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Rejection of Church Establishment in Cilegon as a Form of Violation of Religious Freedom

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Abstract

This research aimed to study the rejection of church construction in Cilegon as a violation of the first principles of Pancasila. The research questions posed in this study discuss 1) What is the chronology of the case of the rejection of the construction of a church in Cilegon; 2) What are the reasons for the rejection of church construction in Cilegon; and 3) How do the government and society respond to the rejection of the church establishment in Cilegon. This essay was written using a descriptive method through a qualitative approach with case analysis and the first principle of Pancasila, namely "Belief in One Almighty

God". The data is collected from various sources such as news, articles, journals, and the results of previous research. The results show that the rejection was due to the Regent's Decree, history, and the agreement of the clergy. This case of refusal raises the pros and cons for the government and society. However, the reasons that the cons had been more substantial. The opposing parties using the Decree of the Regent of Serang as the basis for rejecting the establishment of the church was irrelevant and discriminatory. Seventy residents supported the plan, and this number met the requirements for building a house of worship in Indonesia.

Keywords: Church, Intolerance, Cilegon, The First Principle of Pancasila, Religious Freedom

1. Introduction

Indonesia is a country known for its multiculturalism. The nation owns various religions, tribes and cultures. This diversity is symbolized identically with the motto "Unity in Diversity". One of the steps in maintaining the integrity of the Indonesian nation is mutual respect or tolerance for the diversity of other religions. Views according to Alpijar (2015), "Mutual respecting behaviour between adherents of religion is the best way to create harmony in religious life". According to Munawir (1987), the word intolerance comes from the words in and tolerance. In means no, while tolerance means to pardon or pardon. Intolerance is an attitude of ignoring or not caring about the presence of other people. It can arise due to discriminatory attitudes towards others and the feeling that this group is the most righteous. Religious intolerance is when a group or person refuses explicitly to respect the activities and practices of adherents based on religion. Individuals who act intolerant have a selfish attitude and are reluctant to listen to or accept suggestions from others but only want to listen to themselves.

The diversity of culture, ethnicity, and religion is a characteristic of Indonesian society. However, in the aspect of religious diversity, many riots and conflicts have arisen. One example is the emergence of cases of rejection of the construction of houses of worship for minority religions. "Houses of worship are important religious facilities for adherents of religions in a certain place. In addition to functioning as a symbol of the existence of religious adherents, houses of worship are also places for broadcasting religion and as places of worship" (Asnawati, 2004). Refusal to build churches occurs not only in one area, but similar cases are found in many areas in Indonesia.

An example is in the Sudimara Pinang Village, Tangerang City, to be precise, at the Santa Bernadet Church. The reasons for refusing to build a church began when the land was purchased for the church. The Citizens Association and Sudimara Pinang village did not socialize the church's building with residents. However, before the establishment of the church erection committee, local Catholics had socialized the establishment of the church. Another reason for the refusal was that the Catholics violated an agreement with local leaders from Sudimara Pinang that Catholics would not carry out religious activities at that location. The committee has collected evidence of residents' signatures regarding the approval for the church's construction, but this was considered a fabrication by residents who refused to build a church.

This study focused on discussing the case of the rejection of the construction of a church in Cilegon. Riansyah *et al.* (2021)^[22] stated that the incident of church rejection in Cilegon showed that the Cilegon people did not like diversity because the majority (Muslims) rejected the minority (Christians). Atar *et al.* (2022) stated that the cause of the rejection of the establishment of the Church in Cilegon was a conflict between the church, the local community, and parties from the government. In this case, the party from the government, the mayor of Cilegon, also signed a banner containing the rejection of the establishment of the church in the Regional People's Representative Assembly building. Based on the opinion of Riasyah *et al.* (2021) and Altar *et al.* (2022), it has not been explained in detail what causes the majority to reject the minority. Then, the previous researchers also did not explain why the parties from the government signed the refusal to build the church. Therefore, the writer will explain things that previous researchers have not explained in more detail in this essay.

The case regarding the rejection of the establishment of a church in Cilegon is exciting to discuss because Indonesia upholds the values of Pancasila, especially in this case, the First Principle, namely "Belief in the One and Only God". However, in everyday life, these values need to be implemented realistically. Indonesia, as a country that upholds the values of Pancasila, especially the First Principle, "Belief in the One and Only God", should treat every religion the same as any other religion. Article 29, paragraph 2 of the 1945 Constitution states, "The state guarantees the freedom of each citizen to embrace their religion and to worship according to their religion and belief." From this viewpoint, Indonesia has been given religious freedom. Furthermore, the government should facilitate the need for worship, including establishing a place of worship. Tohun (1998) states, "Religious freedom is a human right to choose what he believes in according to his conscience without intimidation, pressure and coercion from other parties." People who embrace religion certainly need a place of worship to practice the religion they believe in. Therefore, every adherent of a religion should be able to establish their place of worship. However, the local community rejected people who wanted to build a church, and even the mayor of Cilegon also participated in the rejection of the church's construction. The church construction also faced many licensing problems, which made it an obstacle to fulfilling the requirements for church construction. People who embrace Christianity must travel to Serang City because there is no church place of worship in Cilegon. In addition, the case of the rejection of the construction of a church in Cilegon is exciting to discuss because, since 2006, the HKBP Maranatha Cilegon Church has had construction permits refused four times.

The rejection of establishing a church in Cilegon is related to several aspects of life, primarily spiritual and social. The spiritual aspect relates to the belief system or the relationship between humans and God. Meanwhile, the social aspect relates to the relationship between humans and other humans. In the spiritual aspect, Pancasila and the 1945 Constitution have regulated matters of religious life in Indonesia by affirming that the Indonesian people are free to believe and choose their religion without coercion and pressure from other people. It is emphasized in Article 28E paragraph (1), which reads, "Every person is free to embrace religion and worship according to his religion..." In the

social aspect, harmony and harmony in social life is very important to maintain the unity and integrity of Indonesia so that it remains intact. Harmony in social life can be achieved by mutual respect for existing differences. With this connection, this case must be resolved immediately. If this case is not resolved, it will cause the collapse of the unity and integrity of Indonesia because of intolerance towards adherents of other religions. The intolerant actions are evident in the rejection of the construction of a church in Cilegon, which is an example of deviation from Pancasila, especially in the principle of "Belief in the One and Only God". Apart from contradicting Pancasila, this case also contradicts the Joint Regulations of the Minister of Religion and Minister of Home Affairs Number 9 and Number 8 of 2006 (Riansyah *et al.*, 2021)^[22].

Based on the description explained above, this study is interested in discussing the case of the rejection of the church construction in Cilegon. The research questions raised are: (1) What is the chronology of the case of the rejection of the church's construction in Cilegon? (2) What are the reasons for rejecting church construction in Cilegon? (3) How do the government and society respond to the rejection of church construction in Cilegon?

2. Methodology

The object of study in writing this essay is the issue regarding the rejection of the establishment of the HKBP Maranatha Church in Cilegon. The rejection of church construction in Cilegon is nothing new. The incident evidenced them at the HKBP Maranatha Cilegon Church, whose building permits have been refused four times since 2006. The permit process has stalled since 2021, even though 70 residents have signed signatures and statements of support. Meanwhile, the Cilegon Indonesian Baptist Church construction permits have been refused five times since 1995, with ten attempts to force the closure and sealing of the prayer house. In 2018, even though it had received 60 residents' signatures, the construction was rejected by the Head of the Cilegon City Ministry of Religion.

The collection of sources in this essay uses sources derived from secondary data. "Secondary data is a source of research data obtained by researchers indirectly through intermediary media, obtained and recorded by other parties" (Nur & Bambang, 2009). This essay uses secondary data from articles, journals, and other existing literature. Related to the problem of rejecting the construction of a church in Cilegon. Secondary data collection begins with searching for relevant articles, journals and other literature related to the issues discussed and then conducting a study of the data sources.

The obtained sources must pass the data verification stage to ensure that the source is guaranteed to be true. "The definition of data verification is the establishment of the truth of a theory, or facts on the data collected" (Sunardi & Susilo, 2019)^[23]. In writing this essay, the sources used came from several articles, journals and other literature related to cases. Information from articles is sourced from news videos circulating in the community to be used as evidence that this source is guaranteed true because the information comes directly from related parties. In addition, the journal used as a source is a journal that has discussed similar cases before and has often been used as a reference for similar cases.

This study uses the literature research method from daily news, journals, and articles. The data obtained will be analyzed using descriptive qualitative analysis methods. Qualitative data analysis is an effort made to process, organize, and sort the data, so that it can be read and told to others (Bogdan & Biglen, 2009). This essay begins with a literature study from sources from news, articles and journals. Then the author focuses on examining the problem of rejecting the establishment of the Church in Cilegon. This case is chosen because Indonesia has the basis of the Pancasila state but does not implement the values of Pancasila in real life, especially in this case, the first principles of Pancasila.

The case of the church's rejection in Cilegon can be identified in more detail using the first principles of Pancasila as a point of view. The primary reference in studying this case is to use Ir. Soekarno's speech regarding the birth of Pancasila. One of the principles stated in Ir. Soekarno is God Almighty. This principle is more directed to Godhead, who is cultured and respects one another. "The supposed embodiment of the principles of Belief in the One and Only God is mutual respect and protection" (Erman, 2018). The study on the case of the church's rejection contradicts the principle of Belief in One Almighty God. This principle heeds a sense of tolerance, but this is inversely proportional to the case of the church's rejection in Cilegon, which reflects a lack of tolerance towards people of other religions.

3. Findings

Cases of refusal to build churches in Cilegon City have occurred several times. It is due to historical factors that occurred in the past. The Cilegon commotion incident was the initial cause of the rejection of the establishment of a church in Cilegon City. The Cilegon commotion incident in 1888 was a form of a demonstration against adjustments to changes in social conditions due to the coercion of western domination. The form of protest is the form of resistance by the community. According to Akhmad (2016), "Resistance, in this case, means being persistent in defending and fighting for beliefs, and the resistance that arises is not materialistic". The cause of the Cilegon convulsions was due to two factors. First, the people of Cilegon were dissatisfied with the Dutch government. The Dutch government entered Banten and changed from the traditional government structure to a modern-European nuanced government system. In addition, the Dutch government disturbed the cultural, social and religious values of the Cilegon people. It triggered the people in Cilegon to take action against the Cilegon commotion (Kamaludin, 2015). Second, there is a high spirit of Sufism. According to Karodirjo (1984), "The reasons for the rise of the commotion resistance movement in Cilegon City were religious, stemming from fears of a decline in faith among the people, and partly political, stemming from hatred of the dangers of Western influence. As a result, the resistance movement was coloured by an anti-Western movement.

The second cause of the church's rejection in Cilegon was the existence of agreements between religious scholars, community leaders, and the authorities. The agreement occurred from 1974-1978 and was named Project Trikora. The Trikora Project was led by President Soekarno, who at that time was constructing the Krakatau Steel. "Cilegon, as the City of Steel, is the largest steel producer in Southeast

Asia" (Titano, 2017) ^[24]. Therefore, President Soekarno chose Cilegon as the City for the construction of Krakatau Steel. With this project, an agreement was made between the religious scholars, especially the Al-Khariah Islamic boarding school, and community leaders. The parties involved in the agreement stated that they agreed to move all the village inhabitants to another place so that the community's place could be renovated for a development project. However, community leaders and religious scholars provided conditions that no other place of worship be established other than the place of worship for Muslims. The agreement used by people and the Ulama to reject the current construction of a church in Cilegon.

The rejection was strengthened by the Regent of Serang Decree 1975, held by the Regent of Ronggowaluyo. The Decree of the District Head of Serang Level II Region Number 189/Huk/SK/1975, dated March 20, 1975, governing the Closing of Churches/Congregational Places for Christianity in the Serang Regency area, regulates and regulates provisions regarding the establishment of places of worship in the Cilegon area beside the mosque. The decree was issued as an agreement between the clergy in Cilegon at the beginning of the establishment of PT Krakatau Steel, which carried out village burglary. The relocation in Cilegon relocated several Islamic boarding schools, settlements, and ancestral graves. The decree was formed at the insistence of the people of Cilegon, so they issued a decree on closing the Catholic church. "Decree is a letter that contains a decision made by the leaders of an organization or government agency related to making organization and institution policies" (Astini & Johariyah, 2004).

The reason behind the rejection of the construction of a church in Cilegon was that the HKBP requested that a special burial place be made for non-Muslims during a meeting discussing the establishment of a place of worship that was currently underway. The Huria Kristen Batak Protestant (HKPB) is formed to create various development models to support its congregation's service and welfare goals (Rajagukguk & Pasaribu, 2022) ^[21]. The City Government of Cilegon held a meeting in 2004 to discuss establishing places of worship. However, while the meeting was in progress, a member of another religion from the HKBP interrupted the discussion and asked to make a special burial place for non-Muslims in Cilegon. The City Government of Cilegon then granted the request. With this in mind, the FKUB (Forum for Religious Harmony) in Cilegon City stated that there would no longer be any construction of houses of worship.

"The people of the city of Cilegon are in an uproar over the controversial issue of building places of worship for people other than non-Muslims" (Agustian, 2020). One of the reasons for the rejection of the construction of churches in Cilegon is that the construction of churches still faces many problems with permits. The permit for constructing the HKBP Maranatha church in Gerem Kelurahan, Cilegon City, is still being processed at the village level. The Mayor's Office has yet to receive the application for the construction of the church. A church building permit must meet several requirements. One of them is having to meet unique requirements. However, in fulfilling the special requirements, the committee for the establishment of the Maranatha HKBP church experienced several obstacles in obtaining permits. One of the requirements for permits to build a church is to have the support of at least 60 people

from the local community. Initially, the establishment of the HKBP Maranatha church received support from 70 residents from the Gerem sub-district. However, of the 70 residents, 21 withdrew their support, leaving 51 residents who still support the establishment of the HKBP Maranatha church. According to the particular requirements, the committee for establishing the HKBP Maranatha church has not yet passed the permit because the number of community supports is still less than 60.

The chronology of the Church Rejection case in Cilegon also concerns the issue of giving bribes to residents in the Gerem Village, Grogol District, Cilegon City. Hamza (2001)^[9] states, "Bribery is a gift or gifts received or given to influence maliciously or corruptly." The Church Construction Committee paid bribes to residents to fulfil special requirements in building a house of worship, namely support from the local community for the construction of a place of worship for at least 60 people, which the village head must approve. The Church Construction Committee admitted that they had received approval from residents to build a house of worship for Christians totalling seventy people. However, based on a source from SuaraBanten.id, the residents who signed the agreement for the church's construction were paid one million rupiahs per person. According to information, the residents who were paid one million rupiahs amounted to seventy people, corresponding to the number of people proposed by the Church Construction Committee to fulfil the particular requirements for building a house of worship. However, the village head admitted that he was not involved in the church's construction request. The head of the villagers association also admitted that giving the one million to his residents needed to explain the specific approval. The village head stated that the HKBP Development Committee gave different information to its residents in asking for signatures. This information ranges from a multi-purpose building and social activities to the construction of a church. After the residents admitted that they received one million rupiahs from the church construction committee for the signature, the church construction committee also admitted that giving the money to the residents of the Gerem sub-district was a form of gratitude.

Helldy Agustian, as the Mayor of Cilegon, strengthened his opposition to the construction of the Cilegon Church, who participated in the signing of the rejection of the HKBP Maranatha church. Apart from the mayor, Sanuji Pentamarta, as Deputy Mayor of Cilegon, also signed the refusal. Even the video of the signing by the Mayor of Cilegon was widely circulated on social media. Behind the signing of the white cloth, the mayor brings reasons to maintain the conduciveness of the area he leads. "Conducive is a situation or condition that supports the implementation of something or a situation that directs the possibility of something happening as desired". It is done by fulfilling the wishes of the people of Cilegon City, which consists of clerics, community leaders, youth leaders and community organizations to sign a rejection of the HKBP Maranatha church.

4. Discussion

The rejection of the establishment of a church in Cilegon is one of the deviations from the values contained in the first principle of Pancasila, which reads "Belief in One Almighty God". The principle implies a Godhead built on a spirit of

tolerance by accepting existing religious differences. However, many Indonesian people still do not practice and understand the values contained in the principles of the Godhead. Problems related to the principles of God that are often found in Indonesia are not problems regarding the difficulty in embracing or choosing one's religion but difficulties in establishing a place of worship. Non-Muslim Indonesians often experience this problem. People who follow religions other than Islam need help to obtain permits to build worship houses. It is similar to what happened in the case of rejecting the church construction in Cilegon. Similar cases also occur, especially in metropolitan environments. One of them is the case of the Yasmin Indonesian Christian Church (GKI) sealing in 2010, carried out by the Bogor City Government (Dato, 2019)^[5]. Both cases occurred because of a lack of tolerance between religious communities. Due to intolerance on the part of the government and residents, the values embodied in the first principle of Pancasila become invisible.

"A house of worship is a building with a specific function specifically designed for a permanent place of worship for adherents of any religion" (Hasanah, 2016)^[10]. Procedures of building worship places are regulated in the Joint Regulation of the Minister of Religion and Minister of Home Affairs No. 9 and No. 8 of 2006. The regulation is a guideline for Regional Heads/Deputy Regional Heads in maintaining religious harmony, empowering religious harmony forums, and establishing worship houses. The establishment of places of worship must be built under established regulations and still pay attention to religious harmony without disturbing public peace. Requirements for the construction of places of worship consist of administrative requirements, technical requirements for buildings and unique requirements. Some of these requirements have been contained in Article 14, paragraphs (1) and (2) of the Joint Ministerial Regulations.

"Administrative requirements are permits submitted by development organizers to the Regional Government by attaching the requirements according to their designation" (Syahmardan, 2012). The administrative requirements required for constructing a worship place under Article 3 of the Governor Regulation 83/2012. First, a statement from the local authorities explained the composition of religious adherents concerned in the village area and the correctness of the location of the land. Second, have proof of land ownership by attaching a certificate regarding the status of the land from the local National Land Agency Office or Deed of Waqf Pledge or land use approval from a government agency if the land belongs to the government. Third, stipulations on city plans and building layout plans. Fourth, a building drawing plan. Fifth, a list of the committee's composition for the construction of the house of worship known to the village head. Sixth, a written budget plan.

The technical requirements for buildings needed in the construction of places of worship under Article 4 of Governor Regulation 83/2012 are to comply with the technical requirements for buildings and land for places of worship (Hasanah, 2016)^[10]. Specific requirements required for the establishment of a place of worship under Article 5 of the Governor Regulation 83/2012 include: (1) a list of names and photocopies of the Identity Cards of at least 90 prospective users of the house of worship approved by the village and district head; (2) local community support of at

least 60 people including community leaders/community leaders; (3) written recommendation from the Head of the Regional Office of the Ministry of Religion; (4) a written recommendation from the Provincial Forum for Religious Harmony; and (5) a written recommendation from the Mayor/Regent. Therefore, the above requirements must be met to build a place of worship.

The background of the refusal to build a church in Cilegon is the bureaucratic difficulties in establishing a place of worship. The requirements for the construction of a place of worship that the Church construction committee had not fulfilled in Cilegon included the support of the local community located in the vicinity of the Church construction, a recommendation from the Forum for Religious Harmony (FKUB), and a recommendation from the Cilegon Ministry of Religion. The Minister of Religion stated that the requirements for establishing a worship place for Christians in Cilegon had been met. However, it is still stuck in the government bureaucracy. He also stated that Ministry of Religion officials often met with the Mayor of Cilegon to permit the establishment of the HKBP Maranatha Church in Cilegon. However, the mayor's efforts have yet to produce results. Then the problem of establishing a church that had not been met was the difficulty in getting support from the community around the church. The background to the difficulty in getting support from the community around the church was the Cilegon commotion in 1988. According to (Ansor & Muttahida, 2020) ^[4], "Cilegon commotion was the culmination of the battle between the colonizers and Ki Wasyid's troops which were unequal in terms of weapons and the number of soldiers." During the Cilegon commotion, the community was prohibited from making the call to prayer, forcing the community to be taken and evictions by non-Muslim communities. In addition, during the Cilegon commotion, many Ulama's were hanged and passed down from generation to generation until now. Therefore, the people are afraid that if there is a Christian Church Establishment in Cilegon, it will cause a repeat of the Cilegon commotion.

The reasons regarding the refusal to establish a place of worship in Cilegon based on the Decree of the District Head of the Level II Region of Serang Number 189/Huk/SK1975 are no longer relevant for use. It is because when the Regent Decree was issued, the composition of the Muslim population in Cilegon was 99%. In contrast, currently, the total population of Catholics and Christians in Cilegon is 9.86%, with a total non-Muslim population of 12.82%. From the population composition of the Muslims and non-Muslims in Cilegon perspective, the Decree of the Serang Regent is not relevant for rejecting the establishment of a church in Cilegon. In addition, the Head of the Center for Religious Harmony (PKUB) of the Ministry of Religion also stated that all Regional Heads must fulfil the constitutional rights of every resident and make every effort to fulfil these rights, including, in this case, the Right to Religion and Belief. Muslim residents in Cilegon have obtained the right to religion and belief. Hasanah (2015) ^[11] states that the right to religion and belief for Cilegon Muslims is proven by the existence of proper worship facilities, in contrast to Christians. In addition, institutions and supporting facilities for Muslims in religious life, both formal and informal, are also complete, such as religious education institutions at the elementary, middle, high and tertiary levels.

The Decree of the Regent Head of the Level II Region of

Serang Number 189/Huk/SK/1975, dated March 20, 1975, which was the reason for the rejection by the Cilegon Local Wisdom Committee, was discriminatory and contrary to the 1945 Constitution and the Pancasila Principles "Belief in One Almighty God". "Discrimination is a form of differentiating treatment against a person or a group because there is an identity that includes a certain category, for example, race, religion, or social group" (Theodorson, 1979). The decision letter is no longer appropriate and relevant to the 1945 Constitution, which is the law above it. In addition, if the decree is used in the current era, it is irrelevant and hinders investment and development activities. The decree was also racial, so it was not supposed to use the Decree of the Regent of Serang 1975 as a reason for refusing to build a church in Cilegon.

The following reason is that the establishment of houses of worship has been regulated in the Joint Regulations of the Minister of Religion and the Minister of Home Affairs (PBM) Number 9 and Number 8 of 2006. According to PBM Number 9 and Number 8 of 2006, "religious harmony is a state of inter-religious relations that based on tolerance, mutual understanding, mutual respect, respect for equality in the practice of their religious teachings and cooperation in social, national and state life within the Unitary State of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia" (Riansyah *et al.*, 2021) ^[22]. The regional head's attitude regarding the construction of places of worship must be in line with what has been regulated in PBM No. 9 and No. 8 of 2006. The PBM mandates that buildings' administrative and technical requirements must be met before constructing a house of worship. In addition, special requirements must be met, one of which is that the regional head has no reason to prohibit the construction of a house of worship if there are at least 90 potential users of the house of worship. In this regard, the HKBP Maranatha House of Worship Development Committee confirmed that it had collected data on the number of worshippers from a total of 3,903 people or 856 families spread across eight sub-districts of Cilegon City. As many as 112 of them had been validated as potential users of places of worship. This indicates that the HKBP Maranatha committee has fulfilled the requirements for building a house of worship; namely, the number of prospective users of the house of worship (congregants) must be more than 90 people.

The issue of building houses of worship is a conflict that has been discussed previously in Indonesia. Precisely at the beginning of 1967 in West Aceh, problems were recorded in building houses of worship. According to Naipospos (2018), "Since then, various dynamics and situations of freedom of religion, especially places of worship, have continued in Indonesia. Equal institutions released data on cases of freedom of religion in Indonesia, totalling 155 incidents. One of them is determined by the factors that influence the construction of houses of worship." The construction of houses of worship in Indonesia already has clear rules on terms and regulations that must be met. One of the regulations is the joint regulation between the Minister of Religion and Minister of Home Affairs, Numbers 9 and 8 of 2006. The regulation explains specific requirements for the construction of houses of worship, according to Article 5 of Pergub 83/2012, which is to obtain support from the surrounding community of at least 60 people. The party responsible for establishing the HKBP Maranatha House of

Worship has received support from 70 residents in the Gerem Sub-District. The committee for the construction of houses of worship has submitted an application for domicile validation to the Gerem Lurah. The validation request was submitted on April 21, 2022. However, the Gerem Village Head needed to validate 70 residents' support. The Gerem Lurah did not provide validation, for the reasons given were not clear. The action of the Gerem village head, who refused to validate the support of 70 residents without any apparent reason, had other consequences. The Major of Cilegon City also signed the petition.

Muslim Majority Countries

Building houses of worship in Malaysia, a Muslim-majority country, begins with applying for a written permit from the state planning authority as stated in the City and State Planning Act 1760. "Construction of houses of worship includes the right to carry out religious teachings guaranteed by the constitution" (Ahair & Kusrin, 2020) ^[1]. The authorities can impose sanctions if a religious group commits an offence under the Roads, Drainage and Buildings Act 1974 by failing to obtain written permission to build a house of worship from the local authority. The applicant must obtain written permission from the state planning committee. It was stated in the City and State Planning Act of 1760. A house of worship in an urban area can be built if 2,300 adherents of a specific religion are in an area. One thousand adherents of a particular religion are in the area for rural areas. If the area reaches the stipulated level, it can be built on at least 0.25 hectares. Finally, the distance is at least 100 meters from the residence of most other religions. The distance must be at least 300 meters from other religions' worship places.

There are guidelines for building houses of worship in Malaysia. This guide outlines principles before building a non-Muslim house of worship, such as meeting the spiritual needs of the local community, promoting religious studies and knowledge, instilling unity, prioritizing safety and harmony and preserving heritage. The construction of houses of worship must comply with general guidelines covering function, location planning, design, elevation area, traffic, approach and development area, and distance and location control. First, the function of houses of worship is to fulfil the spiritual needs of the community and study centres. The second, regarding location planning, is encouraged in residential areas of religious adherents, near public facilities and peaceful areas. The third is the design aspect, houses of worship are only allowed to be built in shop houses if there is a suitable area, safety factors and objections from residents. Preserving history and heritage allows designs according to their respective religious identities. Fourth, height control needs to be adjusted to the height of the surrounding development and the local community's needs. The Fifth is to ensure that traffic control is guaranteed.

Protestant Majority Countries

In the United States, most of the population adheres to Christianity 71%. Building a church in Indonesia is still easier than building a mosque in the United States. America, which is considered very free, has strict rules in religious life, including the construction of places of worship. Since the 1980s, American Muslims have tried to fulfil their religious needs by establishing mosques in every area where

the Muslim community is located. This is done because the number of adherents of Islam in America continues to increase from time to time. However, their efforts to build a place of worship always receive unfriendly treatment and strong rejection from residents (Nugroho, 2020) ^[19]. An example of a mosque refusal case in the United States is the refusal to build a mosque in Mississippi in 2021. At that time, the plan to build a mosque was rejected at a meeting with board members. A 5-1 vote rejected the mosque plan. Council members said they opposed plans for the mosque due to concerns about the inadequate water supply, traffic problems, and noise from the prayer call. Ray Elk, a Muslim there, then emphasized that there would be no loudspeakers outside the building for the call to prayer. However, councillor Donne "Chigger" White was not convinced by Elk's words and accused Elk of having other plans after the mosque was built and would never disclose those plans. All board members then agreed to White's statement and agreed to reject the plan to build a mosque put forward by the Muslim community there.

Catholic Majority Countries

Italy is where the majority of 74% of the population adheres to the Catholic religion. Non-Catholic Christians in Italy make up 9.3% of the Italian population. Meanwhile, the adherents of Islam are a minority group with a percentage of 3.7% of the Italian population. Because Islam is a minority religion in Italy, several conflicts arose with the Italian government over establishing a Muslim house of worship, namely a mosque. One form of intolerance by the Italian government towards Muslims in Italy is the existence of an anti-mosque law. In January, an Italian government court issued this law in the City of Lombardy. The issuance was an attempt by the Italian government to prevent an increase in the number of people who adhere to the Islamic faith. Onislam (2015) explains the anti-mosque law in more detail. Anyone who wants to build a house of worship for a religion that the Italian government does not officially recognize will be subject to special restrictions, starting from the parking facility's size and the building's external shape. ". Islam is the only major religion not recognized by the Italian government. The existence of these rules discriminates against more than one million Muslims in Italy.

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