



The Role of the HST District Attorney's Office in the Coordination Team for the Supervision of Religious Beliefs and Cults in the Community

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Abstract

The implementation of freedom of religion and belief in Indonesia faces obstacles when it does not comply with government regulations. A research was conducted to examine the legal framework and institutions responsible for supervising religious beliefs and sects. The research used empirical methods including interviews, documentation, and observation. Primary data was collected on the supervision of belief flows in public order and tranquility, as well as the supervision carried out by the HST State Attorney's Office against misleading belief flows in the Hulu Sungai Tengah Regency. Secondary data included books, journals, articles, and research findings. The research found that the mechanism for supervising deviant religious sects and cults was not explicitly explained in the regulations, but interviews with sources revealed that the HST State Attorney's Office had its own mechanism involving decision letters, coordination meetings, and effective supervision. The supervision by the HST State Attorney's Office against cults in the district was deemed successful, resulting in legally binding decisions.

Keywords: Religious, beliefs, cults, community

Abstrak

Pelaksanaan kebebasan beragama dan berkeyakinan di Indonesia menghadapi hambatan ketika tidak sesuai dengan peraturan pemerintah. Sebuah penelitian dilakukan untuk mengkaji kerangka hukum dan institusi yang bertanggung jawab untuk mengawasi keyakinan dan aliran keagamaan. Penelitian ini menggunakan metode empiris termasuk wawancara, dokumentasi, dan observasi. Data primer dikumpulkan mengenai pengawasan aliran kepercayaan terhadap ketertiban dan ketentraman masyarakat, serta pengawasan yang dilakukan oleh Kejaksaan Negeri HST terhadap aliran kepercayaan yang menyesatkan di Kabupaten Hulu Sungai Tengah. Data sekunder yang digunakan adalah buku, jurnal, artikel, dan hasil penelitian. Penelitian ini menemukan bahwa mekanisme pengawasan terhadap aliran kepercayaan dan aliran sesat tidak dijelaskan secara eksplisit dalam peraturan perundang-undangan, namun dari hasil wawancara dengan narasumber, Kejaksaan Negeri HST memiliki mekanisme tersendiri yang meliputi surat keputusan, rapat koordinasi, dan pengawasan yang efektif. Pengawasan yang dilakukan oleh Kejaksaan Negeri HST

terhadap aliran sesat di kabupaten tersebut dinilai berhasil dan menghasilkan keputusan yang berkekuatan hukum tetap.

Kata kunci: Agama, kepercayaan, aliran kepercayaan, masyarakat.

1. INTRODUCTION

Indonesia is a country that consists of various ethnicities, customs, religions and cultures. The guarantee of freedom of religious life in Indonesia is normatively strong enough, but in practice it is obliged to obey the laws and regulations as part of the implementation of tolerance in the state and society. The practice of freedom of religion and belief is still experiencing obstacles if the implementation does not follow the regulations issued by the government. In Indonesia, the government recognises 6 (six) religions, namely Islam, Catholicism, Christianity, Hinduism, Buddhism and Khong hu cu (confusius). The religion that is "recognised" by the government, means that other than those religions are not "recognised" and if there are people who establish other religions, then it has legal consequences and does not reduce the civil rights of citizens. Munculnya ajaran atau aliran yang menyimpang (khususnya dari agama islam) telah menimbulkan gejolak dalam masyarakat, dan menimbulkan sikap gelisah dari masyarakat terhadap kelompok yang dianggap mengajarkan aliran sesat ini. Selain itu, sejumlah aliran sesat terkadang juga menawarkan aturan yang meringankan pengikutnya berupa pengurangan kewajiban-kewajiban yang selama ini berlaku di agama konvensional.

The Quran that talks about the sanctions for those who teach heresy is found in QS. At-Taubah : 62 and 63, QS. Al-Ahzab : 62, and QS. An-Nisa : 52

وَمِنْهُمْ الَّذِينَ يُؤَدُّونَ النَّبِيَّ وَيَقُولُونَ هُوَ أَدْنَىٰ قَلْبٍ أَدْنَىٰ خَيْرٍ لَّكُمْ يُؤْمِنُ بِاللَّهِ وَيُؤْمِنُ لِلْمُؤْمِنِينَ
وَرَحْمَةً لِّلَّذِينَ آمَنُوا مِنْكُمْ وَالَّذِينَ يُؤَدُّونَ رَسُولَ اللَّهِ لَهُمْ عَذَابٌ أَلِيمٌ

"And among them (the hypocrites) are those who hurt the Prophet (Muhammad) and say, "The Prophet believes all that he hears." Say, "He believes all that is good for you, he believes in Allah, believes in the believers, and is a mercy to the believers among you." And those who harm the Messenger of Allah will have a painful punishment." (QS. At-Taubah : 61)

أَلَمْ يَعْلَمُوا أَنَّهُ مَن يُحَادِدِ اللَّهَ وَرَسُولَهُ فَأَنَّ لَهُ نَارَ جَهَنَّمَ خَالِدًا فِيهَا ذَلِكَ الْخِزْيُ الْعَظِيمُ

"Do they (hypocrites) not know that whoever opposes Allah and His Messenger, then surely Hellfire is for him, and he will abide therein. That is a great humiliation." (QS. At-Taubah : 63)

مَلْعُونِينَ أَيْنَمَا ثُقِفُوا أُخِذُوا وَقُتِلُوا تَقْتِيلًا

"in a state of damnation. Wherever they are found, they will be captured and killed without remission." (QS. Al-Ahzab : 61)

أُولَٰئِكَ الَّذِينَ لَعَنَهُمُ اللَّهُ وَمَنْ يَلْعَنِ اللَّهُ فَلَنْ تَجِدَ لَهُ نَصِيرًا

"They are those whom Allah has cursed. And whoever Allah has cursed, you will not find a helper for him."(QS. An-Nisa : 52)

With the emergence of various religious sects and understandings that are considered misleading the community, legal problems arise, which of course have consequences for the situation of security and public order.

The Attorney General's Office is a state institution that is obliged to research and supervise existing religious sects so that the public gets a clear picture of which sects are heretical and which are not. In addition to other law enforcement agencies, there are 3 (three) main things that become the duties and authorities of the Indonesian Attorney as stated in Article 30 paragraph (3) letters d and e of Law Number 16 of 2004 concerning the Indonesian Attorney in conjunction with Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Indonesian Attorney. Specifically regarding the supervision of the cult of belief is regulated in Article 30 paragraph (3) letter d and in line with this task is also given the authority to prevent the abuse and / or blasphemy of religion which is regulated in Article 30 paragraph (3) letter e. More clearly, Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia jo Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia in Article 30 paragraph (3) letter d states "In the field of public order and tranquility, the Attorney General's Office also organises activities: Supervision of the flow of beliefs that can endanger society and the state" and letter e states "Prevention of abuse and blasphemy of religion". In order to obtain a further understanding of this article, the explanation for each article states that the duties and authority of the Public Prosecutor's Office in this paragraph are more preventive or educative in accordance with statutory regulations. Meanwhile, what is meant by co-organising is to include activities that are assisting, participating and cooperating by always paying attention to coordination with relevant agencies. From this explanation, it can be seen that the attorney is not the only apparatus that has the authority to supervise the cult of belief that can endanger society and the state as well as the abuse or blasphemy of religion.

Law Number 16 of 2004 concerning the Indonesian Prosecutor's Office in conjunction with Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Indonesian Prosecutor's Office also implies that the Prosecutor's Office is in a central position with strategic actors in strengthening national resilience. Because the Prosecutor's Office is at the axis and becomes a filter between the investigation process and the examination process in court, as well as the executor of court decisions and decisions, so that the prosecutor's office is the controller of the case (*dominus litis*). Because only the Prosecutor's Office can determine whether a case can be submitted to the Court or not based on valid evidence according to the Criminal Procedure Law. As a follow-up, a team known as the Coordination Team for the Supervision of Community Beliefs (PAKEM) was formed. The PAKEM team was first established in 1984 with the Decree of the Attorney General Number: KEP-189/JA/101984 dated 4 October 1984. The decree was revoked in 1994 and replaced with Attorney General Decree Number KEP-004/JA/01/1994 dated 15 January 1994 on the establishment of the Coordination Team for the Supervision of Community Beliefs. Finally, in 2015 there was a change in the term PAKEM which was not only within the scope of aliran kepercayaan but also religious sects

so that KEP-004/JA/01/1994 dated 15 January 1994 was revoked and replaced with Decree of the Attorney General of the Republic of Indonesia Number: KEP-146/A/JA/09/2015 dated 25 September 2015 on the Establishment of the Coordination Team for the Supervision of Aliran Kepercayaan and Aliran Keagamaan in the community at the central to regional level.

2. LITERATURE REVIEW

Role in the Big Indonesian Dictionary (KBBI) is something that is played or carried out. Role is defined as an activity that is played or played by someone who has a social position or status in the organisation. Role according to terminology is a set of behaviours that are expected to be possessed by those who are positioned in society.

Role according to Koentjaraningrat, means the behaviour of individuals who decide on a certain position, thus the concept of role refers to the pattern of behaviour expected of a person or system. According to Abu Ahmadi, a role is a complex of human expectations of how individuals should behave and act in certain situations based on their social status and function.

The definition of role according to Soerjono Soekanto, namely role is a dynamic aspect of position (status), if someone carries out his rights and obligations in accordance with his position, then he carries out a role. If a person who carries out his rights and obligations in accordance with his position, he carries out a role. Meanwhile, obligations are everything that must be done by everyone in carrying out their lives.

It can be concluded that a role is an attitude or behaviour expected by many people or a group of people towards someone who has a certain status or position. Humans as social creatures have a tendency to live in groups. In this group life, there will be interactions between members of the community with one another. The growth of interaction between them is interdependent. In social life, there is what is called a role. Role is a dynamic aspect of one's position, if a person carries out his rights and obligations in accordance with his position, the person concerned carries out a role.

3. RESEARCH METHODOLOGY

This research is juridical empirical legal research, this research is field research which is useful for revealing the reality that occurs in society at a time. This research was conducted directly into the field where researchers conducted research and examined data and documents related to the problem under study regarding the Role of the HST State Attorney's Office in the Pakem Coordination Team. Researchers conducted observations and interviews with the Chief of the HST State Attorney's Office as well as the Chairperson of the HST City / Regency Pakem Coordination Team Mr Faizal Banu, S.H., M.H and the Head of the Intelligence Section of the HST State Attorney's Office as well as members of the HST City / Regency Pakem Coordination Team Mr Saripudin, S.H.

3.1. Research Design

This research uses descriptive research, which is a research to solve a problem based on the results of interviews with young prosecutors who are concurrently the chairman and members of the Coordination Team for the Supervision of Beliefs and Religious Cults in Society (PAKEM).

The object of this research is the supervision of the flow of belief in the field of public order and tranquility in Law Number 11 of 2021 jo Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia. And the data obtained by researchers is then adjusted to the provisions contained in Law Number 1 / PNPS of 1965 concerning Prevention of Abuse and / or Blasphemy of Religion.

3.2. Participants of the Study

The data used in this research are primary data and secondary data obtained from literature studies, observations, and interviews. Data collection includes the points as described below:

- a. Primary data is data that is obtained and collected directly by researchers from the source directly. The primary data obtained is also often referred to as original data, where to obtain primary data, researchers can go through an interview or observation process in the field. The primary data referred to in this study are about:
 - 1) Supervision of religious cults in the field of public order and tranquillity in Law Number 11 of 2021 jo Law Number 16 of 2004
 - 2) Supervision of the HST District Attorney's Office on misleading cults in the Central Hulu River Regency.
- b. Secondary data is a research data source which is obtained by researchers indirectly but through an intermediary. Secondary data is data obtained by researchers from several existing sources, secondary data can usually be found in books, journals, articles, and research results that become references related to research, which is the prosecution and supervision of cults and religious sects in society. The data sources of this research are:
 - 1) The informants in this study are the chairman and members of the Pakem Team, namely the Chief of the HST District Attorney's Office and the Deputy Chairperson and members of the Pakem Team, namely the Chief of the Intelligence Section of the HST District Attorney's Office.
 - 2) Documents in this research use Law of the Republic of Indonesia Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, Law Number 5 of 2019 concerning Amendments to Regulation of the Attorney General Number PER-019/A/JA/09/2015 concerning the Coordination Team for the Supervision of Belief Cults and Religious Cults in Society, and Law Number 1/PNPS of 1965 concerning Prevention of Abuse and / or Blasphemy of Religion.

3.3. Instruments

The selection of research subjects uses purposive sampling techniques, based on characteristics that are considered relevant to the research objectives. Subjects or commonly called informants in research are people who provide information, the data needed by researchers is limited to what is known and researchers cannot direct answers at will. The subjects in this study are :

- a. The chief of the HST District Attorney's Office who is also a member of the Pakem Coordination Team

- b. The Chief of the Intelligence Section of the HST District Attorney's Office who is also a member of the Pakem Coordination Team.

3.4. Data Analysis Techniques

The three data collection techniques used in this study are as described below:

- 1) Interview is a question and answer process in a research that takes place orally between two or more people face to face to listen directly to information or information that wants to be obtained as an answer to a question in a research. Interviews in this study were conducted with prosecutors who are also members of the PAKEM Team (Supervision of Belief and Religious Cults in Society) and legal experts who are experts in the field of blasphemy.
- 2) Observation is a technique that requires observation from the researcher either directly or not of the object under study. Some of the information obtained from observations includes places, actors, activities, objects, actions and events. With the observation in this study, researchers can present a real picture of events, answer questions, help understand human behaviour.
- 3) Documentation is a search for data regarding matters related to the object of research. Documentation comes from the word document which means written items, photographs, brochures and so on. Documentation in this study is in the form of photographs of events or things related to the occurrence of the problem under study in order to prove that there is really blasphemy committed by the defendant.

4. RESULTS AND DISCUSSION

4.1 Supervision of the Cult of Belief in the Field of Public Order and Tranquillity in Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia jo Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia

In Law No. 16/2004 on the Public Prosecutor's Office of the Republic of Indonesia, Article 2 paragraph (1) confirms that the Public Prosecutor's Office of the Republic of Indonesia is a government agency that exercises state power in the field of prosecution and other authorities based on law. One of the duties and authorities of the AGO as stipulated in Article 30 paragraph (3) d and e of Law No. 16/2004 on the AGO of the Republic of Indonesia includes the field of public order and tranquillity, where the AGO also organises activities to monitor beliefs that can endanger society and prevent the misuse and/or blasphemy of religion. Previously, to realise the prosecutor's authority in Article 30 paragraph (3) d and e of Law Number 16/2004 on the Prosecutor's Office of the Republic of Indonesia, the previous Attorney General of the Republic of Indonesia had taken the initiative to issue a legal product in the form of KEPJA Number KEP-004/J.A/01/1994 on the Establishment of the PAKEM Coordination Team, where the Prosecutor's Office together with the relevant agencies of the Ministry of Religion, Ministry of Home Affairs, POLRI, TNI, BIN, and Budpar sat together to formulate and analyse the problems of the flow of public beliefs that could endanger society and the state as well as the prevention of abuse and/or blasphemy of religion which would later serve as input for the Government (President). The PAKEM Coordination Team is

hierarchical from the Central Level, Level 1 Region and Level II Region according to their respective jurisdictions.

In general, the authority of the prosecutor's office is regulated in Article 30 of Law Number 16 of 2004 concerning the Prosecutor's Office of the Republic of Indonesia, which is as follows :

- a. In the criminal field, the prosecutor's office has duties and authorities :
 - 1) Conduct prosecution;
 - 2) Implementing judges' decisions and court judgements that have obtained permanent legal force;
 - 3) Supervise the implementation of conditional criminal judgement, supervision criminal judgement, and conditional release decision;
 - 4) Conducting investigation on certain criminal offences based on the Law;
 - 5) Completing certain case files and for that purpose can conduct additional examinations before being submitted to the court which in its implementation is coordinated with investigators.
- b. In the field of civil and state administration, the prosecutor's office with special authorisation can act both inside and outside the court for and on behalf of the state or government.
- c. In the field of public order and tranquillity, the prosecutor's office also organises the following activities :
 - 1) Increased public legal awareness;
 - 2) Safeguarding law enforcement policies;
 - 3) Supervision of the circulation of printed matter;
 - 4) Supervision of the flow of beliefs that can endanger society and the state;
 - 5) Prevention of blasphemy and/or desecration of religion;
 - 6) Research and development of law and criminal statistics.

In relation to the concept of facing various problems of defence and security of the country, the Attorney General's Office plays an active role, especially in the field of public order and tranquility, where the Attorney General's Office also organises activities to monitor the flow of beliefs that can endanger society and the state, as well as the prevention of abuse and/or blasphemy of religion. In this case, the duties and authorities are delegated by the Attorney General to his subordinates who in this case are under the supervision of the Deputy Attorney General for Intelligence (JAM Intel).

The Deputy Attorney General for Intelligence is a supporting element of the leadership in carrying out some of the duties and powers and functions of the Attorney General's Office in the field of Judicial Intelligence which is directly responsible to the Attorney General. The Deputy Attorney General for Intelligence has the duty and authority to conduct judicial intelligence activities in the fields of ideology, politics, economics, socio-culture, and defence and security to support law enforcement and justice policies both preventively and repressively, implement and or participate in organising public order and tranquility as well as securing national development and its results based on statutory regulations and policies set by the Attorney General.

Law No. 16/2004 on the Attorney General's Office of the Republic of Indonesia does not give authority to the Attorney General or the Head of the Attorney General's Office in the regions as the Head of the PAKEM Team to prohibit and dissolve religious

organisations that carry out activities mentioned in Article 1 of Presidential Stipulation (PNPS) No. 1 of 1965 on the Prevention of Abuse and/or Blasphemy of Religion in conjunction with Law No. 5 of 1969 on the Stipulation of Various Presidential Stipulations and Presidential Regulations as Law.

In Article 5 of the Regulation of the Attorney General of the Republic of Indonesia Number 5 of 2019 concerning the Coordination Team for the Supervision of Belief Cults and Religious Cults in the Community, there are several provisions, which are :

- a. The composition and membership of the Coordination Team for the Supervision of Beliefs and Religious Cults in Regency / City Communities are :
 - 1) The Chairperson is concurrently the Head of the District Attorney's Office;
 - 2) The Vice Chairman is concurrently a member of the Head of the Intelligence Section at the District Attorney's Office;
 - 3) Secretary who is concurrently a Member, namely the Head of the Ideology, Politics, Defence Security, Socio-Culture and Society Section at the Intelligence Section; and
 - 4) Members consist of elements:
 - a) Regency/City Regional Government;
 - b) Military District Command;
 - c) Resort Police;
 - d) Office of the Ministry of Religious Affairs;
 - e) Office of the Ministry of Education and Culture;
 - f) Regional Intelligence Agency; and
 - g) Representatives of the Regency/City Religious Harmony Forum.

In 2019 there was an update of the rules for the formation of the PAKEM Coordination Team, namely the Regulation of the Attorney General of the Republic of Indonesia Number 5 of 2019 concerning Amendments to the regulation of the Attorney General Number PER/019/JA/09/2015 concerning the Coordination Team for the Supervision of the Cult of Belief and Religious Cults in the community, at this stage the scope was further expanded by adding the term Religious Cult where previously only used the term Religious Cult.

Until now, the government has not issued a Standard Operating Procedure (SOP) as a guideline and uniformity of implementation and reporting for PAKEM activities, PAKEM procedures still refer to Presidential Decree No. 1 of 1965 (Law No. 1/PNPS/1965) on the Prevention of Abuse and / or Blasphemy of Religion, in terms of criminal law aspects, the Prosecutor's Office relates it to Article 156a of the Criminal Code (KUHP), so that cults that are not in accordance with the official religion adopted in Indonesia can be dealt with in accordance with applicable legal provisions in Indonesia.

4.2 Form of Supervision of the HST State Attorney's Office on Misleading Cults

The role of the HST State Attorney's Office through the Prosecutor's Judicial Intelligence, which in this case is accommodated in the role of the Pakem Team that oversees the development of aliran kepercayaan in Indonesia, is getting heavier. The HST State Attorney's Office is required to be more pro-active in carrying out its supervisory role, because the nature of the supervision carried out is not only preventive countermeasures but has a broader meaning of obligation. So it is not only vigilant or waiting to handle cases arising from the cult of belief, but more repressive

countermeasures in the form of preventive, persuasive and even rehabilitative real actions.

Community empowerment to prevent the increasing trend of deviant cults through an approach to the community, namely socialisation of laws and regulations and enlightenment about the understanding of cults that have the right to live in Indonesia. As well as an understanding of the indications of various deviant cults, as stipulated in Law No.1/PNPS/1965 and Law No. 5 of 1969. The way to be prevented, for example, is by collecting various information, after the data is complete, then the perpetrator can be invited for dialogue or consultation and can also be called for questioning, then also directly see the activities carried out. In this way, a firm judgement can be made to take preventive action.

In the explanation of Article 1 of Law No. 1 PNPS of 1965, there is no further explanation of what is meant by abuse of a religion practised in Indonesia. The Big Indonesian Dictionary explains that misuse is the process, way, act of misusing. Abuse comes from misuse which means doing something not as it should be. Article 1 of Law No.1 PNPS of 1965 on the prevention of abuse and blasphemy of religion "Every person is prohibited from deliberately in public, telling, advocating, or seeking public support, to interpret a religion adhered to in Indonesia or to carry out religious activities that resemble that religion; interpretations and activities which deviate from the main teachings of that religion". Article 2 "In accordance with the personality of Indonesia, persons or adherents of a sect of belief or members or administrators of organisations who violate the prohibition mentioned in Article 1 shall, for the first time, be given the necessary advice. If the violation is committed by an organisation or adherents of a sect that has a serious effect on the religious community, the President has the authority to dissolve the organisation and to declare it a banned organisation and sect with its consequences."

From this article, it can be obtained the notion of abuse or misuse of religion. The elucidation of article 2 above explains that the misappropriation in question refers to the act which is described in article 1, namely an act of telling, teaching or seeking public support to interpret a religion adopted in Indonesia, where the interpretation and activities do not properly deviate, deviate from the main teachings. Another thing supporting this understanding is what is mentioned in sheet No. 3 of 1965 regarding the purpose of PNPS No. 1 of 1965, namely, to prevent deviations from religious teachings which are considered the main teachings of the scholars (religious leaders) concerned. This is intended as a form of legal protection provided by the state to the religious community.

The body of religious organisation such as MUI or other religious organisation recommends the religious cult to the prosecutor's office, then by the prosecutor's office based on the recommendation result from the body of religious organisation, together with the Head of Region, the Regional Office of Ministry of Religious Affairs is made a joint decree or by the Prosecutor's Decree based on the authority of Article 30 paragraph 3 sub e of Law Number 16 Year 2004 to give a stern warning to the perpetrators of religious cult in order not to repeat the violation of article 1 of Law Number 1/PNPS/1965 in the future.

The number of blasphemy cases is evidence that the community feels bound by these legal provisions. In addition, the blasphemy cases that occur are also evidence of the absence of public acceptance of the rule of law. Lastly, regarding the criteria of legal facilities, Law No. 1/PNPS/1965 is quite effective in tackling the storage or blasphemy of

religion which in many cases occurs. Based on these three criteria, it is concluded that the sociological validity of Law No. 1/PNPS/1965 has not been achieved properly so that the rule of law really needs to be refined in the order of Indonesian legislation, so that the step of testing the rule of law against the 1945 Constitution is applied or not. Law No. 5/1969 on the Declaration of Various Presidential Determinations and Presidential Regulations as Law (Law No. 5/1969) answers this by enacting PNPS No. 1/1965 into Law No. 1/PNPS/1965. In conclusion, PNPS No. 1/1965 did apply temporarily but was enacted as a law through Law No. 5/1969. A different opinion from Constitutional Judge Mari farida emphasised the rationale for declaring Law No. 1/PNPS/1965 inconsistent. 1/PNPS/1965 is unconstitutional considering that Law No. 1/PNPS/1965 in its validity must be refined with the current circumstances and conditions of Indonesian society and the development of the international legal community as confirmed in the explanation of Law No. 5/1969. This view is very appropriate to be used to make improvements to the regulation of blasphemy criminal offences that apply nationally. It is just that the view has not considered the four enforceability as explained earlier.

Meanwhile, regarding the prohibition/freezing of the activities of the organisation/belief sect concerned, the decree can be issued by the local District Attorney's Office after the recommendation from the Attorney General's Office, the Ministry of Religious Affairs and the Ministry of Home Affairs. Prosecution of individuals or organisations/belief sects can only be carried out if the perpetrator has received an appeal or a stern warning to dissolve the organisation/belief sect and stop its teachings, but the perpetrator is still conducting and carrying out the activities of the belief sect. The punishment stipulated by this law is a maximum of 5 (five) years of imprisonment. The anti-religion offence itself is different from the offence of religious misappropriation, for the anti-religion offence is directly processed as a criminal act through investigation and prosecution in court without giving a strong warning beforehand, for the maximum penalty of 5 (five) years in prison.

5. CONCLUSION

Based on the results of researcher observations in the field, the role of the HST State Attorney's Office in the Coordination Team for the Supervision of Cults of Belief and Religious Cults in the Community that legal products in the Supervision of the cult of belief in the field of public order and tranquility As contained in Law Number 11 of 2001 in conjunction with Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia article 30 paragraph (3) letters d and e, Law Number 5 of 1991, Law No. 1/PNPS/1965 on the Prevention of Abuse and or Blasphemy of Religion, that it is not described how the mechanism in the Attorney General's Office of the Republic of Indonesia to supervise the existence of deviant religious beliefs and sects, but in this study implicitly in the results of my interviews with sources in the mechanism at the HST State Attorney's Office already exists, namely by issuing a decree, coordination meetings between the Pakem Team and the defendant and the implementation of supervision has gone well. As well as the Implementation of Supervision of Belief and Religious Cults in the Community (PAKEM) by the HST State Attorney's Office has been running in accordance with its duties and authorities and is carried out in coordination between the HST State Attorney's Office as the Head of the Pakem Team and other Pakem Team members.

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