

Politics and Religion in Public Policy: A Review of the Alleged Hijab Ban in Paskibraka 2024

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Abstract : Regarding the alleged ban on wearing the hijab for female “Pasukan Pengibar Bendera Pusaka” (*Paskibraka*) members in 2024, political and religious relations are very important. Public policies relating to religious expression must consider human rights, including freedom of religion, recognized and protected by the Indonesian constitution. This article aims to (1) identify the government's and religious groups' responses to these policies, (2) analyze Islamic religious law, and (3) describe the solution to the polemic in the context of Indonesian democracy. This research is library research with a qualitative approach. The discussion in this research, namely: First, this prohibition is considered to cause controversy because it is deemed to violate religious freedom and the rights of Muslim women, which causes discriminatory, contradictory attitudes and policies that are not by Pancasila. Second, the obligation to wear the hijab as written in QS. Al-Ahzab: 59, and HR. Abu Dawud., Muslim women must wear the hijab when leaving the house. This is done to cover the private parts and can help in religious observance, religious identity, and self-protection from others. Third, Some solutions to this problem are providing freedom to adhere to religion, providing a space for inclusive dialogue, providing enforcement of the principle of non-discrimination, and creating principles based on Pancasila values. So, the policies established maintain harmony, justice, and unity in the diversity of society.

Keywords: Religion, Politics, Public Policy, Use of the Hijab, Paskibraka 2024.

INTRODUCTION

Recently, it was seen that there was a ban on wearing the hijab or hijab for female *Paskibraka* members; this polemic became a public concern for all Indonesian people. Initially, the suspicion of this ban arose from photos during the inauguration of 2024 National *Paskibraka* members in the archipelago's capital city (IKN). Photos widely spread and circulating show that none of the female members wear the hijab. This allegation came after PP Purna *Paskibraka* Indonesia (PPI) stated that since the selection process, 18 *Paskibraka* members wore the hijab. Still, public and netizen speculation about this ban became stronger due to orders from certain parties.¹ Several social media accounts also reported that *Paskibraka* members were asked to remove their headscarves this year. The views of netizens also offended *Paskibraka* members from Aceh who were supposed to wear the hijab but instead did not wear the hijab.² Therefore, this is very unfortunate for all parties, including PPI. This is the first time this has happened after the Pancasila Ideology Development Agency (BPIP) served as the party responsible for *Paskibraka* since 2022.³

In this context, the interaction between politics and religion is a complex relationship involving how religious beliefs and political habits influence each other in various situations, from forming public policy to forming national identity.⁴ Politics is all activities carried out by a political system or state, including determining and implementing the system's goals and implementing them. In this

¹ Sigid Kurniawan, "Kronologi Larangan Jilbab Paskibraka Berujung Permintaan Maaf BPIP," CNN Indonesia, 2024, <https://www.cnnindonesia.com/nasional/20240816083205-20-1133659/kronologi-larangan-jilbab-paskibraka-berujung-permintaan-maaf-bpip>.

² Lisye Sri Rahayu, "Viral Dugaan Larangan Paskibraka 2024 Pakai Jilbab, Ternyata Ini Aturan Barunya," Detik Bali, 2024, <https://www.detik.com/bali/berita/d-7489694/viral-dugaan-larangan-paskibraka-2024-pakai-jilbab-ternyata-ini-aturan-barunya>.

³ Arvi Ristiani Pratami, "Polemik Dugaan Larangan Paskibraka 2024 Pakai Jilbab," Detik News, 2024, <https://news.detik.com/berita/d-7490384/polemik-dugaan-larangan-paskibraka-2024-pakai-jilbab>.

⁴ Jonathan Fox, *An Introduction to Religion and Politics* (2nd edition. | New York : Routledge, 2018. |: Routledge, 2018), <https://doi.org/10.4324/9781315183787>.

case, power is used to make policies at the organizational and state levels.⁵ Politics can also refer to interactions between various actors, including individuals, political parties, interest groups, and state institutions. This can influence public policy or decision-making that affects society at large.⁶ Meanwhile, religion is a system of beliefs, practices, values, and rituals that connect humans with certain spiritual dimensions and morality.⁷ Religion often guides beliefs about the meaning of life, the origins of humans, the purpose of life, and their relationship to divine entities or supernatural forces. Religion plays an important role in shaping personal and social identity besides providing its adherents with ethical and moral guidance.⁸

Furthermore, public policy is a series of decisions or actions the government or state institutions take to overcome public problems, meet community needs, and achieve certain goals in various aspects, such as the economy, health, education, security, and others. This policy is created through a formal process involving problem analysis, developing alternative solutions, and implementation and evaluation to ensure its impact.⁹ Meanwhile, the hijab or hijab is an obligation for Muslim women, as outlined in the Qur'an, to cover their private parts. The term "hijab" has evolved from its initial definition of religious obligation. However, this has become a lifestyle for some women.¹⁰ Apart from that, the hijab is one of the teachings of Islam aimed at Muslim women throughout the world. This also expresses personal freedom protected by the constitution as a symbol of religion in a country.¹¹ There are allegations that female *Paskibraka* were prohibited from wearing the hijab during the inauguration process. Of course, this polemic can

⁵ Mariam Budiardjo, *Dasar-Dasar Ilmu Politik* (Jakarta: PT Gramedia Pustaka Utama, 2007).

⁶ Bima Fandi Asy'arie et al., "Kedudukan Politik Dalam Membangun Perkembangan Pendidikan Islam," *Al-Qalam: Jurnal Kajian Islam Dan Pendidikan* 16, no. 1 (June 28, 2024): 126-45, <https://doi.org/10.47435/al-qalam.v16i1.2947>.

⁷ Thomas Luckmann, Tom Kaden, and Bernt Schnettler, *The Invisible Religion: The Problem of Religion in Modern Society* (London: Routledge, 2022), <https://doi.org/10.4324/9781003257875>.

⁸ Tuti Alawiyah, *Metodologi Studi Islam: Pendekatan Kontemporer Dan Tradisional* (Jambi: PT. Sonpedia Publishing Indonesia, 2024).

⁹ Joko Widodo, *Analisis Kebijakan Publik: Konsep Dan Aplikasi Analisis Proses Kebijakan Publik* (Malang: Media Nusa Creative (MNC Publishing), 2021).

¹⁰ Naila Rohmaniyah et al., "Jilbab: Ajaran Agama, Budaya Dan Peradaban," *Cakrawala: Jurnal Studi Islam* 18, no. 1 (June 28, 2023): 49-61, <https://doi.org/10.31603/cakrawala.8513>.

¹¹ Rekha Puspita Sari and Busyro Busyro, "Cadar Dalam Konteks Kekinian Perspektif Filsafat Hukum Islam," *Borneo : Journal of Islamic Studies* 4, no. 1 (October 22, 2023): 10-21, <https://doi.org/10.37567/borneo.v4i1.2006>.

create tension between the state's obligation to protect public institutions and the rights of individuals to express their religious beliefs.

Some previous literature has three main trends behind the use of the hijab by Muslim women, which reflects the various reasons and meanings behind its use. First, the Hijab is an Islamic religious commandment, where hijab is considered a form of obedience to religious commandments from several Muslimah perspectives.¹² Apart from that, the hijab is a symbol of their commitment to Allah SWT and a way to maintain their purity.¹³ Second, there are cultural and identity reasons why the hijab becomes part of a particular family or cultural tradition.¹⁴ In many countries, the hijab is a religious obligation and a proud symbol of cultural and social identity.¹⁵ Third, the Hijab is a personal choice for freedom of expression.¹⁶ Wearing the hijab is a choice by some Muslim women to demonstrate their principles, including their opinions about honor and modesty.¹⁷ These trends show that the hijab has different meanings depending on religion, society, and individuals. Because the polemics in Indonesia are still very hot, there are differences and characteristics from several previous studies on this research topic.

Looking at these problems, this research aims to (1) identify the views of the government's and religious groups' responses to this policy. (2) analyze the relationship related to the alleged prohibition on wearing the hijab for *Paskibraka* members from the perspective of Islamic religious law. (3) describe the solution to the alleged prohibition of public policies involving religious issues regarding human rights, religious freedom, and individual rights of *Paskibraka* Putri 2024 members

¹² Syarifah Alawiyah, "Adab Berpakaian Wanita Muslimah Sesuai Tuntunan Syariat Islam," *Rayah Al-Islam* 4, no. 02 (October 28, 2020): 218–28, <https://doi.org/10.37274/rais.v4i02.338>.

¹³ Siti Purhasanah et al., "Kewajiban Menutup Aurat Dalam Perspektif Al-Quran," *Al-Fahmu: Jurnal Ilmu Al-Qur'an Dan Tafsir* 2, no. 1 (March 30, 2023): 53–61, <https://doi.org/10.58363/alfahmu.v2i1.31>.

¹⁴ Arif Nuh Safri, "Jilbab Sebagai Simbol Perjuangan Identitas (Studi Atas Pemakaian Jilbab Di Kalangan Waria D.I. Yogyakarta)," *Musāwa Jurnal Studi Gender Dan Islam* 18, no. 1 (January 31, 2019): 19–33, <https://doi.org/10.14421/musawa.2019.181.19-33>.

¹⁵ Agung Wijaya, "Islam Dan Penutup Aurat: Kajian Tafsir Maudhu'i Tentang Cadar, Jilbab, Dan Burqa," *Journal of Society and Development* 3, no. 2 (2023): 71–86, <https://doi.org/10.57032/jsd.v3i2.202>.

¹⁶ Annisa Fitri et al., "Analisis Busana Mahasiswa Muslim: Antara Trend Dan Syariat," *Madinah: Jurnal Studi Islam* 11, no. 1 (June 10, 2024): 37–56, <https://doi.org/10.58518/madinah.v11i1.2427>.

¹⁷ Ahmad Masruri, "Pandangan Ulama Klasik Dan Kontemporer Tentang Jilbab," *Andragogi: Jurnal Pendidikan Islam Dan Manajemen Pendidikan Islam* 3, no. 3 (January 22, 2022): 431–47, <https://doi.org/10.36671/andragogi.v3i3.238>.

in the context of democracy in Indonesia. By providing empirical evidence regarding the implications of these policies, it is hoped that this research will be able to offer balanced recommendations for policymakers in formulating public policies that are fair, inclusive, and able to maintain harmony between politics (rulers) and religion in Indonesia without causing discrimination, contradictions and as a form of policy that is not Pancasila. So that problems like this do not happen again, public policy regulations must bring harmony and tolerance to society in Indonesia.

METODE

This research is a type of ethnography where this research method is used to analyze the phenomenon or context of certain events through data obtained from internet sources (websites); then, we use a qualitative approach to explore the phenomenon.¹⁸ This method aims to deconstruct the norms and expressions that emerged in the event and understand how they influence decision-making in the group studied. This process is carried out by observing discussions or interactions related to events on online platforms, especially regarding incidents regarding the alleged ban on wearing the hijab for women's *paskibraka* 2024 in the Indonesian capital. This research uses two types of data sources: primary and secondary. Primary data was obtained from online documents from website article documents related to the research focus, especially responses from government stakeholders and several religious groups such as members of the Ombudsman of the Republic of Indonesia and reactions from the Deputy Chair of Commission IX of the DPR RI. Representative of the Republic of Indonesia, and response from the Indonesian Ulema Council (MUI) Chairman for Da'wah and Fraternity. Meanwhile, secondary data includes previously published literature, such as scientific journal articles, book references, and other media relevant to this research topic obtained from "Google Scholar" and "ScienceDirect" sources. The data collection method in this research includes the process of reading and studying texts that are relevant to the research topic. The findings from the online article document text are then classified into certain data categories. The data that has been described is explained using a content analysis approach. Content analysis systematically highlights the phenomenon and context of public policy events regarding the alleged 2024 ban on women wearing the hijab in Indonesia.

Results and Discussion

¹⁸ Robert Kozinets, *The Method of Netnography* (SAGE Internet Research Methods 3, 2012).

Views on the Response of Government and Religious Groups

Based on the inauguration photo uploaded to President Jokowi's Instagram account, it appears that none of the members wore the hijab, including female members from Aceh, who are usually required to wear it. This also attracted public attention. The Ministry of Youth and Sports needs the authority to handle this problem since *Paskibraka* was completely withdrawn from the Pancasila Ideology Development Agency (BPIP) in 2022. Meanwhile, the public is still asking BPIP questions about this problem and waiting for a response to this problem. The following are the new rules regarding clothing worn by *Paskibraka* 2024 members.

“It turns out that the Chairman of BPIP has issued regulations regarding *Paskibraka* clothing in a BPIP Decree (SK) and Circular Letter (SE). In the SE (Number:128/PE.00.04/01/2024/Wk.BPIP), which was viewed on the BPIP website Wednesday (14/8/2024), the regulations regarding the Formation of *Paskibraka* in 2024 are stated. This SE is addressed to Governors and Mayors throughout Indonesia. “In connection with the preparations for the 79th Anniversary of the Independence of the Republic of Indonesia (HUT RI) in 2024, we convey the following: We request the Governor, Regent, and Mayor to immediately form an Implementing Committee for the Formation of *Paskibraka* and carry out the Formation of *Paskibraka*,” reads the signed SE. by Deputy Head of BPIP as Director of the *Paskibraka* Program Rima Agristina signed January 19 2024. Apart from that, this SE regulates the *Paskibraka* clothing code. This rule is attached to the requirements for *Paskibraka* candidate number 10. This *Paskibraka* clothing standard is also in the Decree of the Head of BPIP Number 35 of 2024 concerning Standards for Clothing, Attributes, and Appearance of the Heritage Flag-Raising Troops. This decree was stipulated by the Head of BPIP Yudian Wahyudi in Jakarta on July 1, 2024.”¹⁹

First. As responded by government stakeholders and several religious groups in the statement below. The following is the argument of the Member of the Ombudsman of the Republic of Indonesia.

¹⁹ Rahayu, “Viral Dugaan Larangan *Paskibraka* 2024 Pakai Jilbab, Ternyata Ini Aturan Barunya.”

“According to Indraza Marzuki Rais, he criticized the rule prohibiting members of the 2024 women's Heritage Flag Raising Troop (*Paskibraka*) from wearing the hijab at the inauguration until the flag raising on August 17. Even though BPIP has canceled this rule. However, at the inauguration event, *Paskibraka* 2024 members are required to remove their headscarves, so this needs to be evaluated so that it does not happen again. Even though it is not explicitly prohibited, the instruction for participants to sign a Statement of Willingness to Comply with the Rules for the Establishment and Implementation of *Paskibraka* Duties means they have no choice but to comply. Furthermore, this rule can be considered “discrimination” in the freedom to embrace religion and carry out religious beliefs as mandated in Pancasila. Thus, members of the Ombudsman strongly rejected this rule when on duty when raising and lowering the flag during ceremonies at the Nusantara State Palace. At the same time, Muslim women still wear the hijab.”²⁰

Second, the response from the deputy chairman of Commission IX DPR RI. The following is Kurniasih Mufidayati's argument in the news “Antara News” presented.

“Seeing this incident, of course, we regret it because there are allegations that female members of the National *Paskibraka* cannot wear the hijab. According to him, the prohibition is “contradictory”; this is contrary to the spirit of Indonesian Muslim women who can still cover their private parts in various ways without disrupting their achievements. Apart from that, he emphasized that to implement religious teachings, many creative ideas have been developed in wearing the hijab. This is a setback if there is a ban on wearing the hijab in *Paskibraka*. In previous years, *Paskibraka*, who wore the hijab, did not have this kind of problem. The alleged ban on wearing the hijab in *Paskibraka* is a setback.”²¹

²⁰ Indraza Marzuki Rais, “Ombudsman RI Kritik Dugaan Larangan Jilbab Anggota *Paskibraka* 2024,” Ombudsman Republik Indonesia: Siaran Pers, 2024, <https://ombudsman.go.id/pers/pers/r/ombudsman-ri-kritik-dugaan-larangan-jilbab-anggota-paskibraka-2024>.

²¹ Tri Meilani Ameliya, “Komisi IX DPR Sayangkan Dugaan Larangan *Paskibraka* Pakai Jilbab,” Antara News: Kantor Berita Indonesia, 2024,

Then, Kurniasih asked BPIP to permit female *Paskibraka* to continue wearing the hijab while on duty. He also stated that, in implementing Pancasila, respecting the religious beliefs of everyone in carrying out religious teachings in Indonesia, including requiring Muslim women who have reached puberty to wear the hijab. Regarding implementing Pancasila, BPIP must be the party that understands it best.

Third, the response from the Indonesian Ulema Council (MUI) Chairman for Da'wah and Ukhuwah, KH M Cholil Nafis. This is what was put forward.

“Cholil stated that the alleged ban on the use of the headscarf for Muslim female *Paskibraka* officers this year was a form of policy that was not “Pancasila.” “Because, after all, the Principles of the Almighty God guarantee the right to carry out religious teachings,” said the Chairman of the MUI for *da'wah* and *ukhuwah*, said Cholil in his official X account. Apart from that, Cholil also urged that the ban on wearing the headscarf for the National *Paskibraka* be removed. “Revoke the directive banning headscarves for *Paskibraka*.” If there is no freedom to wear the hijab, Cholil suggests that the Muslim women participants should go home if there is still pressure to remove their hijab.”²²

After researchers confirmed the findings of data from several news websites regarding the alleged ban on wearing the hijab for female members of *Paskibraka* 2020, researchers obtained three different responses from government representatives and several religious groups; these include: (1) assessed as a “discriminatory” attitude. (2) this is “contradictory,” and (3) this is a form of public policy that is not “Pancasila.” These three responses to the polemic have caused concern for the public and all Indonesian society, especially for Muslim citizens. Because the hijab is an obligation that Muslim women must wear to cover their private parts.

According to Thompson,²³ discrimination is an action or policy that differentiates, separates, and harms someone from a group for reasons such as religion, race, ethnicity, gender, or other social status. This also goes against the

<https://www.antaraneews.com/berita/4260207/komisi-ix-dpr-sayangkan-dugaan-larangan-paskibraka-pakai-jilbab>.

²² Junaidi, “Dugaan Larangan Jilbab Paskibraka 2024, MUI Sebut Tak Pancasilais,” MUI Digital, 2024, <https://mui.or.id/baca/berita/dugaan-larangan-jilbab-paskibraka-2024-mui-sebut-tak-pancasilais>.

²³ Neil Thompson, *Anti-Discriminatory Practice: Equality, Diversity and Social Justice* (Bloomsbury Publishing, 2020).

principles of justice and equality. In line with this,²⁴ the principles of justice and equality that should be upheld by the state now appear to conflict with discriminatory public policies. In a religious context, discrimination occurs when the policy favors one religious group to the detriment of other religious groups in social or political practices.²⁵ On the other hand, governments that support human rights usually try to prevent policies from being discriminatory by creating laws and regulations that guarantee equality for all people. However, in reality, there is a possibility that certain parties may be suspected of this prohibition.²⁶

Later, these allegations were considered contradictory. The term contradiction is used to describe something that contradicts or contradicts another in a statement, concept, attitude, or action. In contradiction, one thing is inconsistent with another because they contradict each other.²⁷ If public policy stakeholders have different opinions, it can be considered a sign of a country's decline, especially in terms of credibility, consistency, and effectiveness of government.²⁸ When policymakers show conflicting attitudes in irrelevant actions or decisions, this can lead to conflict, including Loss of public trust. The public may lose faith in the government where policies are inconsistent or contradictory. This can lead to dissatisfaction and reduced public participation in the political process.²⁹

Second, government performance declines. Contradictory attitudes towards policies that result in conflict over policy agreements that are ineffective and difficult to implement are inconsistent; this can slow down government inefficiency.³⁰ Third, inhibiting social progress. Suppose conflicting policies impact important sectors such as the economy, education, or human rights. Of course, social progress can be

²⁴ L.M. Gandhi Lopian, *Disiplin Hukum Yang Mewujudkan Kesetaraan Dan Keadilan Gender* (Jakarta: Yayasan Pustaka Obor Indonesia, 2012).

²⁵ Isroji Isroji and Agus Moh. Najib, "Peraturan Daerah Bernuansa Syari'ah Di Indramayu Dan Tasikmalaya: Agama, Politik Lokal Dan Ancaman Disintegrasi," *Ulumuddin: Jurnal Ilmu-Ilmu Keislaman* 12, no. 2 (December 31, 2022): 247-72, <https://doi.org/10.47200/ulumuddin.v12i2.1210>.

²⁶ Hesti Armiwulan, "Diskriminasi Rasial Dan Etnis Sebagai Persoalan Hukum Dan Hak Asasi Manusia," *Masalah-Masalah Hukum* 44, no. 4 (October 28, 2015): 493, <https://doi.org/10.14710/mmh.44.4.2015.493-502>.

²⁷ Saiful Mujani, *Muslim Demokrat: Islam, Budaya Demokrasi, Dan Partisipasi Politik Di Indonesia Pasca Orde Baru* (Gramedia Pustaka Utama, 2007).

²⁸ Ismail, *Manajemen Strategis Sektor Publik* (Pasuruan: CV. Penerbit Qiara Media, 2020).

²⁹ Riant Nugroho, *Public Policy 7: Dinamika Kebijakan Publik, Analisis Kebijakan Publik, Manajemen Politik Kebijakan Publik, Etika Kebijakan Publik* (Jakarta: PT Elex Media Komputindo, 2023).

³⁰ Eko Prasajo, *Isu-Isu Kontemporer Kebijakan Dan Governansi Publik Di Indonesia* (Jakarta: Prenada Media, 2023).

hampered because people do not get maximum benefits from these policies.³¹ Therefore, contradictory attitudes from public policymakers can damage the country's progress and hurt the progress of democracy, governance, and people's welfare.

Furthermore, the form of alleged public policy is considered not Pancasila. According to Junaidi,³² based on legal principles and Pancasila values, public policy considerations prohibiting *Paskibraka* 2024 girls from not wearing the hijab, this assumption is considered not Pancasila, so it must be done critically and wisely to provide this response. This policy must be evaluated from the perspective of the first principle of Pancasila, namely freedom of religion. Everyone has the right to practice their religious teachings without discrimination, including wearing the hijab as an expression of belief for every religious follower. Opinion Siringoringo,³³ by the second principle, policies must respect human rights and not conflict with the 1945 Constitution, which guarantees freedom of religion and individual rights to practice their beliefs. Then, it is important to encourage open discussion between government, society and religious organizations. To find solutions that are by Pancasila without limiting religious freedom.³⁴

Apart from that, the role of public media is also very important in voicing the community's wishes and increasing awareness of the importance of fair and inclusive policies.³⁵ On the other hand, public education about the principles of Pancasila must be strengthened so that public policy always reflects a balance between public order and respect for individual rights. The government must ensure that its policies do not conflict with the principles of Pancasila and continue to uphold justice and equality for all citizens.³⁶ Thus, it aims to ensure that control of

³¹ John Kenedi, "Problematisasi Hak Asasi Manusia (HAM) Dan Pembangunan Di Indonesia," *Al Ijarah: Jurnal Pemerintahan Dan Politik Islam* 3, no. 1 (August 7, 2019): 1–17, <https://doi.org/10.29300/imr.v3i1.2139>.

³² Junaidi, "Dugaan Larangan Jilbab Paskibraka 2024, MUI Sebut Tak Pancasila.".

³³ Martin P. Siringoringo, "Pengaturan Dan Penerapan Jaminan Kebebasan Beragama Sebagai Hak Asasi Manusia Dalam Perspektif UUD 1945 Sebagai Hukum Dasar Negara," *Nommensen Journal of Legal Opinion* 03, no. 1 (January 31, 2022): 111–24, <https://doi.org/10.51622/njlo.v3i1.618>.

³⁴ Nai Merince Tlonaen and Yakobus Adi Saingo, "Peran Ideologi Pancasila Dalam Pembentukan Perilaku Anti Ekstremisme Agama," *Jurnal Multidisiplin West Science* 2, no. 12 (December 29, 2023): 1040–50, <https://doi.org/10.58812/jmws.v2i12.810>.

³⁵ M. Harry Mulya Zein, *Reformasi Birokrasi: Dunia Birokrasi Dan Pemerintahan* (Banten: Sada Kurnia Pustaka, 2023), <https://doi.org/https://doi.org/10.3783/causa.v4i8.3724>.

³⁶ Ridwan Syaidi Tarigan, *Reformasi Hukum Tata Negara: Menuju Keadilan Dan Keseimbangan* (Ruang Berkarya, 2024).

public policies that deviate from Pancasila, can be carried out logically and by human rights and democracy in Indonesia.

Islamic Law Perspective

Women who wore the hijab made a difference between free women and enslaved people at the time of the Prophet Muhammad. According to Quraish Shihab, free women, and enslaved people wore almost identical clothing before the revelation of the verse about covering their private parts. The hijab is meant to improve women's lives and give them a sense of respect. Additionally, the goal is to protect them from interference from people with bad intentions. The hijab is also not intended to limit women's movement, self-actualization, or progress.³⁷

First, the View of Contemporary Ulama. The hijab is widely used by Muslim women, both children and adults. According to Iskandar & Adji confirmed that.

“As Prof. Dr. H. Abdul Malik Karim Amrullah, based on the verses in (QS. Al-Ahzab: 59), which indicate that women must wear a headscarf or hijab. According to him, before this verse was revealed, there was no difference between the clothing of noble women, pagan women, or slave women. This verse was revealed with the intention that the wives and children of the Prophet Muhammad SAW and the wives of believers wear the hijab when leaving the house. The goal is to make them easy to spot so that they are not bothered by irresponsible people”³⁸. On the other hand, “women's private parts are all over the body, except for the palms of the hands and face. Strictly speaking, Islam recognizes the beauty of ethics from a humanitarian perspective because of the goal of religion itself, namely peace in society or relationships. In the Shari'a or Islamic law, it must continue to limit social life to maintain the glory of every Muslim and Muslim woman in life and reach the peak of humanity.”³⁹

³⁷ Ani Amalia et al., “Jilbab Perspektif Quraish Shihab (Studi Komparatif Tafsir Tulis Dan Lisan),” *Arfannur* 2, no. 3 (May 18, 2022): 157-74, <https://doi.org/10.24260/arfannur.v3i2.663>.

³⁸ Riki Iskandar and Danang Firstya Adji, “Menutup Aurat Dalam Pandangan Ulama Kontemporer,” *Madania: Jurnal Ilmu-Ilmu Keislaman* 12, no. 1 (June 30, 2022): 28-40, <https://doi.org/10.24014/jiik.v12i1.19479>.

³⁹ Miftahul Jannah, “Korelasi Antara Wanita, Perhiasan, Dan Aurat Dalam Al-Qur'an Surah An-Nur Ayat 31 Menurut Prespektif Mufassir Nusantara,” *ANWARUL: Jurnal Pendidikan Dan Dakwah* 4, no. 1 (November 29, 2023): 42-66, <https://doi.org/10.58578/anwarul.v4i1.2158>.

Likewise, with many issues related to women. People who don't understand Muslims' cries about Islamic rules on women. As per opinion, Shihab⁴⁰ stated that.

“Quraish Shihab believes that wearing the hijab is good, but you should not force others to wear it. This is because some scholars believe that the hijab is not mandatory, and previous scholars also did not require children and wives to wear it. Even though all scholars agree that covering the private parts is an obligation, they have different views regarding the limits of the private parts. This also reminds us of the importance of prudence, namely being wise in speaking and acting.”

A person's clothing and clothing reflects the difference between men and women, especially women. In this situation, a woman's worth can be measured based on her adherence to ethical principles, her tendency to maintain modesty, and her sensitivity to actions that do not violate society's standards of modesty.⁴¹ To reduce sexual desire and reduce the possibility of harassment from men, various social restrictions and norms are implemented in the teachings of the Islamic religion. This shows how important it is for Muslim women to remain polite when interacting with others, for those who are not yet their mahram.⁴² In this case, there are six perspectives on how Indonesian Muslim women understand wearing the hijab. As per opinion, Nurhakim⁴³ stated that.

“First, wearing the hijab is considered obedience and obligation in the teachings of the Islamic religion, which is by the provisions of the Qur'an and hadith. Second, the hijab is an integral aspect of a person's lifestyle. Third, the hijab is interpreted as a symbol of identity, especially as a symbol

⁴⁰ M. Quraish Shihab, *Jilbab, Pakaian Wanita Muslimah: Pandangan Ulama Masa Lalu Dan Cendekiawan Kontemporer* (Jakarta: Lentera Hati Group, 2012).

⁴¹ Aisyiah Al Islami Harris and Kurniati Kurniati, “Fenomena Hijab Fashion Perspektif Fikih Sosial: Studi Kasus Di Kalangan Mahasiswi Universitas Islam Negeri Alauddin Makassar,” *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab Dan Hukum* 2, no. 1 (January 31, 2021): 81–88, <https://doi.org/10.24252/shautuna.v2i1.15023>.

⁴² Siti Musdah Mulia, *Muslimah Sejati: Menempuh Jalan Islami Meraih Ridha Ilahi* (Bandung: Penerbit Marja, 2011).

⁴³ Muhamad Syara Nurhakim, “Terminologi Dan Tafsir Pendidikan Kewajiban Mengenakan Hijab Pada Wanita Dalam Al-Qur'an, Hadist, Dan Ijma',” *IQ (Ilmu Al-Qur'an): Jurnal Pendidikan Islam* 6, no. 02 (December 31, 2023): 235–56, <https://doi.org/10.37542/iq.v6i02.1443>.

of one's identity as a Muslim woman. Fourth, the hijab is considered a symbol of social status, where a person can be evaluated based on the clothing they choose, which reflects their social status. Fifth, the hijab is considered a symbol of personality, considering that appearance plays an important role in fostering self-confidence and expressing one's character. Sixth, the hijab is considered a symbol of calm, which not only covers the *aurat* but also protects women against negative behavior.”

Thus, contextually, it shows that in determining the boundaries of women's private parts, there is caution. This is done to implement religious guidance to stay within the teachings of Islamic law. Apart from that, there is no harm in wearing the hijab to carry out the demands of the Shari'a and cover the private parts, as well as to look beautiful and increase self-confidence, remembering that women are synonymous with beauty and beauty.

Second, the perspective of the Qur'an. The obligation to wear the hijab is strictly stated in the Qur'an, one of which is explained in the QS. Al-Ahzab verse 59, as Allah SWT says:

يَا أَيُّهَا النَّبِيُّ قُلْ لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبِيبِهِنَّ ۚ ذَٰلِكَ أَدْنَىٰ أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ ۚ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا

Meaning: “...O Prophet, say to your wives, your daughters, and the wives of the believers: “Let them stretch their headscarves over their entire bodies.” This is so that they are easier to recognize, so they are not disturbed. And Allah is Most Forgiving, Most Merciful.” (QS. Al-Ahzab: 59).

The meaning of this verse shows that women must cover their bodies with a headscarf when leaving the house. This was done so that they were different from enslaved women. Because Muslim women who wear the hijab must also be accompanied by clothing that is by the Shari'a, namely clothing that covers the private parts, is not revealing, and is not tight, showing the curves of the woman's body. So that this can provide benefits for oneself in terms of religious observance, religious identity, self-protection outside the public, inner peace, and reduced social pressure.

Third, the Hadith perspective. Islam highly upholds the dignity, honor, and self-respect of its adherents, especially women. One way to maintain this honor is to cover the private parts and wear the hijab. Young Muslim women now prefer to wear the hijab; this is a form of obedience to them so as not to reveal their private parts in public.⁴⁴ Strictly speaking, the hadith also states that the hijab is an obligation in the Islamic religion. This obligation is a rule that must be obeyed, and those who violate it are considered a non-negotiable offense for every Muslim woman.⁴⁵ As in HR. Abu Dawud, which reads.

عن عائشة أَنَّ أَسْمَاءَ بِنْتَ أَبِي بَكْرٍ دَخَلَتْ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَعَلَيْهَا ثِيَابٌ رِقَاقٌ، فَأَعْرَضَ عَنْهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وقال: يَا أَسْمَاءُ إِنَّ الْمَرْأَةَ إِذَا بَلَغَتِ الْمَحِيضَ لَمْ يَصْلُحْ لَهَا أَنْ يَرَى مِنْهَا إِلَّا هَذَا وَهَذَا، وَأَشَارَ إِلَى وَجْهِهِ وَكَفَّيْهِ. قَالَ أَبُو دَاوُدَ هَذَا مُرْسَلٌ خَالِدُ بْنُ دُرَيْكِمْ لَمْ يُدْرِكْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا (رواه أبوداود في سننه, 4140)

Meaning: "Ibn Basyar has told us, Abu Dawud has told us, Hisham has told us, from Qatadah, that Rasulullah SAW said: "Indeed, if a woman has menstruated, then there is nothing worthy of looking at her except her face and both (palms) of the hands to the wrist bones (joints)." (HR. Abu Dawud, al-Marâsil, no. 406)

This hadith can be interpreted as saying that the hijab is a woman's clothing consisting of a headscarf and clothes brackets that cover the entire body, except the face and palms. In other words, the hijab is one of the Muslim women's clothing that covers the whole body except for those specified. Therefore, a person's perception of the hijab in Indonesia must be changed because, so far, many people often view it as just a head covering. So, it can be emphasized that Muslim women are not allowed to show their private parts when they are adults. The category of a good hijab is that it should not be made of thin material, transparent, and not too tight. It doesn't show body curves and isn't too small to cover the chest, so it doesn't

⁴⁴ Katni Katni, "Jilbab Dalam Al-Qur'an Dan Al-Hadits Serta Aplikasinya Pada Pendidikan Islam Perspektif Teori Habitus Pierre Bourdieu," *ALASASIYYA: Journal Of Basic Education* 1, no. 1 (January 23, 2017), <https://doi.org/10.24269/ajbe.v1i1.311>.

⁴⁵ Anshar Arifuddin, "Pakaian Muslimah Dalam Perspektif Hadis Dan Hukum Islam," *DIKTUM: Jurnal Syariah Dan Hukum* 17, no. 1 (July 22, 2019): 65–86, <https://doi.org/10.35905/diktum.v17i1.664>.

look obvious. Thus, Muslim women who do not wear the hijab throughout their lives are included in the group who do not obey the commands of Allah SWT and His Messenger. For this reason, it is highly recommended that Muslim women always follow the instructions of the teachings of the Islamic religion, including wearing the hijab to cover their private parts, because Muslim women must always remind their fellow women about the importance of this obligation.

Solution to Alleged Hijab Ban

The polemic over religious freedom stipulated by the authorities must be reflected in public policy, including the issue of the alleged ban on wearing the hijab for members of the women's *Paskibraka* 2024. Below are some of the solutions we have provided to address this problem.

First, providing freedom to adhere to religion. One of the basic principles guaranteed by the Indonesian constitution is freedom of religion, especially in the 1945 Constitution Article 29, which states that every citizen has the right to worship by their faith and beliefs.⁴⁶ The principle of freedom of religion and the values of Pancasila, especially the first principle, is considered to conflict with public policies that limit a person's right to practice their religious beliefs, such as wearing the hijab. Such prohibitions can lead to social conflict and discrimination in addition to violating individual human rights.⁴⁷ In addition, the Government must ensure that the policies it makes respect the religious rights of all citizens, including the right of Muslim women to wear the hijab.⁴⁸ In this context, public policies must also tolerate religious and cultural differences. Fair and tolerant public policies should protect everyone's right to adhere to religious beliefs without discrimination.⁴⁹ Therefore, fair and tolerant policies must ensure inclusion, respect religious rights, and create a harmonious environment.

Second, provide a space for inclusive dialogue. According to Soebahar & Karim,⁵⁰ There needs to be an inclusive discussion space to involve all interested

⁴⁶ Siringoringo, "Pengaturan Dan Penerapan Jaminan Kebebasan Beragama Sebagai Hak Asasi Manusia Dalam Perspektif UUD 1945 Sebagai Hukum Dasar Negara."

⁴⁷ Junaidi, "Dugaan Larangan Jilbab Paskibraka 2024, MUI Sebut Tak Pancasila-lais."

⁴⁸ Rais, "Ombudsman RI Kritik Dugaan Larangan Jilbab Anggota Paskibraka 2024."

⁴⁹ Eko Digdoyo, "Kajian Isu Toleransi Beragama, Budaya, Dan Tanggung Jawab Sosial Media," *Jurnal Pancasila Dan Kewarganegaraan* 3, no. 1 (January 27, 2018): 42-59, <https://doi.org/10.24269/jpk.v3.n1.2018.pp42-59>.

⁵⁰ Abd. Halim Soebahar and Abdul Karim, "Pola Konflik Keagamaan Dan Analisa Peran Stakeholder (Kajian Multisitus Di Kabupaten Jember Dan Kabupaten Bondowoso)," *Akademika* 14, no. 02 (December 26, 2020): 133-48, <https://doi.org/10.30736/adk.v14i02.440>.

parties, such as the government, society, religious organizations, and people affected by the policy. This form of open discussion can allow for various viewpoints and perceptions that can provide solutions to this polemic so that policies are made that better reflect the common will and prevent misunderstandings of social conflict. Besides that, the principle of justice for human rights must be the basis for public policies prioritizing inclusion.⁵¹ Where Muslim women choose to wear the hijab as part of their expression of religious beliefs. This dialogue can help everyone better understand how important it is to respect religious freedom and find solutions that are not only by the law but also ethical and by the principles of Pancasila.⁵² In line with open, inclusive discussion space, the government and society can work together to make fair policies without disturbing anyone. This can strengthen social harmony and ensure that the guidelines do not cause conflict from the community's perspective.⁵³

Third, provide enforcement of the principle of non-discrimination. This principle ensures everyone is treated equally regardless of religion, race, gender, or appearance. Because the constitution and laws have formulated human rights that guarantee equality.⁵⁴ In this context, policies that are considered to be discriminatory against Muslim women because they have to follow the rules not to cover their intimate parts can certainly conflict with the principle of equality.⁵⁵ To maintain unity and harmony in a diverse society like Indonesia, it is very important to implement the principle of non-discrimination in established public policies. Because every citizen must be given the freedom to express their religious beliefs without fear of being discriminated against by parties who have certain authorities.⁵⁶ Apart from that, the government must also ensure that its policies do not discriminate against certain groups. Formulating public policies based on the

⁵¹ Bambang Trisno et al., "Konsep Dan Urgensi Demokrasi Yang Bersumber Dari Pancasila," *JISPENDIORA Jurnal Ilmu Sosial Pendidikan Dan Humaniora* 3, no. 2 (June 28, 2024): 195–208, <https://doi.org/10.56910/jispendiora.v3i2.1548>.

⁵² Zuly Qodir, *Islam Liberal: Varian-Varian Liberalisme Islam Di Indonesia 1991-2002* (Yogyakarta: LKiS Pelangi Aksara, 2010).

⁵³ M Mukhibat, Ainul Nurhidayati Istiqomah, and Nurul Hidayah, "Pendidikan Moderasi Beragama Di Indonesia (Wacana Dan Kebijakan)," *Southeast Asian Journal of Islamic Education Management* 4, no. 1 (August 6, 2023): 73–88, <https://doi.org/10.21154/sajiem.v4i1.133>.

⁵⁴ Zakiyuddin Baidhawiy, *Pendidikan Agama Berwawasan Multikultural* (Jakarta: Erlangga, 2005).

⁵⁵ Mulia, *Muslimah Sejati: Menempuh Jalan Islami Meraih Ridha Ilahi*.

⁵⁶ Muhammad Ashri, *Hak Asasi Manusia: Filosofi, Teori & Instrumen Dasar* (Makasar: CV. Social Politic Genius (SIGN), 2028).

principle of non-discrimination can reflect social justice, protect individual rights, and prevent inequality.⁵⁷ Thus, this enforcement will also strengthen people's trust in the government and help build an inclusive society because they feel their rights are protected.

Fourth, creating principles based on Pancasila values. In Indonesia, Pancasila is the basis of the state, which reflects national principles such as social justice, humanity, and respect for religious freedom.⁵⁸ In this case, a decision that is considered to prohibit wearing the hijab may conflict with the first principle of Belief in One Almighty God, which gives every citizen the freedom to practice their religious beliefs. Apart from that, in the second and fifth principles, an approach based on Pancasila, government policies must ensure civilized and fair social and humanitarian justice.⁵⁹ This prohibition on Muslim women violates human rights and the spirit of national unity. This policy does not reflect the principle of unity in diversity to respect the diversity of every citizen's right to express their religious identity.⁶⁰ Therefore, it is very important for stakeholders who formulate policies to use Pancasila to make policies so that every decision can maintain harmony, justice, and unity in a society with various variations.

CONCLUSION

Political and religious relations play an important role in public policy, especially in the context of the alleged ban on wearing the hijab for women's *Paskibraka* members in 2024. Policies relating to religious expression must consider human rights, including religious freedom, which is recognized and protected by the Indonesian constitution. It is suspected that this prohibition has caused debate because it is considered to violate religious freedom and the rights of Muslim women, which gives rise to discriminatory, contradictory attitudes and is a form of policy that is not Pancasila. Strictly speaking, as the Qur'an stipulates that the hijab is an obligation, one is in surah Al-Ahzab: 59 and HR. Abu Dawud. When Muslim

⁵⁷ Muhammad Dahlan and Syahriza Alkohir Anggoro, "Hak Atas Pekerjaan Bagi Penyandang Disabilitas Di Sektor Publik: Antara Model Disabilitas Sosial Dan Medis," *Undang: Jurnal Hukum* 4, no. 1 (June 5, 2021): 1-48, <https://doi.org/10.22437/ujh.4.1.1.48>.

⁵⁸ Ermina Purba Ria, Risa Amalia, and Danugrah Akbar, "Tinjauan Yuridis Tentang Implementasi Prinsip Pancasila Sebagai Landasan Politik Di Indonesia," *Perkara : Jurnal Ilmu Hukum Dan Politik* 2, no. 2 (April 28, 2024): 178-86, <https://doi.org/10.51903/perkara.v2i2.1867>.

⁵⁹ Ali Ismail Shaleh and Fifiana Wisnaeni, "Hubungan Agama Dan Negara Menurut Pancasila Dan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945," *Jurnal Pembangunan Hukum Indonesia* 1, no. 2 (May 29, 2019): 237-49, <https://doi.org/10.14710/jphi.v1i2.237-249>.

⁶⁰ Ameliya, "Komisi IX DPR Sayangkan Dugaan Larangan Paskibraka Pakai Jilbab."

women leave the house, they must cover their bodies with the hijab. This is done to cover the private parts and can help with religious observance, religious identity, and self-protection from other people. Based on the values of Pancasila, especially the first principle regarding Belief in One Almighty God, good public policy must prioritize the principles of non-discrimination, justice, and tolerance. It is also important to have inclusive discussions between the government, society, and religious organizations. This aims to formulate policies that are fair and by the principles of Islamic legal values, and do not violate the regulations of the 1945 constitution. Thus, agreed public policies can consider diversity, justice and respect for the individual rights of every Indonesian citizen.

References

- Alawiyah, Syarifah. "Adab Berpakaian Wanita Muslimah Sesuai Tuntunan Syariat Islam." *Rayah Al-Islam* 4, no. 02 (October 28, 2020): 218–28. <https://doi.org/10.37274/rais.v4i02.338>.
- Alawiyah, Tuti. *Metodologi Studi Islam: Pendekatan Kontemporer Dan Tradisional*. Jambi: PT. Sonpedia Publishing Indonesia, 2024.
- Amalia, Ani, Hilma Azmi Utami, Munawir Munawir, and Ahmad Fahrur Rozi. "Jilbab Perspektif Quraish Shihab (Studi Komparatif Tafsir Tulis Dan Lisan)." *Arfannur* 2, no. 3 (May 18, 2022): 157–74. <https://doi.org/10.24260/arfannur.v3i2.663>.
- Ameliya, Tri Meilani. "Komisi IX DPR Sayangkan Dugaan Larangan Paskibraka Pakai Jilbab." *Antara News: Kantor Berita Indonesia*, 2024. <https://www.antaraneews.com/berita/4260207/komisi-ix-dpr-sayangkan-dugaan-larangan-paskibraka-pakai-jilbab>.
- Annisa Fitri, Hapni Laila Siregar, Ahmad Naufal Habibi Lubis, Aulia Eka Putri, Nabilah Asy-Syifa, and Siti Wulandari. "Analisis Busana Mahasiswa Muslim: Antara Trend Dan Syariat." *Madinah: Jurnal Studi Islam* 11, no. 1 (June 10, 2024): 37–56. <https://doi.org/10.58518/madinah.v11i1.2427>.
- Arifuddin, Anshar. "Pakaian Muslimah Dalam Perspektif Hadis Dan Hukum Islam." *DIKTUM: Jurnal Syariah Dan Hukum* 17, no. 1 (July 22, 2019): 65–86. <https://doi.org/10.35905/diktum.v17i1.664>.
- Armiwulan, Hesti. "Diskriminasi Rasial Dan Etnis Sebagai Persoalan Hukum Dan Hak Asasi Manusia." *Masalah-Masalah Hukum* 44, no. 4 (October 28, 2015): 493. <https://doi.org/10.14710/mmh.44.4.2015.493-502>.
- Ashri, Muhammad. *Hak Asasi Manusia: Filosofi, Teori & Instrumen Dasar*. Makasar: CV. Social Politic Genius (SIGn), 2028.
- Asy'arie, Bima Fandi, Zainul Mun'im, Rachmad Arif Ma'ruf, Septiani Selly Susanti, and Dhoni Kurniawati. "Kedudukan Politik Dalam Membangun Perkembangan Pendidikan Islam." *Al-Qalam: Jurnal Kajian Islam Dan Pendidikan* 16, no. 1 (June 28, 2024): 126–45. <https://doi.org/10.47435/al-qalam.v16i1.2947>.

- Baidhawiy, Zakiyuddin. *Pendidikan Agama Berwawasan Multikultural*. Jakarta: Erlangga, 2005.
- Bambang Trisno, Oti Aprillia, Oriza Latifah, Deyaninda Safira, and Tasya Amanda Putri. "Konsep Dan Urgensi Demokrasi Yang Bersumber Dari Pancasila." *JISPENDIORA Jurnal Ilmu Sosial Pendidikan Dan Humaniora* 3, no. 2 (June 28, 2024): 195–208. <https://doi.org/10.56910/jispendiora.v3i2.1548>.
- Budiardjo, Mariam. *Dasar-Dasar Ilmu Politik*. Jakarta: PT Gramedia Pustaka Utama, 2007.
- Dahlan, Muhammad, and Syahriza Alkohir Anggoro. "Hak Atas Pekerjaan Bagi Penyandang Disabilitas Di Sektor Publik: Antara Model Disabilitas Sosial Dan Medis." *Undang: Jurnal Hukum* 4, no. 1 (June 5, 2021): 1–48. <https://doi.org/10.22437/ujh.4.1.1-48>.
- Digdoyo, Eko. "Kajian Isu Toleransi Beragama, Budaya, Dan Tanggung Jawab Sosial Media." *Jurnal Pancasila Dan Kewarganegaraan* 3, no. 1 (January 27, 2018): 42–59. <https://doi.org/10.24269/jpk.v3.n1.2018.pp42-59>.
- Fox, Jonathan. *An Introduction to Religion and Politics*. 2nd edition. | New York : Routledge, 2018. |: Routledge, 2018. <https://doi.org/10.4324/9781315183787>.
- Harris, Aisyiah Al Islami, and Kurniati Kurniati. "Fenomena Hijab Fashion Perspektif Fikih Sosial: Studi Kasus Di Kalangan Mahasiswi Universitas Islam Negeri Alauddin Makassar." *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab Dan Hukum* 2, no. 1 (January 31, 2021): 81–88. <https://doi.org/10.24252/shautuna.v2i1.15023>.
- Iskandar, Riki, and Danang Firstya Adji. "Menutup Aurat Dalam Pandangan Ulama Kontemporer." *Madania: Jurnal Ilmu-Ilmu Keislaman* 12, no. 1 (June 30, 2022): 28–40. <https://doi.org/10.24014/jiik.v12i1.19479>.
- Ismail. *Manajemen Strategis Sektor Publik*. Pasuruan: CV. Penerbit Qiara Media, 2020.
- Isroji, Isroji, and Agus Moh. Najib. "Peraturan Daerah Bernuansa Syari'ah Di Indramayu Dan Tasikmalaya: Agama, Politik Lokal Dan Ancaman Disintegrasi." *Ulumuddin: Jurnal Ilmu-Ilmu Keislaman* 12, no. 2 (December 31, 2022): 247–72. <https://doi.org/10.47200/ulumuddin.v12i2.1210>.
- Jannah, Miftahul. "Korelasi Antara Wanita, Perhiasan, Dan Aurat Dalam Al-Qur'an Surah An-Nur Ayat 31 Menurut Prespektif Mufassir Nusantara." *ANWARUL: Jurnal Pendidikan Dan Dakwah* 4, no. 1 (November 29, 2023): 42–66. <https://doi.org/10.58578/anwarul.v4i1.2158>.
- Junaidi. "Dugaan Larangan Jilbab Paskibraka 2024, MUI Sebut Tak Pancasila." MUI Digital, 2024. <https://mui.or.id/baca/berita/dugaan-larangan-jilbab-paskibraka-2024-mui-sebut-tak-pancasilais>.
- Katni, Katni. "Jilbab Dalam Al-Qur'an Dan Al-Hadits Serta Aplikasinya Pada Pendidikan Islam Perspektif Teori Habitus Pierre Bourdieu." *ALASASIYYA: Journal Of Basic Education* 1, no. 1 (January 23, 2017). <https://doi.org/10.24269/ajbe.v1i1.311>.

- Kenedi, John. "Problematika Hak Asasi Manusia (HAM) Dan Pembangunan Di Indonesia." *Al Ijarah: Jurnal Pemerintahan Dan Politik Islam* 3, no. 1 (August 7, 2019): 1–17. <https://doi.org/10.29300/imr.v3i1.2139>.
- Kozinets, Robert. *The Method of Netnography*. SAGE Internet Research Methods 3, 2012.
- Kurniawan, Sigid. "Kronologi Larangan Jilbab Paskibraka Berujung Permintaan Maaf BPIP." CNN Indonesia, 2024. <https://www.cnnindonesia.com/nasional/20240816083205-20-1133659/kronologi-larangan-jilbab-paskibraka-berujung-permintaan-maaf-bpip>.
- Lapian, L.M. Gandhi. *Disiplin Hukum Yang Mewujudkan Kesetaraan Dan Keadilan Gender*. Jakarta: Yayasan Pustaka Obor Indonesia, 2012.
- Luckmann, Thomas, Tom Kaden, and Bernt Schnettler. *The Invisible Religion: The Problem of Religion in Modern Society*. London: Routledge, 2022. <https://doi.org/10.4324/9781003257875>.
- Masruri, Ahmad. "Pandangan Ulama Klasik Dan Kontemporer Tentang Jilbab." *Andragogi: Jurnal Pendidikan Islam Dan Manajemen Pendidikan Islam* 3, no. 3 (January 22, 2022): 431–47. <https://doi.org/10.36671/andragogi.v3i3.238>.
- Mujani, Saiful. *Muslim Demokrat: Islam, Budaya Demokrasi, Dan Partisipasi Politik Di Indonesia Pasca Orde Baru*. Gramedia Pustaka Utama, 2007.
- Mukhibat, M, Ainul Nurhidayati Istiqomah, and Nurul Hidayah. "Pendidikan Moderasi Beragama Di Indonesia (Wacana Dan Kebijakan)." *Southeast Asian Journal of Islamic Education Management* 4, no. 1 (August 6, 2023): 73–88. <https://doi.org/10.21154/sajiem.v4i1.133>.
- Mulia, Siti Musdah. *Muslimah Sejati: Menempuh Jalan Islami Meraih Ridha Ilahi*. Bandung: Penerbit Marja, 2011.
- Nugroho, Riant. *Public Policy 7: Dinamika Kebijakan Publik, Analisis Kebijakan Publik, Manajemen Politik Kebijakan Publik, Etika Kebijakan Publik*. Jakarta: PT Elex Media Komputindo, 2023.
- Nurhakim, Muhamad Syara. "Terminologi Dan Tafsir Pendidikan Kewajiban Mengenakan Hijab Pada Wanita Dalam Al-Qur'an, Hadist, Dan Ijma'." *IQ (Ilmu Al-Qur'an): Jurnal Pendidikan Islam* 6, no. 02 (December 31, 2023): 235–56. <https://doi.org/10.37542/iq.v6i02.1443>.
- Prasojo, Eko. *Isu-Isu Kontemporer Kebijakan Dan Governansi Publik Di Indonesia*. Jakarta: Prenada Media, 2023.
- Pratami, Arvi Ristiani. "Polemik Dugaan Larangan Paskibraka 2024 Pakai Jilbab." *Detik News*, 2024. <https://news.detik.com/berita/d-7490384/polemik-dugaan-larangan-paskibraka-2024-pakai-jilbab>.
- Purhasanah, Siti, Dindin Sofyan Abdullah, Ibnu Imam Al Ayyubi, and Rifqi Rohmatulloh. "Kewajiban Menutup Aurat Dalam Perspektif Al-Quran." *Al Fahmu: Jurnal Ilmu Al-Qur'an Dan Tafsir* 2, no. 1 (March 30, 2023): 53–61. <https://doi.org/10.58363/alfahmu.v2i1.31>.

- Puspita Sari, Rekha, and Busyro Busyro. "Cadara Dalam Konteks Kekinian Perspektif Filsafat Hukum Islam." *Borneo : Journal of Islamic Studies* 4, no. 1 (October 22, 2023): 10–21. <https://doi.org/10.37567/borneo.v4i1.2006>.
- Qodir, Zuly. *Islam Liberal: Varian-Varian Liberalisme Islam Di Indonesia 1991-2002*. Yogyakarta: LKiS Pelangi Aksara, 2010.
- Rahayu, Lisy Sri. "Viral Dugaan Larangan Paskibraka 2024 Pakai Jilbab, Ternyata Ini Aturan Barunya." *Detik Bali*, 2024. <https://www.detik.com/bali/berita/d-7489694/viral-dugaan-larangan-paskibraka-2024-pakai-jilbab-ternyata-ini-aturan-barunya>.
- Rais, Indraza Marzuki. "Ombudsman RI Kritik Dugaan Larangan Jilbab Anggota Paskibraka 2024." *Ombudsman Republik Indonesia: Siaran Pers*, 2024. <https://ombudsman.go.id/pers/pers/r/ombudsman-ri-kritik-dugaan-larangan-jilbab-anggota-paskibraka-2024>.
- Ria, Ermina Purba, Risa Amalia, and Danugrah Akbar. "Tinjauan Yuridis Tentang Implementasi Prinsip Pancasila Sebagai Landasan Politik Di Indonesia." *Perkara : Jurnal Ilmu Hukum Dan Politik* 2, no. 2 (April 28, 2024): 178–86. <https://doi.org/10.51903/perkara.v2i2.1867>.
- Rohmaniyah, Naila, Ris'an Rusli, Amilda Sani, and Agus Sholikhin. "Jilbab: Ajaran Agama, Budaya Dan Peradaban." *Cakrawala: Jurnal Studi Islam* 18, no. 1 (June 28, 2023): 49–61. <https://doi.org/10.31603/cakrawala.8513>.
- Safri, Arif Nuh. "Jilbab Sebagai Simbol Perjuangan Identitas (Studi Atas Pemakaian Jilbab Di Kalangan Waria D.I. Yogyakarta)." *Musāwa Jurnal Studi Gender Dan Islam* 18, no. 1 (January 31, 2019): 19–33. <https://doi.org/10.14421/musawa.2019.181.19-33>.
- Shaleh, Ali Ismail, and Fifiana Wisnaeni. "Hubungan Agama Dan Negara Menurut Pancasila Dan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945." *Jurnal Pembangunan Hukum Indonesia* 1, no. 2 (May 29, 2019): 237–49. <https://doi.org/10.14710/jphi.v1i2.237-249>.
- Shihab, M. Quraish. *Jilbab, Pakaian Wanita Muslimah: Pandangan Ulama Masa Lalu Dan Cendekiawan Kontemporer*. Jakarta: Lentera Hati Group, 2012.
- Siringoringo, Martin P. "Pengaturan Dan Penerapan Jaminan Kebebasan Beragama Sebagai Hak Asasi Manusia Dalam Perspektif UUD 1945 Sebagai Hukum Dasar Negara." *Nommensen Journal of Legal Opinion* 03, no. 1 (January 31, 2022): 111–24. <https://doi.org/10.51622/njlo.v3i1.618>.
- Soebahar, Abd. Halim, and Abdul Karim. "Pola Konflik Keagamaan Dan Analisa Peran Stakeholder (Kajian Multisitus Di Kabupaten Jember Dan Kabupaten Bondowoso)." *Akademika* 14, no. 02 (December 26, 2020): 133–48. <https://doi.org/10.30736/adk.v14i02.440>.
- Tarigan, Ridwan Syaidi. *Reformasi Hukum Tata Negara: Menuju Keadilan Dan Keseimbangan*. Ruang Berkarya, 2024.
- Thompson, Neil. *Anti-Discriminatory Practice: Equality, Diversity and Social Justice*. Bloomsbury Publishing, 2020.

- Tlonaen, Nai Merince, and Yakobus Adi Saingo. "Peran Ideologi Pancasila Dalam Pembentukan Perilaku Anti Ekstremisme Agama." *Jurnal Multidisiplin West Science* 2, no. 12 (December 29, 2023): 1040–50. <https://doi.org/10.58812/jmws.v2i12.810>.
- Widodo, Joko. *Analisis Kebijakan Publik: Konsep Dan Aplikasi Analisis Proses Kebijakan Publik*. Malang: Media Nusa Creative (MNC Publishing), 2021.
- Wijaya, Agung. "Islam Dan Penutup Aurat: Kajian Tafsir Maudhu'i Tentang Cadar, Jilbab, Dan Burqa." *Journal of Society and Development* 3, no. 2 (2023): 71–86. <https://doi.org/10.57032/jsd.v3i2.202>.
- Zein, M. Harry Mulya. *Reformasi Birokrasi: Dunia Birokrasi Dan Pemerintahan*. Banten: Sada Kurnia Pustaka, 2023. <https://doi.org/https://doi.org/10.3783/causa.v4i8.3724>.