

## Discrimination against JAI Parakansalak, Sukabumi Regency (A Study on the Obstacles to Freedom of Religion in the Context of MUI Fatwa and SKB 3 Minister)

Hizqil Fadl Rohman<sup>1</sup>, Muliadi<sup>2</sup>, Busro<sup>3</sup>

<sup>1</sup>UIN Sunan Gunung Djati Bandung, Indonesia

<sup>2</sup> UIN Sunan Gunung Djati Bandung, Indonesia

<sup>3</sup> UIN Sunan Gunung Djati Bandung, Indonesia

\*Corresponding author : [hizqilfadl82@gmail.com](mailto:hizqilfadl82@gmail.com)

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### ABSTRACT

*Jemaat Ahmadiyah Indonesia (JAI) in Parakansalak, Sukabumi District, has faced various forms of discrimination and violence since the issuance of the Joint Ministerial Decree and MUI fatwa that reinforced the negative stigma against this group. This research aims to understand the discrimination experienced by the Parakansalak Ahmadiyah Congregation. A qualitative approach with descriptive method was used in this research, with data obtained through in-depth interviews, direct observation, and literature review. The results showed that the Parakansalak Ahmadiyah congregation experienced discrimination through social structures and policies that created systemic injustice. This research shows that discrimination against the Parakansalak Ahmadiyah Congregation occurs in the form of physical, administrative, and educational access barriers. This discrimination is driven by a combination of MUI fatwa, administrative policies such as SKB 3 Minister, and social pressure from the majority community. The implications of this research include the importance of interfaith dialogue and inclusive*



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*protection policies for religious minorities to ensure their rights remain protected without compromising their identity.*

*Keywords: Discrimination, SKB 3 Minister, MUI, Ahmadiyah*

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## INTRODUCTION

Discrimination against religious minorities is a significant and growing social issue, with wide-ranging impacts on various aspects of people's lives, including psychology, social cohesion, economics and law. In a social context, faith-based discrimination often triggers conflictual behavior and disrupts community harmony, reducing mutual trust and solidarity between groups. The psychological impact is seen in poorer mental and physical health in affected minority groups, as shown in the study by Scheitle et al. (2023). Economically, this discrimination narrows minority groups' access to the labor market, housing, and other economic resources, as noted by Nordman (2023) in his study of France. This phenomenon also creates legal and political tensions, as while anti-discrimination laws have been implemented in many countries, their implementation is often uneven. The Religion and State-Minorities (RASM) dataset shows that governments in 175 countries have practiced various forms of discrimination against 566 minority groups (Akbaba & Fox, 2011), underscoring the global scale of the problem. Given this widespread impact, discrimination against religious minorities is relevant to analyze further, both academically to understand its root causes and practically to formulate more inclusive and equitable policies.

Discrimination against Ahmadis is a form of human rights violation that occurs in many countries, especially in Muslim-majority regions. In Pakistan, discrimination was legally institutionalized through the Second Amendment to the Constitution that designated the Ahmadiyya as non-Muslims, thus opening up space for unfair treatment such as violence, social exclusion, and denial of humanitarian aid, as in the 2010 floods (Malik, 2011). In Indonesia, although some Ahmadiyya communities live peacefully, regulations such as the 2008 Three Ministerial Decree restrict their

activities, triggering attacks on the group in various regions. (Widiyanto, Setiawan, et al., 2024). In Bangladesh, Ahmadis face security threats and physical attacks that impact their rights protection (Samadder & Khan, 2013). This discrimination is not only psychologically and socially detrimental, but also hinders their contribution to the development of an inclusive society. It is important to study this phenomenon in depth in order to understand the roots of the problem and develop policies that uphold justice and pluralism.

The Ahmadiyah congregation in Indonesia has experienced various forms of discrimination and violence due to the disapproval of the Islamic majority group of their beliefs. In collaborative research conducted by the SETARA Institute in 2021, discrimination and intolerance against the Indonesian Ahmadiyah Congregation (JAI) from 2007 to 2020 reached 567 cases, with a peak point in 2008 of 188 cases and in 2011 of 114 cases, and in the last year of 2020 there were 8 cases. (Ikhsan Yosarie; Sayyidatul Insiyah; Syera Anggreini Buntara, 2015). Although the graph has decreased, discrimination and intolerance against JAI still continue to this day (Azhari, 2022).

At first, this minority group did not experience so much discrimination. However, since the issuance of the MUI Fatwa in 2005, which renewed the previous fatwa Number 05/KEP/Munas/MUI/1980 dated June 1, 1980, this strengthened the negative stigma against Ahmadiyah as a sect outside Islam, triggering a wave of pressure and violence. The situation of the Ahmadiyah congregation worsened with the existence of the 3 Ministerial Decree, Ahmadiyah groups in various parts of Indonesia experienced discrimination, especially the Parakansalak Ahmadiyah Congregation, Sukabumi Regency. The Parakansalak Ahmadiyah Congregation was established in 1975, this religious organization grew rapidly until it established a place of worship and a mosque in 1980. However, differences in teachings with other Islamic groups, especially with the influence of Wahabi teachings, resulted in tensions. It can be said, especially since 2005, that the lives of Ahmadiyah followers in Indonesia are no longer safe (Muzakkir, 2011).

After the second MUI fatwa was socialized more widely, the situation became increasingly tense and finally culminated in the burning of the Parakansalak

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Ahmadiyah mosque. After the arson, the Parakansalak Ahmadiyah congregation also experienced obstacles in renovating their place of worship. This discriminatory action also extended to the education sector, with Madrasah Diniyah Fadlil Umar experiencing difficulties in the accreditation process. Although there is a constitutional guarantee for freedom of religion as stipulated in Article 29 of the 1945 Constitution, the reality on the ground shows that the Ahmadiyah congregation is still the target of discrimination by the community and certain officials.

Research on the Indonesian Ahmadiyya Congregation (JAI) has been widely conducted, especially related to violence and discrimination, and produced important findings including; the first category which is the reason for the Rejection of the Muslim Majority regarding the Existence of Ahmadiyah Congregations in Government and Community Insrirusi, in the findings conducted by Dewi Nurrul Maliki (Maliki, 2010) in mapping conflict analysis in Yogyakarta, said that this discrimination stems from differences in views on three main aspects: 1) the prophetic status of Mirza Ghulam Ahmad, 2) differences in interpretation of the Quran that are considered deviant, and 3) the elimination of the concept of jihad (Maliki, 2010). In some areas such as Wonosobo and Malang, an inclusive and communicative approach allows the Ahmadiyah community to live more peacefully (Lathifah, 2022). Meanwhile, the findings conducted by Faisal Nurdin Idris (2015) showed that in general, the community relations between Ahmadiyya and non-Ahmadiyya congregations are relatively good. The intolerant actions that recently appeared are actually carried out by people who come from outside the area (Idris, 2015). This study underlines the importance of local policies that support religious freedom. However, the study is still lacking in discussing the factors that allow the creation of harmonious relationships amidst the pressure from discriminatory national policies.

The second category is research related to discrimination and violence against the Ahmadiyah community. Research in this category shows that the Ahmadiyah community is often the target of discrimination and violence due to the Indonesian Ulema Council (MUI) fatwa in 2005 and the Joint Decree (SKB) of Three Ministers in 2008. This discrimination is considered the responsibility of the victim by the majority

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of Sunni Muslims (Putra et al., 2018) and exacerbates the negative stigma that labels Ahmadiyah as a cult (Saiful, 2023). In addition, Burhani's (2020) research reveals how government policies often do not protect religious minorities, but rather reinforce their marginalization (Widiyanto, Nur, et al., 2024). However, these studies tend to focus on the descriptive aspect and have not deeply connected this discrimination with its impact on the psychosocial or economic aspects of the Ahmadiyah.

The third category is research that analyzes the resistance strategies of the Ahmadiyah Congregation in Indonesia. Some Ahmadiyah communities have used various discourse strategies to fight discrimination. The study by Irawan et al. (2022) shows how this community builds religious and humanitarian discourses to normalize their position in society (Iskandar, 2023). Wulandari & Bawono (2023) also highlighted the use of documentary films as a tool to gain public recognition and present a counter-narrative to social stigma. However, this research is still limited in exploring how this discourse strategy is accepted by the majority community or its impact on reducing social conflict in real terms.

While these studies have addressed discrimination against the Ahmadiyah community in general, including its social, psychological, and legal impacts, no research has specifically uncovered the forms of discrimination experienced by the Ahmadiyah community in Parakansalak, Sukabumi District. This community faces complex challenges, including physical violence in the form of direct discrimination, administrative barriers, and discrimination in education, which have not been documented in depth. This research seeks to fill this gap by focusing on the specific case of the Parakansalak Ahmadiyah Community, which has unique characteristics in facing discrimination in Indonesia.

This research aims to analyze the forms of discrimination experienced by the Ahmadiyah Community in Parakansalak, Sukabumi Regency, in physical, administrative, and educational aspects. In addition, this research also aims to understand the impact of discrimination on the sustainability of this community, including the adaptation strategies implemented by the Parakansalak Ahmadiyah Congregation in the face of social pressure and discriminatory policies. Through this

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approach, this research is expected to contribute to the development of more inclusive policies and enrich the academic discourse on discrimination against religious minorities in Indonesia.

Discrimination against the Parakansalak Ahmadiyah congregation can be understood as the result of systematic marginalization supported by administrative policies and social pressures that create structural injustice. Based on the theory of Structural Violence proposed by Johan Galtung (1990), discrimination is not always manifested in the form of physical violence, but also through social mechanisms and policies that produce systemic inequalities, such as the prohibition of the construction of places of worship or administrative obstacles in education accreditation (Galtung & Galtung, 2008). In addition, Eriksen's (2010) Majority Domination of Minorities theory explains that majority groups often utilize their social and political power to control minorities, including through subordination and marginalization. In the context of minority-majority relations, minority groups such as Ahmadis are often subjected to discrimination, domination, and negative stereotypes that reinforce social stigma. This research argues that discrimination against the Parakansalak Ahmadiyah not only reflects patterns of structural injustice, but also highlights the power dynamics between the majority and minority that need to be studied in depth to understand its impact on the right to freedom of religion and the sustainability of religious minority communities.

## RESEARCH METHOD

This research focuses on the study of minority groups, especially the Ahmadiyah Congregation of Parakansalak, Sukabumi Regency, as the main research object in prolonged discrimination and how the survival strategy is pursued. This selection is based on the intensity of prolonged discrimination that occurred in the area from 2008 until now and its impact on the sustainability of the Ahmadiyah religious organization. The case studied involves various forms of discrimination and survival strategies developed by the Ahmadiyah congregation in the face of social pressure and discriminatory policies including the SKB 3 ministers and MUI Fatwa. This research

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uses a qualitative approach with a focus on case studies (Lundeto, 2023; Salahudin et al., 2020; Woods et al., 2016). Primary data was obtained through in-depth interviews and direct observation in the field for four days, while secondary data was collected from various relevant documents such as reports, archives, and literature related to the Ahmadiyah congregation and the conflict that occurred in Parakansalak.

The main sources in this research include Asep Saepudin as the Branch Leader of Jemaat Ahmadiyah Parakansalak who is an eyewitness to the discrimination, Ipah Syarifatunisa as the Head of Madrasah Diniyah Fadlil Umar regarding the difficulty of accreditation. They were chosen because they have direct experience in dealing with conflict and can provide in-depth insights into the survival strategies applied by the Parakansalak Ahmadiyah Congregation.

The research was conducted in several stages, starting with literature data collection to understand the historical and social context of the conflict. The next stage was in-depth interviews with key informants, conducted directly at the location. In addition, participant observation was conducted to directly observe religious activities and community responses to conflict situations. All data collected was documented in detail and compiled for further analysis.

The collected data was analyzed using the thematic analysis method. The analysis process began with data reduction to filter out relevant information, followed by data categorization based on the main themes that emerged. Data interpretation was conducted in depth to identify patterns in the survival strategies used by the Parakansalak Ahmadiyah Congregation, as well as to understand the dynamics of the conflict and its impact on the community.

## RESULTS & DISCUSSION

In 2005, after the issuance of the updated fatwa of the Indonesian Ulema Council (MUI) Number 05/KEP/Munas/MUI/1980 dated June 1, 1980, this is one of the products of the VII MUI National Conference held on July 26-29, 2005. Reaffirming MUI's fatwa in National Conference II in 1980 which stipulates that the Ahmadiyah Sect is outside Islam, heretical and misleading, and Muslims who follow it are

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apostates (out of Islam) (Sajari, 2015). The Chairman of the MUI for the 2015-2020 period, Ma'ruf Amin, emphasized that the JAI exceeded the limits of renewal in Islam (Bonasir, 2018). Tensions between the Indonesian Ahmadiyah Congregation (JAI) in Parakansalak and several Islamic community organizations (CSOs) are heating up. This fatwa triggered friction that had already existed in 1980, but at that time did not lead to massive discrimination.

MUI fatwa is a religious view or opinion given by a religious institution, not a formal legal product that is juridically binding. MUI's fatwa that categorizes a certain group as heretical or disbelieving does not cover all aspects of fatwas that have been issued by MUI, but only fatwas related to the field of creed and religious sect (Sajari, 2015). Although fatwas can be a guide for Muslims in worship, they do not have legal force that can be applied universally to all citizens.

MUI is not the only cause, the cause is precisely the public's view that the existence of Ahmadiyah began to endanger the existence of Islamic faith as a whole, especially those who directly intersect with Ahmadiyah (Subakir et al., 2007). Anti-Ahmadiyah groups come from groups that are usually categorized as radical Islamic organizations, such as the Islamic Defenders Front (FPI), the Islamic Forum (FUI), and Hizbut Tahrir Indonesia (HTI) (Muzakkir, 2011). Jeremy Menchik, a professor of political and religious studies at Boston University, views some incidents of intolerance in Indonesia as a productive intolerance. Productive intolerance is not a sporadic act of intolerance, but a conscious effort made by the *mainstream* Muslim *civil society* to realize a state order with God (Ahyyar, 2015).

In addition to the MU fatwa, Ahmadiyah also experienced discrimination in legal products, namely the Joint Decree (SKB) 3 Ministers, although made by the ministry in the government, still has limitations in terms of legal force. This SKB is more administrative and implementative, not equivalent to a law that has a strong constitutional foundation. Therefore, hierarchically, the SKB 3 Ministers contradicts higher laws, especially the 1945 Constitution which guarantees freedom of religion and belief.



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The 1945 Constitution guarantees freedom of religion and belief through Article 28E and Article 29. In these articles, it is stated that everyone has the right to embrace religion and worship in accordance with their beliefs, and the state guarantees freedom of religion (Rahim, 2014). The Joint Ministerial Decree or MUI Fatwa that is considered to limit this freedom can be criticized as contradicting the basic rights protected by the 1945 Constitution. SKB 3 Minister has a weakness as a legal reference because it is considered less assertive in determining the attitude, and ironically the existence of Jama'at Ahmadiyah Indonesia is still disturbed by the masses and causes many conflicts (Mustajab, 2012). Therefore, the fatwa or administrative decision of SKB 3 Minister should not be used as a legal basis that limits the constitutional rights of citizens.

Asep Saepudin as the head of Ahmadiyah Parakansalak stated that this discrimination is caused by the displeasure of some groups towards the existence of Ahmadiyah Parkansalak

*"The hatred triggers the spread of false issues that Ahmadiyah teachings have differences in worship, shahada, and holy book. Finally, they became provoked and carried away, without trying to find information directly from the Parkansalak Ahmadiyah Congregation. They are too quick to believe in assumptions that are not necessarily true"* (Asep Saepudin, Interview, October 4, 2024).

In that statement, the majority of people tend to close themselves and are reluctant to find out the real truth, by directly asking the source (Ahmadiyah Parakansalak congregation) for clarification of the issues circulating. In addition, the main influence of discrimination comes from religious leaders who spread the issue of lies to their followers. This is certainly done by many religious organizations and simultaneously. The weakness of the surrounding community to digest information is the basis for discrimination.

### ***Direct Discrimination***

Discrimination is directly related to the majority community to the minority, with the applicable legal regulations being a factor in the occurrence of actions in religious discrimination efforts. Even Bonasir (2018) said that the existence of rules and policies,

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interpreted as a legitimacy of the community, especially the regional apparatus in power to perpetuate acts of discrimination, violence, and persecution against Ahmadiyah in practice in the community environment (Putri et al., 2021).

Direct discrimination is inseparable from the burning of Al-Furqon Mosque and the destruction of learning facilities of Madrasah Diniyah Fadlil Umar in 2008. This was triggered by the deliberation or istighotsah activities held in At-Takwa Mosque, without involving Ahmadiyah Parakansalak congregation. Papa Luis Maluf Elyas (1998) in *Munjid al lughah wa al alam* explains that istighotsah is asking for help from Allah SWT in difficult and difficult circumstances (falqul isbah, 2021). This demand was signed by 48 representatives from each Islamic organization given to Muspika as an intermediary to the Parakansalak Ahmadiyah Congregation with an ultimatum of 2x24 hours.



**Figure 1.** Burning of Al-Furqon Mosque and Fadlil Umar Diniyah Madrasah on April 28, 2008

Figure 1 shows the condition of Masjid Al-Furqon and Madrasah Diniyah Fadlil Umar after the arson attack on April 28, 2008. It is clear that both buildings were severely damaged by mob action, which was the culmination of a religious conflict between the Parakansalak Ahmadiyah and the local majority. This visual emphasizes the direct impact of discrimination and intolerance against the Ahmadiyah in the region.

Religious Conflict in Sukabumi is a feud of two religious ideologies between the Sunni ideology of Ahli Sunah Wal Jemaah and the Ahmadiyah congregation which

believes in the teachings of Mizra Ghulam Ahmad (Yusuf, 2023). The Parakansalak Ahmadiyah congregation finally agreed to sign the demands as a form of effort to reduce the anger of the masses, with the approval of the JAI National Amir. Jemaat Ahmadiyah Indonesia (JAI) is an organization that is connected to the international world in every social activity. The organization in Jemaat Ahmadiyah Indonesia is divided into two lines, each of which has a direct line of command from the Caliph and the National Amir (Santoso, 2020).

However, the next obstacle arises because the sub-district is on holiday on Saturday and Sunday, so that the Parakansalak Ahmadiyah Congregation cannot submit the approval letter within the specified 2x24 hour time limit. The effort to submit to Parakansalak Police was also rejected due to the delay. This caused anger from the community, with the siege of Al-Furqon Mosque with a mass of 400 to 500 people. The masses that arrived demanded the removal of the mosque's signboard, even though the installation of the signboard was regulated in the code of ethics and protected by law (Santoso, 2020). The members of the congregation finally took it down at the insistence of the masses. The chronology of the burning of Al-Furqon Mosque and the destruction of Madrasah Diniyah Fadlil Umar facilities, including the demands made to the Parakansalak Ahmadiyah Congregation, as well as responses from various parties, are summarized in Table 1. The table provides details of the timing, nature of the events, outcomes, and actors involved in each stage of the incident.

**Table 1.** Chronology of the Burning of the Mosque and Destruction of Facilities of Fadlil Umar Diniyah Madrasah

Event Time	Event Form	Event Results	Actor
April 25, 2008	Warning and five demands for Ahmadiyah Parakansalak congregation in istighosah activities in Cicurug region three, Sukabumi Regency.	<ol style="list-style-type: none"> <li>1. Calling for a return to the teachings of Islam</li> <li>2. all worship activities in places of worship of the Indonesian Ahmadiyah congregation (by closing worship facilities)</li> <li>3. Performing open repentance in front of alim ulama in the</li> </ol>	48 Religious Organizations and Muspika

		Parakansalak sub-district area	
		4. As a proof of repentance or returning to the teachings of Islam and the cessation of activities in the place of worship of the Indonesian Ahmadiyya Congregation, in carrying out worship mingle again with Muslims in Parakansalak (not doing worship alone).	
		5. Take down every signboard labeled as Jemaat Ahmadiyah Indonesia.	
April 26, 2008	Parakansalak Ahmadiyya congregation signs a letter of demand for JAI National Amir's permission	The agreement letter was not delivered because the party authorized to receive the demand letter, Muspika, was not at the location (Holiday).	Chairman of Ahmadiyah Congregation and Muspika
April 27, 2008	The management of Ahmadiyah Parakansalak was sent by Asep Saepudin to meet the police chief to submit an approval letter related to the demands.	The submission of the agreement letter was rejected by the Parakansalak Police for reasons of delay.	Members of Ahmadiyah Congregation and Parakansalak Police Station
	A crowd of 400-500 outside Parakansalak village surrounded the Al-Furqon mosque, demanding the removal of the mosque's sign.	Members of the congregation finally took it down at the insistence of the masses, accompanied by 40 youth members of the Parakansalak Ahmadiyya Congregation.	Ahmadiyah congregation members, Muspika and the community.
	Muspika visited Asep Saepudin's residence	Informed him that the Al-Furqon Mosque was sealed by a mob.	Chairman of Ahmadiyah Congregation and Muspika.
April 28, 2008	The mob burned down the Al-Furqon	Asep Saepudin ordered the 40 members who were at the	Community

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Mosque and destroyed the Fadlil Umar Diniyah Madrasah.	scene, over the phone to immediately retreat.
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The mob's anger peaked when, in the midst of the situation, Asep received a call from the management of the Parakansalak Ahmadiyah congregation who were at the scene. They asked for direction, whether to block the mob or retreat. Although the youth of Ahmadiyah Parakansalak had the spirit to fight back, Asep decided not to confront the mob because their numbers were not balanced, about 4 to 10. Fearing a physical clash that could cause casualties, Asep ordered the youth of Ahmadiyah Parakansalak to retreat and let Al-Furqon Mosque be burned. *"Retreat... The safety of members is more important, don't let casualties fall"* (Asep Saepudin, Interview, October 4, 2024).

The situation became more difficult when the electricity in the area was cut off and there was an attempt by the crowd to block firefighters who wanted to put out the fire.

*"According to members in the field the situation at that time was dark, I told them to retreat, it was feared that there would be a clash between members of the congregation and the masses, or the masses with other masses"* (Asep Saepudin, Interview, October 4, 2024).

The discrimination committed by the masses by burning the mosque and damaging madrasah facilities was caused by the dominance of the community who criticized the existence of the Parakansalak Ahmadiyah Congregation. Weak efforts to reduce the anger of the masses that should be the responsibility of the village apparatus, police and muspika indicate that the lack of preparation for handling conflicts. On the other hand, the anger of the masses cannot be contained. When there is a community that is considered wrong and heretical, they immediately carry out raids, destruction and arson in addition to persecution (Wahyudi, 2020). Armanda Riyanto stated that religious fanaticism and exclusivism trigger conflict and violence (Hasan & Mursalin, 2011).

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After the burning and sealing of the madrassa, religious discrimination was no longer practiced by residents, but by local government officials, namely Muspika, who directly intervened against the Parakansalak Ahmadiyah congregation. Asep Saepudin does not know for sure whether this intervention was triggered by the request of certain residents, although Muspika claims their actions were on behalf of the residents. Since the arson incident, various interventions from the local government have hampered the existence of the Parakansalak Ahmadiyah Congregation.

### *Administrative Discrimination*

Administrative in a broad sense is defined as cooperation. The term administrative relates to cooperative activities carried out by humans or groups of people so that the desired goals are achieved. (Marliani & Si, 2018). In the aspect of administrative religious discrimination, it includes obstacles to freedom of belief carried out by the civil apparatus. According to Lutfi Assyaukanie (2018) this discrimination and religious intolerance turns out to be deeply rooted in the legal landscape (Constitution) and institutional (ministry of religion, religious courts, MUI, etc.) in Indonesia (Yanu Endar Prasetya; Yasser Arafat; Abdul Waidl; Sanita Rini, 2022).

Fatwa of the Indonesian Ulema Council (MUI) is a religious view or opinion given by a religious institution, not a formal legal product that is juridically binding. MUI's fatwa that categorizes a certain group as heretical or infidel does not cover all aspects of fatwas that have been issued by MUI, but only fatwas related to the field of creed and religious sect (Sajari, 2015). The Chairman of MUI for the 2015-2020 period, Ma'ruf Amin, emphasized that JAI exceeded the limits of renewal in Islam (Bonasir, 2018). Although fatwas can be a guide for Muslims in worship, they do not have the force of law that can be applied universally to all citizens.

In addition to the MUI fatwa, Ahmadiyah also experienced discrimination of legal products, namely the Joint Decree (SKB) 3 Ministers, although made by the ministry in the government, still has limitations in terms of legal force. This SKB is

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more administrative and implementative, not equivalent to a law that has a strong constitutional foundation. However, in its implementation, the SKB 3 Ministers was misinterpreted by some conservative groups who thought the policy was only aimed at the Ahmadiyah congregation, when it should have applied more broadly. The government appears to be trying to position itself in the middle of two competing camps (Ummah, 2016). Hierarchically, SKB 3 Ministers cannot override or contradict higher laws, especially the 1945 Constitution which guarantees freedom of religion and belief.

The 1945 Constitution guarantees freedom of religion and belief through Article 28E and Article 29. In these articles, it is stated that everyone has the right to embrace religion and worship in accordance with their beliefs, and the state guarantees freedom of religion (Rahim, 2014). The Joint Ministerial Decree or MUI Fatwa that is considered to limit this freedom can be criticized as contradicting the basic rights protected by the 1945 Constitution. SKB 3 Minister has a weakness as a legal reference because it is considered less assertive in determining the attitude, and ironically the existence of Jama'at Ahmadiyah Indonesia is still disturbed by the masses and causes many conflicts (Mustajab, 2012). Table 2 summarizes the forms of administrative intervention experienced by the Parakansalak Ahmadiyah Congregation, including various warning letters issued by local government officials. This table illustrates the escalation of administrative discrimination over time. Therefore, the fatwa or administrative decision of the SKB 3 Ministers should not be used as a legal basis that limits the constitutional rights of citizens.

**Table 2.** Forms of intervention with warning letters

Event Time	Warning Letter	Actor
April 29, 2008	Statement of the attitude of the local government of Sukabumi regency in response to the burning of the Ahmadiyah mosque in Parakansalak sub-district.	Regent of Sukabumi
May 16, 2008	Number: 451/158/2008. Appeal Not to Conduct Activism Openly.	Parakansalak Sub-district
June 9, 2008	SKB 3 Minister Number: 3 Year 2008, Number: Kep.033/A/JA/6/2008 and Number: 199 Year 2008.	Minister of Religious Affairs, Attorney General and Minister of Home Affairs
July 18, 2008	Number: B/36/VII/2008/Sek. Termination of Teaching and Learning Activities of Madrasah Diniyah Fadlil Umar Owned by Jemaat Ahmadiyah Indonesia Parakansalak.	West Java Regional Police, Sukabumi Resort, Parakansalak Sector
July 18, 2008	Number: 450/189/2008. Termination of Teaching and Learning Activities of Madrasah Diniyah Fadlil Umar Owned by Jemaat Ahmadiyah Indonesia Parakansalak.	Parakansalak Sub-district
March 3, 2011	West Java Governor Regulation Number: 12 Year 2011 on Prohibition of Activities of Indonesian Ahmadiyah Congregation in West Java.	Governor of West Java
January 14, 2015	Number: 01/I-Muspika/2015. Cessation of Activities / Construction of Al-Furqon Mosque	Muspika
January 21, 2015	Nomor:02/I-Muspika/2015. 2nd warning to stop the construction of Al-Furqon mosque	Muspika
April 02, 2018	Sukabumi District Regulation Number: 03/2018. Amendment to Regional Regulation Number: 10 of 2015 on the Implementation of Public Order and Community Peace.	Regent of Sukabumi
January 21, 2023	Letter Number: 03/FKLK II/2023. About the Rejection of the Construction of Religious Facilities of Ahmadiyah Sect.	Forum Komunikasi Lembaga Keagamaan Kecamatan Parakansalak

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January 22, 2023	A letter addressed to Porkopimcam (Muspika) regarding the cessation of construction.	Citizens of Parakansalak Sub-district
January 24, 2023	Number: 900/07/I/2023. About the Call for Temporary Cessation of Construction.	Parakansalak Village Head
January 26, 2023	Letter Number: 1/MWC-PARSAL/I/2023. About the Request to Stop the Construction of Religious Facilities of Ahmadiyah Sect.	Nahdlatul Ulama Parakansalak Branch Council
January 26, 2023	Number: HM.00.00/65-Trantibum. regarding an appeal to stop the implementation of construction.	Parakansalak Sub-district
February 03, 2023	Number: BL.00/837/BAKESBANGPOL/2023. Regarding the Warning of the cessation of All Forms of Construction Activities of Worship Facilities and Other Religious Activities	Regent of Sukabumi

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Asep Saepudin feels disappointed about the prolonged discrimination he has experienced. However, from the perspective of his faith, he sees this as a test from Allah SWT. According to him, this challenge became a stepping stone to strengthen his faith and courage in conveying the truth. He relates this experience to the struggle of the Prophet Muhammad, who also faced many challenges in spreading the teachings of Islam. *"I understand this discrimination because the challenge to spread the teachings of Ahmadiyah is not easy, just like the Prophet Muhammad in spreading Islam"* (Asep Saepudin, Interview, October 4, 2024).

In addition to SKB 3 Minister and Fatwa MUI, the pressure comes in the form of warning letters from local government institutions, especially muspika. Not only sealing the building, the Parakansalak Muspika also threatened to carry out a more devastating attack on the Ahmadiyah congregation if the renovation continued. (Ikhsan Yosarie; Sayyidatul Insiyah; Syera Anggreini Buntara, 2015). Figure 2 illustrate the situation of the sealing of Al-Furqon Mosque by Satpol PP in 2016. This documentation shows how the administrative action reflects a form of discrimination

directly felt by the Parakansalak Ahmadiyah Congregation, especially in their efforts to maintain their place of worship.



**Figure 2 .** Sealing of Al-Furqon Mosque conducted by Satpol PP on the date of 2016.

(Source: Personal Document)

Ahmadiyah Parakansalak congregation has long faced various forms of discrimination from local government officials. This case is in the spotlight because the discrimination experienced reflects a violation of citizens' human rights, especially in freedom of religion and belief. Since the last few years, the Parakansalak Ahmadiyah Congregation has often received pressure from the authorities, both through strict surveillance, prohibition of worship activities, and restrictions on access to public facilities. Table 3 provides details on actions taken by government officials against the Parakansalak Ahmadiyya Congregation, including the sealing of mosques and halting renovations. This data shows how administrative actions directly impede the constitutional rights of this community.

**Table 3.** Forms of intervention with actions

Time of Event	Event Form	Actor
April 27, 2016	Ahmadiyah Parakansalak congregation was asked to make a statement letter to stop the renovation. The Parakansalak Ahmadiyah congregation is still trying to complete the renovation because they want to worship during Ramadan.	Muspika
July 26, 2016	Al-Furqon Mosque was sealed by Satpol PP of Sukabumi Regency, who arrived with 150 officers and accompanied by 50 police officers and Muspika.	Satpol PP, Police and Muspika

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February 2020	18,	The renovation of Al-Furqon Mosque was carried out by installing the roof frame. However, after a day of work, the Muspika came and asked that the renovation be stopped to maintain "conditions," and this request was agreed by the Parakansalak Ahmadiyya Congregation.	Muspika
February 2020	19,	Muspika came to Al-Furqon mosque and brought plywood to close the door.	Muspika
February 2020	21,	Local authorities in Sukabumi came to the mosque without giving official notice to the Parakansalak Ahmadiyya congregation. One of the members of the Parakansalak Ahmadiyah congregation overheard a conversation in which there was a threat of potential attack if the renovation continued.	Sukabumi regional apparatus

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Although in 2023 the Parakansalak Ahmadiyya community was finally able to return to worship in the mosque, the fear of actions such as sealing or warning letters still haunts. This shows that legal and social issues around places of worship are still not fully resolved, despite steps to obtain permits. Efforts have been made to change the legal status with building permits for mosques in Parakansalak, especially regarding the Building Construction Permit (IMB) required by local regulations. The issue is made more complex by the fact that despite efforts to obtain consent from local residents, the neighborhood association (RT/RW) refused to sign the permit. The reason for the refusal relates to the safety of the residents. Until now, the Parakansalak Ahmadiyah congregation has not been given the freedom to build a mosque as a place of worship.

However, despite the rejection, Ahmadiyah still exist in Parakansalak under the pretext that they have the same religious rights in accordance with the 1945 Constitution article 29 clearly emphasizes this issue: (1) "The state is based on the One True God." (2). "The state guarantees the freedom of each citizen to embrace his/her own religion and to worship according to his/her religion and belief (Asiva Noor Rachmayani, 2015). At this time the number of members of the Parakansalak

Ahmadiyya Congregation is 224 members, with a pure percentage of descendants as much as 80 percent and citizens who have allegiance as much as 20 percent. JAI has been recognized as a legally incorporated organization since 1953, reinforced by a decree and letter from the Directorate of Politics, but the 3 Ministerial Decree triggered further discrimination. Hannan (2021) advises JAI to strengthen internal networks and build positive perceptions in the external community. Despite being marginalized, JAI continues to worship according to their beliefs (Wahyudi, 2020).

### *Discriminatory Access to Education*

Education as a Human Right is further outlined in the 1945 Constitution article 31 of the amendments, namely, "Every citizen has the right to education", "Every citizen is obliged to attend basic education and the government is obliged to finance it" (Marliani & Si, 2018). However, in practice, some religious groups that provide education services experience discrimination in access to education, especially the Parakansalak Ahmadiyah Congregation which experiences obstacles in accrediting madrasas. After the burning of the mosque, Madrasah Diniyah Fadlil Umar continued to operate although it moved to the houses of the congregation for a while. The continuity of education can be overcome by continuing the teaching and learning process in a safe place until the situation is conducive again.

Madrasah Diniyah Fadlil Umar was already registered with the Ministry of Religious Affairs. However, after the socialization of the MUI fatwa in 2005, the madrasah experienced obstacles in renewing its second accreditation. As a result, it could not receive government funding for education because its accreditation status had not been renewed. In addition, the madrasah was also unable to include students in examinations organized by the Ministry of Religious Affairs, which requires the madrasah to have accreditation. School/madrasah accreditation according to the National School/Madrasah Accreditation Board (2009:5) is "a comprehensive assessment process of the feasibility of educational units or programs, the results of which are manifested in the form of recognition certificates and eligibility ratings issued by an independent and professional institution" (Khairuddin, 2014).



Ipah Syarifatunisa, the head of the madrasah at the time, said that the madrasah's license had never been officially revoked. This madrasah has been established since 1975, and the legal papers are still there. The madrasah was established by the community, not the government, although in some aspects it is supported by the government, such as the accreditation it received as type B in 2006. According to Ipah, the madrasah is still legally recognized, although there were problems during the second accreditation process in 2010. *"I tried to get signatures from the various parties needed, but many did not want to sign"* (Ipah Syarifatunisa, 2024).

*"...Accreditation requirements involve many signatures from various parties, including from the KUA, madrasah forum, education office, and sub-district. This is a big challenge because many do not want to sign, although previously the accreditation went smoothly"* (Ipah Syarifatunisa, Interview, October 5, 2024).

Table 4 provides an overview of the administrative interventions that hindered the operation of Fadlil Umar Diniyah Madrasah. One such intervention was a warning letter issued on July 18, 2008 by various parties, including the KUA and MUI of Parakansalak Sub-district, instructing the closure of the madrasah. This shows how bureaucratic obstacles are part of the discrimination against access to education for Ahmadis.

**Table 4.** Forms of intervention with warning letters

Time of Event	Warning Letter	Actor
July 18, 2008	Letter number 450/189/2008. Closure of Madrasah Diniyah Fadlil Umar	Head of Subdistrict, Ramil, Kapolsek, KUA Kec. Parakansalak and MUI Kec. Parakansalak

The madrasah principal had difficulty obtaining signatures for accreditation due to various reasons from related parties. The madrasah principals have struggled, even going door-to-door to get signatures, but their efforts ended in failure due to bureaucratic red tape. These obstacles are related to the stigma that emerged after the MUI fatwa, which may have caused relevant parties, including the bureaucracy, to be reluctant to provide the administrative support needed to renew the madrasah's accreditation. As a result, although these madrasahs are still officially registered,

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various challenges hinder their operations and access to important educational resources.

## CONCLUSION

This research shows that discrimination against the Parakansalak Ahmadiyah congregation occurs in the form of physical, administrative, and educational access barriers. This discrimination is driven by a combination of MUI fatwas, administrative policies such as the SKB 3 Minister, and social pressure from the majority community. In addition, the findings highlight the government's failure to protect religious freedom as stipulated in the 1945 Constitution.

However, this research has limitations, as it only focuses on one local community, the Parakansalak Ahmadiyah Congregation. Further research involving comparative studies in other regions could provide greater insight into the differences and similarities of coping strategies used by other religious minority communities in Indonesia. Such a study would help enrich perspectives on the dynamics of survival in minority communities, which in turn would support more inclusive and effective policies in addressing issues of religious diversity.

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