



Freedom of Religion in Islam and Human Rights

(a Perspective on Humanitarian Principles in Islamic Law)

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Abstract

This study aims to examine the development of religious freedom in Indonesia and the relationship between human rights (HR) principles in Islam and international HR standards. According to SETARA Institute data from 2023, there has been a significant increase in violations of religious freedom, with 217 incidents and 329 violation acts, mostly perpetrated by non-state actors. Although this right is protected by the constitution and Law Number 39 of 1999, serious challenges remain. This research employs a qualitative method with a descriptive-analytical approach to explore expert perspectives on religious freedom in Islam, integrating legal document analysis, academic literature, and a comparative approach between Islamic law and international HR standards. Findings indicate that HR principles in Islam have a strong foundation through the maqasid al-shariah principles, which encompass the protection of life, religion, intellect, lineage, and property, aligning with universal HR despite distinct theological bases. In Indonesia, as a country that recognizes religious pluralism and is founded upon Pancasila, religious freedom is guaranteed through the 1945 Constitution. The study concludes that harmonizing Islamic and international HR principles in religious freedom necessitates an integrative, dialogical, and contextual approach, especially through collaboration between Muslim scholars and international HR experts. Despite ongoing challenges such as radicalism and the politicization of religion, legal reform and moderate approaches in some Muslim countries demonstrate that a synthesis between Islamic values and modern HR can be achieved with balance and inclusivity.

Keywords: Religious freedom; Islamic human rights; international human rights

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Introduction

Throughout 2023, the SETARA Institute recorded a significant increase in violations of freedom of religion/belief in Indonesia, with a total of 217 incidents and 329 acts of violation—an increase from 175 incidents and 333 actions in 2022. Of the 329 actions recorded in 2023, 114 were committed by state actors, while 217 were committed by non-state actors. This rise indicates a continuing trend, approaching figures from 2019. The data also reveals an increase in the number of places of worship that were targeted, reaching 65 in 2023, up from previous years: 50 in 2022, 44 in 2021, and only 16 in 2017. These findings suggest ongoing challenges in enforcing religious freedom in Indonesia, posed by both state and non-state actors, and increasing vulnerability of places of worship to violations.¹

The above clearly contradicts Law No. 39 of 1999 on Human Rights, which states in its preamble, point (b), that human rights are fundamental rights inherently attached to every individual by nature, universal and eternal. Therefore, these rights must be protected, respected, upheld, and cannot be ignored, reduced, or taken away by anyone. Point (d) further asserts that as a member of the United Nations, Indonesia has both a moral and legal responsibility to uphold and implement the Universal Declaration of Human Rights, as ratified by the UN, along with various other international instruments recognised by the Republic of Indonesia.²

According to Wardana, Khansadhia Afifah, religious freedom is an inherent right of every individual to choose, practise, and even change their religion or belief without coercion or discrimination from any party. Rustam emphasises that religious freedom must be regarded as a universal and non-derogable right—even in times of emergency.³ This definition aligns with the principles enshrined in the Universal Declaration of Human Rights (UDHR), which declares religious freedom as a fundamental right that must be guaranteed by every state that respects human rights values.

Violations of religious freedom contradict the provisions of Article 22, paragraph (1) of Law No. 39 of 1999, which states: "Every person is free to embrace their religion and to worship according to their religion and beliefs." This legal view is also expressed by Constitutional Court Judge Saldi Isra. In reading the verdict on the judicial review of Article 61, paragraphs (1) and (2) of Law No. 23 of 2006 on Population Administration—amended by Law No. 24 of 2013—Nasution asserted that Articles 28E (1) and (2) of the 1945 Constitution recognise the constitutional right of every citizen to freedom of religion and belief. Article 29 of the Constitution also affirms the state's responsibility to guarantee every resident's freedom to embrace their own religion and belief.⁴

¹ Abdul Hamied Razak, "Kasus Pelanggaran Kebebasan Beragama Dan Beriman Di Indonesia Meningkat," *Harian Jogja*, 2024.

² Natanael Christian Henry Gurinda, "Peran Pbb Dalam Perlindungan Hak Asasi Manusia Menurut Kajian Hukum Internasional," *Lex Et Societatis* 8, no. 5 (2019): 55.

³ Khansadhia Afifah Wardana, "Kebebasan Beragama Sebagai Hak Asasi Manusia Di Indonesia: Pertentangan Universalisme Dan Relativisme Budaya," *Jurnal Hukum Progresif* 10, no. 1 (2022): 63–75, <https://doi.org/10.14710/jhp.10.1.63-75>.

⁴ Aulia Rosa Nasution, "Kebebasan Beragama Dalam Tinjauan Hak Asasi Manusia," *Jurnal Hukum Responsif FH UNPAB* 6, no. 6 (2018): 1–26.

Human rights have become one of the global issues championed and upheld by the international community.⁵ Human rights are fundamental entitlements possessed by every individual. The term originates from various languages, such as *droits de l'homme* in French, *human rights* in English, and *huquq al-insan* in Arabic. Human rights are inherently attached to human dignity as creations of God and have existed since the beginning of human existence. Therefore, these rights are natural and not granted by any human or state.⁶

However, the concept of human rights as formulated in the UDHR is often based on Western values. Despite its widespread popularity and adoption by many countries around the world, debates continue concerning the values and cultural differences among nations that claim Western values dominate the contents of the declaration itself.⁷ This presents challenges when implemented in cultural and religious contexts that differ from the West, including in Islam.

In recent decades, there has been debate regarding the compatibility between international human rights principles and Islamic teachings. On one side, some believe that Islamic teachings have historically incorporated the concept of human rights, predating Western notions by centuries.⁸ This is reflected in principles of justice, equality, and individual protection found in Islamic sources such as the Qur'an and Hadith, which have long recognised individual rights, including the right to life and religious freedom.⁹ Many Muslim scholars argue that, when interpreted correctly, Islamic teachings can support modern human rights principles, with *maqāsid al-sharī'ah* serving as the foundation for the protection of individual rights.¹⁰¹¹

Some critics of Islam argue the opposite—that Islamic law contradicts human rights principles¹²¹³. From their perspective, certain provisions of Islamic law can restrict individual freedom and human rights, particularly in matters of gender and religious freedom. It is important to note that this debate often arises from differing interpretations of sacred texts and the social contexts in which these laws are applied.

⁵ Aulia Rosa Nasution, "Urgensi Pendidikan Kewarganegaraan Sebagai Pendidikan Karakter Bangsa Indonesia Melalui Demokrasi, HAM Dan Masyarakat Madani," *Jupii: Jurnal Pendidikan Ilmu-Ilmu Sosial* 8, no. 2 (2016), <https://doi.org/10.24114/jupii.v8i2.5167>.

⁶ Audina Putri et al., "Hak Asasi Manusia Dalam Perspektif Islam," *Al-Wasathiyah: Journal of Islamic Studies* 2, no. 2 (2023): 195–208, <https://doi.org/10.56672/alwasathiyah.v2i2.75>.

⁷ Zeffry Alkatiri, "Satu Lagi Kritik Atas Dominasi HAM Barat," *Wacana, Journal of the Humanities of Indonesia* 9, no. 2 (2007): 254, <https://doi.org/10.17510/wjhi.v9i2.218>.

⁸ Mida Mar'atus Sholihah et al., "Dinamika Hukum Islam Dan Hak Asasi Manusia Dalam Gender Dan Hukuman Mati," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 2, no. 2 (2024): 994–1017, <https://doi.org/10.62976/ijjel.v2i2.588>.

⁹ Muhammad Hasbulloh Huda, "Hak Asasi Manusia Dalam Perspektif Sosial-Historis," *MAQASHID Jurnal Hukum Islam* 2, no. 2 (2019): 30–41, <https://doi.org/10.35897/maqashid.v2i2.328>.

¹⁰ Asif Mohiuddin, "An Islamic Approach to Human Development: Democracy and Human Rights in the Light of Maqāsid Al - Shari ' Ah," 2019.

¹¹ David Johnston, "Maqāsid Al-Sharī a: Epistemology and Hermeneutics of Muslim Theologies of Human Rights," *Die Welt Des Islams* 47, no. 2 (2007): 149–87.

¹² Nancy Gallagher, "BRIEF COMMUNICATIONS Amnesty International and the Idea of Muslim Women's Human Rights," *Journal of Middle East Women's Studies* 1, no. 3 (2005): 96–107, <https://doi.org/10.2979/mew.2005.1.3.96>.

¹³ Abdulaziz Sachedina, *Islam and the Challenge of Human Rights, Islam and the Challenge of Human Rights* (Oxford University Press, 2010), <https://doi.org/10.1093/acprof:oso/9780195388428.001.0001>.

Islam, as a comprehensive religion, offers guidance that encompasses the principles of justice (*'adl*), freedom (*hurriyah*), and the protection of human dignity.¹⁴ These principles are reflected in the concept of *maqāsid al-shari'ah*—the overarching goals of shariah—which aim to protect life, property, intellect, religion, and lineage.¹⁵ As the country with the largest Muslim population in the world, Indonesia has a religiously diverse society. Within this context, it is essential to understand how Islam, the state, and human rights interact in addressing the issue of religious freedom.

This study adopts the theory of legal pluralism, which explores the complex interaction between state law, religious law, and social norms in governing religious freedom. In the Indonesian context, this framework is relevant for analysing how international human rights law (as stipulated in the UDHR and ICCPR), Islamic human rights principles (based on *maqāsid al-shari'ah* and the concept of *hurriyyah* or freedom), and national law (such as the 1945 Constitution and the Human Rights Law) converge or conflict.

The theory of constitutional pluralism (Krisch, 2010) is also employed to understand how Indonesia, as a Muslim-majority country, accommodates international human rights obligations while referring to Islamic values. This approach enhances the analysis of "human rights harmonisation," which in this study is defined as efforts to align universal human rights principles with local and religious values without sacrificing the fundamental rights of individuals.

Additionally, the *margin of appreciation* doctrine is adopted as a lens to assess the extent to which states are given discretion to interpret and implement human rights in accordance with their socio-cultural context.¹⁶ This doctrine is relevant for evaluating Indonesia's policies, which are often seen as "neglectful" of violations of religious freedom under the justification of maintaining public order or religious morality.

Previous studies have tended to take a dichotomous approach—comparing Islamic and Western human rights in abstract terms, without empirically analysing the Indonesian context. Research on religious freedom in Indonesia often focuses on national legal perspectives or NGO activism, without theoretical approaches that connect international human rights, Islam, and legal pluralism¹⁷. Few studies have applied the *margin of appreciation* framework to analyse Indonesia's religious freedom policies.

This research seeks to examine the development of religious freedom in Indonesia and explore the relationship between Islam and human rights principles within the context of religious freedom. Religious freedom is one of the aspects of human rights recognised internationally, yet its application in the context of Islam often brings about various dynamics. As a country with the largest Muslim population, Indonesia faces unique challenges in harmonising the principles of religious freedom with Islamic law and values upheld by the majority of its citizens.

¹⁴ Asifa Quraishi and Mohammad Hashim Kamali, "Principles of Islamic Jurisprudence. By Mohammad Hashim Kamali. Cambridge: Cambridge Islamic Texts Society 1991. Pp. Xxi, 417. Price Not Available. ISBN: 0-946-62123-3. Paper. ISBN: 0-946-62124-1," *Journal of Law and Religion* 15, no. 1/2 (2001): 385–87, <https://www.cambridge.org/core/journals/journal-of-law-and-religion/article/abs/principles-of-islamic-jurisprudence-by-mohammad-hashim-kamali-cambridge-islamic-texts-society1991-pp-xxi-417-price-not-available-isbn-0946621233-paper-isbn-0946621241/D3C97692977C5D9D0BA5BA649DA9EDD2>.

¹⁵ Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (Simon and Schuster, 2008).

¹⁶ Meron Benvenisti, *Sacred Landscape: The Buried History of the Holy Land since 1948* (Univ of California Press, 2000).

¹⁷ Muhammad Hamzah and Muhammad Salsabila, "Pemberdayaan Perempuan Sebagai Hak Asasi Manusia," *Jurnal Locus Penelitian Dan Pengabdian* 3, no. 4 (2024): 343–56, <https://doi.org/10.58344/locus.v3i4.2567>.

The research method used in this study is a qualitative method with a descriptive-analytical approach. This approach was chosen as it is suitable for exploring in depth the understanding and interpretation of the concept of religious freedom in Islam and its application in Indonesia. The data in this study were obtained through literature review, including the analysis of legal documents, books, and academic journals.¹⁸ The descriptive-analytical approach allows this research not only to describe the state of religious freedom in Indonesia, but also to analyse how Islamic values and international human rights standards may either synergise or encounter tensions in practice.

This study also employs a comparative analysis of various perspectives from Islamic law and human rights experts on religious freedom, and examines the differences between Islamic legal perspectives and international standards.¹⁹ Secondary data from various articles and previous studies that focus on the relationship between Islam and human rights in the context of religious freedom are also integrated to strengthen the analysis.²⁰ By combining literature review and comparative analysis, this study aims to provide a more comprehensive and contextual understanding of the challenges and opportunities in implementing religious freedom in Indonesia in accordance with Islamic principles and human rights.

Result and Discussion

The Concept of Human Rights and Religious Freedom in Islamic Law

The teachings of Islam brought by Prophet Muhammad (peace be upon him) are believed to possess a universal character, filled with compassion and divine mercy for all of humanity across the world. These teachings are regarded as guidance leading to happiness and success in worldly life, as well as salvation in the hereafter.²¹ One of the key aspects of Islamic teachings concerns human rights, which historically began to be established with the emergence of Islam at the end of the 6th century CE. At that time, Islam began making efforts to abolish slavery and lay the foundation for human rights, although the implementation was gradual (*tadrij*), meaning the abolition of slavery did not happen immediately. Islam teaches that everyone must respect and acknowledge the right to life of others, as life and death are under the authority of Allah SWT. Therefore, no one has the right to violate another person's right to life. Furthermore, Islam also emphasises the importance of safeguarding each individual's right to life and freedom, while prioritising public rights over individual rights.²²

The discussion on human rights in Islam began as early as 14 centuries ago, one example being the Constitution of Medina (*Mithaq al-Madinah*), which was drafted when the Prophet Muhammad (peace be upon him) migrated to Medina. This document affirms that all communities in Medina—including Jews, Christians, and Muslims—were part of one united

¹⁸ Creswell John and Creswell David, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, Sage Publications, vol. 16 (Sage publications, 2014), https://www.ebooks.com/95887090/research-design/creswell-john-w-creswell-j-david/?fc=MY&src=feed&gclid=CjwKCAjwj4zaBRABEiwA0xwsP4U5JGmf9boYzchbEiJksnD48-R_5aCetJQB5s36Qzf3CZwX0AHY-BoCZlcQAvD_BwE.

¹⁹ Khaled Abou El Fadl, Joshua Cohen, and Deborah Chasman, "Islam and the Challenge of Democracy: A Boston Review Book," in *Islam and the Challenge of Democracy: A Boston Review Book* (Princeton University Press, 2015), 1–139, <https://doi.org/10.5860/choice.42-2476>.

²⁰ Lexy J Moleong, "Metodologi Penelitian Kualitatif/Lexy J. Moleong," 2017.

²¹ Mahmud Syaltut, "Al-Islâm Aqîdatun Wa Syarîatun," *Beirut: Dâr Al-Nafâis*, 1989.

²² Muhammad Adh-Dhahahham, "Huquq Al-Insan Fi Al-Islam Wa Ri'ayatihi Li Al-Qayyim Wa Al-Ma'ani Al-Insaniyyah," *Kairo: Syirkah Al-Mishriyyah*, 1971.

nation.²³ It highlights the need for cooperation among different groups as a single, cohesive society. The Charter also recognises the basic rights of every group involved. Thus, the Constitution of Medina shows that human rights were recognised in Islam from the earliest days of its formation.²⁴

To understand the concept and essence of human rights in Islam, one must first grasp the foundational terminology. In Arabic, human rights are referred to as *Haqq al-Insānī al-Asāsī* or *Haqq al-Insānī ad-Darūrī*, consisting of three main components: first, *haqq*, which means ownership, authority, or entitlement to something, and what someone rightfully possesses; second, *al-insān*, referring to humans as rational beings and legal subjects; and third, *al-asāsī*, meaning fundamental or essential, indicating the intrinsic nature of these rights.²⁵

Terminologically, human rights in Islam, as explained by Muhammad Khalfullah Ahmad, refer to rights inherently and fundamentally attached to every individual, granted and entrusted by Allah SWT, which must be upheld, respected, and protected by individuals, society, and the state. Ibn Rushd emphasised that Islamic human rights provide a framework for protecting *daruriyyāt* (fundamental rights) held by all humans. This protection includes pre-emptive measures against threats to key aspects such as life, honour and lineage, property, intellect, and religious freedom.²⁶

According to Abdullahi Ahmad An-Na'im, there are at least three dimensions to the relationship between Islamic Sharia and human rights. First, there is a broad connection between local culture and human rights, especially in terms of how societies understand and accept the ethical and moral basis of international standards. This highlights the extent to which the universality of human rights is accepted by particular societies—such as Muslim communities—and how cultural uniqueness is recognised by the international community. Second, there is a connection in the legal domain, particularly in areas of personal law previously governed by Islamic jurisprudence. Third, there is an impact from the broader efforts to implement sharia over recent decades, in parallel with the resurgence of Islam in various regions.

As a religion that brings mercy to all creation (*rahmatan lil-'ālamīn*), Islam acknowledges and respects individual rights as a divine gift from Allah SWT, while also valuing collective rights as public entitlements in the effort to establish order on Earth. This is reflected in the concepts of *ḥabl min Allāh* (relationship with God) and *ḥabl min an-nās* (relationship with fellow humans). This comprehensive structure in Islamic regulation demonstrates that Islam inherently embraces human rights principles. This is evident in the objectives behind Islamic teachings, namely:

1. Preservation of religion
2. Protection of life
3. Preservation of intellect
4. Protection of honour or lineage

²³ Idris Thaha, “Demokrasi Religius : Pemikiran Politik Nurcholish Madjid Dan M. Amien Rais,” (*No Title*), 2005, 356.

²⁴ Nur Asiah, “Hak Asasi Manusia Perspektif Hukum Islam,” *DIKTUM: Jurnal Syariah Dan Hukum* 15, no. 1 (2018): 55–66, <https://doi.org/10.35905/diktum.v15i1.425>.

²⁵ M. Alim, “Hak Dan Kewajiban Asasi Manusia Dalam Perspektif Negara Madinah,” *Jurnal Hukum IUS QUILA IUSTUM* 14, no. 3 (2007): 448–57, <https://doi.org/10.20885/iustum.vol14.iss3.art5>.

²⁶ Laila K. Ghauri, *Review of the Rights of God: Islam, Human Rights, and Comparative Ethics*, *Muslim World Journal of Human Rights*, vol. 8 (Georgetown University Press, 2011), <https://doi.org/10.2202/1554-4419.1223>.

5. Protection of property

These five objectives form the foundation of human rights principles in Islam, namely:

1. The right to life protection

The protection of life is among the most fundamental human rights. The Qur'an affirms this by stating:

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَائِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ
النَّاسَ جَمِيعًا

"Because of that, We decreed upon the Children of Israel that whoever kills a soul unless for a soul or for corruption [done] in the land—it is as if he had slain mankind entirely." (*Surah Al-Mā'idah: 32*)

In this verse—and in many of the Prophet's hadith—the term *nafs* (soul or person) is used broadly, without reference to nationality, race, or religion. This universal command underscores that the right to life is a basic right guaranteed by Islam without discrimination.²⁷

2. The right to belief protection

The protection of belief in Islam is stated through religious teachings based on the following divine verses:

لَكُمْ دِينُكُمْ وَلِيَ دِينِ

"To you be your religion, and to me, mine." (*Surah Al-Kāfirūn: 6*)

لَا إِكْرَاهَ فِي الدِّينِ

"There shall be no compulsion in [acceptance of] the religion." (*Surah Al-Baqarah: 256*)

These verses make it clear that coercion in matters of faith is not permitted. Islam grants each individual the freedom to practise their beliefs without pressure from any party.²⁸

3. The right to protection of thought and intellect

The right to protection of intellect in Islam is manifested through fundamental legal provisions, such as the prohibition of consuming food or drink that impairs consciousness or the ability to think. From this basic principle, a broader understanding can be derived, which includes the right to freedom of expression and the right to access education.²⁹

4. The right to property protection

²⁷ Ghauri.

²⁸ Daniel Philpott, "Religious Freedom in Islam: A Global Landscape," *Plight and Fate of Children during and Following Genocide* 2, no. 1 (2017): 247–66, <https://doi.org/10.4324/9781315244624>.

²⁹ T Trianto and Triwulan Tutik, "Falsafah Negara Dan Pendidikan Kewarganegaraan," *Jakarta: Prestasi Pustaka*, 2007.

The protection of property rights in Islam is implemented through legal provisions that prohibit theft and impose severe punishments on those who unlawfully seize the legitimate property of others. In a broader scope, this principle also implies the right to work or earn a decent livelihood, as well as rights to intellectual property and copyright.

5. The right to establish a family, have offspring, and protect one's reputation

These five principles demonstrate that human rights are a divine gift from Allah SWT to every individual once they have fulfilled their duties, thereby affirming that everyone has equal rights. No one has the authority to take these rights away, as only Allah SWT holds the power to define them.³⁰

The mentioned concepts show that Islam greatly values the individual rights of human beings. Islam grants every person the freedom to choose, including those who do not embrace Islam. The Islamic concept of religious freedom emphasises respect for individual choices to believe and worship, without coercion from any party. The Qur'an explicitly states: "There is no compulsion in religion." (*Surah Al-Baqarah: 256*). This illustrates that Islam recognises the human right to freely choose their religion or belief. This verse affirms that faith is a personal matter between the individual and God, and thus cannot be forced by anyone. Additionally, the Qur'an states: "To you be your religion, and to me, mine." (*Surah Al-Kafirun: 6*), This confirms each individual's freedom to practise their beliefs.³¹ This principle lays the foundation for religious tolerance, where everyone is free to practise their faith, as long as it does not harm or disturb public interests and social order. Historically, the Charter of Medina by Prophet Muhammad (peace be upon him) also reflected this principle by recognising the rights of Jewish and Christian communities in Medina to practise their faith.³²

Although Islam acknowledges religious freedom, this concept within Islamic law has certain limitations that must be understood. Religious freedom in Islam does not imply absolute freedom without boundaries, but rather freedom regulated within moral and social frameworks. For instance, a Muslim is free in matters of religion as long as they remain within the core principles of Islam, yet apostasy (leaving Islam) is forbidden based on the belief that such an act could disrupt societal harmony and order. In classical Islamic law, apostasy is punishable to maintain the stability and unity of the Muslim community. However, this interpretation is often debated in the context of contemporary human rights. Modern scholars argue that laws related to religious freedom in Islam should be understood in light of their historical context and the objectives of sharia (*maqāṣid al-shari'ah*), which emphasise justice, protection of life, and social harmony. With a more contextual approach that considers the development of human rights, religious freedom in Islamic law is expected to be implemented more inclusively and relevantly for modern pluralistic societies.

³⁰ Hans J. Eysenck, "Historical Development of Human Typology," *Personality Structure and Measurement* 6, no. 2 (2013): 11–18, <https://doi.org/10.4324/9780203766804-12>.

³¹ Sayed Ali Mirmoosavi, "The Qur'an and Religious Freedom: The Issue of Apostasy," in *Hermeneutics, Scriptural Politics, and Human Rights: Between Text and Context* (Springer, 2010), 125–42, <https://doi.org/10.1057/9780230105959>.

³² Abdullah Abu Bakar and Rafiullah Qureshi, "Civic Rights in Charter of Madinah and International Human Rights Conventions: A Comparative Study," *Al-Milal: Journal of Religion and Thought* 2, no. 2 (2020): 196–211, <https://doi.org/10.46600/almilal.v2i2.153>.

The Right to Religious Freedom and Its Implementation in Indonesia

As the world interacts with various cultural communities—each with its own unique characteristics—different social and cultural standards have emerged. In addition to social and cultural factors, history also plays an important role in creating differences between one country and another. In the context of the right to religious freedom and worship, the historical relationship between the state and religion significantly influences how these concepts are understood and implemented in a given country.³³

Goldstein states that religion and the state display limitless diversity, as do the ways they influence one another. Specific historical and societal contexts shape how the relationship between religion and the state develops. The interaction between the state and religion (or its institutions) is generally dynamic, with both religion and its adherents, as well as the state and its political structure, often undergoing changes in response to historical shifts, and sometimes influenced by historical interpretations offered by influential thinkers.³⁴

In contrast to Indonesia, which bases its protection of human rights—including the right to religious freedom and worship—on divinity as enshrined in the First Principle of Pancasila (the state's philosophical foundation), the development of human rights in the West has taken a different path.³⁵ In the 17th century, alongside the strengthening of state sovereignty and nationalism, the influence of religion as a political force began to decline. The idea of absolute secular power was pioneered by Thomas Hobbes (1588–1679), who was inspired by the English Civil War (1642–1646; 1648–1651) between Catholic royalists and Protestant rebels supporting Oliver Cromwell (Goldstein, 2010). That war resulted in 618,000 deaths (mostly Catholics), with England losing 3.7% of its population, Scotland 6%, and Catholic Ireland a staggering 41%.

John Locke then expanded upon Hobbes's ideas by proposing religious tolerance and the separation of religion and the state. Following World War II, Locke's views on the separation of religion and state laid the foundation for the rise of secular humanist majorities across Europe. Modern European countries maintain social tolerance through a clear distinction between religious and secular life. Beginning in the 1960s, European states began to separate church law from civil law, for example, by decriminalising adultery. Many aspects of human behaviour were subsequently recognised as moral issues beyond the scope of state or church regulation.³⁶

The First Principle of Pancasila, "Belief in the One and Only God," is stated in the Preamble to the 1945 Constitution and serves as the spiritual foundation of the Indonesian state. As a country that upholds Pancasila, Indonesia has enshrined religious freedom as one of its essential human rights. Unlike secular states or states based on a particular religion, Indonesia defines itself as a constitutional state rooted in Pancasila, which respects religious freedom without linking the state directly to any single religion. Indonesia does not consider itself an atheist or fully secular state but incorporates religious values as an integral part of national

³³ Hak Asasi Manusia Muladi, *Hakekat, Konsep Dan Implikasinya Dalam Perspektif Hukum Dan Masyarakat*, Jakarta: Refika Aditama (Refika Aditama, 2005).

³⁴ Natalie Goldstein, "Global Issues: Religion Ad the State" (New York: Facts on File, Inc, 2010).

³⁵ Sekretariat Negara Republik Indonesia (Setneg RI), "Risalah Sidang Badan Penyelidik Usaha-Usaha Persiapan Kemerdekaan Indonesia (BPUPKI), Panitia Persiapan Kemerdekaan Indonesia (PPKI), 28 Mei 1945-22 Agustus 1945," *Jakarta: Sekretariat Negara RI*, 1998, lix, 719 p.

³⁶ John Locke, *A Letter Concerning Toleration, The Two Narratives of Political Economy* (Broadview Press, 2011), <https://doi.org/10.1002/9781118011690.ch3>.

life. In this regard, the government has no authority to interfere in the doctrines or teachings of any religion. To ensure this right, Indonesian law mandates that the state must not intervene in internal religious matters and prohibits state interference in issues related to religious teachings.³⁷

The history of religious freedom in Indonesia reflects a struggle to free itself from the restrictions imposed during Dutch colonial rule, which specifically curtailed the religious freedoms of indigenous populations. The spirit of nationalism that emerged in response to colonialism inspired the fight for basic rights, including religious freedom, as inalienable rights. After gaining independence in 1945, Indonesia formally included religious freedom in the 1945 Constitution, particularly in Articles 28E and 29, which state that “The state guarantees each person the freedom to embrace their own religion and to worship according to their religion and belief.” This indicates that the concept of religious freedom and worship in Indonesia has deep roots in the principle of “Belief in the One and Only God,” reflecting respect for religious diversity as a core part of the nation’s ideological and constitutional foundations.³⁸

The history of religious freedom in Indonesia can be seen through several significant milestones, including: First, the Proclamation of Independence in 1945, which laid the foundation for the recognition of human rights in Indonesia, although at the time its legal regulation was not yet detailed. Second, the amendment of the 1945 Constitution, particularly the inclusion of Articles 28E and 29, which was a significant step in regulating religious freedom by strengthening legal protections for the right to religious belief. Third, the enactment of Law Number 39 of 1999, which provided a stronger legal foundation for the protection of human rights, including religious freedom. Each of these historical milestones reflects the evolving awareness of the importance of human rights and religious freedom as an integral part of the nation’s identity. From legal recognition to implementation, Indonesia’s journey in promoting religious freedom demonstrates meaningful progress, though challenges in enforcement still remain.³⁹

Harmonising the Concepts of Islamic and International Human Rights in the Context of Religious Freedom

Islam regards human rights as God-given rights inherent in every human being (*fitrah*), a concept outlined in the Cairo Declaration on Human Rights in Islam (CDHRI), adopted by the Organisation of Islamic Cooperation in 1990. Meanwhile, international human rights, as stated in the 1948 Universal Declaration of Human Rights (UDHR), are based on secular-humanist thought that emphasises the inherent dignity of human beings.⁴⁰ Despite originating from different sources, both concepts share significant common ground in their efforts to protect human dignity.

³⁷ Asep Mulyana Chandra Setiawan, *Kebebasan Beragama Atau Berkepercayaan Di Indonesia* (Komnas HAM, 2006).

³⁸ Faturohman Faturohman, Afi Nurul Febriyanti, and Jihan Hidayah, “Kebebasan Beragama Sebagai Bagian Dari Hak Asasi Manusia,” *Aliansi: Jurnal Hukum, Pendidikan Dan Sosial Humaniora* 1, no. 3 (2024): 312–23, <https://doi.org/10.62383/aliansi.v1i3.229>.

³⁹ H F Bashel, M S Fauzan, and R Rosmalinda, “Tonggak Sejarah Kebebasan Beragama Sebagai Ham Di Indonesia,” *Causa: Jurnal Hukum Dan Kewarganegaraan* 6, no. 4 (2024): 31–40.

⁴⁰ Jack Donnelly, *Universal Human Rights in Theory and Practice*, *Universal Human Rights in Theory and Practice* (Cornell University Press, 2019), <https://doi.org/10.7591/9780801467493>.

In the context of religious freedom, the Qur'an explicitly states: "There is no compulsion in religion" (Surah Al-Baqarah: 256). This fundamental principle resonates strongly with Article 18 of the UDHR, which guarantees freedom of thought, conscience, and religion. In his study, Mashood Baderin (2003) demonstrates the compatibility between Islamic and international human rights, although there are differences in interpretation that must be bridged. Convergence between these two systems can be observed in the recognition of the right to choose and practise a religion, prohibition of religious discrimination, protection of places of worship, and the right to religious education.

Nonetheless, there are areas that require further harmonisation, such as the concept of apostasy in Islam—which clashes with the UDHR's principle of freedom to change religion—restrictions on proselytisation, interfaith marriage regulations, and the position of religious minorities in Islamic states. In addressing these challenges, An-Na'im (2012) proposes a reformist approach through reinterpretation of Islamic texts in light of contemporary contexts. He stresses the importance of understanding *maqāṣid al-sharī'ah* in dealing with modern human rights issues.

Mashood Baderin (2009) develops the concept of the "margin of appreciation" within an Islamic context—a flexible approach that allows for interpretation of human rights to accommodate local conditions without compromising universal standards. This approach has proven effective in encouraging constructive dialogue between Islamic values and international human rights. Practical implementation of this harmonisation can be seen in various Muslim countries. Malaysia applies a moderate model through a dual legal system, Indonesia adopts Pancasila as the state foundation accommodating religious pluralism, while Tunisia has pursued progressive legal reforms on religious freedom after the Arab Spring.

The role of civil society organisations and progressive Muslim scholars is essential in this harmonisation effort. They actively bridge gaps in understanding, promote contextual interpretations, facilitate interfaith dialogue, and advocate for legal reform. However, these efforts face serious challenges from religious radicalism and extremism, the politicisation of religion, discrimination against minorities, and conflicts between religious and secular legal systems.

To achieve effective harmonisation, the development of contextual interpretative methodologies and the strengthening of dialogue between Islamic scholars and human rights experts are essential. At the practical level, progressive legal reform, strengthening of national human rights institutions, and human rights education based on religious values are strategic steps to be taken. Hashemi (2009) argues that democratisation in the Muslim world will encourage more inclusive human rights interpretations, while Sachedina (2009) emphasises the need to develop an Islamic theology that supports pluralism and human rights.

Jack Donnelly (2013) offers a fundamental critique of the concept of "Islamic Human Rights," arguing that human rights are essentially a modern concept that cannot be fully reconciled with traditional religious law. Donnelly asserts that efforts to "Islamise" human rights may in fact weaken the universality of human rights. This view is supported by Ann Elizabeth Mayer (2013), who highlights the limitations of Islamic human rights documents such as the Cairo Declaration, which she claims restrict certain rights based on conservative interpretations of sharia.

In contrast, Abdullahi Ahmed An-Na'im (2012) challenges this view by arguing that Islam and universal human rights can be harmonised through reform in Islamic interpretive methodology. An-Na'im proposes the theory of sharia transformation, emphasising the need

to understand the historical context of revelation and apply it within modern realities. Mohammad Hashim Kamali (2014) reinforces this position by showing that the principles of *maqāṣid al-sharī'ah* are aligned with universal human rights values, and that existing tensions are more a result of rigid textual interpretations than any fundamental contradiction between Islam and human rights.

The debate grows more complex with Bassam Tibi's (2015) introduction of the concept of Liberal Islam as a bridge between Islam and universal human rights. However, this approach is criticised by Syed Muhammad Naquib al-Attas and other traditionalist scholars, who argue that liberalising Islam would erode its essence. Al-Attas contends that harmonisation must be pursued while preserving the distinctive Islamic worldview, not through blindly adopting Western human rights paradigms.

Another contentious issue is the normative hierarchy between Islamic law and international human rights. Abdulaziz Sachedina (2016), in his study on pluralism within the Islamic tradition, argues that sharia should be understood as a flexible ethical system rather than a rigid legal framework. This view is challenged by Mohammad al-Tahir Ibn Ashur who, while supporting Islamic legal reform, maintains that sharia must remain supreme within the normative hierarchy.

Regarding practical implementation, Mashood Baderin (2017) observes that many Muslim countries adopt pragmatic approaches in managing tensions between Islamic law and international human rights. However, Khaled Abou El Fadl (2015) criticises such approaches as mere “patchwork solutions” that fail to resolve the root problems. El Fadl proposes a more comprehensive reform strategy involving the overhaul of Islamic educational systems and the development of human rights jurisprudence based on Islamic principles.

The debate also touches on the epistemological aspects of human rights themselves. Recep Senturk (2019) questions the assumption that human rights are entirely secular. He argues that many modern human rights principles actually have roots in religious traditions, including Islam. This argument is supported by Anver Emon's (2018) research, which shows that concepts of rights in classical Islamic jurisprudence are comparable to modern human rights.

The solution to harmonising Islamic and Western concepts of human rights, particularly in the context of religious freedom, can be achieved through an integrative approach that considers both normative and contextual dimensions. Following the methodology proposed by An-Na'im and supported by Baderin, this harmonisation can be pursued through three strategic steps: First, reinterpret religious texts based on *maqāṣid al-sharī'ah*, which prioritise the protection of human dignity and freedom of belief. Second, develop a legal framework that accommodates religious pluralism while respecting Islamic values, as practised in several moderate Muslim countries. Third, foster constructive dialogue between Muslim scholars and international human rights experts to find common ground between the two traditions, while recognising that both aim to protect human dignity.

Harmonising Islamic and Western human rights in the context of religious freedom is not a utopian ideal, but an ongoing process that requires mutual understanding and compromise. The experience of various modern Muslim countries demonstrates that a synthesis between Islamic values and international human rights standards can be achieved without sacrificing either. What is needed is the courage to reform religious thought, political will to implement inclusive policies, and awareness that religious pluralism is an unavoidable reality in the contemporary world. With a balanced and progressive approach, religious freedom can be

realised within a framework that respects both the universality of human rights and the particularities of Islamic tradition.

Conclusion

The concept of Human Rights (HR) in Islam has deep historical roots, as evidenced by the Constitution of Medina, which marked an early recognition of fundamental human rights in Islamic history. Islam acknowledges five fundamental human rights principles, namely the protection of religion (*ḥifẓ ad-dīn*), life (*ḥifẓ an-nafs*), intellect (*ḥifẓ al-‘aql*), lineage (*ḥifẓ an-nasl*), and property (*ḥifẓ al-māl*). These principles strongly resonate with the concept of universal human rights, even though they originate from a theological foundation that differs from the more secular-humanist basis of international human rights.

Indonesia, as a state founded on Pancasila, adopts a unique approach in implementing religious freedom—one that differs from secular states or those based on a particular religion. Through the First Principle of Pancasila, “Belief in the One and Only God,” and various legal instruments such as Articles 28E and 29 of the 1945 Constitution, Indonesia guarantees religious freedom while still recognising the integral role of religion in national life. This approach reflects a synthesis of religious values and modern human rights principles within the framework of a democratic and pluralistic state.

The harmonisation of Islamic and international human rights concepts in the context of religious freedom can be achieved through an integrative and dialogical approach. Although there are epistemological differences—where Islamic human rights are rooted in divine revelation and seen as God-given, while international human rights rely on secular-humanist thought that emphasises human dignity—both concepts ultimately aim to protect the dignity and freedom of human beings. This harmonisation effort faces challenges from both internal and external factors. On one hand, civil society organisations and progressive Muslim scholars play a vital role in developing contextual interpretations of human rights that are in harmony with Islamic values. On the other hand, challenges such as radicalism, religious extremism, and the politicisation of religion continue to test these integration efforts. Nevertheless, several Muslim countries have demonstrated that human rights, while accommodating religious pluralism, can indeed be applied—such as Malaysia’s moderate approach or Tunisia’s progressive legal reforms. For long-term harmonisation to be achieved, there must be a committed effort to reform religious thought, focusing on dialogue between Muslim scholars and international human rights experts, as well as legal reforms that promote religious pluralism while honouring Islamic values. With a willingness to understand one another, the courage to adapt, and an awareness that pluralism is a global reality, the integration of Islamic and international human rights principles concerning religious freedom can be realised in a balanced and inclusive manner.

Reference

- Abu Bakar, Abdullah, and Rafiullah Qureshi. “Civic Rights in Charter of Madinah and International Human Rights Conventions: A Comparative Study.” *Al-Milal: Journal of Religion and Thought* 2, no. 2 (2020): 196–211. <https://doi.org/10.46600/almilal.v2i2.153>.
- Adh-Dhahabham, Muhammad. “Huquq Al-Insan Fi Al Islam Wa Ri’ayatihi Li Al Qayyim Wa Al-Ma’ani Al Insaniyyah.” *Kairo: Syirkah Al Mishriyyah*, 1971.
- Alim, M. “Hak Dan Kewajiban Asasi Manusia Dalam Perspektif Negara Madinah.” *Jurnal Hukum IUS QULA IUSTUM* 14, no. 3 (2007): 448–57. <https://doi.org/10.20885/iustum.vol14.iss3.art5>.

- Alkatiri, Zeffry. "Satu Lagi Kritik Atas Dominasi HAM Barat." *Wacana, Journal of the Humanities of Indonesia* 9, no. 2 (2007): 254. <https://doi.org/10.17510/wjhi.v9i2.218>.
- Asiah, Nur. "Hak Asasi Manusia Perspektif Hukum Islam." *DIKTUM: Jurnal Syariah Dan Hukum* 15, no. 1 (2018): 55–66. <https://doi.org/10.35905/diktum.v15i1.425>.
- Bashel, H F, M S Fauzan, and R Rosmalinda. "Tonggak Sejarah Kebebasan Beragama Sebagai Ham Di Indonesia." *Causa: Jurnal Hukum Dan Kewarganegaraan* 6, no. 4 (2024): 31–40.
- Benvenisti, Meron. *Sacred Landscape: The Buried History of the Holy Land since 1948*. Univ of California Press, 2000.
- Chandra Setiawan, Asep Mulyana. *Kebebasan Beragama Atau Berkepercayaan Di Indonesia*. Komnas HAM, 2006.
- Donnelly, Jack. *Universal Human Rights in Theory and Practice. Universal Human Rights in Theory and Practice*. Cornell University Press, 2019. <https://doi.org/10.7591/9780801467493>.
- Eysenck, Hans J. "Historical Development of Human Typology." *Personality Structure and Measurement* 6, no. 2 (2013): 11–18. <https://doi.org/10.4324/9780203766804-12>.
- Fadl, Khaled Abou El, Joshua Cohen, and Deborah Chasman. "Islam and the Challenge of Democracy: A Boston Review Book." In *Islam and the Challenge of Democracy: A Boston Review Book*, 1–139. Princeton University Press, 2015. <https://doi.org/10.5860/choice.42-2476>.
- Faturohman Faturohman, Afi Nurul Febriyanti, and Jihan Hidayah. "Kebebasan Beragama Sebagai Bagian Dari Hak Asasi Manusia." *Aliansi: Jurnal Hukum, Pendidikan Dan Sosial Humaniora* 1, no. 3 (2024): 312–23. <https://doi.org/10.62383/aliansi.v1i3.229>.
- Gallagher, Nancy. "BRIEF COMMUNICATIONS Amnesty International and the Idea of Muslim Women's Human Rights." *Journal of Middle East Women's Studies* 1, no. 3 (2005): 96–107. <https://doi.org/10.2979/mew.2005.1.3.96>.
- Ghauri, Laila K. *Review of the Rights of God: Islam, Human Rights, and Comparative Ethics. Muslim World Journal of Human Rights*. Vol. 8. Georgetown University Press, 2011. <https://doi.org/10.2202/1554-4419.1223>.
- Goldstein, Natalie. "Global Issues: Religion Ad the State." New York: Facts on File, Inc, 2010.
- Hamzah, Muhammad, and Muhammad Salsabila. "Pemberdayaan Perempuan Sebagai Hak Asasi Manusia." *Jurnal Locus Penelitian Dan Pengabdian* 3, no. 4 (2024): 343–56. <https://doi.org/10.58344/locus.v3i4.2567>.
- Huda, Muhammad Hasbulloh. "Hak Asasi Manusia Dalam Perspektif Sosial-Historis." *MAQASHID Jurnal Hukum Islam* 2, no. 2 (2019): 30–41. <https://doi.org/10.35897/maqashid.v2i2.328>.
- Idris Thaha. "Demokrasi Religius : Pemikiran Politik Nurcholish Madjid Dan M. Amien Rais." (*No Title*), 2005, 356.
- John, Creswell, and Creswell David. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. Sage Publications. Vol. 16. Sage publications, 2014. https://www.ebooks.com/95887090/research-design/creswell-john-w-creswell-j-david/?fc=MY&src=feed&gclid=CjwKCAjwj4zaBRABEiwA0xwsP4U5JGmf9boYzc hbEiJksnD48-R_5aCetJQB5s36Qzf3CZwX0AHY-BoCZlCQAvD_BwE.
- Johnston, David. "Maqāsid Al-Sharī a: Epistemology and Hermeneutics of Muslim Theologies of Human Rights." *Die Welt Des Islams* 47, no. 2 (2007): 149–87.
- Kamali, Mohammad Hashim. *Shari'ah Law: An Introduction*. Simon and Schuster, 2008.
- Locke, John. *A Letter Concerning Toleration. The Two Narratives of Political Economy*. Broadview Press, 2011. <https://doi.org/10.1002/9781118011690.ch3>.
- Mirmoosavi, Sayed Ali. "The Qur'an and Religious Freedom: The Issue of Apostasy." In

- Hermeneutics, Scriptural Politics, and Human Rights: Between Text and Context*, 125–42. Springer, 2010. <https://doi.org/10.1057/9780230105959>.
- Mohiuddin, Asif. “An Islamic Approach to Human Development : Democracy and Human Rights in the Light of Maqāsīd Al - Shari ‘ Ah,” 2019.
- Moleong, Lexi J. “Metodologi Penelitian Kualitatif/Lexy J. Moleong,” 2017.
- Muladi, Hak Asasi Manusia. *Hakekat, Konsep Dan Implikasinya Dalam Perspektif Hukum Dan Masyarakat*. Jakarta: Refika Aditama. Refika Aditama, 2005.
- Nasution, Aulia Rosa. “Kebebasan Beragama Dalam Tinjauan Hak Asasi Manusia.” *Jurnal Hukum Responsif FH UNPAB* 6, no. 6 (2018): 1–26.
- . “Urgensi Pendidikan Kewarganegaraan Sebagai Pendidikan Karakter Bangsa Indonesia Melalui Demokrasi, HAM Dan Masyarakat Madani.” *Jupiiis: Jurnal Pendidikan Ilmu-Ilmu Sosial* 8, no. 2 (2016). <https://doi.org/10.24114/jupiiis.v8i2.5167>.
- Natanael Christian Henry Gurinda. “Peran Pbb Dalam Perlindungan Hak Asasi Manusia Menurut Kajian Hukum Internasional.” *Lex Et Societatis* 8, no. 5 (2019): 55.
- Philpott, Daniel. “Religious Freedom in Islam: A Global Landscape.” *Plight and Fate of Children during and Following Genocide* 2, no. 1 (2017): 247–66. <https://doi.org/10.4324/9781315244624>.
- Putri, Audina, Dea Amanda, Rizki Febri Yanti, Afriadi Amin, and Abdul Karim Batubara. “Hak Asasi Manusia Dalam Perspektif Islam.” *Al-Wasathiyah: Journal of Islamic Studies* 2, no. 2 (2023): 195–208. <https://doi.org/10.56672/alwasathiyah.v2i2.75>.
- Quraishi, Asifa, and Mohammad Hashim Kamali. “Principles of Islamic Jurisprudence. By Mohammad Hashim Kamali. Cambridge: Cambridge Islamic Texts Society1991. Pp. Xxi, 417. Price Not Available. ISBN: 0-946-62123-3. Paper. ISBN: 0-946-62124-1.” *Journal of Law and Religion* 15, no. 1/2 (2001): 385–87. <https://www.cambridge.org/core/journals/journal-of-law-and-religion/article/abs/principles-of-islamic-jurisprudence-by-mohammad-hashim-kamali-cambridge-cambridge-islamic-texts-society1991-pp-xxi-417-price-not-available-isbn-0946621233-paper-isbn-0946621241/D3C97692977C5D9D0BA5BA649DA9EDD2>.
- Razak, Abdul Hamied. “Kasus Pelanggaran Kebebasan Beragama Dan Beriman Di Indonesia Meningkatkan.” *Harian Jogja*, 2024.
- Sachedina, Abdulaziz. *Islam and the Challenge of Human Rights. Islam and the Challenge of Human Rights*. Oxford University Press, 2010. <https://doi.org/10.1093/acprof:oso/9780195388428.001.0001>.
- Sekretariat Negara Republik Indonesia (Setneg RI). “Risalah Sidang Badan Penyelidik Usaha-Usaha Persiapan Kemerdekaan Indonesia (BPUPKI), Panitia Persiapan Kemerdekaan Indonesia (PPKI), 28 Mei 1945-22 Agustus 1945.” *Jakarta: Sekretariat Negara RI*, 1998, lix, 719 p.
- Sholihah, Mida Mar`atus, Sukarni Sukarni, M. Hanafiah, and Ahmad Muhajir. “Dinamika Hukum Islam Dan Hak Asasi Manusia Dalam Gender Dan Hukuman Mati.” *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 2, no. 2 (2024): 994–1017. <https://doi.org/10.62976/ijjel.v2i2.588>.
- Syaltut, Mahmud. “Al-Islâm Aqîdatun Wa Syari`atun.” *Beirut: Dâr Al-Nafâis*, 1989.
- Trianto, T, and Triwulan Tutik. “Falsafah Negara Dan Pendidikan Kewarganegaraan.” *Jakarta: Prestasi Pustaka*, 2007.
- Wardana, Khansadhia Afifah. “Kebebasan Beragama Sebagai Hak Asasi Manusia Di Indonesia: Pertentangan Universalisme Dan Relativisme Budaya.” *Jurnal Hukum Progresif* 10, no. 1 (2022): 63–75. <https://doi.org/10.14710/jhp.10.1.63-75>.