
RESEARCH ARTICLE

Social Exclusion towards Ahmadiyya in Indonesia in Contrast to the Guarantee of Freedom of Religion in the Constitution

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ABSTRACT

The freedom to adhere to the religion one believes in is the right of every Indonesian citizen that has been mandated through the 1945 Constitution (1945 Constitution). However, there are still many citizens who have not been able to embrace a religion according to their beliefs, one of which is Ahmadiyya adherents. They also receive discrimination from society as a form of social exclusion of Ahmadiyya adherents. This study aims to elaborate on the forms of discrimination experienced by Ahmadiyya adherents and their rights as citizens in T. H. Marshall's perspective of citizenship. The method used in this study is a literature review to reveal the problem of social exclusion for Ahmadiyya adherents in fulfilling their rights as Indonesian citizens. The data collection process was carried out by filtering scientific articles related to discrimination, social exclusion, and the concept of citizenship through official journal publication portals such as SAGE, SCOPUS, JSTOR, Taylor & Francis Online, and others. This study found that the rejection received by Ahmadiyya adherents was due to weak law enforcement and oversight from policymakers in carrying out constitutional mandates. In fact, the government, religious leaders, civil society organizations (CSOs), and human rights activists can be actively involved in instilling the values of tolerance and freedom of religion in the society as the efforts to achieve the fulfilment of citizens' rights.

KEYWORDS

Ahmadiyya, Discrimination, Social Exclusion, Citizenship

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1. Introduction

Freedom to have a religion or belief is the right of every Indonesian citizen guaranteed by the constitution. The 1945 Constitution (UUD), article 28E, paragraph 1 states (Yudisial, 2022):

"Every person is free to adhere to religion and worship according to his religion, choose education and teaching, choose a job, choose citizenship, choose a place to live in the territory of the country and leave it, and has the right to return."

Article 29 of the 1945 Constitution also states that: "the State is based on Belief in One Almighty God and guarantees the freedom of every citizen to embrace their religion and to worship according to their religion and belief."

The right to freedom of religion, which is a non derogable right or a right that cannot be reduced globally, is also contained in Article 18 of the Universal Declaration of Human Rights (HAM), which states that everyone has the right to think, believe, and have a religion (Kemenkumham, 2021). The state cannot prohibit any sect or religion that enters and develops in Indonesia if it conforms to the principle of Belief in One Almighty God and does respect the principles and beliefs of other religious communities (Kemenkumham, 2021).

However, in the Decree of the President of the Republic of Indonesia, Number 1/PNPSof 1965, concerning the Prevention of

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Misuse and/or Blasphemy of Religion, only six religions are recognized in Indonesia, namely Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism (Kemenag, 1965). This regulation is still valid today, and no changes have been made to PNPS No. 1 of 1965, even though many new religions or beliefs have developed in Indonesia since then.

On the one hand, constitutionally, the states guarantee freedom of religion as a basic right of every Indonesian citizen. But on the other hand, the states also limit the number of religions that are recognized constitutionally. Recent contradictory regulations have the potential to lead to the exclusion of adherents of religions or sects that are not recognized in Indonesia. Moreover, the sects declared heretical by the government, such as those practiced by the believers of the Ahmadiyya.

Ahmadiyya teachings emerged in India in 1889, first introduced by Mirza Ghulam Ahmad. Ahmadiyya adherents (Ahmadis) believe that Mirza Ghulam Ahmad is a figure of the Promised Messiah (Imam Mahdi), whose presence was predicted by the Prophet Muhammad before he died (Islam, 2022). Referring to the same source, the Ahmadiyya sect confirmed that millions of adherents worldwide spread across more than 200 countries. In Indonesia alone, data from SUSENAS in 2011 stated that there were five hundred thousand Ahmadiyya adherents spread across various provinces (Bonasir, 2018). On the other hand, non-Ahmadiyya Muslims believe that the Ahmadiyya belief in its founder, Mirza Ghulam Ahmad, as a prophet is their most controversial teaching and the main reason for the widespread rejection of the movement by Muslims as heretical and transgressing acceptable in Islam (Connley, 2016).

Ahmadiyya's teachings first entered Indonesia in 1925 in Tapak Tuan, an area in Sumatra, brought by Hazrat Maulwi Rahmat Ali from Qadian, India (Nasir, 2022). Then it grew as the adherents of the flow increased. During the period from 1925 to the era of President Soekarno's leadership, the existence of the Ahmadiyya group was still recognized in Indonesia. Even the Indonesian Ahmadiyya Congregation (Jaringan Ahmadiyah Indonesia: JAI) also played a role in helping Indonesia maintain its independence from the Netherlands. On August 16, 1946, Hazrat Mirza Basyiruddin Mahmud Ahmad called the attention of the Islamic world to support the Indonesian independence movement (Nasir, 2022).

The position of Ahmadiyya in Indonesia has become increasingly precarious since the collapse of Suharto's New Order regime in 1998. During Suharto's rule, Islam as an organizational and political force was heavily restricted and controlled by the state (Connley, 2016). After 1998, democratization and decentralization efforts in Indonesia provided opportunities for radical Muslims to influence the political sphere and for conservative Muslims to grow significantly both in the personal and political lives of Indonesian society (Connley, 2016). During the era of President Soekarno and Soeharto, there were no physical attacks on the Ahmadis. A strong reaction rather emerged from the Nahdlatul Ulama (NU) and Muhammadiyah circles (Sari, 2018). The Ahmadiyya and other Islamic groups, such as NU and Muhammadiyah, have differences in a few teachings, such as doctrines regarding death to jihad (Sari, 2018).

In 1980, the Indonesian Council of Ulama (MUI) issued the following fatwa regarding the Ahmadiyya congregation (MUI, 1980):

"According to the data and facts found in 9 (nine) books on Ahmadiyya, the Indonesian Council of Ulama issued a fatwa that Ahmadiyya is a congregation outside of Islam, heretical and misleading."

Then in 2005, MUI again issued a fatwa regarding the Ahmadiyya sect to reaffirm the MUI fatwa in the 1980 National Conference, which determined that the Ahmadiyya sect was outside Islam, heretical and misleading, and Muslims who followed it were apostates (left Islam) (Indonesia M. U., 2005). In this latest fatwa, MUI also added that the government is obliged to prohibit the spread of Ahmadiyya teachings throughout Indonesia and freeze the organization and close all its activities (Indonesia M. U., 2005).

Since the issuance of the fatwa regarding Ahmadiyya as a deviant sect, many discriminatory acts by other adherents of Islam have been committed against Ahmadiyya adherents in several regions in Indonesia. The discrimination received by the Ahmadis ranges from a ban on worship to a prohibition on building a house of worship and persecution (Sari, 2018). The aim is to make Ahmadiyya adherents admit that their belief is heretical and willing to declare themselves to believe in Islamic teachings in accordance with Sharia's law.

As a result of the issuance of the MUI fatwa regarding Ahmadiyya as a deviant sect, Ahmadiyya adherents have received various forms of discrimination and persecution in multiple regions in Indonesia, some of which are:

1. 2021 – the destruction of the masjid used by the Indonesian Ahmadiyya Congregation, the Masjid Miftahul Huda at Balai Harapan Village, Tempunak District, Sintang Regency, West Kalimantan, on September 3, 2021, by residents of other Islamic sects in the region (CNN, 2021).

2. 2018 - the persecution and expulsion of the Ahmadiyya congregation in NTB occurred again, in May 2018, in Greneng Village, Kec. East Sakra, East Lombok Regency, NTB (Indonesia C., 2021). Since 2001, the Ahmadiyya Congregation in Lombok has often been the target of attacks and persecution from non-Ahmadiyya Muslim communities. The aim is to expel the Ahmadiyya congregation from the area.
3. 2017 – the masjid owned by Ahmadiyya adherents in Sawangan, Depok, was sealed by the Depok City Government in February 2017 (Indonesia C., 2021).
4. 2016 – the destruction of a masjid belonging to Ahmadiyya in Purworejo Village, Kendal, Central Java (Indonesia C., 2021).
5. 2011 – the sealing of the Ahmadiyya mosque in Sindang Barang Village, Sindang Barang Village, West Bogor District, was carried out by the Bogor City government on April 4, 2011 (Indonesia C., 2021).

These incidents that have been mentioned are only a few examples of the forms of discriminatory acts committed against the Ahmadiyya Congregation in Indonesia by adherents of non-Ahmadiyya Islamic groups. Activists and observers of human rights (HAM) see discriminatory and persecuting actions carried out by people in various parts of Indonesia as the result of the issuance of an MUI fatwa declaring Ahmadiyya a deviant sect. However, in one of the interviews with local media, a leader of a major religious party in Indonesia disagreed with this assumption. He stated that the MUI is an institution whose job is to issue fatwas, and fatwas on Ahmadiyya are permanent (Online, 2005).

2. Methods

This research seeks to map the forms of social exclusion that occurred among adherents of the Ahmadiyya teachings in Indonesia. In fact, constitutionally, the Ahmadis have the rights as citizens to adhere to the beliefs that they believe in and still get the basic rights as legal citizens. This research used the literature review method by selecting scientific articles according to the topic, ranging from Google Scholar, SAGE Publication, JSTOR, and Taylor & Francis Online. The process of filtering scientific articles was focused on the year 2011 to 2021, referring to the period of the most discrimination and persecution that appeared to the Ahmadiyya adherents.

3. Result and Discussion

3.1 Result

According to the screening results of scientific journal articles, there are three articles related to the subject of this study, which is the social exclusion of JAI contrary to the guarantee of freedom of religion in the constitution. There are common findings from the article's screening. First, the Ahmadis received discrimination and marginalization in various aspects of Indonesia, whether it is social, economic, political, educational, or access to public services (Menchik, 2014). But the discrimination that the JAI receives the most is the oppression to convert to the real teachings of Islam and leave Ahmadiyya (Menchik, 2014; Connley, 2016; Hicks, 2014). Second, the exclusion of the JAI in society has occurred because the government and other Islamic communities structurally created the situation to be like that. In his study, Menchik found that the acts of violence committed against JAI could not be diminished because the pillars of Indonesian democracy—the state, the police, and Muslim civil society—have been either unwilling or unable to stop the attacks (Menchik, 2014). Third, in the political sphere, there is a fear that JAI will become the upcoming major Islamic organization, which will affect the political dynamic in Indonesia. Hence the authorities continue to suppress the growth of JAI.

Table 1. Study on the Social Exclusion of the Ahmadiyya Adherents in Indonesia

No.	Researcher	Journal Name	Article Title	Findings of the Study	Forms of Social Exclusion	Conceptual Framework
1	Jeremy Menchik	Comparative Studies in Society and History, JULY 2014, Vol. 56, No. 3 (JULY 2014), pp. 591-621, Cambridge University Press	Productive Intolerance: Godly Nationalism in Indonesia	Menchik finds that the social exclusion received by the Ahmadiyya adherents were not just happened by the time the MUI published the fatwa stated Ahmadiyya as a heretical sect. But it has occurred since the 1925, where the major Islamic groups such as Nahdhatul Ulama (NU), Muhammadiyah, and Persatuan Islam (Persis), declared that Ahmadiyya was a deviant sect. There are two claims that put Ahmadiyya considered as heretical in the eye of Muslim society in Indonesia. First, against Sunni Muslim belief that the prophet Jesus had not died a natural had been taken from the earth by God and would return to earth on Day, Mirza Ghulam Ahmad, the founder, held that Jesus had died a natural death does not return. His second, related claim was that he was the Mahdi, the messiah of Islam heralding Judgment Day. Designating Ahmadiyya a deviant sect was the first step toward excluding its members from Muslim civil society.	By the end of 1936 Ahmadiyya had been pushed outside of the theological and social boundaries of the umma. In the coming years, as shared opposition to Ahmadiyya provided the glue for Muslim organizations to work together politically, the policies of the nascent Indonesian state would formalize Ahmadiyya's marginalization.	God Nationalism (Nasionalisme Ketuhanan) defines as an imagined community bound by common orthodox theism and mobilized through the state in cooperation with religious organizations in society. Godly nationalists feel that belief in God is a civic virtue that accrues both individual and social benefits.

2	Aleah Connley	Journal of Current Southeast Asian Affairs, 35, 1, pp. 29–58	Understanding the Oppressed: A Study of the Ahmadiyah and Their Strategies For Overcoming Adversity in Contemporary Indone	<p>Ahmadis' agency is embedded in the six strategies they employ to overcome these various forms of victimisation: 'Fortitude through faith and spirituality', 'Rationalising oppression', 'Ideological manoeuvring', 'Acts of resistance', 'Harmonising identity', and 'Satisfying the need to belong'. Each strategy is distinct in its purpose and in its specific constellation. The discussion on these six strategies has shown that Ahmadis are not merely the passive objects of oppression, nor are they voiceless recipients of hegemonic messages.</p>	<p>The Ahmadiyya adherents report experiencing social marginalisation in various forms: Rejection by friendship groups, being avoided, having rumours spread about them, and being verbally mocked and insulted. Marginalisation occurs in numerous social contexts (at work, school, and university, as well as in society in general), and is a distressing experience for the Ahmadis.</p>	<p>Connley refers to the idea of Iris Marion Young (1990) on the oppression. Young argues that oppression has acquired a further meaning in modern times, whereby it "designates the disadvantage and injustice some people suffer [...] because of the everyday practices of a well-intentioned liberal society". Young describes the oppressive category of cultural imperialism as the process whereby a dominant group establishes its perspectives, culture, and religion as the norm, and then imposes these onto others. Based on this definition, Connley saw the same symptoms of oppression also experienced by the Ahmadis. She mentioned that this category closely resembles one of the participants' central concerns: stigmatisation of the JAI by other Muslims as a heretical movement.</p>
3	Jacqueline Hicks	Southeast Asia Research, SEPTEMBER 2014, Vol. 22, No. 3, pp. 321-339	Heresy and authority: understanding the turn against Ahmadiyah in Indonesia	<p>This study found that the sentiment towards the Ahmadis in Indonesia is still existed and rather increasing due to the dynamics of political and religious authority. Hicks also mentioned that the campaign on anti-Ahmadiyya always works in every political regime in Indonesia to gain support from the Islamic organisations and voters.</p>	<p>Forcing Ahmadis to return to Islamic teachings that are believed by most Muslims and leave Ahmadiyya.</p>	<p>Competition among religious religion authorities. Hicks found that religious authority in Indonesian Islam is very widely dispersed. The wide diversity and spread of religious authorities in Indonesian Islam are illustrated number of different types of religious leaders.</p>

3.2 Discussion

3.2.1 Discrimination and the Rights of Citizens

The discrimination and persecution of Ahmadiyya adherents is a form of social exclusion that is often performed by the government, which should be able to protect and carry out the constitutional mandate. Whereas the 1945 Constitution it is clearly stated that the state guarantees the freedom of every citizen to embrace their own religion and to worship according to their religion and belief, including Ahmadiyya adherents. The previous studies on this issue found that all forms of discrimination received by the JAI were structurally supported by the authorities (Menchik, 2014; Hicks, 2014; Connley, 2016). In every political regime, the anti-Ahmadiyya campaigns were aroused by the other stakeholders that held authority. Whether the major Muslim communities, the politicians, or even the state (Menchik, 2014). In her research, Hicks found that in 2005, the ex-president of Indonesia, Susilo Bambang Yudhoyono, supported anti-Ahmadiyya regulations range from a fear of the public reaction to a conspiracy of his political enemies to make him look weak and his need for support from Islamic parties in parliament (Hicks, 2014).

In cases of persecution and attacks that often occur against the Indonesian Ahmadiyya Congregation (JAI) in various regions, there is a discrepancy between statements issued by the central government and regional governments. By law, the state recognizes that the right to embrace religion is included in non-derogable rights, which means that the state cannot prohibit any sect or religion that enters and develops in Indonesia if it conforms to the principle of Belief in the One and Only God and does not offend the principles and beliefs of other religious communities (Kemenkumham, 2021).

On the other hand, local governments, especially those in areas that carry out acts of persecution against the Ahmadiyya congregation, are often the main actors who isolate the Ahmadiyya congregation by sealing their places of worship. In the several cases of persecution and attacks in each of the areas mentioned in the previous section, representatives from the Ahmadiyya Congregation in those areas said that there were police officers whose job was to provide security, but the forms of prevention and protection carried out by law enforcement officers were not optimal. In fact, many of the Ahmadiyya congregations who received acts of persecution were mothers and children.

Another discrepancy from the government is the difference in regulations issued regarding the Indonesian Ahmadiyya Congregation. From a religious point of view, the MUI issued a fatwa declaring Ahmadiyya to be a deviant sect, which stated in the fatwa that the government prohibited the spread of Ahmadiyya throughout Indonesia and suspended the organization and closed all its activities. However, legally, the Indonesian Ahmadiyya Congregation has a legal entity with the issuance of the Decree of the Minister of Justice of the Republic of Indonesia No. JA. 23/5/13 Date. March 13, 1953 (Nasir, 2022). The existence of this legal entity shows that the existence of the Indonesian Ahmadiyya Congregation (JAI) is legitimate and legally recognized in Indonesia.

The provision of law for the continuity of JAI in Indonesia is a manifestation of the government's efforts to guarantee freedom of religion as a basic right for Indonesian citizens. In accordance with the concept of citizenship (citizenship) put forward by T.H. Marshall, that citizenship is the status given to those who are full members of a community. Every citizen who has a status is equal in terms of the rights and obligations that status confers (Lister, 2003).

According to Marshall, the concept of citizenship is divided into three categories, namely citizenship as a right (citizenship as a right), citizenship as a general obligation (citizenship as a general warning), and citizenship as a political obligation (citizenship as a political bond). In the context of citizenship as a right, Marshall revealed three elements of rights that can be received by a citizen, namely civil, political, and social rights (Lister, 2003). In this sense, freedom to embrace religion and belief is also one of the basic rights that absolutely must be granted by every citizen. Hence, the Ahmadiyya adherents in Indonesia are supposed to be able to get their rights as Indonesian citizens, even though their beliefs are different compared to most Muslims in Indonesia.

4. Conclusion

Indonesia is not a religious state in the sense of a state that applies the laws of a particular religion, both in government and in the social life of its people. Paul Marshall, in his writings, describes Indonesia as a country based on religion refers to the values and beliefs of its people. This can be seen from the first precept in Pancasila, which reads Belief in the One and Only God. Then, in Article 29, paragraph (1) of the 1945 Constitution, the state must be based on Belief in the One and Only God; (2) The state guarantees to all persons the freedom to worship, each according to his own religion or belief. Constitutionally, the freedom of every individual to embrace the religion and belief he believes in is guaranteed by the state.

As a constitutional state that adheres to the motto *Bhinneka Tunggal Ika*, Indonesia has established itself as a country that upholds diversity and diversity in the life of the state and society. However, Indonesian people, especially those who feel that they are the majority, tend to be reluctant to acknowledge the existence of diversity in this country, especially regarding religion. The term

freedom of religion is still very taboo in Indonesian society because it is seen as something that is individualistic and is a concept of Western thought. In fact, the freedom to embrace religion has been guaranteed by the constitution since this country's independence.

Forms of discrimination that are still often accepted by minority groups are still a household task that must find a solution immediately. The government is, of course, the main stakeholder who needs to proactively instill the values of tolerance and freedom of religion in the policies issued. Practically, the involvement of religious leaders, civil society organizations (CSOs), and human rights activists can move actively into the community to promote religious tolerance in order to create a more inclusive and harmonious society.

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