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Distributing Rights, Social Justice, and Managing Conflict of Ahmadis

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Abstract:

The freedom of religion recognized as one of a fundamental rights whether in The Indonesian Constitution or international human right principles. However, Ahmadiyya in Indonesia does not recognize as one of religions or belief registered in the national laws, although in its implementation it largely depends on the policy of the local government. This article aims to describe the distribution patterns of rights, social justice, and conflict management for the Ahmadis in Wonosobo. This article is the result of qualitative research with a sociological and political approach. The data were obtained from interviews and related documents. The analysis used is a descriptive analysis. The results of the study indicates that the distribution of the right of religious freedom towards Ahmadiyya in Wonosobo are realized for four reasons: 1) The Government's commitment to distribute the right of religious freedom for all its citizens with the existence of a local regulation that regulates human rights, including the religious right; 2) Synergic role between the government and the community in managing religious rights; 3) the ability of community leaders and religious leaders to manage, negotiate and solve problems when there is a religious conflict in the community; 4) government and society use communicative and inclusive methods. Therefore the four patterns can be a model in managing religious rights for minorities.

Keywords: distributing rights; social justice; managing conflict; ahmadis.

Introduction

Indonesia is a legal state that protects and equalizes the rights of its citizens before the law. This is as stated in the 1945 Constitution Articles 28D, 28E, 29. Equality before the law means that all people, male or female, rich or poor, and whatever their ethnic and religious background are entitled to equal legal status and treatment. It perfectly follows the goal of the state, especially as written on



Pancasila, mainly the fifth principle, social justice for all of the Indonesian people.¹ However, Indonesia is a country that has cultural and religious diversity, in its implementation, local governments have policies that regulate the rights of citizens including Ahmadiyya as long as they do not contrary to the constitution.

The results of several studies show that the political power of the leaders influences religious management policy.² According to Burhani,³ it is actually the government that determines whether religion is recognized or not in Indonesia, so Ahmadiyya is considered a religion that is not recognized by the government. Likewise, according to Hefner, the (regional) government imposes very strict policies on minority religions such as Christianity, puritanical Islam such as religious beliefs, Shia Islam and Ahmadiyya.⁴

Richard Daulay,⁵ explained the same thing, that constitutionally, all Indonesian citizens have the right to freedom of religion as stipulated in Article 28E, 28I, and Article 29 of The Constitution, but in practice at the grassroots level, freedom of religion and religious harmony in Indonesia, especially since the 1989 Reformation Era has existed in danger. Since 1998, hundreds of churches have been attacked, closed, banned, and threatened by so-called Islamic hardliners in Indonesia; Hardliners also attack and carry out killings of members of the Ahmadiyya community within Islam, which they call Muslim heresy. Danang Risdianto said that during the reformation period there were regulations that sought to give rights to minorities such as Article 28 of the 1945 Constitution, Article 3 of Law Number 39 of 1999 concerning Human Rights and the ratification of Law

¹ M S Kaelan, *Negara Kebangsaan Pancasila: Kultural, Historis, Filosofis, Yuridis Dan Aktualisasinya* (Yogyakarta: Paradigma, 2013), 388.

² Ismatu Ropi, *Religion and Regulation in Indonesia, Religion and Regulation in Indonesia*, 2017, 15, <https://doi.org/10.1007/978-981-10-2827-4>; Rizky Adi Pinandito, "Implementasi Prinsip Kebebasan Beragama Dan Berkeyakinan Di Indonesia (Studi Kasus: Tanggung Jawab Negara Dalam Konflik Sampang, Madura)," *Jurnal Pembaharuan Hukum*, vol. IV, 2017, 91; Cornelis Lay, "Kekerasan Atas Nama Agama: Perspektif Politik," *Jurnal Ilmu Sosial Dan Ilmu Politik* 13, no. 1 (2009): 5–8, <https://doi.org/10.22146/JSP.10964>; A.A.A Nanda Saraswati et al., *Kebebasan Beragama Atau Berkeyakinan Di Indonesia Perspektif Filosofis, Hukum Dan Politik*, ed. Al Khanif and Dina Tsalist Wildana (Malang: Intrans Publishing, 2020); Al Khanif, "Blaspheming Religion vs Blaspheming Humanity," *The Jakarta Post*, December 2016, <https://www.thejakartapost.com/academia/2016/12/23/blaspheming-religion-vs-blaspheming-humanity.html>; Kikue Hamayotsu, "The Limits of Civil Society in Democratic Indonesia: Media Freedom and Religious Intolerance," *Journal of Contemporary Asia* 43, no. 4 (November 2013): 658–77, <https://doi.org/10.1080/00472336.2013.780471>; Elizabeth Shakman Hurd, *Beyond Religious Freedom: The New Global Politics of Religion* (Princeton: Princeton University Press, 2015), 8, <https://doi.org/10.1093/ia/iix014>. Aji Sofanudin, "Studi Tahapan Penanganan Kasus Jemaat Ahmadiyah Indonesia (JAI)," *Harmoni* 11, no. 2 (2012): 15–24, <https://jurnalharmoni.kemenag.go.id/index.php/harmoni/article/view/240>.

³ Ahmad Najib Burhani, "When Muslims Are Not Muslims: The Ahmadiyya Community and the Discourse on Heresy in Indonesia" (University of California, 2013), 372–73.

⁴ Robert W. Hefner, "The Study of Religious Freedom in Indonesia," *The Review of Faith & International Affairs* 11, no. 2 (June 2013): 18–27, <https://doi.org/10.1080/15570274.2013.808038>; Robert W. Hefner, "Religion, Law and Intolerance in Indonesia. Edited by Tim Lindsey and Helen Pausacker. London: Routledge, 2016. Pp. 395. \$225 (Cloth). ISBN: 978-1138100879.," *Journal of Law and Religion* 33, no. 1 (April 2018): 117–21, <https://doi.org/10.1017/jlr.2018.19>.

⁵ "Religious Freedom Is in Danger Today: The Indonesia Experience," *International Review of Mission* 101, no. 2 (November 2012): 381–84, <https://doi.org/10.1111/j.1758-6631.2012.00114.x>.



Number 12 of 2005 concerning Civil and Political Rights,⁶ but thus law enforcement is still weak, depending on the policy.⁷

The discrimination is more obvious when the state banned Ahmadiyya through Minister of Religious Affairs, Minister of Home Affairs and Attorney General's Office and considered Ahmadiyya to have committed blasphemy as stated in 'Surat Keputusan Bersama' (Joint Decree) about Ahmadiyya and Presidential Act No. 1/1965 which later became Law no. 5/1965 on Preventing Religious Misuse or Blasphemy.⁸ In addition, there is a fatwa (religious decree) issued by *Majelis Ulama Indonesia* (Indonesian Ulema Council) which assess Ahmadiyya erroneous and forbidden.

However, the US Commission on International Religious Freedom (USCIRF) noted an improvement in the government's political will as was done by the Minister of Religion Lukman Saifuddin who was more concerned with the protection of minorities such as Ahmadiyya and Shia and the recognition of Judaism and Bahai religion in Indonesia⁹. As well as the Ahmadi in Wonosobo (around 6.000 people) are assumed to have the same rights and equal position as other religious organizations and local beliefs. This paper, therefore, seeks to explain the management carried out by the regional government and its people to protect the rights of Ahmadiyya. This paper is expected to present a model of managing minorities and majority people so that all citizens can get social justice mandated by the Constitution. In doing so, this paper will explain some foundations either sociologically or politically, that make the management run well to implement.

Result and Discussion

Socio-history and Legal Rights of Ahmadi in Wonosobo

The spread of Ahmadiyya in Wonosobo is inseparable from the role of Muhammad Sabitun, from Tanjungsari, Binangun Village, 25 KM from the city of Wonosobo. He is one of the students of Wali Ahmad Baig who took the study in Lahore. Muhammad Sabitun went to school in Mambaul 'Ulum Djamsaren Surakarta with his friend, Muhammad Irsyad from Purwokerto. After that, Muhammad Sabitun moved to Mu'alimin Muhammadiyah Yogyakarta. Yet, after getting to know Mirza Wali Ahmad Baig in 1924, he went to Lahore.¹⁰ Within political dynamics in Indonesia, Muhammad Sabitun joined the Communist Party of Indonesia (PKI). As a religious leader and preacher, Sabitun wanted to Islamize communists, including Chinese citizens. According to Abul Hasan, one of the

⁶ Danang Risdianto, "Perlindungan Terhadap Kelompok Minoritas Di Indonesia Dalam Mewujudkan Keadilan Dan Persamaan Di Hadapan Hukum," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 6, no. 1 (2017): 125, <https://doi.org/10.33331/rechtsvinding.v6i1.120>.

⁷ M. Dian Hikmawan, "Politik Perbedaan: Minoritas Dalam Implementasi Kebijakan," *JIPAGS (Journal of Indonesian Public Administration and Governance Studies)* 1, no. 1 (2017): 88, <https://doi.org/10.31506/jipags.v1i1.1268>.

⁸ Anthin Lathifah et al., "The Construction of Religious Freedom in Indonesian Legislation: A Perspective of Maqāsid Hifz Al-Dīn," *Samarah* 6, no. 1 (2022): 369–90, <https://doi.org/10.22373/sjhk.v6i1.10957>.

⁹ Masykuri Abdillah, "Kerukunan Umat Beragama Di Era Jokowi," *Graduate.Uinjkt.Ac.Id*, November 2016.

¹⁰ Iskandar Zulkarnaen, *Gerakan Ahmadiyah Di Indonesia* (Yogyakarta: LKiS, 2006).

Ahmadiyya board of Wonosobo branch as well as the student of Muhammad Sabitun, what the Sabitun did had a big impact. Many Ahmadiyya followers were also part of the PKI, especially the Ahmadiyya in Wonosobo area. The party was in fact in conflict with the Ahmadiyya principle and objectives, in addition to its development of being a banned party in Indonesia. Thus, what Muhammad Sabitun did harm Ahmadiyya.

Qadian Ahmadiyya is more successful as a sectarian organization in Indonesia, while Lahore Ahmadiyya is more influential as a school of thought through the elite of students in Java whose ideas blend in some circles of Islamic society. Ahmadiyya Lahore is known as Ahmadiyya Movement of Indonesia (*Gerakan Ahmadiyah Indonesia/GAI*), while Ahmadiyya Qadian is called the Congregation of Ahmadiyya Indonesia (*Jemaat Ahmadiyah Indonesia/JAI*). In Wonosobo, Ahmadis both GAI and JAI live in Watumalang District. This district consists of 15 (fifteen) villages with 85 (eighty-five) hamlets. Based on Ustad Yora's notes,¹¹ the Ahmadiyya in Wonosobo regency has long been known, at least in 1927, when local figure Kyai Sabitun, origin of Tanjungsari came home from studying Ahmadiyya in Lahore-India. However, the Jemaat Ahmadiyah Indonesia (JAI) specifically began to reach Wonosobo in mid-1992 through the struggle of a preacher named Suripto Hadi Siswoyo, from Limbangan-Madukara-Banjarnegara, who worked as a religious teacher. In the beginning, his da'wa happened in Pasuruhan village, precisely in Jawaran, which was first received by a religious figure named Mr. Sukarto, an Imam (Islamic leader) of one of the mushollas at Jawaran and had a number of pupils who study in his musholla. The presence of Mr. Suripto was warmly welcomed because they needed to learn a higher step of religious teaching.

After several meetings, many people were also interested in the explanation of Islam conveyed by Mr. Suripto, who eventually encouraged them to pledge allegiance (*bai'at*) to Islam through the organization of the Ahmadiyya congregation. Recorded in October 1992, 50 people pledged, then since the congregation began to exist in Jawaran, Pasuruhan Village, Watumalang District, Wonosobo regency. The development of Ahmadiyya in Wonosobo District, as explained by *Ustad Yora*, started in 1993 in commemoration of Maulid (the birth of) Prophet Muhammad in Jawaran when Mr. Suripto met Kyai Musholim, a respected leader from Lengkong and then Ahmadiyya members entered Lengkong Hamlet with his help. After a long discussion, On Friday, early March 1993, as many as 715 people in Lengkong pledged to allegiance to Islam Ahmadiyya, located at Al-Falah mosque, Lengkong Village. Subsequently, Ahmadiyya congregation grew to Bendungan hamlet, Mutisari village through Mr. Cipyanto in 1994, and in mid-1994 Ahmadiyya entered Gedangsari village through the figure of Mr. Arief Suyono and through the same figures, Ahmadiyya entered the Wonosari, Wonokampir Village in 2014.

Institutionally, since Ahmadiyya was established in Wonosobo, branch-level management was established with the first secretariat at Sukendar house, Wonolelo. In 2006, according to the development and needs of the organization of

¹¹ Abdul Wahid Yora Setya Pratama, "Sejarah Dan Perkembangan Jemaat Ahmadiyah Di Kabupaten Wonosobo," n.d.



Ahmadiyya Community in Wonosobo regency bloomed into 4 local congregations, namely Local Jawaran, Local Wonosobo-Lengkong, Local Bendungan and Local Wonosari congregation. In 2012, the Ahmadiyya progressed to Local Lengkong, Local Wonoroto and Wadaslintang congregation, which was under the guidance from Kebumen and Jogjakarta congregations. As for social affairs, Ahmadiyya as a religious organization puts social relations as an integral part of worship, therefore as much as possible they participate in various social activities, many members also act as village officials, PKK (Family Wealth Education) officials and others. And the Ahmadi share the same understanding that worship of God is a person's privacy, therefore it will not interfere with the worship of others different in ideology, but will always play an active role in creating good social relationships.

Role of Government towards Fulfilling Legal Rights of Ahmadis in Wonosobo

The Local Government of Wonosobo is committed to granting freedom to every citizen performing their religious activities and beliefs according to their beliefs.¹² Therefore, the Wonosobo government took the initiative to make a local regulation that respects the human rights of every human being known as Human Rights Friendly Regions. Truthfully, the emergence of the local regulation was initiated by Abdul Khaliq Arif from the beginning he became vice-regent from 2000-2005 and continued after he was elected to be the regent of Wono sobo for two periods, from 2005 to 2015. During his long reign, several policies were carried out with efforts to create security and the welfare of Wonosobo Residents.

Around the 1995s, Wonosobo was a city considered unsafe because of a frequent brawl between citizens, kampongs, burning people alive because of revenge, and even the action of thuggery made the apparatus afraid. Furthermore, with the concept of *blusukan*, Khaliq Arif finally comprehended the causes that make the people Wonosobo "impatient", namely the economy and the uneven public welfare. Furthermore, several programs were made from electricity into villages with a "light hamlet" program in 2012, 2,200 kilometers of irrigation from primary irrigation, secondary to irrigation of worm network in 2012, securing thugs with the help of security apparatus and humanitarian approach. Thugs who harassed people were punished for bathing to spend a bar of soap and after that respected red and white flags for hours. In the next step, the thugs made a commitment not to repeat their actions and received entrepreneurial training.¹³

In 2009, based on a survey of the Regional Autonomy Implementation Monitoring Commission (*Komite Pemantauan Pelaksanaan Otonomi Daerah/ KPPOD*), Wonosobo Regency finally became the safest district ranked 8th in Indonesia. Similarly, at the Central Java level, Wonosobo became a successful district in dealing with conflict. Furthermore, Kholiq also initiated Wonosobo as a human rights city, where 2016 started its discussion with the legislative. Even though, he did not want to dissolve Ahmadiyya in Wonosobo even who asked him was the Minister of Religious Affairs, Suryadharma Ali.¹⁴

¹² Arief Setiawan Najwah, Lia Nihlah, "Locality and Implementation of Human Right City," *Jurnal Ilmu Sosial* 20, no. 2 (2021): 161–84, <https://doi.org/10.14710/jis.20.2.2021>.

¹³ Administrator Wonosobozone, "Human Right City, Inovasi Bupati Wonosobo Abdul Kholiq Arif," *Wonosobozone*, February 2015.

¹⁴ Redaksi Sejuk, "Bupati Wonosobo: Saya Tidak Mau Bubarkan Ahmadiyah!," *Sejuk*, June 2014.

The principle of "Wonosobo as a Human Rights Friendly Regions" as stated in article 2 is "that Wonosobo Regency as part of the Unitary State of the Republic of Indonesia, recognizes and upholds human rights and basic human freedoms as rights inherent and inseparable from humans, which must be respected, fulfilled, protected, enforced and advanced for the sake of increasing the dignity of humanity, welfare, happiness, intelligence, and justice." The approach taken by the Wonosobo government as stated in article 3 is a human rights-based approach to realize a district that respects, fulfills, protects, upholds, and advances human rights, so that it becomes Wonosobo as a Human Rights Friendly Regions.

The Regional Government together with residents expressed their commitment to actively participate in carrying out the obligations of the Unitary State of the Republic of Indonesia in respecting, fulfilling, protecting, enforcing, and advancing human rights as stipulated in the provisions of the laws and regulations. The principles to be developed by the Government of Wonosobo are in Regional Regulation number 5 of 2016 concerning "*Kabupaten Wonosobo Ramah Hak Asasi Manusia*" as stated in article 6 include; 1) rights to districts; 2) non-discrimination and affirmative action; 3) social inclusion and cultural diversity; 4) a democratic and accountable government; 5) social justice and ongoing solidarity; 6) mainstreaming human rights (Human Rights); and 7) the right to remedies.

The rules for religious freedom in the Regional Regulation of Wonosobo Regions number 5 of 2016 concerning Regional Regulation about Wonosobo as human rights friendly regions are explained in articles 9 and 28. In article 9 it is explained that Wonosobo Regency respects religious differences, even placing these differences as a force to minimize potential conflicts in the process of regional development. Furthermore, article 28 it is also explained; that "(1) Everyone is free to embrace his own religion and to worship according to his religion and belief. (2) The freedom of everyone to embrace their own religion and to worship according to their religion and belief is guaranteed by the State in accordance with the provisions of laws and regulations."

These regulations become the basis for local governments to implement regulations related to religious freedom. The local government, as explained by Chief of FKUB of Wonosobo,¹⁵ does not limit or prohibit any religion from using public spaces or city buildings for religious celebrations. The Wonosobo government is also always proactive in every religious activity through several institutions related to religious activities such as the Interreligious Communication Forum (FKUB), Local Office for Security and Stability, TNI (Indonesian Army), and Polri (National Police), the Office of Religious Affairs (KUA) and the village head.

Perceiving the diverse phenomenon in Wonosobo, the district government through FKUB created a vision of "Together Building a Safe, Peaceful and Religious Wonosobo". This vision becomes a common ground for all religions and beliefs that exist in Wonosobo, making activities that promote dialogue more common among religious groups, including minorities. According to Sukawi,¹⁶ Wonosobo for 12 years is very conducive though Wonosobonese once were "impatient", because of many religious "tribes", so easily ignited the conflict. This is

¹⁵ Sukawi (Chief of FKUB of Wonosobo), interview, 2 June 2016.

¹⁶ Sukawi (Chief of FKUB of Wonosobo), interview, 2 June 2016.



a potential to manage. Sukawi stated that in fact there is no society that is not good and conducive, except for the people who do not understand the potential and have not been able to manage its potential. This concept is then raised in every vision-mission leader in Wonosobo.

Although FKUB departs from formal jurisdiction, it uses a more informal approach. Therefore, every time there is a conflict it is sought as the main source of the cause and does not expel the smoke. In addition, to further optimize its informal approach, FKUB Wonosobo created WhatsApp (WA) named "Love Indonesia". FKUB hopes that the many religious variants in Wonosobo will not hamper development; it should even help promote development, although the impact will be on many religious groups that will appear in Wonosobo. Even Sukawi affirmed the involvement of Sutikno (Ahmadiyya figure) in the drafting of the Bill of the human rights friendly regions as evidence of minority involvement in Wonosobo development. Furthermore, FKUB Wonosobo explained its settlement system of conflict, that is, by understanding every different doctrine with a humanist approach that humanizes human being. This concept, according to Sukawi, must be executed, so that its expectations, dynamic nature, religious fluctuation, and religiousness can be maintained, because Wonosobo has a strong potential in promoting development.

In providing public services to its people, A chief of Welfare Division, Eko¹⁷ explained that Wonosobo government occupies a neutral position, especially regarding the implementation of religious organizations' activities. So far, the Government has done is: First, to provide protection for all citizens who embrace their respective religions including religious groups; Ahmadiyya, NU, Muhammadiyah, Rifaiyah, and others. Second, when every religious group conducts activities, the government attends when invited, and if necessary, the govt invites them to exchange insight into how to create a safe, peaceful and secure environment, respect the others and appreciate the difference.

The government through the Welfare Division always appealed to the *ustadz*, *kyai*, *imam*, priest, parish, and also monk, to familiarize *khilafiyah* (difference of opinion in performing religious worship) respectively in order to create peace. It is not allowed to convert other people, disbelieve, and encourage others so that people can live all together. Third, it encourages FKUB to be able to partner well and invite all to discuss their problems and aspirations. According to Eko, Ahmadi in Wonosobo have a uniqueness that also becomes local wisdom. It is like the *Fatayat* Ahmadiyya (Young Female Ahmadi), *Muslimat* Ahmadiyya (Mothers of Ahmadi), and *Banser* Ahmadiyya (Paramilitary), although its uniform is different from the NU (Nahdlatul Ulama) uniform. In fact, the term *Fatayat*, *Muslimat*, and *Banser* is owned by the NU organization, not Ahmadiyya. To that end, the government let it run as long as not disturbing the peace of other citizens.

In terms of policy, the government treats each religious organization equally. If religious organizations will conduct religious activities, the Wonosobo District Government through Welfare Division will help the success of these activities by providing funding based on the principle of fairness and consideration of the available funds. For example, assistance for NU, Rifaiyah Congress activities and other religious activities. But incidentally, the Ahmadiyya have never proposed

¹⁷ Eko (Chief Division of People Welfare of Wonosobo), interview, 2 June 2016.

budget assistance for activities although they know that there is a budget for the holding of religious activities.

In addition to the formal way, the government through the Welfare Division also holds informal activities to create togetherness like the Coffee Morning event. In this forum, each religious group can discuss many things. For example is how to face the feast, the month of fasting, *takbiran*, and how to set it. In this case, the government pays a sense of giving tolerance to the seller by arranging the time of sale and installation of the curtain so as not to appear when there is a meal in the stall. Similarly, during Christmas and New Year, each religious group attended the Coffe Morning event and made a deal to help each other, as Banser took care of the security of the Christians during their worship.

Attitudes and actions of the government through FKUB and also Welfare Division is also supported by law enforcers, in this case, the Army and Police, until their officers stay in every village. Prio,¹⁸ an officer of Agency for Security Guidance and Social Order who served in District Watumalang said that they always cooperate with the community. According to him, religious teachings or schools may exist in Watumalang as long as not interfering with tranquility and against locals. But when disturbing and contrary to the local community, it will be diverted to another place. They as security forces always appeal to religious leaders to create security.

Prio explained that there had been a case in the village of Wonoroto where a group of Ahmadiyya immigrants initially stopped at the house and had asked permission to make the house a stopover house. But over time the house was used as a place of worship and spread its teachings to people who already have a certain religious understanding. Finally, because people rejected it, then they were asked to move and they understood it. *Babinkamtibmas* in dealing with such issues emphasizes the personal approach to society. According to Prio, if the issues based on religious differences are brought to the realm of law, it will not finish but a familial deliberation. This personal approach is done because he realizes that the character of each person is different. Similarly, for criminal cases such as theft, murder, and the like, the approach would be different.

The approach to prevent conflict needs more than once or twice act, it must be continuous. *Babinkamtibmas* with FKUB often holds meetings once a month in a neutral place (so there is no alignment), not at the police station, not in the mosque, but in a neutral hall, so those religious elements can involve. Religious and social issues can also be seen. Here, FKUB and Police involve FKPM (Police Community Forum). There has been a case of other religious followers entering the local area, so the first step is to ask the local community for permission. If it is not liked or desired then the migrants must be willing to move. Events like this often happen in Watumalang. The government also allows the portion of freedom of worship, by giving permission to establish two mosques, one mosque for Ahmadiyya, and another mosque belonging to NU. Everything went well, since Ahmadiis also live daily life like *takziyah* activities, seven days after the death of someone *ala* NU. Therefore, the officers and *Babinkamtibmas* are very hopeful that there is always

¹⁸ Prio (an officer of Agency for Security Guidance and Social Order who served in District Watumalang), interview, 2 June 2016.



good communication and do not feel afraid of the authorities. Because the fear will make communication not good. Until now, there are still afraid of the uniform and there are those who hate the uniform of the apparatus, not the person.

According to Khafif,¹⁹ the Officer of Religious Affairs (KUA) in Watumalang is often invited to fill the Quran recitation in Ahmadis. What is important for Ahmadis is that religious activities are not filled by people from NU or Muhammadiyah organizations because they are considered not neutral. Ahmadiyya in Watumalang tends to approach the religious leaders first or influential people. Why do they in Watumalang tend to be safe? it is because the Ahmadis' deeds are the same model as NU members. Furthermore, according to Khofif, there has been no serious conflict between adherents of religious groups. Even if there is a conflict, it is usually only at the surface level caused by mere misunderstanding and does not create chaos or riots. For example, in 2014, a mosque cleanliness event was held, on which the winner was a mosque in Sumber Village claimed as Ahmadis mosque. So when non-Ahmadiyya local residents feel involved in the construction of the mosque, they can not accept the claim. The problem was resolved immediately without any violence.

According to Ustadz Yora, the case was actually preceded by a misunderstanding of journalists, where a Tempo reporter who came to Wonosobo in 2015 intended to expose the results of a hygiene contest in the regency. By Ustadz Sutikno (Ahmadiyya), the journalist was invited to Watumalang, and the interviewee turned out to be a citizen of GAI (Ahmadiyya Movement of Indonesia or Ahmadiyya Lahore), not JAI. It appeared in Tempo magazine with a photo of the mosque and the headline "Sumber Mosque is Ahmadiyya Mosque". From this incident, Ustadz Sutikno was summoned to the Ahmadiyya leader of Central Java II and then transferred to Lamongan, East Java. About giving equal rights to all citizens, Mahyatun,²⁰ Chief Village of Mutisari, a Village Chief of Mutisari said that although he is Ahmadis, he never distinguishes his citizens in the implementation of social or religious activities in his village. In addition, the role of managing Ahmadiyya rights is also carried out by legislative bodies that advocate the Bill of Friendly City for Human Rights to be a real regulation/law in Wonosobo.

Role of Social Figures for Fulfilling Legal Rights of Ahmadis in Wonosobo

The role of religious leaders in seeking a peaceful religion in Watumalang, Wonosobo, such as when there are residents other than Ahmadiyya are married to Ahmadis (GAI), does not disturb the social relations; it is still in a conducive relationship in the community, family or relatives. In addition, there are also similarities in the name of religious organizations that exist today, as happens in Fatayat organization, an autonomous body in Nahdlatul Ulama (NU). In Watumalang, Sumber Village, Fatayat is not only NU, Ahmadiyya also has Fatayat Ahmadiyya, and even Muslimat Ahmadiyya and Banser Ahmadiyya. Fahumi Khanif,²¹ an NU clerics in Watumalang, Ahmad Fadlun,²² an NU activist in Wonosobo and a legislator of Commission D, Local Legislative of Wonosobo,

¹⁹ Khofif (Officer of KUA Watumalang), interview, 2 June 2016.

²⁰ Muhyatun (Chief Village of Mutisari), interview, 2 June 2016

²¹ Fahumi Khanif (an NU clerics in Watumalang), interview, 28 May 2016.

²² Fadhlun (an NU activist in Wonosobo and a legislator of Commission D), interview, 2 June 2016.

and Muslihin²³ an officer of KUA Watumalang, indicate that this fact occurs because basically the religious and daily deeds of Ahmadis are similar to Nahdliyin, NU members. Even, most of the Ahmadis in Watumalang are formerly from NU members.

In fulfilling a religious obligation, Ustad Erik,²⁴ Ahmadiyya Officer in Watumalang said, the Ahmadis mingle with other Muslims. However, they agree that the imam of prayer is the person who comes majority followers, when the prayer is done in the mosque founded by the people in general. This is because there are only a few mosques established by Ahmadis in Watumalang under Ahmadiyya management. One of the mosques founded by Ahmadiyya people before 2000 is a mosque located in Wonosari, Wonokampir Village, which is only 10 meters away from a mosque built by Nahdliyin. However, there are also cases of mastery of mosques controlled by the Ahmadis for about ten years. Nahdliyins who want to perform the prayers have to wait for the Ahmadis to finish their prayers first. In addition to establishing mosques, Ahmadis also established *musholla*, madrasah *diniya* (religious school) in Dukuh Lengkong, Pagedongan, Binangun Village and Tanjungsari Village.

Besides the role of religious leaders, community members are also instrumental in creating harmony among the people as well as a Javanese society. Khanif,²⁵ said that around 2013, there was a dispute in Binangun village, involving the village apparatus with the Ahmadis preacher. The problem was that Ahmadis often deliver their da'wa in the way they like and influence the people who are established in the practice of worship. Incidentally, the influenced one was Nahdliyin. In addition, the apparatus himself was also Nahdliyin. The tension was high, yet finally, it was resolved by way of a familial deliberation and was considered fully resolved after the apparatus retired and was replaced, as well as the Ahmadis preacher resigned from his duties in the village.

Togetherness also appears in the management of religious educational institutions. In 2013, Sodiq, a religious figure in Pasar Lawas, Binangun, Watumalang said, there were two madrassas merged into one in the Tanjungsari. One belongs to NU, and the other belongs to Ahmadiyya. Finally, the learning patterns are done together fairly according to their educational concepts, and avoid offending or discrediting the religious understanding of different learners. The composition of the board of teachers was also balanced so as to achieve harmony in the hope of education management.

Not only be it fully supported by the government, the majority of the community also supports the dynamic of togetherness in Wonosobo. As evidence, even though FKUB has been formally established by the government, there is a Forum of Togetherness (hereinafter abbreviated as Fober - *Forum Kebersamaan*), which advocates multiculturalism in Wonosobo. Founded in 1998 and headed by Haqi al-Ansori, Fober emerges specifically to address issues of faith, multiculturalism and minorities. Those issues are considered important because it would be dangerous if the political event drags the issue of religion, especially since Wonosobo was well known with "an impatient" population.

²³ Muslihin (an officer of KUA Watumalang), interview, 2 June 2016.

²⁴ Ustad Erik (an Ahmadiyya Officer in Watumalang), interview, 2 June 2016.

²⁵ Fahumi Khanif (an NU clerics in Watumalang), interview, 2 June 2016.



To create peace, Fober hosts inter-faith dialogue and multicultural dialogue. For example, when Christians will hold Christmas, Forber invites all members to make a "*ngabuburit*" event in the Church. They discuss fasting in Christianity, fasting Muslim in perspective, and even to discuss the hadiths of fasting in Islam. Also during Imlek (Chinese New Year), Fober also holds a discussion about Imlek tradition in Pagoda. Likewise, there are also activities to respect Waisak held in the temple. According to Haqi, Fober consisting of twenty people, Fober members are equipped with materials of peace making and peace building. Its members consist of NU, Muhammadiyah, Ahmadiyya, PMII, IPNU, IKC, Catholic, and so on. Fober creates various activities such as praying together to commemorate the death of Gus Dur and others until people feel the activity becomes something usual. If people are accustomed to different then hopefully they will form an understanding that peaceful life becomes a necessity.

Haqi said that when there is a problem, the first step is to clarify and then deliberate to find a solution. In the process of deliberation, the priority principle is "minority succumbs first" then communicate it inclusively and remain relaxed. The final step is mediated in order to achieve a common meeting point to create a win-win solution. The religious and sociological approach is put forward in solving the conflict. Among the critical determinants of Fober's success in stopping conflict is because it positions itself as a fully and wholeheartedly facilitator, mediator, and investigator. Because of the neutral position and relaxed tune or "*celelek'an* (joking) of Fober, it is considered strategic.

Ahmadiyya leader, Ustadz Yora (Abdul Wahid Yora Setya Pratama),²⁶ also admits peaceful conditions in Wonosobo. Nevertheless, he did not deny that there had been cases in Lengkong and Wadas Lintang hamlets when a member of Jama'ah Ahmadiyah Indonesia (JAI) wanted to run for the village head. He confirmed that Ahmadiyya is not political in practice, and if there are any Ahmadi involved in politics, it is a personal will. As an official preacher of the JAI Wonosobo, he asserted that there is no conflict among Ahmadi, although it is divided into two; Ahmadiyya Lahore and Ahmadiyya Qodian, which have fundamental differences in their teaching. Among JAI's strict rules, it is not allowed to marry followers outside JAI members. If violated, then the doer must ask for forgiveness from the Amir (Supreme Leader) of International JAI (called Caliph) based in London, UK. In contrast to the Ahmadiyya Movement of Indonesia (GAI), it is allowed to marry people outside the community as happened in Lengkong.

Managing Conflict of Ahmadi in Wonosobo

The management towards the fulfillment of Ahmadi's legal rights appears on the role of government and society. The role of the government in managing Ahmadiyya actually has in common with how the government treats all religious organizations in Wonosobo, whether the majority, such as Nahdatul Ulama and Muhammadiyah or minorities such as Catholicism, Hinduism, Buddhism, Confucianism, the Aboge community and other religious organizations. Its roles

²⁶ Ustad Yora (The Ahmadiyya Leader in Watumalang), interview, 28 May 2016.

include planning, organizing, leading, and controlling²⁷. First, is planning. The government has a justifiable plan on how to treat all citizens in Wonosobo, regardless of religion and belief. This appears both in terms of normative or policy issued by the government. Normatively, it is contained in existing regulations such as the Regional Regulation Bill of Regional Regulation about Wonosobo as human rights friendly regions, as the result of the collective agreement. The bill has commanded in detail the right to freedom of expression, the right to security, equality and non-discrimination, the right to freedom of religion, opinion, and expression, the right to justice, and so on²⁸. Similarly, the program owned by FKUB under the vision of "Together Make Wonosobo Safe, Peace and Religious", or the Welfare Division that has allocated funds for religious activities.

Second is organizing. There are several government organizations in charge of the fulfillment of citizens' legal rights including Ahmadis, such as Kesra Division (people's welfare) that can facilitate religious activities. There are also sections that seek harmony between several religions such as FKUB. Similarly, there are sections that oversee security in some areas in Wonosobo, including security against the minority of Ahmadis, *Kamtibmas*, and so on. The third is leading (leadership). As a leader, governments with several related organizations become leaders in their respective territories. A Regent who initiates the system of community harmony as Regent Khaliq Arif did in 2005-2015, is very influential on the policies undertaken by its subordinative leaders. The influence of leadership is very big both in terms of commitment and work up to the implementation in the field. In addition, the communication system is very intense with a humanitarian approach. As proof, of how the despicable description of Wonosobo city, religious violence, and the tendency to be unsafe around 1995, it turned into a safe city even a human rights friendly regions.²⁹ Even the commitment not to dissolve Ahmadiyya is a testament to how the leader is fair to all citizens of his society.

Fourth is controlling. The function of government as an institution that performs the function of control over the fulfillment of Ahmadis' legal rights appears from the security system from the district, sub-district to village level which is done coordinatively. Besides, the control function by correction is also done, such as the Ahmadiyya mosque claiming case which won the mosque cleanliness contest in Sumber Village published in *Tempo*. So that problem solving can take place immediately. In addition, the community itself also does manage its rights by synergizing with government programs. This explanation is important in order to avoid the impression that there is a dichotomy between government and community management. However, the separation of community management is important to see that the role of the community in managing Ahmadiyya rights in Wonosobo needs a system to create harmony.

Besides planning, organizing, controlling, and leading, the community also has a role in negotiating. Society, in the sense of organizing, appears on community

²⁷ Richard L. Daft, *Manajemen*, trans. Edward Tanujaya and Shirly Tiolina (Jakarta: Salemba Empat, 2006), 7–10.

²⁸ Bupati Wonosobo Provonsi Jawa Tengah, "Peraturan Daerah Kabupaten Wonosobo Nomor 5 Tahun 2016 Tentang Kabupaten Wonosobo Ramah Hak Asasi Manusia" (2016).

²⁹ Administrator Wonosobozone, "Human Right City, Inovasi Bupati Wonosobo Abdul Kholiq Arif."



leaders who have organizational functions together with other communities. For example, there are Ahmadiyya figures such as Ustad Erik who guards and supervises Ahmadi in Watumalang Subdistrict, together makes social agreements with other figures such as NU in creating harmony so that the rights of Ahmadi are fulfilled. In addition, the figures also have a leading function because the culture of the majority community is tolerant and strongly supports the Ahmadiyya figures and their people. For instance, their role as leaders appears in peace efforts such as the case of prayer done in Binangun village mosque. Religious figures from both NU and Ahmadiyya communicate with their people so that differences do not lead to conflict. Similarly, in the case of the management of madrasa in Tanjungsari that merged both Ahmadiyya and NU's madrasa with the agreement not to teach about worship. In that case, it also appears that the controlling function of Ahmadiyya and NU figures and people to monitor and make corrections to its implementation which can lead into a religious conflict.

Another function of community management is a negotiation. The negotiating function of religious leaders of both Ahmadiyya and NU, which are more often to interact occurs in cases of different concepts, ie in the case of mosque claims in the Sumber village as Ahmadiyya mosque won the hygiene contest. These problems can end with deliberation and negotiation between them who do not accept the claim, the NU figure and Ahmadi figure of GAI. Similarly, it appears in the case of Binangun Village where the prayers were performed alternately between Ahmadiyya GAI and NU. Negotiating role of community leaders also occurred in the case of management of Madrasa in Tanjungsari (merger between Ahmadiyya and NU with an agreement not to include *Tawhid* teaching.

Fober (Forum of Togetherness) also conducts negotiation especially in cases that scale not only on Ahmadiyya case but also in other minority cases such as cases of Chinese cemeteries, temples and so forth. Fober also coordinates with all religious leaders in creating peace in Wonosobo such as guarding Church's activities to create security at the time of Christmas, as well as praying together to commemorate Gus Dur. Even other activities related to interfaith and multicultural dialogue are also conducted. For example, when Christians will hold Christmas, Fober invites all of its members to create "*ngabuburit*" event in the Church, discussing fasting in Christianity, fasting in a Muslim perspective, and even to discuss the hadiths of fasting in Islam.³⁰

Keys to Manage: Distributive Justice, Communication and Inclusive Approach

The system of management undertaken by the government of Wonosobo is imperfect without the management of the community or community leaders. Thus it can be said that the implementation of management to create justice as Kaelan argues, has three kinds of relations; First, it is a clear concept of community justice that obliges the government to give justice to all its citizens using what is called distributive justice. Second, the citizens in Wonosobo are obliged to fulfill the sense of justice by seeking a meeting point between gain and loss which is called remedial justice. Third, the relationship of justice manifests among fellow citizens of

³⁰ Haqi al-Anshori (Chairman of FOBER), interview, 28 May 2016.

Wonosobo in the context of mutually giving a sense of justice called commutative justice.³¹

In terms of distributive justice, the Aristotelian concept cited by Kaelan is the same as Rawls,³² who calls distributive justice as justice undertaken by the government to all citizens. It is evident from the efforts of legal rights management carried out by the government for all citizens in the region of Wonosobo whether the majority of NU, Muhammadiyah or minority such as Ahmadiyya. The management of these rights represents social justice such as Khadduri³³ and the fifth principle of Pancasila "social justice for all Indonesian people.

The implementation of remedial justice appears on the case of negotiations by Ahmadiyya and NU in the settlement of Madrassa management case in Tanjungsari village by merging it with an agreement not to teach about worship. With the negotiations that consider the advantages and disadvantages, it agreement creates remedial justice to avoid conflict. In the perspective of social contracts, the government's management efforts for all its citizens include Ahmadiyya who has different interests must adhere to state provisions as a social contract agreed upon since they became citizens. It is, as Rousseau thinks, freedom when one is in a state of political power by entering into a common bond in a social contract, makes them subject to the state consciously because the state guarantees their life. According to Rousseau, the government is entitled to rule on the basis of the public will or the people using moral nature that determines the action, and the physical nature that executes it.³⁴

Rawls explains that justice in institutions must be grounded in the principles that everyone has equal rights over the most widespread system of basic freedoms in line with a system of equal freedom for all. Yet, it is in the context to which a person's freedom can be expressed must be within the limits that his freedom is not extensive and must reinforce the system of freedom everyone enjoys. Nevertheless, it seems that Rawls's concept of justice in the context that unequal freedom should be accepted by those who have less freedom³⁵ does not apply to the Ahmadiyya in Wonosobo since both minorities and the majority are having equal freedom in accordance with existing rules.

However, in the reality, when the expression of Ahmadiyya disturbs the creation of public order as the limitation of social contracts, it is then limited by the freedom of another disturbed society. This is like the case of a rent house changed into Ahmadiyya *musholla* and to gather citizens who are secretly recruited to perform their religious rituals. Abuse of the use of the residence to be a place of worship is certainly inappropriate in the perspective of social contracts that have been agreed upon, so because it is considered disturbing to the surrounding community, then finally citizens filed a letter of objection to the Ahmadis, and finally, a deliberation effort can solve it.

³¹ Kaelan, *Negara Kebangsaan Pancasila: Kultural, Historis, Filosofis, Yuridis Dan Aktualisasinya*.

³² John Rawls, *The Theory of Justice* (US: Harvard University Press, 2003), 53–54.

³³ Majid Khadduri, *The Islamic Conception of Justice* (London: The John Hopkins University Press, 1941), 174–77.

³⁴ Jean Jacques Rousseau, *Perihal Kontrak Sosial Atau Prinsip Hukum Politik*, trans. Rahayu Surtiati Hidayat and Ida Sundari Husen (Jakarta: Dian Rakyat, 2010).

³⁵ Rawls, *The Theory of Justice*.



The harmony establishes with the evidence that various kinds of teachings can live in Wonosobo such as NU and Muhammadiyah which are the majority, together with Buddhism, Hinduism, Christianity, Catholicism, Confucianism, Ahmadiyya, Jamaah Tabligh, Abohe, and many other schools. Certainly, friction does happen but the government with its policies and assisted by the role of community organizations and Non-Government Organizations (NGO) such as Fober is able to become mediators when conflict seeds within the community.

The political foundation that supports the establishment of harmonious management of minorities including Ahmadiyya emerges due to political factors that are very decisive. First, politically, the idea for the creation of rights for all the people in Wonosobo was done by Vice regent Arif Kholiq during 2000-2005, and continued after he was elected to be Regent of Wonosobo for two periods, 2005 to 2015. Such a situation is very strategic because he has more power to enact a policy. In the long journey, during the 15 (fifteen) years reign of Abdul Khaliq Arif, Wonosobo people, originally known as "impatient" people, can turn into a society which is safe and quiet of nuanced conflict. This is what Mahfudh calls that the politics of rule affect the face of the law.³⁶ In general, all societies including Ahmadiyya gain freedom in exercising their legal rights as citizens, yet that freedom is limited by the freedom of others. The social contract restricts it as the effort to create peace to do by all citizens. Thus, in the Turnerian view, it explains that the harmony built by the whole society must be arranged in a mutually agreed social contract.³⁷

Conclusion

Although the right to religion for Ahmadiyah in Indonesia is not recognized as in '*Surat Keputusan Bersama*' (Joint Decree) about Ahmadiyya and Presidential Act No. 1/1965 on Preventing Religious Misuse or Blasphemy, the right to religion for Ahmadiyah in Wonosobo is recognized both at the regulatory and implementation levels. Meanwhile, the management of religious rights for Ahmadiyya as a minority in Wonosobo is carried out using a management model based on four things; first, The Government's commitment to distribute the right of religious freedom for all its citizens with the existence of a law that regulates human rights, including the religious right; Second, synergic role between the government and the community in managing religious rights; Third, the ability of community leaders and religious leaders to manage, negotiate and solve problems when there is a religious conflict in the community; Fourth, government and society use communicative and inclusive methods. These four components can be a model for the management of Ahmadiyya or minorities so that religious rights for minorities are properly distributed and provide a sense of justice for all members of society.

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