

Dampak Keberlakuan Peraturan Walikota Depok Nomor 9 Tahun 2011 Tentang Larangan Kegiatan Jemaat Ahmadiyah Indonesia di Kota Depok Terhadap Kebebasan Beragama Jemaat Ahmadiyah di Kota Depok = The Impact of the Applicability of Depok Mayor Regulation Number 9 of 2011 on Religious Freedom of the Jemaat Ahmadiyah Indonesia in Depok

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Abstrak

Jemaat Ahmadiyah Indonesia adalah korban pelanggaran hak kebebasan beragama terbanyak dalam kurun waktu 2007-2020. Melihat kondisi ini, pemerintah justru membatasi hak kebebasan beragama Jemaat Ahmadiyah di berbagai wilayah di Indonesia, salah satunya Kota Depok melalui Peraturan Walikota Depok Nomor 9 Tahun 2011 Tentang Larangan Kegiatan Jemaat Ahmadiyah di Kota Depok. Tujuannya untuk menjaga ketertiban dan ketenteraman masyarakat, mengawasi aktivitas Jemaat Ahmadiyah dari aktivitas yang menyimpang dari agama Islam, dan berbagai alasan lainnya. Peneliti mempertanyakan kesesuaian dari Peraturan Walikota Depok Nomor 9 Tahun 2011 Tentang Larangan Kegiatan Jemaat Ahmadiyah di Kota Depok terhadap hak kebebasan beragama dan dampaknya terhadap hak kebebasan beragama Jemaat Ahmadiyah di Kota Depok. Peneliti mengumpulkan data dengan wawancara, observasi lapangan, serta analisis peraturan perundang-undangan dan literatur terkait, seperti buku, artikel ilmiah, kronologi penyegelan masjid, duplik, dan berita. Peraturan Walikota Depok Nomor 9 Tahun 2011 Tentang Larangan Kegiatan Jemaat Ahmadiyah di Kota Depok melanggar hak kebebasan beragama karena dasarnya keliru, tujuannya tidak dibenarkan jaminan hak kebebasan beragama di International Covenant on Civil and Political Rights, adanya intervensi forum internum, pembatasan forum eksternum yang keliru, serta adanya pembinaan dan pengawasan terhadap Jemaat Ahmadiyah karena aliran “menyimpang” yang melanggar hak kebebasan beragama. Dampaknya, kegiatan dan masjid Jemaat Ahmadiyah di Depok disegel, papan nama organisasi dilarang, terjadi pemantauan, pembinaan, dan pengawasan yang mengganggu ibadah Jemaat Ahmadiyah, timbulnya stigma buruk dari masyarakat di Kota Depok, dan tidak adanya perlindungan dari tindakan melawan hukum terhadap Jemaat Ahmadiyah di Kota Depok dari pemerintah.

.....Jemaat Ahmadiyya Indonesia has been the most significant victim of religious freedom violations between 2007 and 2020. Despite this situation, the government has further restricted the religious freedom of the Jemaat Ahmadiyya in various regions in Indonesia, including in Depok through Depok Mayor Regulation No. 9 of 2011 concerning the Prohibition of Ahmadiyya Activities in Depok. This regulation aims to maintain public order and tranquility, then monitor Ahmadiyya activities to prevent deviations from Islam, and other reasons. The research questions are the suitability of Depok Mayor Regulation No. 9 of 2011 with the right to religious freedom and its impact on the religious freedom of the Ahmadiyya community in Depok. The researchers collected data through interviews, field observations, and analyses of relevant regulations and literature, such as books, academic articles, mosque sealing chronology, responses, and news. Depok Mayor Regulation No. 9 of 2011 concerning the Prohibition of Ahmadiyya Activities in Depok violates the right to religious freedom due to its erroneous foundation, unjustified objectives that contradict the guarantees of religious freedom under the International Covenant on Civil and Political

Rights, forum internum intervention, erroneous forum externum restrictions, as well as monitoring and supervision of the Ahmadiyya community based on the "deviant" label, which infringes upon their right to religious freedom. As a consequence, Ahmadiyya activities and mosques in Depok have been sealed, organizational signage has been banned, and disruptive monitoring, mentoring, and supervision have been imposed on Ahmadiyya worship. The Jemaat Ahmadiyya community in Depok faces negative stigmatization from the local society, and the government fails to provide protection against illegal actions taken against the Ahmadiyya community in Depok.