MASALAH-MASALAH HUKUM
Available online on https://ejournal.undip.ac.id/index.php/mmh/
Volume 55, Issue 2, July 2026

FROM RELIGIOUS FATWA TO STATE POLICY: THE QUASI-LEGAL INFLUENCE OF MUI FATWA ON THE AHMADIYYA COMMUNITY IN INDONESIA

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Abstract

This study examines the socio-legal implications of the Indonesian Ulama Council (Majelis Ulama Indonesia/MUI) fatwa on Ahmadiyya and its relationship with state regulation and minority rights in Kudus, Central Java. It explores how a religious opinion that is not formally binding under Indonesian positive law may acquire quasi-legal authority through social legitimation, administrative adoption, and local governance. The research employs an empirical juridical approach and qualitative fieldwork in Colo Village during 2023–2024. Data were collected through field visits, observation, documentation, and interviews with five informants: a government official, two Ahmadiyya members, a local leader, and a villager. Participants were selected purposively, with snowball sampling used to identify individuals with relevant knowledge of local religious and social relations. The findings show that MUI Fatwa No. 11/MUNAS VII/MUI/15/2005 did not itself create binding legal obligations but shaped the religious and political context in which the Joint Ministerial Decree of 9 June 2008 was implemented. Through administrative monitoring and local social responses, the fatwa acquired practical regulatory influence over Ahmadiyya activities. In Colo, the community has maintained its presence through internal religious activities, organizational networks, and participation in social initiatives, while limiting aspects of its public religious expression to avoid tension. These adaptations demonstrate both community agency and constraints on religious freedom. The absence of open conflict, moreover, does not necessarily indicate substantive religious harmony when minority participation depends on self-restraint or conditional tolerance. The study argues that the use of fatwas in public governance must be assessed against legality, legal certainty, necessity, proportionality, equality, and non-discrimination. Religious authority may inform public policy, but it cannot replace constitutional standards or justify restrictions based solely on theological disagreement. The Kudus case highlights the need to reconcile legal pluralism with constitutional protection of religious freedom, minority rights, and human dignity.

Keywords: MUI Fatwa; Ahmadiyya; Quasi-Legal Authority; Legal Pluralism; Religious Freedom.

A. Introduction

The relationship between religious authority and state law remains one of the most contested issues in contemporary Indonesian legal discourse (Bourchier, 2019; Hamayotsu, 2014; Salim, 2008). As a constitutionally religious yet legally plural state, Indonesia recognizes religion as central element to public life while also guaranteeing constitutional protections for religious

freedom, equality before the law, and minority rights (Sukirno & Natalis, 2025). This dual commitment creates a persistent legal tension when religious opinions issued by non-state institutions influence public policy, administrative decision-making, and local governance (Arifin, 2021; Salam et al., 2026; Von Benda-Beckmann & Von Benda-Beckmann, 2016). The case of Ahmadiyya provides an important lens for examining this tension, particularly because it involves the interaction among Islamic legal authority, state regulation, and the governance of a religious minority within Indonesia's constitutional framework.

In Indonesia, Majelis Ulama Indonesia (Indonesian Islamic Scholar Council, MUI), plays a significant role in issuing Islamic legal opinions. Although MUI fatwas are not formally equivalent to statutory law, they often carry considerable social, political, and administrative influence (Mufid & Muhammad, 2023). The MUI was established as a forum for *ulama* (Islamic scholars), Muslim intellectuals, and Islamic organizations to provide religious guidance, including advice and fatwas on religious and social matters. Initially, MUI functioned as a state-supported body that issued fatwas (Islamic legal opinions) and provided religious guidance, particularly in theology, law, and social issues (Syafei, 2017). Its creation was part of the state's strategy to manage and control dissent among grassroots organizations and to align Islamic institutions with the government's agenda (Saat, 2016). In practice, however, the influence of MUI fatwas extends beyond internal religious guidance, especially when their content is adopted, referenced, or translated into government policy. This raises a central socio-legal question: how can a non-state religious opinion acquire practical legal significance within a constitutional legal system?

This question is particularly relevant in the case of Ahmadiyya. The MUI issued Fatwa No. 05/Kep/Munas/II/MUI/1980 concerning Ahmadiyya and later reaffirmed its position through Fatwa No. 11/MUNAS VII/MUI/15/2005. In these fatwas, the MUI classified Ahmadiyya as outside accepted Islamic doctrine and urged the government to take measures regarding its activities. These classifications reflected the MUI's theological position, particularly regarding prophethood and the interpretation of *khatam an-nabiyyin* (the last prophet). However, in a legal and socio-legal study, the main issue is not whether the MUI's theological assessment is correct, but how it operates within state law and affects the rights of religious communities.

The Indonesian Ulama Council (MUI) encouraged the government to prohibit Ahmadiyya activities, which later led to the issuance of a Joint Ministerial Decree by three state institutions: the Minister of Religious Affairs, the Minister of Home Affairs, and the Attorney General's Office, namely No. 3/2008, No. 199/2008, and No. KEP-033/A/JA/6/2008, dated June 9, 2008. The decree contains several main provisions, including a warning to the public to comply with Article 1 of Law No. 1/PNPS/1965, an instruction for Ahmadiyya followers, members, and/or administrators who identify as Muslims to stop spreading teachings and carrying out activities considered inconsistent with the core teachings of Islam, and a warning that those who ignore these instructions may be subject to sanctions under applicable laws, including sanctions against the organization and its legal entity. The decree also instructs the public to maintain religious harmony and refrain from violent acts against Ahmadiyya, states that citizens who violate these warnings may be sanctioned under the law, and directs government officials and regional governments to provide guidance, supervision, and joint security measures for implementing the decree.

26 clerics and 10 Islamic organizations-initiated MUI at the central level. It also included four *ulama* from the Islamic Spiritual Service, the Indonesian Army, the Indonesian Navy, and the Police, as well as 13 individual intellectuals. The purpose of the MUI is to facilitate *ulama*, *zu'ama* (leader), and Muslim intellectuals in Indonesia in guiding, fostering, and protecting Muslims in Indonesia. MUI's duties are to provide advice and fatwas on religious and social issues to the government and society, to promote "Islamic brotherhood*"* and interfaith harmony to strengthen national unity and integrity, and to represent Muslims in interfaith relations and consultations between society and the government. Thus, if religious matters in society raise problems, the MUI must fulfill its duty to issue fatwas after obtaining approval from the Fatwa Commission.

The legal significance of MUI fatwas became more visible after the Joint Ministerial Decree of 9 June 2008 by the Minister of Religious Affairs, the Minister of Home Affairs, and the Attorney General. The decree did not simply reproduce a theological debate; instead, it became an administrative instrument through which the state regulated the Ahmadiyya public expression and activities. This development illustrates how religious norms may enter state policy, even without being formally enacted into law. It also raises questions concerning legal certainty, proportionality, administrative authority, and the constitutional protection of religious minorities.

Existing studies on Ahmadiyya in Indonesia have generally examined the issue from several angles: discrimination and survival strategies (Muliadi et al., 2025; Widiyanto et al., 2024), state management of religious diversity (Fuller, 2011; Suryana, 2017), human rights (Maarif & Rahmat, 2023; Regus, 2021), freedom of religion or belief (Lathifah, 2022), and the political role of Islamic organizations (Brown, 2019; Nastiti & Ratri, 2018; Putra et al., 2018; Regus, 2019). These studies have helped explain how Ahmadiyya became a contested religious minority in Indonesia. Studies have also examined the content of Ahmadiyya fatwas (Alnizar, 2025) and the role of fatwas in the Indonesian legal system (Ilahi et al., 2024; Pelu & Tarantang, 2020). However, less attention has been given to the specific socio-legal mechanism through which a non-binding fatwa gains regulatory force through state policy and local governance. Studies of the integration of fatwa into state regulation primarily focus on fatwas related to Islamic economics (Mustafid et al., 2024; Nasrudin et al., 2025; Suhendar et al., 2023). The literature often treats the fatwa and the Joint Ministerial Decree as either separate legal-political events or part of a broader narrative of religious intolerance. This article addresses that gap by analyzing the interaction between fatwa, administrative regulation, and local legal practice.

The case of Colo Village, Dawe District, Kudus, Central Java, is significant because it shows how national-level religious and legal instruments are interpreted at the local level. The Ahmadiyya community has been present in this area since the late 1990s, allowing for the observation of how the 2005 MUI fatwa and the 2008 Joint Ministerial Decree shaped local governance, community relations, and the public visibility of Ahmadiyya activities. Rather than presenting the case merely as a chronology of restriction or decline, this study examines how legal and religious authority interacted in a specific local context and how that interaction affected the position of a minority religious community. The fatwa and the decree are often seen as attempts to protect Muslims from religious deviation; however, both have also initiated conflict in society and discrimination against the Ahmadiyya. This article aims to examine the extent to which the MUI's fatwas have been effective in curbing the Ahmadiyya's attempts to mislead fellow Muslims, particularly in Kudus, Central Java.

Although research on the MUI fatwa against the Ahmadiyya has been extensive, there are still some research gaps that need to be addressed. The choice of words such as "heretical", "apostate", or "outside Islam" not only serves as a theological marker, but also has a social impact, as it shapes the way society views and treats the Ahmadiyya community (Alnizar, 2025). Linguistic studies and critical discourse analysis are needed to understand how fatwas establish the boundary between "legitimate Islam" and "Islam that is considered deviant". Through this approach, fatwas can be read not only as religious texts but also as discourses that produce authority, identity, and power relations (Irawan & Adnan, 2021).

In addition, comparative research between fatwa and state law also needs to be strengthened. It is important to see the extent to which a formally non-binding fatwa can influence public policy and legal practice. This kind of study can help explain how religious authorities operate within the Indonesian legal system, especially regarding issues concerning minorities, blasphemy, and religious freedom (Ilahi et al., 2024; Pelu & Tarantang, 2020). Another important gap is the need to integrate social, psychological, and humanistic approaches into the fatwa formulation process. So far, fatwas against groups deemed deviant have relied primarily on normative theological arguments. In fact, issues such as Ahmadiyya also concern humanitarian aspects, citizen

protection, social trauma, and the right to life of minority communities (Abubakar et al., 2025; Rasyid et al., 2023; Sodiqin, 2025). This article focuses on the fatwa on the Ahmadiyya movement and its relation to the Indonesian legal system at the regional level, especially in Kudus.

This article uses a socio-legal approach that combines normative legal analysis with qualitative fieldwork. Normative analysis examines the legal status of MUI fatwas, the position of the 2008 Joint Ministerial Decree, and their relationship to constitutional principles of religious freedom and minority protection. Qualitative fieldwork, including interviews and observation, helps explain how these legal and religious instruments were interpreted and experienced in Kudus' local context. This approach allows the study to move beyond doctrinal legal analysis by examining how law operates in social practice.

The article argues that the Ahmadiyya case in Kudus demonstrates the quasi-legal influence of fatwas in Indonesia's plural legal order. Although MUI fatwas do not constitute positive law, their influence may become legally consequential when incorporated into administrative policy and reinforced through local governance. This creates a complex legal situation: on the one hand, the state seeks to maintain public order and manage religious difference; on the other hand, administrative restrictions based on religious authority may undermine constitutional rights, legal certainty, and minority protection. By examining this tension, the article contributes to scholarship on Islamic law, socio-legal studies, and religion–state relations in Indonesia.

B. Method

This study uses an empirical juridical approach, which involves examining secondary data from written sources and then collecting primary data through field research (Muhammad, 2004). This approach examines the legal reality in society by focusing on the legal aspects of social interaction. It serves as a basis for identifying and qualifying findings from non-legal materials for legal research or writing (Ali, 2009). In this study, an empirical juridical approach was used to determine the role of MUI Fatwa Number 11 of 2005 and the application of the Joint Decree (SKB) in handling the Indonesian Ahmadiyya Jamaat (JAI) in Kudus Regency, Central Java. This approach is used because the research focuses not only on normative legal provisions but also on the implementation of fatwas and government policies in the community's social life. Thus, this study examines how the MUI Fatwa and SKB are understood and implemented, and how they affect the social relationship between the Ahmadiyya Community and the Muslim community in Kudus.

The empirical juridical approach in this study is carried out through the collection of field data, including interviews, observations, and documentation, to obtain a factual picture of the application of law in society. This is in accordance with Bambang Sunggono's view, who stated that empirical legal research focuses on legal behavior, legal implementation, and the influence of law on society (Sunggono, 2013). The object studied in this research is the influence of the rule of law on certain social problems; on the contrary, it is a study that examines and analyzes the existing power or the emergence of something that contributes to shaping the disposition, belief, or deeds of the community, so that, with the existence of the rule of law, they no longer commit acts that are contrary to the existing legal provisions (Suyanto, 2022).

During the 2023–2024 academic year, researchers conducted a comprehensive fieldwork initiative comprising multiple visits to the village to gather in-depth qualitative data on the area's socio-cultural and political milieu. This ethnographic approach facilitated a nuanced understanding of the village dynamics, allowing researchers to immerse themselves in the community context over an extended period. In this investigation, five informants were purposefully selected and interviewed to represent a diverse range of perspectives. These participants included a government official, two members of the Ahmadiyya community, a local leader, and a villager, all of whom provided critical insights into the village's issues and experiences. Including individuals from different backgrounds enabled a holistic examination of

the factors shaping community relations and governance. The informants were selected strategically using snowball sampling. This approach proved effective in identifying and recruiting participants with significant knowledge and insight into the local context, as existing informants recommended additional individuals who could provide valuable information. This method not only enriched the data but also ensured that the voices of diverse stakeholders within the village were captured, thereby enabling a more comprehensive analysis of the socio-political landscape and the intricate interrelations among community members. Through this rigorous methodology, the research aimed to illuminate the complexities of community dynamics and socio-religious interactions within the village.

C. Results and Discussion

1. Fatwas and the Position of the Indonesian Islamic Scholars Council (MUI)

Legal opinion, or fatwa, generally refers to a juristic view or ruling issued in response to new and unprecedented problems that arise within society (Atallah, 2026; Hallaq, 2004; Whyte, 2022). It is formulated based on Islamic legal sources, especially the Qur'an and the Sunnah, whether the issue is addressed explicitly in those sources or requires interpretive reasoning. Because a fatwa is often issued in response to emerging social problems, it holds considerable importance but may also spark debate.

Academic studies show that in several Muslim-majority countries, including Saudi Arabia, Egypt, Pakistan, Iran, Malaysia, and Indonesia, fatwas have frequently generated controversy. This is mainly because issuing a fatwa involves selecting, weighing, and applying legal and ethical principles from the Islamic tradition to contemporary circumstances. From a theoretical perspective, such differences are understandable, since broad principles derived from the Qur'an may produce diverse interpretations depending on the socio-historical context and the method of reasoning used by the issuing authority. As a result, the legal basis, reasoning, and social implications of certain fatwas have sometimes attracted criticism and public debate. Differences in religious orientation, interpretive approach, and intellectual tradition among fatwa-making authorities have further contributed to these debates (Zulian, 2018, p. 41).

Fatwa holds a significant position in Islamic legal theory, serving as a crucial mechanism for addressing questions arising in Muslim life (Ismah, 2024; Muhamad, 2011; Ullah et al., 2018). Essentially, a fatwa is defined as a legal-religious opinion rendered by a qualified scholar or an authorized religious institution in response to specific queries. This concept is intrinsically linked to the practice of *ifta'* (explanation by qualified Islamic scholar), which involves providing legal guidance, as well as to *ijtihad* (legal reasoning), the process of legal reasoning employed to interpret issues necessitating scholarly insight. Unlike statutory law or judicial rulings, a fatwa does not derive its authority from coercive power; rather, it rests on persuasive moral and religious authority. Consequently, it guides the conduct of those who acknowledge the issuing authority's religious competence.

In Islamic jurisprudence, the non-binding character of fatwa is an important theoretical point. A fatwa differs from *qada'* (judicial decision) because *qada'* produces a binding ruling through a court or judge, while fatwa offers guidance based on juristic interpretation. Nasrudin, Sodiqin, Mujib, Santoso, and Muhammadun emphasize that, within Islamic jurisprudence, fatwa is basically non-binding, even for *mustafti* (the person who requests it). However, they also show that this theoretical status may change in practice when fatwas are institutionalized and linked to state authority, especially in the field of Islamic economic law in Indonesia (Nasrudin et al., 2025). This distinction is essential because it prevents the automatic equation of religious legal opinion with positive law.

From the standpoint of Islamic legal theory, a fatwa is issued through established methodologies of legal reasoning. The *mufti* (qualified Islamic scholar) or the fatwa institution

draws upon various sources, including the Qur'an, Sunnah, juristic doctrines, legal maxims, public interest, and contextual variables. In modern-day Indonesia, this process transcends mere textual analysis to engage with social realities. Mun'im's examination of MUI fatwas during the Covid-19 pandemic indicates that the MUI employed a diverse epistemological framework that integrates both *bayani* (textual-based) and *burhani* (empirical-based) approaches. The *bayani* method, grounded in textual authority, primarily draws on the Qur'an and Sunnah, whereas the *burhani* approach emphasizes rational and empirical considerations. This synthesis illustrates that contemporary fatwa formulation may encompass both scriptural interpretation and an empirical evaluation of societal conditions (Mun'im, 2022).

In Indonesia, the concept of fatwa is most prominently associated with the Indonesian Islamic Scholar Council, known as Majelis Ulama Indonesia (MUI). The MUI has assumed a crucial role in addressing a myriad of religious, social, legal, and ethical issues that confront Indonesian Muslims. A study by Jamaa on MUI fatwas shows that these religious edicts have significantly influenced the evolution of contemporary Islamic law in Indonesia. The study reveals that, during the period under scrutiny, MUI issued a total of 137 fatwas and 50 formal decisions, which were directed both toward the Muslim populace and the Indonesian government. This body of work underscores the notion that MUI fatwas extend beyond private religious interpretation; rather, they actively engage in constructing and refining public Islamic legal discourse in Indonesia (Jamaa, 2018).

Nevertheless, the position of MUI within the Indonesian legal system must be understood carefully. MUI is not a legislative body, and its fatwas are not automatically part of the formal hierarchy of laws and regulations. Mahendra and Junaidi explain that MUI operates as political infrastructure rather than a formal state structure. This means that MUI has religious and social authority, but it does not have the same constitutional standing as state institutions that issue binding legal norms (Mahendra et al., 2023). Therefore, an MUI fatwa cannot be treated as equivalent to a statute, government regulation, presidential regulation, ministerial regulation, or court decision.

The Indonesian legal system recognizes binding norms through formal legal instruments issued by authorized state institutions. A fatwa may influence law and policy, but it does not automatically bind citizens as positive law. Its binding force emerges only when its substance is adopted, referred to, or transformed into an official legal instrument. This is especially visible in Islamic economic law. This transformation shows the dual character of fatwa in Indonesia. On the one hand, fatwa remains a product of Islamic legal reasoning with religious and moral authority.

On the other hand, fatwa may acquire legal relevance when it enters the structure of state regulation. In this sense, fatwa may function as a source of normative influence, a reference for public policy, or a supporting basis for legal development. However, its legal force depends on the mechanism of state recognition. Without such recognition, fatwa remains religious guidance rather than binding positive law.

This distinction is particularly important in a plural legal system such as Indonesia. Indonesia recognizes religion as an important element of public life, but the state also operates under constitutional principles, legal hierarchy, and protections for citizens' rights. Therefore, fatwa cannot be used as a direct basis for coercive legal action unless it has been incorporated into valid state law. The authority of fatwa must be balanced with constitutional guarantees such as equality before the law, religious freedom, and protection of minority groups. This is especially relevant when fatwas concern sensitive issues such as religious deviance, public morality, minority sects, halal regulation, or Islamic financial transactions.

Thus, fatwa in Indonesia must be analyzed through two connected but distinct frameworks. In Islamic legal theory, it is a juristic opinion produced through recognized methods of religious legal reasoning. In the Indonesian legal system, it is not legislation, but it may influence positive law when authorized state institutions adopt it. This dual position makes fatwa a crucial object of study

in understanding the relationship between Islamic authority, legal pluralism, state regulation, and constitutional governance in Indonesia.

2. Ahmadiyya Community in Indonesia: A Case Study in Kudus

The introduction of Ahmadiyya in Indonesia was initiated by three young men, Abu Bakar Ayyub, Ahmad Nuruddin, and Zaini Dahlan (aged 16 to 20) from Minangkabau, Padang, who were members of the Sumatra Thawalib. Initially, they wanted to study at Al-Azhar University in Egypt. However, their teachers (Zaenuddin Labai El-Junusi and Sheik Ibrahim Musa Paraek) advised them to go to Hindustan (India). The reasoning was that Hindustan was a center of Islamic reform and modernization, with numerous universities and qualified Islamic leaders. After arriving in Hindustan, the three continued their journey to Lahore, then to Qadian. In 1923, they were inaugurated by the first caliph of the Ahmadiyya in India, Hadhrat Hafiz Hakim. After returning to Indonesia, the three became Ahmadiyya promoters in Minangkabau. To ensure the Ahmadiyya's existence, they brought in a preacher from India, Maulana Rahmat Ali, to preach in Padang. Ali preached in Bukittinggi, Padang Panjang, Batu Sangkar, and Solok. However, in Solok, Ahmadiyya residents were killed, their fields were destroyed, and their mosques were burned, but this did not reduce their enthusiasm for inviting others to join Ahmadiyya (Arasy, 2017). In 1924, Ahmadiyya preachers from Lahore, Mirza Wali Ahmad Baig and Maulana Ahmad, arrived in Yogyakarta. The Secretary of Muhammadiyah Yogyakarta, Minhadjurrahman Djojosoegito, invited Mirza and Maulana to speak at the 13th Muhammadiyah Congress. In 1929, the forum of the 18th Muhammadiyah Congress in Solo City agreed that people who believe that there is a prophet after the Prophet Muhammad SAW are infidels. Based on this fatwa, Djojosoegito decided to leave the Ahmadiyya Qadian and, on April 4, 1930 AD, formed the Ahmadiyya Lahore (Indonesian Ahmadiyya Movement), which was headquartered in Yogyakarta. In its development, Ahmadiyya Qadian became a legal entity established under the Decree of the Minister of Justice Number JA. 23/5/13 dated March 13, 1953 (Balzani, 2020).

Legal protection for Ahmadiyya members' freedom of religion and belief in Indonesia is addressed in the 1945 Constitution, Law Number 39 of 1999, the Universal Declaration of Human Rights, and Law Number 12 of 2005. In exercising their rights and freedoms, individuals are subject to legal limitations to ensure recognition of and respect for others' rights and freedoms (Hartawan et al., 2019). According to Ropi, the Ahmadiyya of Lahore and Qadian were actively involved in spreading the discourse and model of modern Islam for Muslims in Indonesia from the late 1920s to the 1940s. Literature produced by Ahmadiyya members served as a source of contemporary knowledge for Muslim scholars at that time (Ropi, 2020). According to Almujaddidy (2017), the Ahmadiyya was present in the world with a mission of renewal and peace through its moral teachings. However, according to Burhanuddin, the Ahmadiyya was initially (in India, Pakistan, and Indonesia) a reformist religious sect, working on justice and nationalism, and converting educated people to Islam in the colonial era (Almujaddidy, 2018). However, this eliminated its function as a pioneer of reform and rationalism in Islam. The Ahmadiyya became messianic and introverted, avoiding activities outside the group (Burhanuddin, 2015). In 1876, Ghulam Ahmad compiled these revelations in the book Tadzkiroh. According to Budiwanti, Ahmadiyya members do not consider Tadzkiroh a holy book or a book of revelation. This book is actually a collection of notes compiled by the second Caliph (Budiwanti, 2009). Ghulam Ahmad's prophethood is regarded as subordinate to that of the Prophet Muhammad SAW (Hasbiyallah & Syarifuddin, 2008). This has become a source of debate among Muslim communities.

The Ahmadiyya community in Kudus initially consisted of 20 families; it now consists of 9. It all started in 1998 after the Village Head election. During the campaign, one team member stated that residents who had read the Quran and professed faith must vote for the *kiai* (Islamic leader figures) candidate for village head (there were two candidates: a *kiai* and a non-*kiai*). If they did not vote, their love for the *ulama* would be questioned. The atmosphere during the campaign period

grew increasingly heated as members of the non-kiai candidate's team felt uncomfortable with statements from the *kiai* candidate's support team. The village head election was won by the candidate, who was also a *kiai*. In this condition, the team supporting the non-kiai candidate faced ridicule from other residents who supported the *kiai* candidate (Interview with Sh, Ahmadiyya member, 2023).

This situation occurred almost every day (before and after the election). Then one day, a trader rode a motorbike (he was an Ahmadi from Pati Regency, a neighboring regency). He took advantage of the tension to introduce Islamic teachings that did not cause conflict. The Ahmadiyya teachings were introduced without using the term 'Ahmadiyya', instead as 'friendly Islam'. The interaction between the trader and the residents (whose candidate had lost the election) was strengthened by inviting other Ahmadiyya residents from Pati to introduce mystical practices, including the benefits of agate stones. The spiritual expert's presence prompted a response from the residents. He then slowly introduced the Ahmadiyya teachings, forming weekly meetings (following the model of local Nahdliyin community meetings) to foster internal solidarity among prospective Ahmadiyya members. Ahmadiyya missionaries in the Pati area also preached in Kudus, promoting a broader understanding of Ahmadiyya and encouraging people to become Ahmadiyya members. During its development, the Ahmadiyya community donated land and built the Adz-Dhikr Mosque, which still stands today. Funding for the construction came from the Ahmadiyya Center in Parung, Bogor, West Java. After the mosque was built, an Ahmadiyya missionary in Kudus was sent to help establish a canteen next to it. His main duties were leading congregational prayers and teaching Islamic studies. The missionary strengthened the internal Ahmadiyya network in Kudus by holding regular community meetings. They discussed Ahmadiyya matters. In addition, the community held regular events in Kudus and in other cities to strengthen ties among Ahmadiyya followers and prevent social isolation. This dynamic continued from 1998 to 2005 (Interview with N, Ahmadiyya leader, 2024).

3. Protection of Minority Rights from a Legal Perspective

Legal pluralism in Indonesia operates through the coexistence and interaction of multiple normative orders, particularly state law, Islamic law, customary norms, and socio-religious authority (Ikhsan et al., 2025; Lukito, 2013). In this plural legal setting, state law is not the only source of social regulation. Religious norms, especially those articulated through fatwas, often influence public behavior, social judgment, and government policy, even when they lack formal binding legal force. This condition is especially evident in the Indonesian Islamic Scholar Council's fatwa on Ahmadiyya and its relationship to subsequent state regulatory practices, including the Joint Decree (SKB) concerning Ahmadiyya.

From a human rights perspective, the MUI's fatwa on Ahmadiyya raises quite serious problems. International human rights principles affirm that everyone has the freedom to believe, practice, and express their religious beliefs. However, the MUI fatwa tends to emphasize protecting orthodoxy or the purity of Islamic teachings in its view, thereby narrowing the space for differences in belief. This is where tensions arise between religious views that want to maintain the boundaries of Islamic teachings and human rights principles that demand the protection of minority groups. In other words, the fatwa reveals a tug-of-war between the desire to maintain religious authority and the state's obligation to protect religious freedom for all citizens, including groups outside the mainstream (Musadad et al., 2025). As a Muslim-majority country, Indonesia recognizes the importance of religious life, while at the same time maintaining a constitutional framework that formally guarantees religious freedom.

In this regard, the state's role should not be reduced to preventing open conflict. The absence of violence does not automatically indicate substantive harmony. A society may appear peaceful while minority groups remain under pressure, surveillance, stigma, or informal restriction. Substantive religious harmony requires more than avoiding conflict. It requires a social and legal

condition in which every individual and group can practice their religion or belief safely, with dignity, and without discriminatory treatment. Thus, the regulation of Ahmadiyya must be assessed not only through the lens of public order, but also through the lens of minority protection and equal citizenship.

The Kudus case illustrates this tension clearly. Local authorities, including the Kudus Regency Government, Kesbangpol, Satpol PP, the Kudus Police, and the Dawe Police, have played a role in monitoring Ahmadiyya activities and ensuring compliance with the Joint Decree. On one level, this monitoring is presented as an effort to prevent conflict and maintain public order. However, from a socio-legal perspective, continuous monitoring of a minority religious community may also function as a form of social control. It may discipline the community to limit its religious expression, reduce public visibility, and avoid activities that could be interpreted as religious dissemination. The Ahmadiyya leadership in Kudus has developed several strategies to maintain the community's existence. Congregational prayers are conducted internally among Ahmadiyya members, while the call to prayer at their mosque is delivered without using a loudspeaker. When organizing social activities, they continue to involve local Nahdliyin residents, for example, in blood donation programs, even though such invitations do not always receive a response (Interview with F, neighborhood association head, 2024).

Close kinship and neighborly relations between Ahmadiyya and non-Ahmadiyya residents have helped maintain social stability. Nevertheless, several conditions may still trigger tension, such as attempts by Ahmadiyya members to invite Nahdliyin residents to join their community, media coverage that places Ahmadiyya members as targets of conflict and provokes Nahdliyin residents, and disputes over economic land involving non-Ahmadiyya residents (Interview with AH, former village leader, 2024).

The survival strategies of the Ahmadiyya community in Kudus show how a minority group negotiates its existence within a constrained legal and social environment. The Central and Regional Ahmadiyya Boards of Central Java distribute Ahmadiyya books and magazines, organize annual regional meetings such as Jalsa Salanah, maintain missionary networks, and conduct internal religious activities. In Kudus, Ahmadiyya members hold congregational prayers among themselves, avoid broadcasting the call to prayer through loudspeakers, and attempt to participate in local social activities, including blood donation and the distribution of sacrificial meat. These practices show agency, adaptation, and negotiation rather than passive submission.

At the same time, these strategies also reveal the limits of religious freedom. When a minority group must reduce its public visibility to avoid conflict, the situation should not be romanticized as harmonious coexistence. Instead, it may indicate conditional tolerance, where the minority is accepted only as long as it remains socially restrained and does not challenge majority expectations. This kind of conditional tolerance is common in contexts where religious minorities survive through accommodation, self-limitation, and careful negotiation with local power structures.

Countering heresy/differences in religious views/beliefs can be done by taking a "religious approach" as a non-penal means. Alternatively, the religious approach is a non-penal effort to counter the flow of heretical differences in religious views/beliefs. Concrete forms include educational and cultural approaches that build joint commitment, da'wah, dialogue, and so on. In addition, policies to counter heresy should be formulated in an integrated manner. Such an approach entails that any rational effort to deal with heresy must be an integrated whole. This means that the policy to counter heretical flows is to integrate and harmonize non-penal and penal activities or policies to suppress or reduce potential factors that foster the growth and flourishing of heretical flows in Indonesia. With this integral approach, it is hoped that overcoming heresy can succeed, so that the *ummah* (community) can live peacefully while practicing their religion or beliefs and engaging in worship, as stated in the 1945 Constitution (Abdullah, 2017). The MUI fatwa on Ahmadiyya does not merely express a theological judgment; it also becomes a reference

point in public discourse and can influence state responses toward Ahmadiyya communities. This shows that fatwas can serve beyond doctrinal guidance and become instruments that shape relationships among majority religious authority, state policy, and minority rights.

Understanding the handling of diverse belief streams in Indonesian society is part of efforts to maintain substantive religious harmony. Harmony is not merely the absence of conflict, but also a social condition that allows every individual and group to practice their religion and beliefs in a safe, dignified, and respectful manner. In this case, substantive harmony has two main aspects: the individual (personal) aspect and the social (societal) aspect. At the individual level, religious freedom concerns a person's right to hold a particular religious belief. This realm falls within the forum internum, the inner space inherent to every human being and beyond the reach of other parties, including the state.

Meanwhile, in the social sphere, religious freedom is evident in the relationships among religious people. This aspect falls under the forum externum, a space for religious expression directly related to public interest. Therefore, under the rule of law, religious expression in public spaces may be subject to certain restrictions, so long as it aims to maintain public order, protect others' rights, and promote peaceful coexistence (Kherid & Wisnaeni, 2019).

In responding to religious pluralism, Pancasila (Indonesian ideology) values must serve as the primary basis. The value of belief in the One and Only God needs to be lived not as a basis for asserting the dominance of certain groups, but as a guideline in building a civilized religious life. Pancasila provides space for every citizen to practice their religion and beliefs while respecting others' rights. The right to freedom of religion is a human right guaranteed by the state. This means that no one should interfere with the worship or beliefs of others, as long as they are carried out in an orderly manner and do not violate the law. Everyone has the freedom to worship according to their religion and beliefs. This freedom must be exercised with civility, with mutual respect, and without demeaning other groups. Thus, all religions and beliefs need to occupy the same place and receive the same treatment in the life of the nation and the state (Pinilih, 2018).

The state also has an important role in maintaining religious harmony. Freedom to embrace religion has been a state commitment since independence. This commitment shows that the state is responsible for instilling the nation's noble values, including respect for religious freedom. If there is a horizontal conflict between religious people, the state must not allow the conflict to develop into social violence. The state must be present as a mediator and as the authority to resolve disputes fairly. However, the state's presence must remain within the rule of law and not be discriminatory. The state must protect all citizens, including smaller religious or belief groups. Thus, the state's role is not only to maintain order but also to ensure that every citizen's rights are protected (Suryawati & Syaputri, 2022).

Countermeasures against heresy, differences in religious views, or differences in beliefs should not be addressed immediately through a penal approach. The religious approach can serve as a non-penal means of addressing these differences. This approach emphasizes coaching, education, dialogue, and community awareness. Concrete measures can include educational approaches or cultural approaches, such as building a mutual commitment, conducting peace-oriented *da'wah* (Islamic outreach), developing a dialogue space, and strengthening communication between religious communities. This approach matters because differences in religious views do not always threaten order. Often, these differences arise from differing interpretations, poor communication, or strong social prejudices. If this kind of problem is handled directly through a criminal-law approach, the solution risks missing the root cause. In fact, an overly repressive approach can widen the social distance between majority and minority groups (Abdullah, 2017).

Although a non-penal approach is important, policies to combat heresy or differences in religious views still need to be implemented integrally. An integral approach means that all rational efforts to address the problem must be organized as an interconnected unit. Thus, countermeasures

should not rely on a single approach. Non-penal and penal approaches need to be integrated and harmonized. A non-penal approach can be placed as a key step through education, dialogue, coaching, and social mediation.

Meanwhile, the penal approach can be used as a last resort when real actions violate the law, disturb public order, or incite violence. With an integral approach, handling faith streams aims not only to control differences but also to reduce factors that could fuel religious conflict in Indonesia. In this way, it is hoped that the community can coexist peacefully in practicing their religion or beliefs and engaging in worship as guaranteed in the 1945 Constitution.

According to Mahally, the factors that cause the emergence of deviant sects and therefore require introspection from and by Muslims are the lack of attention from religious leaders to their congregations, the founders of the sect seeking popularity or personal gain, and the grand plan of others to destroy Islam (Mahally, 2007). In the context of Ahmadiyya's presence in Kudus, this stems from Nahdliyin figures' lack of attention to the strength of the congregation's faith. The current condition is to remain vigilant so that the existing Ahmadiyya can develop with less conflict. In fact, the Ahmadiyya community is discriminated against, such as being prohibited from building mosques, mosques being sealed, and being unable to solemnize their marriages, but they still survive, such as in Tejowaringin Village, Tasikmalaya (Inasshabihah, 2020; Setiawan, 2019).

Other practices include living and socializing with non-Ahmadiyya residents and sharing sacrificial meat with local Nahdliyin residents. These practices are supported by the social context of Colo Village in Kudus, where Ahmadiyya members live. The village is a tourist destination associated with Mount Muria and the Tomb of Sunan Muria (a member of the Wali Songo, the early Islamic preachers in Java). First, residents lead individualistic lifestyles and are open to tourism and pilgrimage. Second, the village is dominated by *abangan* (non-orthodox) Muslims, who do not fully understand Islam, so blasphemy against Islam has not disturbed their faith. Third, Ahmadiyya residents do not violate social, legal, or religious norms. Fourth, there is no hardline Islamic organization in Kudus that triggers conflict, and local Muslim leaders can prevent emerging tensions from developing into conflict.

The state has an important role in maintaining religious harmony, but that role must remain within the limits of the rule of law. The state must prevent violence, mediate social tension, and protect public order. However, it must not treat minority religious existence itself as a threat. The state's responsibility is not merely to prevent conflict between Ahmadiyya and non-Ahmadi communities, but also to ensure that Ahmadiyya members are protected from discrimination, intimidation, and exclusion. In this sense, state neutrality requires actively protecting vulnerable groups, not passively accommodating majority pressure. The Ahmadiyya case in Kudus therefore contributes to broader debates on religious regulation, governance of religious minorities, informal legal authority, and hybrid legal systems. It shows how a non-binding religious opinion can acquire practical regulatory power through social legitimacy and administrative adoption. It also shows how legal pluralism can become problematic when religious authority influences state policy in ways that affect constitutional rights. The central issue is not simply whether fatwas are binding or non-binding, but how they operate in practice, how they are translated into state action, and how they shape the lived experience of minority citizens.

In conclusion, the MUI fatwa on Ahmadiyya reveals the complex relationship between religious authority and the Indonesian legal system. The fatwa is formally non-binding, but it may function as quasi-legal authority when it influences administrative decisions, public discourse, and local governance. The Kudus case demonstrates that the transformation of fatwa into regulatory practice must be analyzed critically through the lenses of legal pluralism, constitutionalism, human rights, and minority protection. While the state may recognize the social importance of religious authority, it remains constitutionally obligated to protect freedom of religion, equality before the law, and non-discrimination. Therefore, any use of fatwa in state policy must be carefully limited

by constitutional safeguards so that religious authority does not become a vehicle for majoritarian control or state-sponsored discrimination.

4. The Role of Fatwa in the Indonesian Legal System

The position of the Indonesian Islamic Scholar Council's fatwa within the Indonesian legal system must be understood through the framework of legal pluralism. Indonesia does not operate under a single centralized legal order, but rather through the interaction of state law, Islamic legal authority, customary norms, and local socio-political practices. In this plural legal context, a fatwa is not formally equivalent to legislation, government regulation, or other positive legal instruments. However, its influence cannot be assessed only from its formal legal status. A fatwa may not be legally binding in the hierarchy of laws and regulations. However, it may gain strong social legitimacy and regulatory influence when religious communities accept it, state institutions reference it, or it is translated into administrative policy.

From a legal point of view, although the MUI fatwa is not directly binding as state law, its influence is evident in the emergence of various government policies and regional regulations that restrict Ahmadiyya activities. The 2005 fatwa, for example, became an important reference in shaping state policies, including joint decrees and local regulations that limited the spread of Ahmadiyya teachings. This shows that fatwas can bridge religious authorities and state policy (Maarif & Rahmat, 2023; Noor et al., 2013). From a legal perspective, the MUI fatwa must be positioned carefully and proportionately. In the Indonesian legal system, the MUI fatwa does not have the same binding legal force as laws, government regulations, or other instruments of positive law. Fatwas are Islamic legal opinions issued by religious authorities, so they are more accurately understood as a source of material law. This means that fatwas can be considered when forming laws. However, they cannot be directly enforced as legal norms that bind society in general without first being positivized into laws and regulations (Mahendra et al., 2023; Pelu & Tarantang, 2020). The Ahmadiyya case demonstrates how fatwas may operate as quasi-legal authority. Quasi-legal authority refers to a normative force that lacks formal legal binding power but influences legal practice, administrative decision-making, and public behavior. The 2005 MUI Fatwa on Ahmadiyya did not, by itself, constitute state law. However, it became an important religious and political reference in formulating subsequent state policies, including the Decrees of the Minister of Religious Affairs, the Minister of Home Affairs, and the Attorney General, Numbers 3/2008, 199/2008, and KEP-033/A/JA/6/2008. This process shows that the relationship between fatwa and state law is not direct but is mediated by administrative recognition, political accommodation, and institutional translation.

The fatwa of the Indonesian Islamic Scholar Council (MUI) has an important position as a religious guideline for Muslims in Indonesia, including in dealing with groups that are seen as deviant, such as the Ahmadiyya. In this case, the MUI fatwa determines a group's status from an Islamic law perspective. It serves as an instrument for limiting the spread of teachings considered contrary to the Islamic faith. In addition, the fatwa strengthens the MUI's religious authority through language and arguments that emphasize the need to maintain the purity of Islamic teachings and the community's social stability (Alnizar, 2025; Purba et al., 2024).

From a sociological point of view, the MUI fatwa has a strong influence because the Muslim community accepts it as a guide to religious life. Therefore, although they lack formal legal force, fatwas are often seen as representing of Islamic legal values in social life (Yusmad & Siliwadi, 2022). However, from a legal standpoint, the MUI fatwa is not part of the hierarchy of laws and regulations in Indonesia, so it cannot serve as a directly binding legal basis. A fatwa is essentially a recommendation, advice, or religious appeal that lacks the coercive power of laws and regulations (Ilahi et al., 2024).

To strengthen the legal position of the MUI fatwa, several strategic efforts are needed. First, fatwas need to be integrated into the national legal system through positivization into laws and

regulations. This step has been applied to several fatwas related to sharia economics and halal certification, which were subsequently incorporated into state regulations (Mustafid et al., 2024). To achieve strong legal legitimacy, the process must be accompanied by harmonization between the fatwa's substance and national law principles (Kooria, 2025).

Second, stronger collaboration between the MUI and the government is required to ensure that fatwas are considered in public policy (Hakim et al., 2023). Third, formal regulations can be strengthened by granting fatwas legal recognition in certain contexts, especially those related to religious issues and the handling of deviant teachings (Ilahi et al., 2024). In addition, the social legitimacy of fatwas needs to be strengthened through education, socialization, and increased public understanding of their content, so that they not only exert moral influence but also gain wider social support (Yusmad & Siliwadi, 2022). Thus, the MUI fatwa can function not only as a religious guideline, but also as an instrument that supports social order and legal policy in Indonesia (Umam & Kimberly, 2021).

In practice, religious fatwas often strongly influence people's lives. Fatwas can serve as a moral and religious reference for the *ummah* and, in some cases, can even influence the direction of state policy. However, the transformation of fatwas into binding regulations, or their positivization, cannot depend solely on cooperation between fatwa authorities and regulators. The success of fatwa positivization also depends on the regulatory system's ability to absorb and respond to empirical feedback from the public. This means that formulating regulations based on fatwas requires more than formal legalization alone. The regulation must take into account social conditions, the impact on society, and the possibility of new tensions on the ground. Therefore, transforming fatwa requires a more flexible and adaptive regulatory approach. In this way, the resulting policies are not only formally valid, but also able to respond to social needs proportionately (Karni et al., 2025).

The statement that fatwas function as a bridge between religious authority and state policy requires further clarification. The bridging mechanism occurs in at least three stages. First, religious authority produces a normative classification through the fatwa, for example, by defining certain teachings as outside the boundaries of religious orthodoxy. Second, this classification gains social legitimacy among sections of the Muslim majority, thereby shaping public expectations toward the state. Third, state institutions may respond to this social and religious pressure by adopting, referencing, or operationalizing the fatwa's substance through administrative instruments. In this process, the fatwa does not become law on its own, but its normative content may be incorporated into state practice. This is precisely where the socio-legal significance of fatwa lies. However, the positivization of fatwas cannot be treated as a neutral technical process. When fatwas concern economic transactions or halal certification, their incorporation into state law may operate as a regulatory mechanism for public service and market governance. By contrast, when fatwas concern minority religious groups, positivization may produce serious constitutional and human rights implications.

The Ahmadiyya case is therefore different from halal or Islamic finance regulation. In the case of Ahmadiyya, the incorporation of fatwa-based reasoning into state policy affects the civil status, religious freedom, and social security of a minority community. This raises fundamental questions about legality, necessity, proportionality, equality before the law, and non-discrimination. In a constitutional state, any restriction on religious expression must be based on a valid legal basis, pursue a legitimate public objective, and be applied proportionately. More importantly, restrictions must not be used to institutionalize the majority's theological judgment against a minority group. Otherwise, the state risks transforming religious majoritarianism into administrative governance.

Thus, the MUI Fatwa on Ahmadiyya shows the complex relationship between religious authorities and the country's legal system. On the one hand, the fatwa is a religious pronouncement by the MUI that upholds Islamic orthodoxy in accordance with the majority view. However, on the other hand, the fatwa also raises serious problems when used as a basis for restrictions on the

rights of minority groups. In a state governed by the rule of law that guarantees freedom of religion, any form of restriction on citizens should be based on legal instruments that are legitimate, proportionate, and not contrary to the principles of human rights protection. Therefore, the MUI fatwa on Ahmadiyya needs to be read not only as a religious product, but also as a legal and social phenomenon that has an impact on the relationship between religion, the state, the majority, and minority groups in Indonesia. Therefore, strengthening the legal position of fatwas should not be understood as an automatic normative objective. Rather than arguing that fatwas should always be positivized, it is more appropriate to examine under what conditions, through what procedures, and with what safeguards fatwas may influence state policy. Any incorporation of fatwa into public regulation must be tested against constitutional principles, human rights norms, equality before the law, and the requirement of non-discrimination. Without these safeguards, positivization may become a vehicle for majoritarianism and state-sponsored discrimination.

In conclusion, the Ahmadiyya case in Kudus shows that the role of fatwa in the Indonesian legal system cannot be reduced to whether fatwas are formally binding or non-binding. The more important issue is how non-binding religious opinions acquire quasi-legal force through social legitimacy, administrative adoption, and state practice. The MUI fatwa on Ahmadiyya demonstrates how religious authority may influence the governance of minority groups, especially when translated into state policy through joint decrees and local administrative practices. From a socio-legal perspective, this case highlights the tension between legal pluralism and constitutionalism: Indonesia recognizes religious authority as part of its social reality, but the state remains constitutionally obligated to protect freedom of religion, equality before the law, and minority citizens' right. The Kudus case, therefore, contributes to broader debates on legal pluralism, state–religion hybridity, informal legal authority, and the governance of religious minorities in contemporary Indonesia.

D. Conclusion

The relationship between religious authority, state regulation, and constitutional rights in Indonesia is demonstrated by the treatment of the Ahmadiyya community in Kudus. MUI Fatwa No. 11/MUNAS VII/MUI/15/2005 is a religious opinion grounded in the Council's interpretation of Islamic orthodoxy; it is not legislation or binding positive law. Nevertheless, its non-binding character does not prevent it from exercising influence. Its classifications can shape public perceptions and administrative responses when they gain social legitimacy and are adopted by state institutions. The Joint Ministerial Decree of 9 June 2008 illustrates this process by translating religious concerns into administrative directions concerning Ahmadiyya activities. The fatwa therefore obtains quasi-legal significance through its interaction with political decisions, administrative instruments, and social practices.

The experience of the Ahmadiyya community in Colo Village demonstrates how these processes operate locally. The community has been present since the late 1990s, although the number of families reportedly declined from twenty to nine. This change cannot be attributed solely to the fatwa or decree, since the evidence does not establish a direct causal relationship and other factors may have contributed. Interviews and observations indicate that the community negotiates its existence within a constrained environment. Members conduct congregational prayers internally, avoid broadcasting the call to prayer through loudspeakers, maintain organizational networks, and participate in social activities such as blood donation and distributing sacrificial meat. These practices demonstrate agency and adaptation, but also reveal limits on public religious expression. Local monitoring may aim to prevent conflict; however, when it encourages a minority to restrict its visibility or activities, it may function as social control.

Relative stability in Colo is supported by neighbourly ties, interaction, local leadership, and the absence of sustained mobilization by hardline groups. These conditions have helped prevent tensions from escalating into violence. However, the absence of violence is not sufficient evidence

of substantive religious harmony. Coexistence remains conditional when a minority is accepted only insofar as it limits public expression or accommodates majority expectations. Genuine harmony requires equal citizenship and the practical ability of every community to exercise its rights safely and with dignity.

The legal implications must be assessed through constitutional guarantees of religious freedom, equality before the law, and non-discrimination. Freedom of conscience within the forum internum is protected, while religious manifestation within the forum externum may be restricted only under lawful and constitutionally acceptable conditions. Restrictions must have a clear legal basis, pursue a legitimate purpose, and be necessary and proportionate. Maintaining public order and protecting others' rights are legitimate responsibilities, but theological disagreement or majority disapproval alone cannot justify restrictions on a minority. The state must prevent violence, mediate tensions, and protect Ahmadiyya members from intimidation, exclusion, and discrimination. Its responsibility is to ensure that public authority operates impartially and consistently with constitutional rights.

The Kudus case clarifies the operation of legal pluralism in Indonesia. State law, Islamic legal authority, and local social norms interact beyond the formal legal hierarchy. A fatwa may remain non-binding under positive law while exercising normative influence through public acceptance and administrative adoption. The central issue is not whether every fatwa should be incorporated into state regulation, but under what conditions religious opinions may inform public policy. Where a fatwa concerns a minority, administrative reliance on it requires scrutiny of legal authority, constitutional compatibility, empirical consequences, necessity, and proportionality. Transparent procedures, opportunities for affected communities to be heard, and safeguards against discrimination are essential. Dialogue, education, and mediation should be prioritized; penal measures should be reserved for specific conduct that independently violates valid law, not religious identity or belief.

These findings must be understood in light of the research scope. Fieldwork was conducted in one village and involved five purposively selected informants; the results therefore provide a context-specific account, not a representation of all Ahmadiyya communities or local governments in Indonesia. Comparative research is needed to examine how political conditions, religious leadership, administrative practices, and community relations shape implementation of the 2008 decree. Nevertheless, the Kudus case demonstrates that a formally non-binding religious opinion can have practical consequences when connected to state administration and local social power. The legitimacy of this influence must be evaluated against constitutionalism, legal certainty, equal citizenship, and the protection of everyone's freedom of religion or belief.

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