

Juridical Analysis of Church's Legal Status That Established in the Mall and Hotel Based on Regulation of the Minister of Religion Number 8 Of 2006 and Number 9 of 2006 Concerning Establishment of Synagogue

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ABSTRACT

The establishment of a synagogue in Indonesia is a religious community's right which is protected and regulated in the Joint Minister of Religion concerning the Establishment of a Synagogue. Nowadays, the synagogue in this case the church, uses a multipurpose hall located inside/ a part of malls and hotels as a place to worship . Most of the times, a church stands on a private building, regulated and permitted by the Church Building Permit (IMB). The change of the time, affect the worship place, from a regular church that used to stand on its own building, into a church with a non-permanent building. This raises questions about how the legal status of the church that does not stand on private buildings. Churches that stand in malls and hotels are not established by using and following the requirements for the construction of regular synagogue in Indonesia, but can stand and mushroom in the downtown area. Licensing issues are often used as a basis in questioning the legal status of the church that stands in malls and hotels.

Keywords: Church, Legal status., Mall and Hotel

1. INTRODUCTION

Praise and pray to the Lord Jesus Christ because for his blessings and guidance the author can complete the thesis entitled Juridical Analysis Of Church's Legal Status That Established In The Mall And Hotel Based On Regulation Of The Minister Of Religion Number 8 Of 2006 And Number 9 Of 2006 Concerning Establishment Of Synagogue. This article in English was written with the aim of fulfilling one of the thesis terms. this article will be sent to untar for the benefit of the campus. With the preparation of this article, the authors express their gratitude to all those who have helped and guided the writer until this thesis was prepared. This acknowledgment is conveyed, especially to the supervisor, family and friends who always support in every process

2. BACKGROUND

Christianity is one of the religions that has been present in Indonesia for hundreds of years, Christianity spread widely along with the arrival of the Dutch in the colonial period. Christianity had become a part of Indonesia even before Indonesia's independence, now Christianity had become one of the recognized religions in Indonesia and governed the construction of a synagogue in the Joint Minister of Religion Regulation on the Establishment of the Church Worship Service for the first time in Indonesia to coincide with the arrival of the nation Europe which in its presence carries out its main mission of doing 3G which is known as gold, glory and gospel, this means that the Europeans have come with the aim of looking for wealth as much as

possible, expanding their glory and at the same time spreading Christianity in the place they visited . Although krsiten is a religion that has been recognized and governed by the construction of houses of worship, in fact the application of the rules for the construction of houses of worship is often questioned in the construction of houses of worship in Indonesia. The presence of houses of worship in malls and hotels has led to a new interpretation of the application of the Joint Minister of Religion concerning the Establishment of Houses of Worship. According to the Joint Regulation of the Minister of Religion and the Minister of Home Affairs Number 9 of 2006 and Number 8 of 2006 concerning Guidelines for Implementing Duties of Regional Heads / Deputy Regional Heads in Maintaining Religious Harmony, Empowering Religious Harmony Forums, and Establishing Worship Houses, places of worship are buildings has certain special characteristics used to worship for adherents of each religion permanently, not including the place of family worship. The construction of houses of worship must meet the administrative and technical requirements of buildings. In addition, it must also meet special requirements, including matters. The first is the list of names and identity cards of at least 90 people who use the synagogue by local officials in accordance with the level of the boundaries. Secondly the support of the local community of at least 60 people was endorsed by the lurah / village head, not forgetting the written recommendation of the head of the district / city religious department office and the written recommendation of the district / city Religious Harmony Forum. The requirements in the form of support from 60 communities around the synagogue are the most important and at the same time the most severe conditions that must be met by the synagogue. With the development of the church age no longer uses the synagogue which only stands on its own land. Many of the churches then use the multipurpose room as a place of worship. Indonesia is a country that upholds religious freedom. The establishment of houses of worship and their protection are guaranteed by uu. But in fact many houses of worship do not follow the existing requirements, the most easily seen is the mushrooming of houses of worship in the mall. CHURCH is obviously the house of worship in question. By using the name of the church, it shows that the form of activities carried out is not an ordinary place of worship but a place of worship.

Many of the houses of worship, especially CHURCH, use malls and hotels as places of worship.

This kind of churches can be seen clearly in many malls in big cities in Indonesia, call it the Bethel Indonesia Church, Mawar Sharon Church, Nafiri Disciple Curch and others, with the number of congregations reaching more than 4000 people. In the West Jakarta area already exists. Using the mall and hotel as a place of worship, the church does not need to take care of a lengthy permit, the only permit is a permit to use the room obtained from the building manager. In the Jambi area there is an Indonesian Bethel Church which operates inside the Abadi hotel which uses a ballroom / multipurpose room. Worship activities are carried out on Sundays while on other days it can be used for weddings, social gathering and various other general activities. Referring to the Joint Minister of Religion regulations, certainly the shape of the church is not permanent contrary to the law. Then what is the legal status of the church that is located in hotels and malls? . There are no regulations that regulate the construction of houses of worship in malls or hotels that cause the legal position of this church to become ambiguous in the eyes of the law. On the other hand, although there are differences with the Minister of Religion's Joint Regulations, in fact churches that stand in malls and hotels can still exist and mushroom in line with the times.

3. CONCLUSION

The phenomenon of churches standing in malls and hotels is due to the development of the times and the difficulty of church construction requirements in Indonesia. The problem regarding the legal position of the church that stands in malls and hotels occurs due to differences in the conception of the understanding of the church between the general public that is different from the understanding of the synagogue based on the Joint Minister of Religion's Regulation on the establishment of synagogues. From the beginning the church that stood in malls and hotels was not a synagogue that needed permission and was basically not officially registered as a church by the state. But after all the church that stands not on its own land remains a Christian synagogue that should have permission in its operation. With the legal vacuum not able to overcome the problem of

church licensing in malls and hotels, churches that should not be houses of worship that require church building permits (IMB), remain forcibly closed on grounds of refusal from the community around malls and hotels. This creates uncertainty about the legal status of the church that stands inside malls and hotels. On the one hand does not require permission and is not is a synagogue that requires a building permit, but on the one hand it can also be closed if you get questions from the community about church permits. Viewed from any side the legal position of the church that stands in malls and hotels is clearly different from the legal position of the church which stands on its own land.

In other words the church standing not on its own building is not the object of the Joint Minister of Religion Regulation, so that the legal status of the church standing in the mall and hotel is not a synagogue. The community's rejection and questions about church permits are another thing that happens because of the legal vacuum, as a result of the times that are not matched by updates to the Joint Minister of Religion Regulations on the Establishment of Houses of Worship.

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