

Adaptive Religious Governance in Times of Crisis: Balancing Human Rights and Religious Freedom in Indonesia

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Abstract

Religious governance during times of crisis requires governments to respond to changing public risks while maintaining human rights and freedom of religion or belief. However, existing scholarship has often examined rights-based restrictions and institutional adaptation through separate analytical perspectives, leaving insufficient explanation of how contextual flexibility can operate without weakening consistent rights protection. This study examines how adaptive religious governance operates in Indonesia and how institutional adaptation can be reconciled with human rights and religious freedom. A qualitative document-based design with an interpretive analytical approach was employed, using the COVID-19 crisis as the primary empirical context. Data were drawn from national and subnational regulations, decrees, circulars, protocols, task-force instructions, official statements, and documents issued by religious authorities and organizations, supplemented by relevant scholarly and institutional literature. The materials were examined through qualitative content analysis, thematic coding, cross-document comparison, and chronological analysis. The findings reveal a shift from relatively uniform restrictions toward differentiated implementation, increasing interaction between national standards and local discretion, and an intermediary role for religious organizations in interpreting and communicating crisis measures. The analysis further shows that contextual adaptation remains compatible with religious freedom when discretion is bounded by legality, necessity, proportionality, equality, non-discrimination, review, and accountability. These findings support the concept of bounded adaptation, in which differentiated implementation, multilevel coordination, and religious-actor participation operate within common rights-based safeguards. The study provides a basis for crisis-sensitive religious governance that combines context-responsive institutional adjustment with consistent protection of religious freedom and equal rights.

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INTRODUCTION

Research Background

Contemporary crises place governments under pressure to respond rapidly to changing public risks while preserving fundamental rights and freedoms. Freedom of religion or belief is particularly sensitive in this context because it protects not only individual conviction but also the manifestation of religion through worship, association, and communal practices. Comparative experience has shown that crisis-related interventions affecting religious activities may pursue legitimate public objectives while raising concerns about the justification, proportionality, duration, and consistency of restrictions (Galimberti & Pagotto, 2024; Martínez-Torrón, 2021; Zysset, 2022). The balance examined is between public-health protection, including the rights of others, and freedom of religion or belief, itself a human right; the case is the COVID-19 pandemic, whose lessons remain relevant for future health emergencies and pandemic-preparedness regulation.

The challenge therefore extends beyond whether governments may restrict certain religious practices under exceptional conditions to how such interventions can remain responsive to changing circumstances without weakening rights protection. This issue is particularly relevant in Indonesia, where constitutional protection of religious freedom operates within a religiously plural society and a decentralized governance system, creating complex interactions between national policy, local implementation, and diverse religious communities (Hurriyah, 2023; Rohidin et al., 2023; Tohawi & Ambodo, 2024). Religious governance in times of crisis consequently requires both institutional responsiveness and continuing protection of human rights.

Indonesian measures followed a clear sequence. After the health emergency was declared (President of the Republic of Indonesia, 2020), large-scale social restrictions (PSBB) required religious activities to be held at home with limited family (Minister of Health of the Republic of Indonesia, 2020, Article 13(4)), and Jakarta suspended activities in houses of worship while allowing the call to prayer and bells (Governor of DKI Jakarta, 2020, Article 11). The “new normal” allowed conditional reopening from mid-2020 (Ministry of Religious Affairs, 2020); in July 2021 emergency restrictions first closed places of worship (Minister of Home Affairs of the Republic of Indonesia, 2021a) and a week later reopened them without congregational worship (Minister of Home Affairs of the Republic of Indonesia, 2021b); the pandemic status ended in 2023 (President of the Republic of Indonesia, 2023). The problem was real: a religious gathering in Gowa in March 2020 was linked by the national task force to about 60% of South Kalimantan’s cases by mid-May (Tirto.id, 2020b).

Rights-based scholarship has established normative standards for this challenge: restrictions on the manifestation of religion cannot be justified merely by an emergency

or a legitimate objective but must satisfy legality, necessity, proportionality, equality, and non-discrimination. Article 18(3) of the International Covenant on Civil and Political Rights (ICCPR) permits such limitations only when prescribed by law and necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others; General Comment No. 22 and the Siracusa Principles elaborate these requirements; Indonesia ratified the ICCPR through Law No. 12 of 2005; and Article 28J(2) of the 1945 Constitution permits limitations determined by law solely to secure the rights of others and to meet just demands based on morality, religious values, security, and public order ([Human Rights Committee, 1993](#); [Republic of Indonesia, 1945, 2005](#); [United Nations, 1966](#); [United Nations Economic and Social Council, 1985](#)). Comparative legal studies emphasize that proportionality requires a demonstrable relationship between risks, measures, and less restrictive alternatives ([Barclay & Collings, 2022](#); [Hau, 2022](#); [Martínez-Torrón, 2021](#); [Zysset, 2022](#)).

Article 28I(1) of the Constitution lists the right to religion among rights that cannot be reduced under any circumstances, while Article 28J(2) permits limitation by law; the Constitutional Court has read them together, allowing statutory limitation ([Constitutional Court of the Republic of Indonesia, 2007](#)). Pandemic restrictions therefore relied on limitation under Article 18(3) ICCPR rather than derogation under Article 4 [authors to verify that no derogation was notified], the distinction discussed by Zysset ([2022](#)).

Research on crisis-related restrictions similarly indicates that limitations on religious activities require consistent justification and safeguards against unequal treatment ([Galimberti & Pagotto, 2024](#)). Studies from Indonesia reinforce these concerns by showing that emergency regulation of religious manifestations must remain compatible with freedom of religion or belief and broader human-rights guarantees ([Regus et al., 2022](#); [Widhiyanti & Saraswati, 2021](#)).

Other research demonstrates that the implementation of religious freedom can become uneven when local regulation and majoritarian considerations influence the treatment of religious communities ([Hurriyah, 2023](#); [Rohidin et al., 2023](#)). This literature therefore clarifies the normative limits of state intervention, but provides a less complete account of how those limits are translated into governance arrangements capable of adapting to changing conditions.

Governance scholarship approaches the problem from a different direction by emphasizing institutional adaptability, multilevel implementation, and collaboration. Adaptive governance highlights the capacity of institutions to revise policy responses as risks, knowledge, and contextual conditions change, while crisis-governance research demonstrates the importance of dynamic institutional capacities and coordination across organizational boundaries ([Herizal et al., 2024](#); [Nolte & Lindenmeier, 2024](#)).

These dynamics are relevant to Indonesia because nationally formulated responses may encounter different institutional and socio-religious conditions during local implementation. Research has documented variation in how religious communities interpret and respond to restrictions on collective religious activities, demonstrating that formally uniform measures do not necessarily produce uniform implementation or acceptance ([Sardjuningsih, 2022](#); [Winarni, 2022](#)).

Religious organizations may also act as intermediaries between government and communities by communicating policy objectives, mobilizing organizational networks, and supporting collective responses during crises (Nurdin, 2024; Prianto et al., 2023). The governance literature thus demonstrates the importance of adaptation, coordination, and participation, but leaves open the question of how such flexibility should be bounded by consistent human-rights safeguards.

Despite these advances, the two bodies of scholarship remain insufficiently connected. Rights-based studies primarily clarify the legitimacy and normative limits of restrictions on religious freedom, whereas governance-oriented research explains how institutions adapt, coordinate, and collaborate under changing conditions (Martínez-Torrón, 2021; Nolte & Lindenmeier, 2024; Prianto et al., 2023; Zysset, 2022).

What remains insufficiently explained is how rights-based safeguards can be embedded within adaptive religious governance so that institutional responses remain context-sensitive without weakening religious freedom and equal rights protection. This problem is particularly consequential in Indonesia, where decentralized implementation and the involvement of influential religious organizations create opportunities for contextual adaptation while also requiring safeguards against fragmented or unequal implementation (Arifianto, 2024; Rohidin et al., 2023). Dja'far (2021), Regus et al. (2022), and Widhiyanti and Saraswati (2021) assess COVID-19 restrictions against religious freedom, and Janssen and van der Voort (2020) analyse adaptive governance in COVID-19, but none connects the sequence of national and local instruments, the role of religious councils of different religions, and an explicit rights rubric; this study does.

Problem Identification

The central problem addressed in this study is the difficulty of reconciling institutional adaptability with consistent rights protection in the governance of religious affairs during times of crisis. Although rights-based principles establish limits on state intervention, their application may become uneven when policies are implemented across different local contexts, while adaptive responses may generate differentiated practices that do not always provide equivalent protection for religious communities. For example, a national instruction first closed places of worship and was revised within a week (Minister of Home Affairs of the Republic of Indonesia, 2021a; Minister of Home Affairs of the Republic of Indonesia, 2021b), and religious councils sought clearer rules on what was permitted (Indonesian Ulama Council, 2021).

Research Questions

1. How was adaptive religious governance manifested in Indonesia during the COVID-19 pandemic, particularly through differentiated implementation, multilevel coordination, and the involvement of religious actors?

2. How do the analysed documents address human-rights safeguards and religious freedom within adaptive and locally differentiated measures during the COVID-19 pandemic?
3. What governance arrangements does the analysis suggest, as a normative proposition, for supporting institutional adaptability while maintaining consistent protection of religious freedom and equal rights?

Research Objectives and Significance

This study aims to examine how adaptive religious governance operates in Indonesia during times of crisis and how institutional adaptation can be reconciled with the protection of human rights and religious freedom. Specifically, it analyzes differentiated implementation, multilevel coordination, and the involvement of religious actors to identify how flexibility in governance interacts with rights-based safeguards across varying institutional and socio-religious contexts. The empirical context is the COVID-19 crisis; references to times of crisis in this article should be read in that sense. The first three findings in the Results answer the first research question, the fourth finding and Table 2 answer the second, and the normative implications of bounded adaptation answer the third.

Theoretically, the study contributes by connecting two analytical perspectives that have often developed separately: rights-based approaches concerned with the normative limits of state intervention and adaptive-governance approaches concerned with institutional responsiveness to changing conditions. By bringing these perspectives together, the study advances an understanding of adaptive religious governance in which flexibility is conditioned by consistent rights protection rather than treated as an unrestricted form of local discretion.

Practically, the findings are intended to inform crisis-sensitive religious governance by clarifying how national rights standards, context-responsive implementation, institutional coordination, participation of religious actors, and mechanisms of accountability can operate together while protecting religious freedom and equal rights.

LITERATURE REVIEW

Religious governance is shaped not only by formal guarantees of freedom of religion or belief but also by the institutional relationships through which public authority and religious communities interact. In Indonesia, state–religion relations have developed through arrangements characterized by continuing interaction and accommodation between political institutions and religious actors rather than a strict institutional separation of religion from public governance ([Khaliq, 2024](#)).

This configuration makes the exercise of religious freedom dependent partly on how legal authority is interpreted and implemented across institutional settings. Studies of freedom of religion or belief in Indonesian institutions reveal that differences between formal policy and actual practice can affect the realization of religious rights

([Zainurohmah et al., 2023](#)), while research on local religious regulation demonstrates that rights protection may be weakened when regulatory authority becomes closely aligned with majoritarian religious preferences ([Rohidin et al., 2023](#)).

These findings suggest that religious governance should be assessed not only according to the formal existence of rights but also according to the institutional conditions under which public discretion is exercised. In this sense, rights protection has an operational dimension: administrative differentiation requires transparent justification, reviewability, and safeguards capable of preventing contextual discretion from becoming unequal treatment. Religious freedom therefore functions as an institutional boundary for governance, requiring flexibility in implementation to remain compatible with equal protection and accountable public authority.

Religious actors add another institutional layer because they may participate in governance without becoming substitutes for the state. Research on faith-based organizations shows that religious values and organizational identities can shape both internal governance and the provision of services during periods of disruption ([Jacinto et al., 2023](#)). Indonesian evidence likewise indicates that religious organizations possess distinct institutional interests and may adopt different positions in relation to state policies, demonstrating that their participation cannot be treated as a uniform expression of religious society ([Arifianto, 2024](#)).

Comparative analysis of state–religion relations further suggests that institutional independence and accommodation between political and religious authorities can coexist, rather than requiring the absorption of religious institutions into governmental authority ([Khaliq, 2024](#)). This distinction is important for adaptive religious governance: religious organizations may provide contextual knowledge, social legitimacy, and channels connecting public institutions with communities, but responsibility for rights protection, policy justification, and equal treatment remains with public authorities.

Religious governance is understood here as the arrangements through which public authorities and religious organizations jointly regulate the conditions of religious practice ([Bader, 2007](#)). Comparative COVID-19 scholarship asks whether worship was treated less favourably than comparable activities ([Storslee, 2022](#)), whether restrictions were proportionate to specific practices ([Hau, 2022](#)), and whether courts reviewed them ([Amien, 2023](#)); evidence on Indonesian minorities during the pandemic is scarce ([Hurriyah, 2023](#)).

Adaptation should therefore be understood neither as unrestricted local discretion nor as the transfer of governance responsibility to influential religious organizations. What remains open is whether, and under which conditions, crisis measures in Indonesia kept contextual adjustment and religious participation within common rights standards and public accountability.

THEORETICAL AND CONCEPTUAL FRAMEWORK

Theoretical Framework

This study draws on rights-based governance and adaptive governance as complementary theoretical perspectives for explaining religious governance in times of crisis. Rights-based governance provides the normative basis for understanding the limits of governmental discretion when public action affects the manifestation of religion. From this perspective, state intervention must remain legally justified, necessary, proportionate to a legitimate objective, and consistent with equality and non-discrimination (Barclay & Collings, 2022; Martínez-Torrón, 2021; Zysset, 2022). Rights-based governance is used here as a normative evaluative framework in the sense of human-rights-based approaches to governance (Office of the United Nations High Commissioner for Human Rights, 2006) rather than as an explanatory theory.

Proportionality is particularly important because it requires a defensible relationship between the objective pursued and the intensity of the intervention, including consideration of whether less restrictive measures could achieve the same purpose (Martínez-Torrón, 2021; Zysset, 2022). These principles extend beyond formal legal compliance because their application also concerns how public authorities justify, differentiate, and review governmental action. Rights-based governance therefore explains the normative limits of public authority, providing criteria for assessing whether governmental discretion remains compatible with religious freedom, equal protection, and accountable decision-making.

Adaptive governance explains how institutions respond when risks, knowledge, and implementation conditions change, through institutional learning, flexible arrangements, networks across organizational levels, and the capacity to reorganize (Folke et al., 2005), as well as responsiveness, cross-sectoral collaboration, and institutional adjustment (Herizal et al., 2024; Nolte & Lindenmeier, 2024). Although it originated in the study of social-ecological systems, it has been applied to public-health emergencies, where uncertainty and coordination across governmental levels required continuous policy revision (Janssen & van der Voort, 2020). Religious governance during COVID-19 faced comparable conditions, since restrictions on communal worship had to be adjusted as risks and evidence changed; this application remains a conceptual transfer rather than a tested relationship.

Adaptation therefore does not imply unrestricted flexibility but the capacity to revise responses while maintaining coordination and responsibility. Adaptive governance explains the institutional capacity to respond to change, whereas rights-based governance sets the normative limits within which adaptation can legitimately occur. For document analysis, adaptation is indicated by revisions citing new risk conditions, time limits, review or revocation clauses, and delegation to local levels with stated criteria. Because Indonesia's initial response was centralized, unlike the polycentric emphasis of adaptive governance, the degree of local discretion is treated as a variable.

Conceptual Framework

Building on the theoretical perspectives outlined above, this study conceptualizes adaptive religious governance as the interaction between rights-based safeguards and context-sensitive institutional adaptation. Rights-based safeguards establish the boundaries within which institutional flexibility can operate by requiring adaptive responses to remain consistent with religious freedom, equality, and accountable public authority (Regus et al., 2022; Rohidin et al., 2023).

Within these boundaries, bounded adaptation refers to the adjustment of governance responses to changing and locally differentiated conditions without allowing contextual flexibility to weaken consistent rights protection, particularly where crisis responses are implemented across different governmental levels (Kurniawan et al., 2023). The framework examines this adaptation through three interrelated mechanisms. Differentiated implementation captures variations in policy application according to relevant local conditions, while multilevel coordination concerns the alignment of national standards with subnational implementation and the coordination required across governmental levels (Kurniawan et al., 2023). The concept of bounded adaptation is the authors' own; it draws on the administrative-law idea of structured discretion, in which discretion is confined by rules, standards, and review (Davis, 1969).

Religious-actor participation captures the involvement of religious organizations in interpreting, communicating, and facilitating public responses, recognizing their capacity to connect institutional action with community-level engagement while maintaining the responsibility of public authorities for rights protection (Jacinto et al., 2023; Nurdin, 2024).

These mechanisms are considered alongside continuing review and policy adjustment to assess whether context-sensitive governance remains compatible with religious freedom, equal protection, and public accountability. Accordingly, the conceptual framework provides an analytical basis for examining how bounded adaptation operates through differentiated implementation, multilevel coordination, and religious-actor participation while remaining constrained by rights-based safeguards. The rights criteria form a six-question rubric: legal basis, justification, less restrictive alternatives, time limit, equal application to all religions, and review or complaint channel (Figure 1).

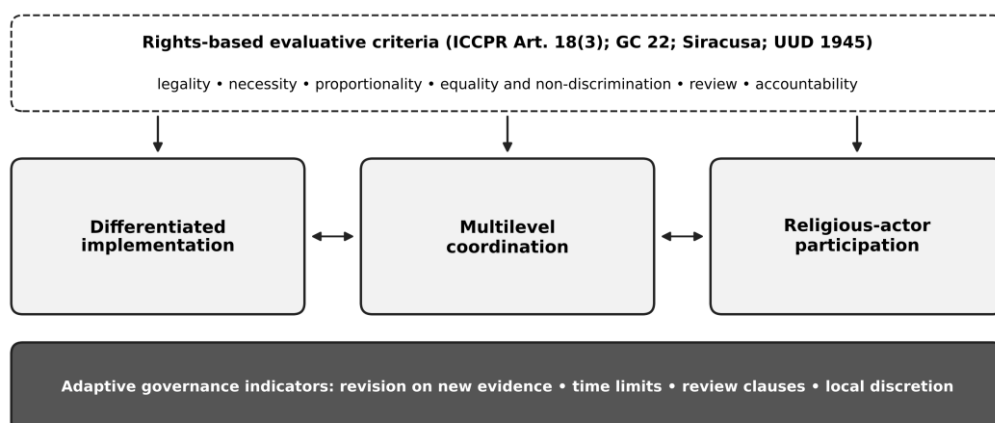


Figure 1. Initial Analytical Framework Defined Before the Analysis

Note. Initial framework defined before the analysis. Source: Authors' elaboration.

METHODOLOGY

This study employed a qualitative document-based design with an interpretive analytical approach to examine adaptive religious governance and its relationship with human rights and religious freedom in Indonesia. A document-based approach was appropriate because policy documents and institutional records provide evidence of how governance problems are formally defined, justified, and addressed within particular institutional contexts (Bowen, 2009; Morgan, 2022). Units of analysis were the instrument and its provisions (March 2020–June 2023); quoted Indonesian passages were translated by [the first author and checked by a second author].

COVID-19 policy and institutional responses served as the empirical context. The documentary materials comprised national and subnational regulations, decrees, circulars, protocols, task-force instructions, and official statements on religious activities, together with fatwas, recommendations, and communications from religious authorities, including the Indonesian Ulema Council (MUI), Nahdlatul Ulama (NU), Muhammadiyah, and other religious actors; peer-reviewed, legal, and human-rights literature provided context. Documents were selected purposively for their relevance to rights protection, policy adjustment, national–local implementation, and religious-actor involvement. They are listed in Appendix Table A1; they regulated or guided worship nationally, illustrate implementation in Jakarta as the first PSBB region, or record guidance of councils of different religions, and were obtained from legal databases, official websites, and news reports. [Authors to add the PBNU and PP Muhammadiyah circulars, further subnational instruments, and counts per level.]

The documentary materials were analyzed through qualitative content analysis and thematic coding, allowing recurrent patterns to be systematically identified while retaining attention to their institutional context (Kiger & Varpio, 2020; Morgan, 2022). Documents were classified according to source and institutional level and examined for evidence concerning the justification and adjustment of governmental measures, differences in policy implementation, coordination between national and subnational authorities, participation of religious actors, and protection of religious freedom and equal rights.

Relevant passages were coded, compared, and organized into categories interpreted through rights-based safeguards, bounded adaptation, differentiated implementation, multilevel coordination, and religious-actor participation. Cross-document comparison identified convergent and divergent patterns across governmental levels and between governmental and religious sources, while chronological comparison, with phases defined by the issuance dates of the principal instruments, traced changes over time. Categories were deductive (the six rubric questions and the three mechanisms), with inductive codes added for patterns outside them. [Authors to complete: who coded, whether a codebook and software were used, and how disagreements were resolved.]

The credibility and consistency of the analysis were strengthened through source triangulation, cross-document comparison, and chronological verification, consistent with qualitative approaches that emphasize transparent analytical procedures and multiple forms of evidence to strengthen interpretive credibility (Morgan, 2022; Nowell

et al., 2017). Governmental materials from different administrative levels were compared with religious institutional documents and relevant secondary scholarship, while legally binding governmental measures were distinguished from non-binding recommendations, appeals, and institutional guidance to preserve differences in their authority and analytical significance. Primary documents generated findings on regulatory content; secondary studies were used only for implementation and community responses. An audit trail links findings to Appendix Table A1 [authors to confirm peer debriefing].

Interpretations were retained when they could be traced to documentary evidence, with conclusions limited to institutional and policy-level patterns supported by the analyzed materials. Ethical integrity was maintained through accurate source attribution, preservation of documentary context, and clear differentiation between documentary evidence and analytical interpretation. Because the study relied on publicly available documentary materials and involved no direct interaction with human participants, no personally identifiable information was collected or reported.

RESULTS AND DISCUSSION

The documentary analysis identified four distinct but connected patterns in Indonesia's religious governance during crisis conditions: changes in the regulatory treatment of religious activities, variation across levels of government, the intermediary involvement of religious organizations, and the application of human-rights safeguards to crisis measures. The following sections examine each pattern separately before integrating their implications for adaptive religious governance. Beyond the framework, the documents showed a national rule corrected within a week, an accommodation for the call to prayer and bells, and religious councils' demands for clearer rules.

Adaptive Shift from Uniform to Differentiated Governance

The documentary evidence indicates that the initial crisis response relied predominantly on centralized and standardized restrictions on public gatherings, including communal religious activities (Government of Indonesia, 2020; Indonesian Ulema Council, 2020; President of the Republic of Indonesia, 2020). Such measures enabled rapid intervention under conditions of uncertainty but provided limited differentiation among religious practices with different spatial, organizational, and operational characteristics. Of these, the Presidential Decision and the Government Regulation are binding, whereas the MUI fatwa is non-binding religious guidance; it became relevant because the binding implementing regulation required religious activities to follow "fatwa atau pandangan lembaga keagamaan resmi" [fatwas or views of official religious bodies] (Minister of Health of the Republic of Indonesia, 2020, Article 13(5)), while requiring religious activities to be "dilakukan di rumah dan dihadiri keluarga terbatas" [held at home and attended by limited family] (Article 13(4)).

Small-scale worship, large congregational gatherings, funerals, religious education, and other collective activities could therefore fall within broadly similar regulatory categories

despite differences in their practical conditions. Previous research on congregational prayer restrictions in Indonesia similarly found that early restrictions were applied relatively uniformly and initially provided limited alternatives for maintaining collective worship under enforceable health protocols (Dja'far, 2021). The principal limitation at this stage was thus the limited capacity of broad regulatory categories to accommodate differences among religious activities.

As the crisis evolved, restrictions became more differentiated, and religious activities could resume subject to capacity limits, distancing, sanitation, and other protocols. The circular linked reopening to conditions at each house of worship rather than only to zone status, required a revocable safety certificate from the local task force, and capped social religious events at 20% of capacity and 30 people (Ministry of Religious Affairs, 2020); in 2021, emergency restrictions (PPKM Darurat) temporarily closed places of worship before a revision allowed them to open without congregational worship (Minister of Home Affairs of the Republic of Indonesia, 2021a, 2021b). A disproportionate burden of the certificate procedure on smaller congregations is not evident from the documents.

Comparative legal research on restrictions affecting worship likewise demonstrates the importance of distinguishing the treatment of religious activities according to relevant circumstances rather than assuming that formally general restrictions necessarily produce equivalent treatment (Storslee, 2022). The regulatory trajectory in Indonesia therefore moved from broad restriction toward conditional differentiation, in which religious activities were increasingly regulated according to contextual conditions and specified preventive requirements. The development of these regulatory arrangements across different phases of crisis governance is summarized in Table 1.

Table 1. Evolution of Religious Governance under Crisis Conditions in Indonesia

Policy Phase	Dominant Regulatory Approach	Treatment of Religious Activity	Main Governance Strength	Main Human-Rights Concern
PSBB (March–May 2020)	Centralized and standardized restrictions	Broad suspension or limitation of communal worship	Rapid communication and immediate risk reduction	Insufficient differentiation, limited alternatives, and uncertainty regarding proportionality
"New normal" (from June 2020)	Regional variation and conditional reopening	Worship permitted in selected areas subject to protocols	Greater responsiveness to local conditions	Unequal implementation and possible inconsistency between regions
PPKM (2021–2022)	Capacity limits, sanitation, distancing, and monitoring	Religious gatherings permitted under specified conditions; temporary closure under PPKM Darurat (July 2021)	Greater compatibility between risk management and religious continuity	Potential burdens on smaller or resource-constrained communities (not evidenced)

Cross-cutting feature: state–religion coordination	Coordination between state institutions and religious organizations	Religious leaders interpret, communicate, and support implementation	Increased legitimacy, communication, and voluntary compliance	Risk of symbolic or insufficiently representative participation
Cross-cutting feature: review and local discretion	Periodic review, local discretion, and rights-based oversight	Measures adjusted according to evidence and contextual conditions	Greater balance between flexibility, legality, and institutional accountability	Fragmentation, arbitrary discretion, and unequal treatment when common standards are unclear

Source: Synthesized from the documentary analysis. Phases are dated by the principal instruments: PSBB (Government of Indonesia, 2020; Governor of DKI Jakarta, 2020; Minister of Health of the Republic of Indonesia, 2020; President of the Republic of Indonesia, 2020); new normal (Ministry of Religious Affairs, 2020); PPKM (Minister of Home Affairs of the Republic of Indonesia, 2021a; Minister of Home Affairs of the Republic of Indonesia, 2021b); end of pandemic status (President of the Republic of Indonesia, 2023). The last two rows are cross-cutting features, not phases.

Table 1 indicates that the regulatory trajectory involved a progressive diversification of governance instruments rather than the simple withdrawal of restrictions. Broad prohibitions were followed by regional differentiation, conditional reopening, greater institutional coordination, and periodic adjustment. This trajectory is significant because it shows that crisis governance gradually acquired a wider range of regulatory options for accommodating different circumstances. The resulting variation across governmental levels, however, raises a separate question concerning how national standards were translated into local implementation. The concerns in Table 1 are drawn from Dja’far (2021), Lele (2023), Hurriyah (2023), and Shair-Rosenfield (2025).

Multilevel Coordination and Bounded Local Adaptation

The second finding concerns national policy and subnational implementation. Decentralization created space for local authorities to respond to different conditions, producing variation in the timing, intensity, and enforcement of restrictions, which can be appropriate when differences in treatment correspond to relevant differences in local circumstances. The documents show the formal channels for this variation: Jakarta applied PSBB through its own regulation (Governor of DKI Jakarta, 2020, Article 11), the circular delegated safety certificates to local task forces (Ministry of Religious Affairs, 2020), and the 2021 instruction made regional heads responsible for enforcement (Minister of Home Affairs of the Republic of Indonesia, 2021a). Whether particular local variation was arbitrary cannot be established from these documents alone.

The analytical problem emerged when variation could not be clearly connected to transparent criteria. Differences in interpreting national guidance, imposing additional local requirements, or enforcing comparable rules could generate administrative uncertainty. The distinction therefore lies between contextually justified differentiation and arbitrary administrative variation. Research on policy convergence under Indonesia’s decentralized system similarly shows that local responsiveness can generate policy

divergence, illustrating the tension between adaptation to local priorities and coherence within a unitary governance structure (Lele, 2023).

Comparative research on Indonesia and the Philippines further indicates that decentralization during extreme events is strongly conditioned by the quality of intergovernmental coordination, particularly where responsibilities and information are distributed across governmental levels (Shair-Rosenfield, 2025). Local discretion is therefore analytically relevant not because uniformity is always preferable, but because differentiated implementation requires a defensible relationship between contextual conditions and the measures adopted.

As a normative implication rather than a documentary finding, these patterns support bounded adaptation: national authorities provide the legal framework and minimum standards of rights protection, while subnational authorities retain discretion to respond to local conditions. Drawing on the rights-based standards above, this study proposes that such discretion is more defensible when accompanied by written reasons, periodic review with defined time limits, accessible information, and opportunities for consultation or challenge, so that common legal and procedural requirements keep local discretion from becoming unconstrained without requiring identical responses everywhere. Of these safeguards, the documents contained time limits (Minister of Home Affairs of the Republic of Indonesia, 2021a) and revocation conditions (Ministry of Religious Affairs, 2020), but written reasons for local differentiation and complaint channels were not found.

Religious Actors as Governance Intermediaries

A third finding concerns religious organizations, which were not merely objects of regulation. MUI, NU, Muhammadiyah, and other religious bodies interpreted restrictions, disseminated guidance, and communicated practical adjustments to their communities (Indonesian Ulema Council, 2020), and research on Muhammadiyah and Nahdlatul Ulama shows that both established dedicated structures and used their networks for prevention and worship guidance (Rachmawati et al., 2022). [Authors to cite the PBNU and PP Muhammadiyah circulars.] Non-Muslim councils also issued guidance: on 19 March 2020 the Jakarta branches of PGI, Walubi, and PHDI and the Archdiocese of Jakarta urged worship at home, and PHDI limited Nyepi-related ceremonies (Tirto.id, 2020a); national instruments addressed religious bodies only generally (Minister of Health of the Republic of Indonesia, 2020, Article 13(5)).

Their significance lies in their position between public authorities and religious communities: they could translate administrative requirements into guidance meaningful within particular religious contexts and communicate it through their networks, as research on the pandemic communication of Nahdlatul Ulama and Muhammadiyah confirms (Putra & Adeni, 2022). Religious actors also contested measures: the Gowa gathering became a transmission cluster (Tirto.id, 2020b), community attitudes toward restrictions varied (Sardjuningsih, 2022), and MUI criticized the revised 2021 rule as unclear (Indonesian Ulema Council, 2021).

The evidence nevertheless reveals an important institutional boundary. Religious organizations differ in organizational resources, public visibility, and access to governmental decision-making. Engagement concentrated on prominent institutions may therefore provide limited representation of smaller communities and groups without comparable institutional access. The role of religious actors is consequently best understood as intermediary rather than substitutive. They may assist interpretation, communication, and contextual implementation, but responsibility for public decision-making remains with governmental authorities. This distinction preserves the contribution of religious organizations without making access to influential religious institutions a condition for public recognition or protection. Evidence on the constrained civic space of micro religious minorities supports this concern (Hurriyah, 2023), although the documents analysed do not record complaints by minority communities during the pandemic.

Rights Protection in Differentiated Crisis Governance

The final finding concerns religious freedom and equal protection: legal authorization alone did not resolve questions about restrictions, which also turned on necessity, proportionality, duration, non-discrimination, and less restrictive alternatives. In Indonesia, restrictions were framed by the public health emergency declared by Presidential Decision No. 11 of 2020 and by Government Regulation No. 21 of 2020 on large-scale social restrictions, which restricted religious activities while requiring that residents' worship needs be taken into account (Government of Indonesia, 2020; President of the Republic of Indonesia, 2020). Comparative examination of COVID-19 worship restrictions shows that equal treatment also depends on how religious conduct is treated relative to comparable activities (Storslee, 2022).

Table 2 applies the rubric: legal bases and time limits were generally present, less restrictive alternatives appeared from mid-2020, instruments applied formally to all religions, and none provided a complaint or appeal channel. Indonesian studies also argue that some restrictions drifted toward discriminatory effects (Regus et al., 2022; Widhiyanti & Saraswati, 2021), and worship was publicly compared with commercial activities.

Table 2. Assessment of Key Instruments against the Rights Rubric

Instrument	Legal Basis and Justification	Alternatives and Time Limit	Equality, Review, and Appeal
Government of Indonesia (2020)	Law No. 6 of 2018 on health quarantine; accelerating COVID-19 handling	Restriction of religious activities that considers worship needs	Formally general; no review or appeal provision identified
Minister of Health of the Republic of Indonesia (2020)	Implements PSBB; epidemiological criteria	Worship at home with limited family (Art. 13(4)); period tied to PSBB approval	Defers to official religious bodies (Art. 13(5)); no appeal identified
Governor of DKI Jakarta (2020)	PSBB approval for Jakarta	Suspension in houses of worship; time markers continue (Art. 11)	Applies to all houses of worship; no appeal identified

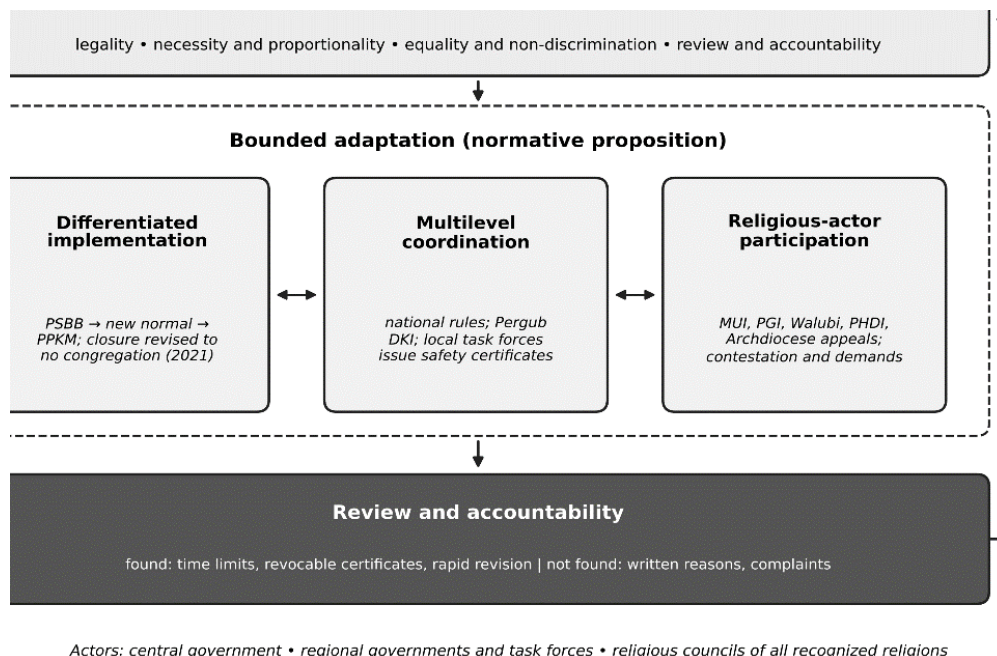
Instrument	Legal Basis and Justification	Alternatives and Time Limit	Equality, Review, and Appeal
Ministry of Religious Affairs (2020)	Circular (guidance), not a regulation	Conditional reopening; revocable certificate; capacity cap	Applies to all houses of worship; no appeal identified
Minister of Home Affairs (2021a); 2021b	Instructions to regional heads under PPKM Darurat	3–20 July 2021; closure replaced within a week by no congregational worship	Names mosques, churches, pura, vihara, and klenteng alike

Source: Authors' analysis of the instruments in Appendix Table A1.

The later regulatory stages provided several alternatives to complete suspension of communal religious activity, including capacity limits, distancing, sanitation and ventilation requirements, shorter services, outdoor worship, and alternative forms of participation. ([Ministry of Religious Affairs, 2020](#)); outdoor worship and alternative forms of participation are reported in secondary studies rather than in the instruments analysed. The significance of such alternatives lies in their capacity to differentiate restrictions according to the characteristics of particular activities rather than relying exclusively on closure. Research on COVID-19 restrictions on worship likewise distinguishes between premises-oriented and activity-oriented regulation and argues that the proportionality of restrictions depends partly on their relationship to the actual conditions and practices through which relevant risks arise ([Hau, 2022](#)).

This finding extends the analysis from formal equality to the effects of implementation: identical rules do not necessarily produce equivalent conditions of compliance, and differentiated treatment is not necessarily discriminatory when it responds to demonstrably different circumstances. Comparative jurisprudence on places of worship likewise stresses proportionality in determining the justifiable extent of limitations during a public-health emergency ([Amien, 2023](#)). Proportionality and equality thus function as criteria for whether differentiated crisis measures remain compatible with freedom of religion or belief. [Authors to state whether any Indonesian judicial review, Ombudsman, or Komnas HAM assessment concerned restrictions on worship; none was identified in the documents analysed.]

Across the four findings, a coherent governance arrangement emerges: regulatory differentiation provides context-sensitive policy instruments; multilevel coordination structures the distribution of discretion; religious organizations facilitate communication between institutional levels and communities; and rights-based criteria establish the limits within which differentiated measures can operate. The relationships identified through this cross-theme analysis are synthesized in Figure 2.



Source: Authors' synthesis of the documents in Appendix Table A1

Figure 2. Rights-Bounded Model of Adaptive Religious Governance in Times of Crisis

Figure 2 conceptualizes adaptive religious governance as a continuing process in which institutional responses can be adjusted without detaching adaptation from legal and rights-based obligations. Its central implication is that responsiveness is produced through the organization of relationships among different governance actors and levels rather than through flexibility alone. Adaptation therefore becomes institutionally meaningful when changing circumstances can generate policy adjustment while the justification and effects of those adjustments remain open to review and accountability. Compared with Figure 1, Figure 2 adds the documentary evidence for each mechanism, the safeguards found and not found, the actors, and a feedback loop from review to safeguards.

Novelty and Contribution

The novelty of this study lies in conceptualizing adaptive religious governance as bounded adaptation, integrating institutional responsiveness and rights-based constraints within a single analytical perspective. Existing scholarship has provided important insights into the normative limits of restrictions on freedom of religion or belief and into institutional adaptation, multilevel coordination, and crisis governance (Martínez-Torrón, 2021; Nolte & Lindenmeier, 2024; Zysset, 2022), but these perspectives have generally developed along different analytical trajectories.

This study connects them by conceptualizing adaptation as a context-sensitive institutional process that operates within continuing requirements of religious freedom, equality, and public accountability. Its theoretical contribution lies in extending adaptive-governance reasoning into religious governance while positioning rights protection as

an integral condition of adaptation rather than an external assessment of policy. Conceptually, the rights-bounded model explains how differentiated implementation, multilevel coordination, and religious-actor participation can operate through bounded discretion and continuing review. Practically, the study provides an analytical basis for crisis-sensitive religious governance in which national rights standards, subnational discretion, and religious-actor participation can coexist without transferring public responsibility for equal rights protection. Relative to Dja'far (2021), Regus et al. (2022), Widhiyanti and Saraswati (2021), Janssen and van der Voort (2020), and structured discretion (Davis, 1969), the study shows which safeguards Indonesian instruments contained and which were missing.

Limitations and Suggestions for Further Research

This study is limited by its qualitative document-based design, which captures formal policies and institutional responses but not informal negotiations, community-level experiences, or how different religious groups experienced crisis measures. The documents may represent institutionalized actors more clearly than smaller, informal, or rural communities, and the interpretive design does not permit causal conclusions about compliance, legitimacy, or the substantive realization of religious freedom. Only COVID-19 in Indonesia is analysed, so the findings may not apply to natural disasters or security emergencies. Further limitations are that the religious-actor documents remain predominantly Islamic, some findings rely on secondary literature, subnational documents are limited to Jakarta, and translation may introduce inaccuracies.

Future research should therefore combine documentary analysis with interviews, comparative local case studies, ethnographic inquiry, or longitudinal designs involving governmental actors, major and minority religious communities, and civil-society organizations. Such research could examine how bounded adaptation operates across different institutional and socio-religious contexts and assess whether the rights-bounded model remains analytically applicable beyond public-health emergencies.

CONCLUSIONS

This study argues that adaptive religious governance in times of crisis, as examined here through the COVID-19 case in Indonesia, is best understood as a context-sensitive institutional process in which policy adjustment operates within continuing commitments to human rights and religious freedom. The analysis suggests that differentiated implementation can accommodate variations in local conditions, while multilevel coordination connects national standards with subnational discretion and religious organizations can facilitate interpretation and communication between public authorities and religious communities. However, on normative grounds institutional flexibility is more defensible when discretion is bounded by legality, necessity, proportionality, equality, non-discrimination, and mechanisms of review and accountability.

For the first research question, governance moved from PSBB restrictions requiring worship at home to conditional reopening and, in 2021, to a temporary closure revised

within a week. For the second, the instruments generally stated legal bases and time limits and applied formally to all religions, but provided no complaint or appeal channel. For the third, the study proposes, as a normative implication, that local discretion be bounded by written reasons, review clauses, and inclusive consultation.

Accordingly, bounded adaptation provides a coherent governance arrangement in which contextual adjustment is possible without making religious freedom and equal protection dependent on local discretion or the influence of particular religious actors. Religious organizations may contribute contextual knowledge and communication capacity, but responsibility for public decision-making and equal rights protection remains with governmental authorities.

By connecting differentiated implementation, multilevel coordination, religious-actor participation, and rights-based safeguards, this study provides a coherent basis for crisis-sensitive religious governance and for informing policy adjustment, institutional coordination, participatory arrangements, and accountability mechanisms in ways that preserve both responsiveness to changing conditions and consistent protection of religious freedom.

For future health emergencies, restrictive instruments should include time limits and review clauses, local differentiation should be justified in writing, the Ministry of Religious Affairs should consult councils of all recognized religions and minority representatives, and complaint channels should be accessible; these implications require validation through interviews and local case studies.

AUTHOR CONTRIBUTIONS STATEMENT

Rahmat Banu Widodo contributed to the conceptualization, methodology development, and drafting of the manuscript; **Ernawati** contributed to data synthesis, analysis, and critical revision; and **Kamal Hasadan** contributed to the construction of the policy framework, interpretation of the findings, and final review and approval of the manuscript.

CONFLICT OF INTEREST

The authors affirm that no competing interests or external relationships influenced the design, analysis, interpretation, or reporting of this study.

DECLARATION OF GENERATIVE AI USE

During manuscript preparation, generative artificial intelligence tools were used in a limited supporting capacity to assist with language editing, organization of arguments, and preparation of visual presentation. The tools were not treated as sources of evidence, and they did not replace the authors' responsibility for the research design, interpretation of the literature, verification of references, or final

conclusions. All AI-assisted content was reviewed and edited by the authors, who take full responsibility for the accuracy, originality, and integrity of the manuscript.

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APPENDIX

Table A1. Documents analysed (March 2020–June 2023)

Document (Issuer, Level)	Date	Status	Content on Worship
Indonesian Ulema Council (2020) : Fatwa No. 14/2020 (national, religious)	16 Mar 2020	Non-binding	Worship arrangements during the outbreak
Tirto.id (2020a) : appeals of MUI, DMI, PGI, Walubi, PHDI (Jakarta) and the Archdiocese of Jakarta	19 Mar 2020	Non-binding	Worship at home; PHDI limited Nyepi-related ceremonies
President of the Republic of Indonesia (2020) : Presidential Decision No. 11/2020	31 Mar 2020	Binding	Declares the public health emergency
Government of Indonesia (2020) : Government Regulation No. 21/2020	31 Mar 2020	Binding	PSBB includes restriction of religious activities
Minister of Health (2020) : Regulation No. 9/2020	3 Apr 2020	Binding	Art. 13(4) worship at home with limited family; Art. 13(5) follow official religious bodies
Governor of DKI Jakarta (2020) : Regulation No. 33/2020 (provincial)	9 Apr 2020	Binding	Art. 11 suspension in houses of worship; time markers continue
Ministry of Religious Affairs (2020) : Circular No. 15/2020	29 May 2020	Guidance	Site-based reopening; safety certificate; capacity caps
Minister of Home Affairs (2021a) : Instruction No. 15/2021	2 Jul 2021	Instruction	Places of worship temporarily closed, 3–20 July 2021
Minister of Home Affairs (2021b) : Instruction No. 19/2021 (Republika, 2021)	9 Jul 2021	Instruction	Open without congregational worship
Indonesian Ulema Council (2021) : statement on the revision	11 Jul 2021	Non-binding	Demanded clearer rules and protocols
President of the Republic of Indonesia (2023) : Presidential Decision No. 17/2023	Jun 2023	Binding	Ends the pandemic status
[PBNU and PP Muhammadiyah circulars]	[]	Non-binding	[to complete]