In the Indonesian context, the guarantee of religious freedom is regulated in the 1945 Constitution of the Republic of Indonesia, particularly Article 28E and Article 29 paragraph (2). Indonesia has also ratified the ICCPR through Law No. 12 of 2005, which requires the state to ensure protection for all religious and belief groups, including minorities. Nevertheless, various studies show that a gap persists between the normative guarantees provided by the state and the actual protection of minority rights in practice, indicating that the existence of legal instruments does not always correspond to effective human rights protection.

Minority groups generally refer to social groups in a non-dominant position possessing certain identity characteristics that distinguish them from the majority group. Such characteristics may include religion, ethnicity, language, culture, or other social identities. In many cases, minority status is not determined solely by the size of the group, but rather by power relations that place the group in a disadvantaged position within social and political structures.

In explaining the experiences of minority groups, social exclusion theory offers a relevant analytical approach. According to Giddens, social exclusion is a process that prevents certain individuals or groups from fully

participating in social, economic, political, or cultural life. Exclusion does not always take the form of formal prohibition, but can also emerge through more subtle mechanisms such as social stigma, restricted access to public resources, and marginalization in decision-making processes.

Kymlicka developed the concept of religion-based exclusion to explain how religious identity can become a basis for the marginalization of particular groups. In this context, religion functions not only as a spiritual identity but also as a social category that determines a person's access to citizenship rights. When religious identity is used as a basis for restricting access to public space, social activities, or legal protection, a process of exclusion has occurred, with the potential to produce systemic discrimination.

The social exclusion approach provides an important analytical framework for understanding how minority groups experience sustained marginalization. From this perspective, discrimination against the Shia community is not viewed as an isolated event, but as part of a broader social and political process that restricts minority groups' access to rights that should be guaranteed by the state.

The presence of the Shia community in Indonesia has deep historical roots and has developed through various educational, missionary, and religious organizational networks. Although the number of Shia adherents is relatively small compared to the Sunni Muslim majority, this community has long been part of Indonesia's Islamic diversity.

However, the development of the Shia community has also been accompanied by various forms of rejection and discrimination. Several studies indicate that the rise of anti-Shia sentiment in Indonesia cannot be separated from the dynamics of identity politics, geopolitical conflict developments in the Middle East, and the spread of religious narratives that regard Shia teachings as deviating from mainstream Islam. As a result, the Shia community frequently faces obstacles in carrying out religious activities, gaining social recognition, and accessing public space on an equal basis.

Various cases occurring in several regions show that discrimination against the Shia group is not only carried out by certain community groups, but may also involve institutional actors through policies or actions that restrict religious freedom. Such forms of discrimination include the disbandment of religious activities, refusal to allow the use of public facilities, the spread of negative stigma, and restrictions on the activities of organizations affiliated with the Shia community. This condition shows that the issues faced by the Shia group are not solely related to social conflict, but also concern human rights protection and citizenship rights.

Research on the Shia community in Indonesia has largely focused on the historical development of Shia Islam, Sunni-Shia conflict, identity politics, and the survival strategies of minority groups in facing social pressure. Several studies have also examined practices of exclusion and stigmatization experienced by the Shia community in various regions. Nevertheless, there remains limited research that specifically links the phenomenon of discrimination against the Shia group with a human rights protection perspective at the local level.

Most previous studies tend to position discrimination against the Shia community as a matter of sectarian conflict or theological difference. In fact, such discrimination is also a human rights issue related to religious freedom, citizen equality, and the state's obligation to protect minority groups. Furthermore, relatively few studies have examined in depth how the process of marginalization unfolds through the interaction between state actors, civil society organizations, and local social structures.

Based on this gap, this study employs a human rights perspective and social exclusion theory to analyze discrimination against the Shia minority group in Makassar. The conceptual framework of this study proceeds from the assumption that the marginalization of the Shia group results from the interaction of social, political, and institutional factors that produce various forms of exclusion against minority groups. Through this approach, this study seeks to explain how discrimination occurs, how it impacts the fulfillment of human rights, and how the state carries out its role in protecting religious freedom and the rights of minority groups.

2. METHOD

This research employs a qualitative approach with a case study design to examine the phenomenon of discrimination and marginalization experienced by the Shia minority group in the city of Makassar. The qualitative approach was chosen because it allows the researcher to gain an in-depth understanding of the experiences, perceptions, and social realities related to religious discrimination and human rights protection. The city of Makassar was selected as the research location because it is one of the centers of Shia community development in eastern Indonesia and exhibits dynamics of inter-religious group relations relevant to examining issues of religious freedom and minority protection.

Research data were obtained from primary and secondary sources. Primary data were collected through semi-structured in-depth interviews with informants selected using a purposive sampling technique based on their knowledge, experience, and involvement in issues of religious freedom and discrimination against the Shia

community. Informants included members of the Shia community, religious leaders, academics, government representatives, and activists from civil society organizations working in the field of human rights. Secondary data were obtained from various documents, including laws and regulations, human rights institution reports, civil society organization publications, scientific articles, books, and media coverage relevant to the research focus.

Data collection was conducted through in-depth interviews, observation, and documentary study. Interviews were used to explore informants' experiences and views regarding discriminatory practices, social marginalization, and the forms of human rights protection received by the Shia community. Observation was conducted to understand the social conditions and interactions occurring within community life, while documentary study was used to complement and verify information obtained from interviews and observation. The collected data were analyzed using the interactive analysis model of Miles, Huberman, and Saldaña, which includes data condensation, data display, and conclusion drawing and verification. The analysis process was carried out continuously from the data collection stage to the preparation of the research findings. The data obtained were categorized into main themes, such as religious discrimination, social marginalization, religious freedom, and human rights protection, in order to identify patterns, relationships, and factors influencing the condition of the Shia minority group in Makassar.

To ensure the quality of the research, this study applied the principle of trustworthiness, encompassing credibility, transferability, dependability, and confirmability. Data credibility was strengthened through source and method triangulation, while transferability was achieved by providing a detailed contextual description of the research location and situation. Dependability and confirmability were maintained through systematic documentation of the research process and continuous verification of findings. This research also adhered to research ethics by obtaining informants' consent prior to interviews, protecting participants' identities through the use of pseudonyms, and ensuring that all data obtained were used solely for academic purposes.

3. ANALYSIS AND DISCUSSION

Forms of Religious Discrimination against the Shia Community in Makassar

The findings show that discrimination against the Shia community in Makassar does not occur in a single form, but rather manifests through various practices that restrict the group's religious freedom and social participation. The most dominant forms of discrimination include restrictions on religious activities, social stigmatization, intimidation by certain groups, and obstacles in accessing public space to carry out religious activities.

The Shia community in Makassar faces various challenges when conducting collective religious activities, particularly during the commemoration of major religious occasions such as Ashura. Rejection of such activities is often based on the assumption that Shia teachings differ from the Islamic teachings adhered to by the majority of society. As a result, the Shia community must contend with social pressure that potentially hinders the exercise of their constitutional right to worship according to their respective beliefs.

From a human rights perspective, this condition reflects a violation of the principle of religious freedom guaranteed under various national and international legal instruments. Religious freedom encompasses not only the right to hold a religion or belief, but also the right to express and practice that belief, individually or collectively. When a group experiences restrictions in carrying out its religious activities due to its religious identity, a reduction of fundamental rights that should be protected by the state has occurred.

These findings show that discrimination against the Shia community in Makassar is not merely related to theological differences, but has developed into a citizenship rights issue that affects the ability of the minority group to enjoy the same rights as the majority group.

Dynamics of Social Exclusion against the Shia Community

Further analysis shows that the marginalization of the Shia community occurs through a layered mechanism of social exclusion. This exclusion process emerges not only through direct acts of rejection or intimidation, but also through social practices that gradually place the Shia community in a marginalized position within society. One form of exclusion identified is the stigmatization of Shia religious identity. Labeling the group as deviant creates negative perceptions that develop within society and affect social relations between the Shia community and the majority group. As a result, some community members choose not to openly express their religious identity in order to avoid social conflict or the risk of discrimination.

From the perspective of social exclusion theory, this condition shows that marginalization does not always occur through formal state prohibition. Rather, exclusion can emerge through social processes that cause certain

groups to lose access to equal participation. When community members feel unsafe expressing their identity or are forced to limit their social and religious activities, a process of exclusion gradually occurs that reduces their involvement in public life.

These findings align with Giddens's argument that social exclusion is a process that hinders individuals or groups from fully participating in society. In the case of the Shia community in Makassar, social exclusion affects not only religious freedom, but also their sense of security, social identity, and standing as equal citizens.

In addition, social exclusion is also evident in the limited access of the Shia community to public space. Difficulties in obtaining activity permits, refusal of the use of certain facilities, and pressure from community groups have caused religious activities to often be conducted discreetly. This situation illustrates how public space, which should serve as a shared arena, is instead shaped by the dominance of the majority group, which determines the boundaries of the legitimacy of religious identity.

The Role of State Institutions in Protecting Minority Rights

One important finding of this research is the gap between the state's normative commitment to human rights protection and the implementation of protection for the Shia community at the local level. Legally, Indonesia has various instruments guaranteeing religious freedom and minority protection. In practice, however, this protection has not been fully experienced by the Shia community in Makassar.

In some cases, the response of state institutions tends to be reactive and oriented toward short-term conflict management rather than substantive rights protection. Such an approach often places the interest of social stability above the fulfillment of minority groups' constitutional rights. As a result, conflict resolution is more directed toward avoiding social tension than ensuring the fulfillment of religious freedom for all citizens.

From a human rights perspective, the state holds three main obligations: to respect, to protect, and to fulfil human rights. The research findings show that the main challenge lies in the state's obligation to protect minority groups from discriminatory acts committed by non-state actors. When the state fails to prevent intimidation or restrictions on the religious activities of the Shia community, the protection of religious freedom becomes suboptimal.

Furthermore, this research shows that the relationship between majority and minority groups at the local level often influences the policy-making process. In certain situations, social and political pressure from the majority group can influence the response of government institutions to issues related to minority groups. This condition reflects what is referred to in the literature as majoritarianism, namely the tendency of democratic systems to accommodate the interests of majority groups more than the protection of minority rights.

Human Rights Protection and the Persistence of Religious Discrimination

The research findings show that the marginalization of the Shia community in Makassar results from the mutually reinforcing interaction of social, political, and institutional factors. On the one hand, legal guarantees exist that protect religious freedom. On the other hand, discriminatory practices continue to occur through social and institutional mechanisms that restrict the space for minority groups to act.

Within a human rights theoretical framework, this condition reveals a gap between formal rights and rights that are genuinely enjoyed in everyday life, namely substantive rights. The Shia community formally holds the same rights as other citizens, yet in practice they continue to face various obstacles in exercising these rights freely and safely.

Meanwhile, social exclusion theory helps explain that marginalization is not always manifested through directly visible repressive actions. Marginalization can also occur through the normalization of stigma, restricted access to public space, and the formation of social structures that systematically place certain groups in a disadvantaged position. Discrimination against the Shia community in Makassar should therefore be understood not only as a matter of religious intolerance, but also as a matter concerning the distribution of power, access to citizenship rights, and the state's capacity to guarantee equality for all citizens.

These findings reinforce the argument that human rights protection for minority groups cannot rely solely on the existence of formal regulation. Effective protection requires strong institutional commitment, consistent law enforcement, and the cultivation of a social culture that respects diversity. Without such efforts, minority groups will continue to face the risk of marginalization, even though they have normatively obtained legal protection guarantees.

5. CONCLUSION

This research shows that the marginalization of the Shia community in Makassar is a phenomenon that relates not only to theological differences, but also reflects broader issues concerning human rights protection,

majority-minority relations, and the implementation of democratic principles at the local level. The various forms of discrimination experienced by the Shia community, such as restrictions on religious activities, social stigmatization, intimidation, and limited access to public space, indicate that the religious freedom constitutionally guaranteed has not been fully realized in social practice. Analysis through a human rights perspective reveals that a gap remains between the normative guarantees provided by the state and the protection actually received by the minority group in social reality. Although Indonesia possesses a legal framework guaranteeing religious freedom and the protection of citizens' rights without discrimination, its implementation continues to face obstacles, particularly when confronted with social pressure and majority group dominance, indicating that the state has not yet fully fulfilled its obligation to respect, protect, and fulfil minority rights effectively. From the perspective of social exclusion theory, this research finds that the marginalization of the Shia community occurs through structural and ongoing mechanisms, manifested not only through direct action but also through stigmatization, restricted social participation, and reduced access to public spaces that should be equally enjoyed by all citizens, a process that gradually places the Shia community in a vulnerable position and reinforces unequal relations between majority and minority groups in religious and social life. Theoretically, this research contributes to the development of scholarship on human rights and religious freedom by showing that discrimination against religious minority groups cannot be understood merely as sectarian conflict or doctrinal difference, but as the result of a complex interaction of social, political, and institutional factors that together shape exclusionary practices against minority groups, making the human rights and social exclusion approaches important frameworks for understanding the dynamics of religious discrimination in plural societies. Practically, this research affirms the importance of strengthening state commitment to protecting religious freedom and minority rights through consistent law enforcement against discriminatory acts, strengthening the role of human rights protection institutions, developing inclusive policies, and enhancing education on tolerance and respect for diversity, steps necessary to ensure that the principles of equality, religious freedom, and human rights protection are not merely legal norms but are genuinely implemented in social life. This research is limited by its focus on a single local case in Makassar, and its findings cannot therefore be generalized to the entire Shia community in Indonesia; future research is recommended to conduct comparative studies across various regions to obtain a more comprehensive understanding of patterns of discrimination, mechanisms of marginalization, and the effectiveness of human rights protection for religious minority groups within Indonesia's diverse context.

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