Questioning Security Guarantees After the Return of the Former Shia Community: Islam and Human Rights Law Analysis

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Abstract:
This study aims to examine the mechanisms and systems for restoring the right to security for former Shia adherents who have returned to their hometowns in Sampang Regency. The government must ensure the fulfillment of this right to security in accordance with its commitment to guarantee that there is no harassment or exclusion of former Shia adherents after their return. This study contributes to advancing knowledge and mechanisms for resolving Sunni-Shia conflicts, with a focus on restoring the right to security and equality. This study employs an empirical legal research method with a socio-legal research approach. The study's findings reveal that disturbances persist, affecting the fulfillment of the right to security following the return of former Shia adherents. Such disturbances include ongoing threats of murder against former Shia adherents if they revert to their former sect. Additionally, strict surveillance by law enforcement officials and the community toward former Shia adherents—whether during religious rituals or their interactions with the general public—results in their freedom to socialize with the community and practice their faith appearing restricted, which has a psychological impact on them. Certainly, these restrictions conflict with the guarantee of religious freedom enshrined in Indonesian national law, Islamic law, and international human rights instruments. This study concludes that the government's enforcement of the right to security has not yet been fulfilled in the post-conflict Sunni-Shia reconciliation process, and recommends further government policies to ensure the fulfillment of the right to security and the absence of excessive surveillance of former Shia adherents' activities, particularly religious practices.

Keywords*: Government responsibility, Sunni-Shia conflict, Right to Security, Freedom of Religion, Post-Conflict Reconciliation.*

Introduction

Religious conflicts in Indonesia are common, such as the conflict between Sunnis and Shias that occurred in Omben Subdistrict, Sampang.[1] This conflict has persisted to this day and has deprived Shia adherents of several basic human rights due to their displacement over the past decade.[2] Various efforts have been made to enable Shia adherents to return to their hometowns through mediation, including two proposals: that the Shia must return to their original beliefs, or that they return one by one; however, neither option has led to an agreement.[3]

In 2020, 274 Shia Muslims took an oath to convert back to Sunni Islam so they could return to their hometowns.[4] The pledge recited by Shia adherents is a prerequisite for their return and acceptance in Sampang. Around 2022, the process of repatriating former Shia adherents to Sampang was completed;[5] however, an evaluation is still needed regarding the fulfillment of basic human rights, such as the restoration of their economic rights, given the length of time they spent displaced.[6] Thus, in 2023, former Shia adherents officially returned to their hometowns; however, despite having taken the oath to return to Sunni Islam, the village community and religious leaders still do not fully trust the oaths they have recited

[1] Mukhlis Mukhlis et al., "The Legal Culture to Prevent Radical Islamism by a Pesantren in Madura," *De Jure: Jurnal Hukum Dan Syar'iah* 16, no. 1 (June 2024): 58–87, https://doi.org/10.18860/j-fsh.v16i1.26216.

[2] Muwaffiq Jufri et al., "Religion and State in Islamic Constitutional Law: The Role of Pesantren in Strengthening Symbiotic Islam and the State in Madura," *Justicia Islamica* 21, no. 2 (November 6, 2024): 221–46, https://doi.org/10.21154/justicia.v21i2.9283.

[3] DIita Anova, "Perlindungan Hukum Terhadap Warga Sampang Penganut Aliran Syiah Yang Menjadi Korban Konflik Dan Kekerasan," *Novum: Jurnal Hukum* 3, no. 4 (2016), https://doi.org/https://doi.org/10.2674/novum.v3i4.18440.

[4] Raja Eben Lumbanrau, "Ratusan Pengungsi Syiah Sampang Dibaiat Menjadi Suni Di Tengah Keinginan Pulang Kampung: Pemerintah Dituding 'Mengalahkan Minoritas Demi Keinginan Mayoritas,'" BBC Indonesia, 2020.

[5] Justiani Liem, Saurip Kadi, and Gregorius Neonbasu, "Human Right Violation Through State Terrorism in Indonesia," *International Journal on Minority and Group Rights* 31, no. 5 (January 30, 2024): 874–97, https://doi.org/10.1163/15718115-bja10149.

[6] Hurriyah, "Asserting Civic Space of Micro Religious Minorities: Evidence from Indonesia," *Asian Politics & Policy* 15, no. 2 (April 13, 2023): 185–204, https://doi.org/10.1111/aspp.12685.

and harbor concerns regarding "taqiyah" (dissimulation). These concerns led to the ostracization and rejection of former Shia adherents.[7]

The process of requiring Shia adherents to take an oath to convert to Sunni Islam is a condition that contradicts the principle of human rights in ensuring equality.[8] Former Shia adherents have the right to live in safety, peace, and tranquility in accordance with Article 35 of Law No. 39 of 1999 on Human Rights, which states: "Every person has the right to live in a peaceful, safe, and tranquil social and state order, respecting, protecting, and fully implementing human rights and fundamental human obligations as stipulated in this Law."[9]

The ostracism and rejection of former Shia adherents can lead to discrimination in social life, because the right not to be discriminated against is a fundamental right of every human being in the protection of human rights.[10] In accordance with Article 3, Paragraph (3) of Law No. 39 of 1999 on Human Rights, which states: "Everyone has the right to the protection of human rights and fundamental human freedoms, without discrimination".[11] Every right is accompanied by a duty; duties must be fulfilled to ensure the realization of human rights, such as the duty to recognize, respect, and value others' human rights.[12]

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[7] Lina A. Alexandra and Alif Satria, "Identifying Hate Speech Trends and Prevention in Indonesia: A Cross-Case Comparison," *Global Responsibility to Protect* 15, no. 2–3 (May 17, 2023): 135–76, https://doi.org/10.1163/1875984X-20230005.

[8] Fauzan Aziz Maulana and Ding Changchun, "State Policies on Religious Freedom in Indonesia: Decolonial Perspectives, Historical Contexts, and Contemporary Challenges," *Tribakti: Jurnal Pemikiran Keislaman* 37, no. 1 (2026): 1–22, https://doi.org/https://doi.org/10.33367/tribakti.v37i1.8317.

[9] Ahmad Muhlis and Abd Hannan, "The Oath-Taking (Baiat) Phenomenon of Sampang Shia Become Sunni from A Human Rights Perspective," *Islam Realitas: Journal of Islamic and Social Studies* 9, no. 2 (January 2024): 115, https://doi.org/10.30983/islam_realitas.v9i2.6775.

[10] Taufani Taufani, Juhansar Juhansar, and Hengki Firmanda, "Religion and Violence: Unraveling Ahmad Syafii Maarif's Philosophical Thought on the Muslim Community's Internal Conflict," *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 19, no. 2 (December 27, 2023): 185–98, https://doi.org/10.18196/afkaruna.v19i2.18080.

[11] Elika Manullang, Budiman N.P.D Sinaga, and Kasman Siburian, "Protection Of Human Rights In The Context Of Indonesian Constitutional Law Against The Functions Of State Institutions," *Indonesian Journal of Law and Justice* 2, no. 3 (January 2025), https://doi.org/10.47134/ijlj.v2i3.3652.

[12] Eric R. Boot, *Human Duties and the Limits of Human Rights Discourse*, vol. 17, Studies in Global Justice (Cham: Springer International Publishing, 2017), https://doi.org/10.1007/978-3-319-66957-1.

This study aims to fill a research gap not previously addressed by earlier researchers, specifically regarding the fulfillment of the right to security for former Shia adherents who have returned to Sampang Regency. Most previous studies have focused solely on issues of discrimination and human rights violations during the return process of former Shia adherents, as examined by Mukhlish.[13] A conflict resolution model oriented toward social stability rather than the protection of the right to religious freedom, as studied by Adhi Cahya Fahadayna.[14] The issue of fulfilling the rights of refugees who are victims of the Sunni-Shia conflict, as studied by Dani Muhtada,[15] and research by Rachma Ida examining the steadfastness of Shia female refugees in their belief in the truth of their sect, even though some of them have declared their return to the Ahl al-Sunnah wa al-Jama'ah sect.[16]

Furthermore, a study conducted by Nadia Farabi specifically addresses the challenges posed by accusations of *bid'ah* against the Shia sect, which hinder the achievement of peace processes and efforts.[17] Nadia explained in detail that these accusations of heresy greatly hinder reconciliation efforts because the religious majority, which is fanatically committed to its own interpretation, believes that accepting peace efforts implies accepting the doctrine's heretical nature. For this

[13] Mukhlis Mukhlis et al., "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia," *Lex Scientia Law Review* 7, no. 2 (November 2023): 959–94, https://doi.org/10.15294/lesrev.v7i2.72156.

[14] Adhi Cahya Fahadayna, Ahmad Hasan Ubaid, and Yusli Effendi, "Breaking Down the Indonesian Post-Authoritarian Illiberal Peacebuilding: The Disappointment of Sunni-Shia Conflict Resolution," *Conflict, Security & Development*, October 8, 2025, 1–29, https://doi.org/10.1080/14678802.2025.2565211.

[15] Dani Muhtada et al., "The Protection of Civil Rights for the Shi'ite Refugees of Sampang, East Java: A Systemic Governance Approach to Restore the Refugees' Rights," *Indonesian Journal of Islam and Muslim Societies* 12, no. 2 (December 17, 2022): 231–56, https://doi.org/10.18326/ijims.v12i2.231-256.

[16] Rachmah Ida and Muhammad Saud, "The Narratives of Shia Madurese Displaced Women on Their Religious Identity and Gender Citizenship: A Study of Women and Shi'as in Indonesia," *Journal of Religion and Health* 60, no. 3 (June 25, 2021): 1952–68, https://doi.org/10.1007/s10943-020-01001-y.

[17] Nadia Farabi, "Addressing the Challenges of Heresy in Peacebuilding: Evidence from the Ahmadiyya and Shia in Indonesia," *Conflict, Security & Development* 25, no. 1 (January 2, 2025): 113–31, https://doi.org/10.1080/14678802.2024.2436544.

reason, this religious majority continues to reject peace efforts until Shia adherents cease to believe in their religious sect.

The previous studies cited above indicate that this study is the only one specifically addressing guarantees of the right to safety for former Shia adherents who have now returned to their hometowns in Sampang Regency. Ensuring these guarantees of safety is essential so that the sacrifices made by those who have declared their return to the Sunni sect may be fully respected. Such respect should be demonstrated by ensuring their safety, preventing harassment, and closely monitoring their activities. Threats to their sense of security constitute a continuation of the discrimination they have long endured. Thus, the novelty of this study lies in the concept that the right to security must be fulfilled by the state and implemented by citizens within the context of post-conflict reconciliation.

Methods

This study employs an empirical legal research methodology. Empirical legal research is a type of legal research designed to examine and analyze the implementation of law in society.[18] This study is a form of field research that involves conducting interviews to gather facts from the community as legal evidence.[19] It employs a sociological approach to law, which examines legal rules within social contexts, as the operation of the law is inextricably linked to social reality.[20] The data used in this study consist of primary data from interviews and secondary data from a literature review. The data analysis method used in this study is descriptive-analytical, producing data that describe what actually occurred in the field.

[18] Retno Widyani, Li Wei, and Wang Jun, "Empirical Legal Research Methods: Applications in Legal Research in Indonesia," *Rechtsnormen: Journal of Law* 3, no. 2 (April 2025): 135–45, https://doi.org/10.70177/rjl.v3i2.2095.
[19] Gareth Davies, "The Relationship between Empirical Legal Studies and Doctrinal Legal Research," *Erasmus Law Review* 13, no. 2 (September 2020): 3–12, https://doi.org/10.5553/ELR.000141.
[20] Aikaterini Argyrou, "Making the Case for Case Studies in Empirical Legal Research," *Utrecht Law Review* 13, no. 3 (December 2017): 95, https://doi.org/10.18352/ulr.409.

Discussion

Forms of Rejection and Exclusion of Former Shia Followers from a Human Rights Perspective

Addressing conflicts between Sunnis and Shias is of utmost importance, particularly in the post-conflict phase.[21] Local governments and communities have taken steps to resolve conflicts by forming Team 5[22] to gather valid information, both during the conflict and after it enters the reconciliation phase. Based on an interview with A. Syafiuddin, a member of Team 5, stated that: "*Team 5 was formed in 2013 due to communication issues between the community and the government, which was not functioning properly. Team 5 was established to convey valid information to the local government, which in turn influenced the process of reintegrating former Shia adherents.*"[23] A. Syafiuddin's statement indicates that the presence of Team 5 has significantly influenced the resolution of the conflict, as he represents the communities of Blu'uran and Karang Gayam villages.

Recent developments in the Sunni-Shia conflict have gradually begun to subside, particularly following the implementation of the pledge as a condition for the return of former Shia adherents to Sampang Regency.[24] The pledge made by the Shia adherents is a form of commitment that they are willing to return to the teachings of *Ahlussunnah Wal Jama'ah* and renounce Shia teachings.[25] This pledge is

[21] Hadza Min Fadhli Robby and Inas Ainun Shafia, "Philosophizing Movement, Mobilizing Philosophers: Rausyan Fikr Institute and the Dissent Narratives of the Shia Islam Community in Indonesia," *Religions* 16, no. 11 (November 6, 2025): 1415, https://doi.org/10.3390/rel16111415.
[22] Team 5 is a reconciliation team formed by the Regent of Sampang
[23] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.
[24] Suheri Suheri, "A Contested Freedom of Religion or Belief (FoRB) under the Majority Power: The Dynamics of Shia Community in Indonesia," *Walisongo: Jurnal Penelitian Sosial Keagamaan* 32, no. 2 (November 2024): 153–70, https://doi.org/10.21580/ws.32.2.23875.
[25] Ahmad Suaedy and Said Aqiel Siradj, "Sunni-Shi'a Relations in Post Reformasi Indonesia: Political Identity and Religious Transformation," in *Islam, Conflict, and Political Transformation in Southeast Asia* (Singapore: Springer Nature Singapore, 2026), 71–87, https://doi.org/10.1007/978-981-95-5473-7_4.

a condition set by religious leaders and the community.[26] So that former Shia adherents can return home and be reunited with their families. Former Shia adherents who have taken the oath still face rejection and ostracism during the repatriation process. The nature of this rejection is illustrated in the image below:

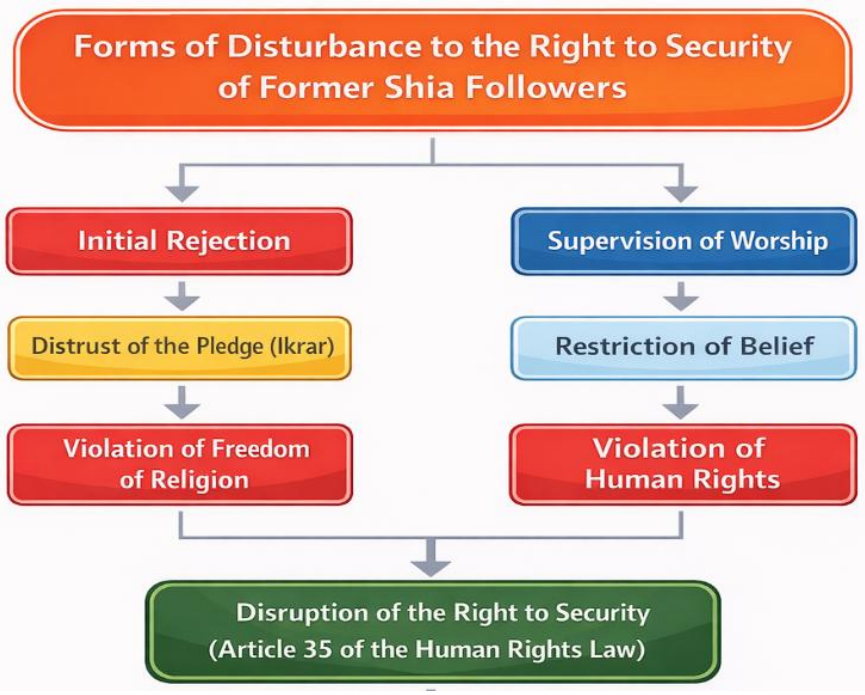


Figure 1: Forms of Resistance to Disruptions that Threaten the Sense of Security of Former Shia Followers
Source: Compiled by the author based on field research findings

Figure 1 above shows that there are two main types of violations of the right to security for former Shia adherents: first, rejection from the very beginning of their return, even though they have made a declaration of faith. This initial rejection stems from Sunni adherents' distrust of the declaration of faith recited by former Shia adherents. The rejection by Sunni adherents constitutes a violation of the freedom of religion and belief as stipulated in Article 28 of the 1945 Constitution, Article 27 of the ICCPR, which prohibits the denial of the right to practice one's

[26] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.

religion, as well as the freedom to choose one's belief and religion in accordance with Article 18(1) of the ICCPR.

Second, the surveillance of former Shia adherents during worship constitutes a restriction on their ability to practice their religion in accordance with their rights. Certainly, such surveillance constitutes a violation of Article 22(1) and (2) of the Human Rights Law regarding the freedom to choose a religion and belief, as well as Article 18(2) of the ICCPR, which states that no one may be compelled to practice a religion or belief.[27] The existence of such surveillance undoubtedly results in a violation of the security of former Shia adherents in their worship and social interactions, which is essential for living in a safe society, in accordance with Article 35 of the Human Rights Law.[28]

That discrimination in the imposition of conditions for return includes, among other things, the requirement to declare Shia Islam a heretical sect, to agree to be punished in accordance with applicable law if one returns to the Shia faith, and to accept the possibility of being killed if found to still adhere to the Shia faith. Imposing such conditions constitutes a restriction on religious freedom and violates Articles 22 and 73 of the Human Rights Law.[29] The freedoms guaranteed by the Human Rights Law cannot be restricted by anything other than the law itself.

The cause of the rejection and ostracism is the public's concern regarding the principle of *taqiyah* in Shia. In the Shia perspective, *taqiyah* is the act of lying to conceal one's religious identity when in a threatening situation, leading to religious restrictions in the form of surveillance.[30]

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[27] Muwaffiq Jufri, "Regulation Model of Religious Rights and Freedoms for Local Religious Believers in the Majapahit Constitution," *Jurnal HAM* 13, no. 3 (December 22, 2022): 539, https://doi.org/10.30641/ham.2022.13.539-556.

[28] Muwaffiq Jufri and Mukhlish Mukhlish, "Akibat Hukum Pemisahan Hak Beragama Dengan Hak Berkepercayaan Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945," *Jurnal Konstitusi* 16, no. 2 (July 11, 2019): 274, https://doi.org/10.31078/jk1624.

[29] Mukhlis et al., "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia."

[30] Syed Huzaifah Bin Othman Alkaff and Muhammad Haziq Bin Jani, "Shi'i Communities in Southeast Asia," *Islam Nusantara: Journal for the Study of Islamic History and Culture* 4, no. 1 (January 31, 2023): 1–21, https://doi.org/10.47776/islamnusantara.v4i1.680.

Fulfilling the Right to Security for Former Shia Followers in Sampang from a Human Rights Perspective: Islamic Law and International Human Rights Instruments

In Islamic law, freedom is affirmed: no one may be compelled to embrace Islam, and a Muslim may not be forced to embrace another religion. The Quran makes clear that there is no compulsion in religion, so the concept of religious freedom requires that no one be permitted to infringe upon the freedom of others; in this regard, Islam not only guarantees the freedom of Muslims but also ensures the freedom of non-Muslims.[31]

Islamic law fundamentally emphasizes the importance of moderation in religious practice and prohibits extreme, anarchic, and radical conduct, including in responding to religious differences.[32] The Qur'an promotes tolerance and mutual respect among religious communities and clearly affirms that there is no compulsion in religion (Qur'an 2:256), as the distinction between truth and falsehood has been made evident.[33] According to M. Quraish Shihab's interpretation (tafsir), religious diversity reflects divine will and should not be forcibly homogenized. This is further reinforced in Qur'an 2:148, which encourages each community to compete in doing good rather than engaging in hostility.

The principle of peaceful coexistence in diversity is also reflected in the Charter of Medina, which guarantees freedom of religion for all members of society, including Jews, Christians, and other groups. The Charter prohibits violence and

[31] Syafa'atun Almirzanah, "On Human Rights and the Qur'anic Perspective: Freedom of Religion and the Rule of Apostasy," *Al-Jami'ah: Journal of Islamic Studies* 45, no. 2 (December 2007): 367–88, https://doi.org/10.14421/ajis.2007.452.367-388.
[32] Dewi Purnamasari, "Moderation Based Learning in Islamic Religious Education," *International Journal of Islamic Educational Research* 3, no. 1 (January 2026): 49–59, https://doi.org/10.61132/ijier.v3i1.501.
[33] Semiyu Adejare Aderibigbe et al., "Fostering Tolerance and Respect for Diversity through the Fundamentals of Islamic Education," *Religions* 14, no. 2 (February 3, 2023): 212, https://doi.org/10.3390/rel14020212.

promotes the peaceful resolution of disputes.[34] Accordingly, Islam regards religious diversity as a natural condition and advocates peaceful and respectful coexistence. This principle is consistent with the objectives of Islamic law (*maqāṣid al-sharīʿah*), particularly the protection of religion (*ḥifẓ al-dīn*), which extends not only to Islam but also to other religions. Therefore, Islam rejects coercion and violence and supports harmonious coexistence among different religious communities.

In simple terms, the guarantees provided by Islamic law for the protection of the right to security for followers of religions other than Islam are shown in the table below:

Table 1. Prohibition of Religious Anarchism in Islamic Law

No	Type of Islamic Law Product	Substance of Regulation
1	Qur'an: Al-Baqarah (256)	There is no compulsion in religion.
2	Qur'an: Al-Baqarah (148)	Islam acknowledges and honors the presence of other religions, regarding religious diversity not as a source of division, but as an opportunity to strive together in acts of goodness.
4	Article 25 (2) of Shahifa al-Madinah	Islam's recognition and respect for religious diversity.

***Source**: Compiled by the author from various sources*

The fulfillment of the right to security for former Shia adherents can also be found in various national regulations, such as: First, based on the provisions of Article 28G paragraph (1) of the 1945 Constitution of the Unitary State of the Republic of Indonesia, which states, "Every person has the right to protection of their person, family, honor, dignity, and property under their control, as well as the right to security and protection from threats of fear to act or refrain from acting in a manner that constitutes a human right." Based on this provision, every person has

[34] Sayuti Sayuti and Illy Yanti, "Freedom of Speech Without a Direction: Criticism of Promotion of Freedom of Speech in Indonesia," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 1 (June 30, 2023), https://doi.org/10.30631/alrisalah.v23i1.1389.

the right to a sense of security and protection from threats to their fundamental rights.[35]

Second, Articles 30 and 35 of Law No. 39 of 1999 on Human Rights, which state "*every person has the right to a sense of security and peace of mind, as well as protection against the threat of fear to act or refrain from acting*." Furthermore, Article 35 states, "*every person has the right to live in a peaceful, safe, and tranquil social and state order, and to respect, protect, and fully implement human rights and fundamental human obligations as regulated in this Law*." These provisions affirm that every person has the right to feel safe in exercising their fundamental rights, including the right to practice religion and worship.

In addition to provisions in Islamic law and Indonesian national law, guarantees of the right to security in relation to freedom of religion can also be found in various international human rights instruments.[36] Among others: First, Article 12 of the 1948 Universal Declaration of Human Rights states, "*no one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence; nor to attacks upon his honor and reputation. Everyone has the right to legal protection against such interference or violations.*" This provision indicates that private affairs, including religion and worship, are entitled to legal protection against interference.

Second, the Universal Islamic Declaration on Human Rights, September 19, 1981. Article 8 states that, "*no one shall be subjected to torture, whether physical or mental, threatened with criminal punishment, forced to confess to a crime, or compelled to consent to an act that causes harm*." This demonstrates that the provision establishes the aforementioned prohibitions as a guarantee of the right to security for every person.

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[35] Faiq Tobroni et al., "The End of Blasphemy Crimes in Indonesia: Shifts in Human Rights Limitations and MUI's Fatwa Authority," *Jurnal Litigasi* 26, no. 2 (October 31, 2025), https://doi.org/10.23969/litigasi.v26i2.31471.

[36] Saldi Isra, Ferdi Ferdi, and Hilaire Tegnan, "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia," *Hasanuddin Law Review* 3, no. 2 (August 12, 2017): 117, https://doi.org/10.20956/halrev.v3i2.1081.

Third, Article 18(a) of the Cairo Declaration on Human Rights in Islam, dated August 5, 1990, *states that "every person has the right to security for himself, his religion, his dependents, his property, and his honor." Thus, based on this provision, it can be concluded that every person has the right to safety for themselves and their religion, meaning there shall be no threat to their person, religion, property, or honor".*

Forms of Violations of the Right to Security for Former Shia Followers

The right to security is among the fundamental human rights legally protected and is enshrined in human rights legislation—specifically, Law No. 39 of 1999 on Human Rights—in Part Six, which pertains to its protection.[37] This right is directly granted by the state to ensure the protection of the fundamental rights of every human being, provided in the form of legal norms—a hallmark of the implementation of the rule of law, grounded in the separation of powers, in safeguarding human rights.[38]

Violations of the right to security first occurred when religious and community leaders imposed conditions and agreements on former Shia adherents during their oath-taking ceremony, in which it was stated that any violation of the oath would result in legal prosecution. Not only that, former Shia adherents would not be accepted back into Sampang Regency or would be prepared to sacrifice themselves (be killed) if they violated the pledge given by religious and community leaders of Blu'uran and Karang Gayam villages. As stated by the Village Head of Blu'uran, "Former Shia adherents are accepted by the village community, but only under the conditions set by the village community and the promise made by the former Shia themselves, which stems from their own willingness to return to the Aswaja creed. one of the conditions set by the village community is that "if a former Shia returns to Shia, they will never be accepted again, or for the rest of their life they are

[37] M. Alvi Syahrin, M. Rafly Qalandy, and M. Syaran Jafizhan, "In Search of Durable Solutions for Refugees in Indonesia: A State Security and Human Rights Protection Approach," *The Age of Human Rights Journal*, no. 22 (April 11, 2024), https://doi.org/10.17561/tahrj.v22.8255.
[38] Manullang, Sinaga, and Siburian, "Protection Of Human Rights In The Context Of Indonesian Constitutional Law Against The Functions Of State Institutions."

forbidden to set foot in the villages of Blu'uran and Karang Gayam, or they must be prepared to sacrifice themselves (be killed)." Based on these conditions and promises, monitoring is conducted by Team 5 to oversee the former Shia".[39]

Undoubtedly, this has directly infringed upon the right to freedom of religion and belief, which is protected by law as a right that cannot be taken away by others, as affirmed in Article 18(2) of the ICCPR, which states: "No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice." The provisions of this article were ratified by the State of Indonesia as a manifestation of the rule of law's commitment to protecting Human Rights; thus, any violation of the right to freedom of religion and belief constitutes a violation of a constitutional right.[40]

Muhammad Faruk also stated that "at first, the community rejected and objected to their return; however, several religious scholars and clerics said, 'Former Shia have been re-initiated into the original doctrine, namely Aswaja; therefore, fellow Muslims must accept them because they are our brothers.' So we, the community, could not object any longer and tried to accept the Shia's return."[41] Thus, despite having taken an oath, there remains a segment of society that opposes the return of former Shia adherents, making it increasingly clear that the right to security of former Shia adherents is at risk following their return.

Article 35 of the Human Rights Law states that "the right to live in a safe, comfortable, and peaceful society is the right of every person." Therefore, the pledge made by former Shia adherents is a form of respect for the rights of others (Sunnis). One of the reasons for this rejection is the concern regarding taqiyya that Shia

[39] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.
[40] Zaka Aditya and Sholahuddin Al-Fatih, "State Liability For Violation Of Constitutional Rights Against Indigenous People In Freedom Of Religion And Belief," *Brawijaya Law Journal* 4, no. 1 (March 2017): 29–58, https://doi.org/10.21776/ub.blj.2017.004.01.02.
[41] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.

adherents might practice, leading to surveillance or monitoring of former Shia adherents, particularly regarding their religious practices.

Although they have begun to integrate into society, the Head of the Regional Agency for National Unity and Political Affairs (*Badan Kesatuan Bangsa dan Politik: Bakesbangpol*) stated that former Shia adherents are still being monitored by Team 5 and indirectly supervised by the Sampang District Police Mobile Brigade (*Brimob*) to ensure security around the conflict zone. This is supported by a statement from Team 5 stating that "there is still some indirect monitoring, one of which is direct monitoring by Team 5 regarding worship practices and so on to ensure they do not engage in *taqiyya*, as well as indirect monitoring by Brimob due to their mandate to maintain security, meaning that indirectly, Brimob continues to ensure a conducive environment." These surveillance measures are the reason for concerns regarding acts of *taqiyya* or lying committed by former Shia adherents.[42]

Team 5 also stated that "*Tajul Muluk is only permitted to return home, but is not allowed to settle in the Blu'uran community*." Thus, even though Tajul Muluk has pledged to return to the village, he continues to face extraordinary rejection. In fact, this rejection is directed solely at Tajul Muluk, and this also constitutes a very clear form of discrimination by the village community against a former Shia adherent. The rejection of Tajul Muluk is based solely on the notion that he was the pioneer in spreading Shia Islam in the villages of Blu'uran and Karang Gayam.

The indirect surveillance by Brimob is solely intended to maintain social harmony. This was stated directly by the Head of the Intelligence and Security Unit of the Karang Penang Police Station (*Kanit Intelkam Polsek*), Rusmiadi, who stated "*Brimob no longer handles the surveillance of former Shia adherents because they have formed their own unit; however, they can still be utilized for indirect surveillance of Sunni-Shia conflicts"*. In this case, surveillance is certainly still focused on the lingering conflict between Sunnis and Shia. This indirect surveillance also has the

[42] Mukhlis et al., "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia."

potential to threaten the psychological sense of security of former Shia adherents, who need to feel safe within the village community.

These surveillance actions constitute a violation of Article 35 of Law No. 39 of 1999 on Human Rights, as they fulfill the elements outlined above—namely, a violation of the fundamental human rights of former followers of the Shia, based on the surveillance actions carried out by Team 5 and the village community regarding worship and social life, clearly impose restrictions on fundamental human rights, particularly the right to security for former Shia adherents. Therefore, the violation of the right to security as stipulated in Article 35 of No. 39 on Human Rights has not been adequately fulfilled or has not been fulfilled at all.[43]

Simply put, the various forms of violations of the right to security can be seen in the table below:

Table 2. Forms of Violations of the Right to Security Against Former Shia Followers

No	Type of Violation	Specific Form	Basis/Description in the Text	Impact on the Right to Security
1	Physical and existential threats	Threats of death for violating the oath	Requirement to take the oath before religious and community leaders	Causes serious fear and threatens the right to life
2	Restrictions on religious freedom	Prohibition on returning to Shia teachings	A binding pledge under threat	Violation of religious freedom
3	The threat of social ostracism	A lifetime ban on returning to the village	The village community's conditions	Eroding a sense of social security
4	Intensive surveillance	Monitoring of religious practices by Team 5	Surveillance to prevent taqiyya	Psychological pressure and lack of freedom

[43] Abd Hannan and Ach. Fatayillah Mursyidi, "Mapping Cases and Actors in Violations of Religious Freedom in Contemporary Madura," *Tribakti: Jurnal Pemikiran Keislaman* 35, no. 1 (January 2024): 1–22, https://doi.org/10.33367/tribakti.v35i1.4564.

No	Type of Violation	Specific Form	Basis/Description in the Text	Impact on the Right to Security
5	Surveillance by security forces	Indirect surveillance by Brimob	Maintaining a peaceful atmosphere during conflicts	A sense of being constantly watched
6	Discrimination against individuals	Rejection of Tajul Muluk	Considered a pioneer of Shia Islam	Injustice and discrimination
7	Social rejection by the community	Some residents oppose the return	Community statements	A sense of insecurity in social interactions
8	Stigmatization and suspicion	Concerns about taqiyya	Reasons for surveillance	Social pressure and mistrust
10	Ongoing psychological stress	Fear and discomfort	Resulting from threats and surveillance	Violation of the right to safety

***Source**: Compiled by the author based on field research findings*

The Government's Responsibility to Ensure the Right to Safety for Former Shia Followers

The state's responsibility to ensure the right to security for former Shia adherents is reflected in the implementation of Law No. 39 of 1999 on Human Rights, which stipulates that the government is obligated to respect, protect, uphold, and promote human rights.[44] Article 23 of Law No. 7 of 2012 on the Handling of Social Conflicts explains that conflicts at the regency/city level fall under the responsibility of the Regent/Mayor—in this case, the local government—for their management, including the fulfillment of human rights.

Local governments are the administrators of government affairs under an autonomy system based on the principle of the broadest possible autonomy,[45] as

[44] Javad Fakhkhar Toosi, "Liberal Citizenship Through the Prism of Shia Jurisprudence: Embracing Fundamental over Partial Solutions," *Religions* 15, no. 12 (November 29, 2024): 1457, https://doi.org/10.3390/rel15121457.

[45] Aswadi Aswadi et al., "Reassessing the Expiatory Sacrifice for Hajj Tamattuʿ in Indonesia: A Qur'anic Exegesis and Socio-Legal Perspective on Contemporary Practices," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 9, no. 1 (2026): 37–59, https://doi.org/https://doi.org/10.24090/volksgeist.v9i1.15220.

stipulated in Article 1(2) of Law No. 23 of 2014 on Local Government.[46] The autonomy referred to here is the authority to regulate and manage one's own governmental affairs within the established territorial boundaries.[47] The principle of autonomy is applied to the central government's delegation of authority to provincial and regency/municipal governments in the administration of the government.

The principle of granting autonomy to local governments by the central government is a principle of democracy, community empowerment, public service, and regional equity, with the flexibility to make decisions within the limits of their authority to develop a region's potential. [48]Local governments have duties and authorities in administering the system of local government. In accordance with Law No. 23 of 2014 on Local Government, there are four types of duties: mandatory, optional, auxiliary, and supervisory.[49]

The Sampang Regency government's efforts to address social conflicts within the Sampang community involve restoring basic human rights—particularly the right to security—within a safe, peaceful, and harmonious social order, in accordance with Article 35 of the Human Rights Law. According to the Head of the Bakesbangpol, Anang Djonaedi Santoso, the government's efforts to address the Sunni-Shia conflict have been carried out through the formation of a 5-member team in every village. Blu'uran and Karang Gayam Village each have a team of 5 people.

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[46] Yohanes Oci, Ratu Yasmin Adara Dinanti, and Bela Nabila, "Local Government In The Perspective Of Law Number 23 Of 2014," *KYBERNAN: Jurnal Ilmiah Ilmu Pemerintahan* 15, no. 2 (December 2024): 87–98, https://doi.org/10.33558/kybernan.v15i2.10489.

[47] Muhtadli Muhtadli, "Recognition of Traditional Villages as Local Government Administrators in Indonesia Based on the Principle of Autonomy," *Constitutionale* 1, no. 1 (September 2020): 57–70, https://doi.org/10.25041/constitutionale.v1i1.2008.

[48] Luthfi Fahrul Rizal, Karina Puji Fauziah, and Iqbal Reza Satria, "Quo Vadis Head of Local Government Authority: Products of Local Elections within the Principle of Decentralization," *Politicon : Jurnal Ilmu Politik* 6, no. 1 (May 2024): 122–49, https://doi.org/10.15575/politicon.v6i1.33397.

[49] Irfan Christianto, Filep Wamafma, and Atang Suryana, "Implementation of Manokwari Regency DPRD Duties Regarding Supervision of Regional Government Performance Based on Law Number 23 of 2014 Concerning Regional Government," *Ilomata International Journal of Social Science* 4, no. 4 (October 2023): 622–33, https://doi.org/10.52728/ijss.v4i4.899.

The 5-member teams themselves were formed by community leaders, with the involvement of the government and religious scholars. As stated in the decree, these 5-member teams serve as mediators and facilitators between the government and the community.[50]

Although Team 5 monitors former Shia adherents, the formation of Team 5 was based on the government's desire to facilitate conflict resolution and the repatriation process. Anang Djonaedi Santoso, stated "*efforts are being made to fully restore the rights of the Shia community, such as housing, livelihood assistance, and educational scholarships; however, regarding the fulfillment of the right to live in peace, safety, and comfort within society—where they have begun to integrate—monitoring remains in place*." The local government's efforts to ensure the right to safety have begun to materialize, as it has fulfilled the rights of former Shia adherents and refrained from intervening in the repatriation process and the provision of livelihood assistance.

The local government's efforts to fulfill the rights of former Shia adherents are reflected in various regulations issued as regent decrees, including Sampang Regent Decree No. 188.45/112/KEP/434. 013/2023 Regarding the Sampang Regency Social Conflict Management Reconciliation Team for 2023,[51] which was subsequently updated through Sampang Regent's Decision No. 100. 3.3.2/149/KEP/434.013/2024 Regarding the Reconciliation Team for Handling Social Conflicts in Sampang Regency for the Year 2024, which establishes the Reconciliation Team comprising cooperation between the local government and the communities of Blu'uran and Karang Gayam villages to facilitate coordination between the community and the local government. Additionally, efforts are aimed at ensuring self-sufficient livelihoods through the provision of livelihood assistance (JADUP) via the issuance of Sampang Regent's Decision No.

[50] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.
[51] Roger Cotterell, "A Socio-Legal Quest: From Jurisprudence to Sociology of Law and Back Again," *Journal of Law and Society* 50, no. 1 (March 2023): 3–16, https://doi.org/10.1111/jols.12403.

188.45/191/KEP/434.013/2023, which designates recipients of regional and village financial transfer funds for former Shia adherents. The provision of financial assistance and coordination between villages and the local government are initial steps toward fulfilling the rights of former Shia adherents so they can live within the village community.[52]

To ensure the safety of former Shia adherents, the local government is collaborating with village authorities, as stated by the Village Head of Blu'uran, "The village government fully supports efforts toward peace within the Shia community, starting with allowing former Shia members to participate in worship activities alongside residents to help them integrate.[53] However, the restoration of other basic rights is being carried out in collaboration with the district and provincial governments; yet, these have not been realized to date, such as the promised construction of housing for former Shia members. Consequently, there is concern that they may revert to Shia beliefs due to the lack of government assistance for housing facilities."[54] Muhamad Faruk also explained that "the repatriation process for former Shia members is carried out through coordination involving a five-member team in each village to serve as mediators and facilitators, in coordination with the *Bakesbangpol*, the local government, and the provincial government to meet with Shia adherents in the refugee camps. However, the province's role in the repatriation process is minimal because, in terms of both budget and other factors, the local government remains the dominant actor."[55] In this regard, local

[52] Muannif Ridwan et al., "Reconciliation of Human Rights, Positive Law, and Siyasah Syar'iyyah: An Innovative Approach to Addressing Human Rights Issues in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (June 30, 2025): 463–87, https://doi.org/10.32332/milrev.v4i1.10433.
[53] Abd Hannan and Mursyidi, "Mapping Cases and Actors in Violations of Religious Freedom in Contemporary Madura."
[54] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.
[55] Interview With A. Syafiuddin, Member of Team 5 For Sunnni-Shia Conflict Reconciliation in Sampang Regency, October 2, 2025.

governments play a more dominant role in the post-return phase, but both play important roles in resolving the Sunni-Shia conflict.

Conclusion

This study concludes that the government must prioritize equality among all religious adherents to unite diverse communities and protect the public. Society exists in a pluralistic context, particularly regarding religious diversity. The state should protect the right to freely practice religion and belief in its entirety—not merely by establishing regulations, but also by enforcing them. The Sunni-Shia conflict, which continues to this day, serves as evidence that the freedom of religion and belief, which has long been guaranteed, is not grounded in the state's commitment to ensuring the upholding of religious freedom and prohibiting all forms of discrimination and violence in the name of religion. This study also concludes that the right to feel safe for former Shia adherents upon their return to Sampang Regency has not yet been fully realized. Many former Shia adherents still feel isolated and oppressed due to strict surveillance by the community and state security agencies, which hinders their ability to carry out their daily activities. They are also still burdened by the label of "former heretical adherents," which remains attached to them to this day.

It is regrettable that such conditions exist in a country founded on the Pancasila ideology, which is committed to building democracy and upholding human rights. Furthermore, the strict surveillance of former Shia adherents has the potential to violate the right to security as enshrined in Article 35 of the Human Rights Law, and those under surveillance will experience physical and psychological distress. Therefore, the government plays a role in fulfilling the rights of former Shia adherents by guaranteeing their sense of security, since it itself initiated their return and assured them that their presence would be well-received by the local community. For this reason, the government—particularly local governments—

must take decisive action to halt all forms of surveillance and ostracism against former Shia adherents.

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References

Abd Hannan, and Ach. Fatayillah Mursyidi. "Mapping Cases and Actors in Violations of Religious Freedom in Contemporary Madura." *Tribakti: Jurnal Pemikiran Keislaman* 35, no. 1 (January 2024): 1–22. https://doi.org/10.33367/tribakti.v35i1.4564.

Aderibigbe, Semiyu Adejare, Mesut Idriz, Khadeegha Alzouebi, Hussain AlOthman, Wafa Barhoumi Hamdi, and Assad Asil Companioni. "Fostering Tolerance and Respect for Diversity through the Fundamentals of Islamic Education." *Religions* 14, no. 2 (February 3, 2023): 212. https://doi.org/10.3390/rel14020212.

Aditya, Zaka, and Sholahuddin Al-Fatih. "State Liability For Violation Of Constitutional Rights Against Indigenous People In Freedom Of Religion And Belief." *Brawijaya Law Journal* 4, no. 1 (March 2017): 29–58. https://doi.org/10.21776/ub.blj.2017.004.01.02.

Alexandra, Lina A., and Alif Satria. "Identifying Hate Speech Trends and Prevention in Indonesia: A Cross-Case Comparison." *Global Responsibility to Protect* 15, no. 2–3 (May 17, 2023): 135–76. https://doi.org/10.1163/1875984X-20230005.

Alkaff, Syed Huzaifah Bin Othman, and Muhammad Haziq Bin Jani. "Shi'i Communities in Southeast Asia." *Islam Nusantara: Journal for the Study of Islamic History and Culture* 4, no. 1 (January 31, 2023): 1–21. https://doi.org/10.47776/islamnusantara.v4i1.680.

Almirzanah, Syafa'atun. "On Human Rights and the Qur'anic Perspective: Freedom of Religion and the Rule of Apostasy." *Al-Jami'ah: Journal of Islamic Studies* 45, no. 2 (December 2007): 367–88. https://doi.org/10.14421/ajis.2007.452.367-388.

Anova, DIita. "Perlindungan Hukum Terhadap Warga Sampang Penganut Aliran Syiah Yang Menjadi Korban Konflik Dan Kekerasan." *Novum: Jurnal Hukum* 3, no. 4 (2016). https://doi.org/https://doi.org/10.2674/novum.v3i4.18440.

Argyrou, Aikaterini. "Making the Case for Case Studies in Empirical Legal Research." *Utrecht Law Review* 13, no. 3 (December 2017): 95. https://doi.org/10.18352/ulr.409.

Aswadi, Aswadi, M. Yusuf, Raudlotul Jannah, Tawwabuddin Tawwabuddin, and Souad Ezzerouali. "Reassessing the Expiatory Sacrifice for Hajj Tamattuʿ in Indonesia: A Qur'anic Exegesis and Socio-Legal Perspective on Contemporary Practices." *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 9, no. 1 (2026): 37–59. https://doi.org/https://doi.org/10.24090/volksgeist.v9i1.15220.

Boot, Eric R. *Human Duties and the Limits of Human Rights Discourse*. Vol. 17. Studies in Global Justice. Cham: Springer International Publishing, 2017. https://doi.org/10.1007/978-3-319-66957-1.

Christianto, Irfan, Filep Wamafma, and Atang Suryana. "Implementation of Manokwari Regency DPRD Duties Regarding Supervision of Regional Government Performance Based on Law Number 23 of 2014 Concerning Regional Government." *Ilomata International Journal of Social Science* 4, no. 4 (October 2023): 622–33. https://doi.org/10.52728/ijss.v4i4.899.

Cotterell, Roger. "A Socio-Legal Quest: From Jurisprudence to Sociology of Law and Back Again." *Journal of Law and Society* 50, no. 1 (March 2023): 3–16. https://doi.org/10.1111/jols.12403.

Davies, Gareth. "The Relationship between Empirical Legal Studies and Doctrinal Legal Research." *Erasmus Law Review* 13, no. 2 (September 2020): 3–12. https://doi.org/10.5553/ELR.000141.

Dewi Purnamasari. "Moderation Based Learning in Islamic Religious Education." *International Journal of Islamic Educational Research* 3, no. 1 (January 2026): 49–59. https://doi.org/10.61132/ijier.v3i1.501.

Fahadayna, Adhi Cahya, Ahmad Hasan Ubaid, and Yusli Effendi. "Breaking Down the Indonesian Post-Authoritarian Illiberal Peacebuilding: The Disappointment of Sunni-Shia Conflict Resolution." *Conflict, Security & Development*, October 8, 2025, 1–29. https://doi.org/10.1080/14678802.2025.2565211.

Fakhkhar Toosi, Javad. "Liberal Citizenship Through the Prism of Shia Jurisprudence: Embracing Fundamental over Partial Solutions." *Religions* 15, no. 12 (November 29, 2024): 1457. https://doi.org/10.3390/rel15121457.

Farabi, Nadia. "Addressing the Challenges of Heresy in Peacebuilding: Evidence from the Ahmadiyya and Shia in Indonesia." *Conflict, Security & Development* 25, no. 1 (January 2, 2025): 113–31. https://doi.org/10.1080/14678802.2024.2436544.

Hurriyah. "Asserting Civic Space of Micro Religious Minorities: Evidence from Indonesia." *Asian Politics & Policy* 15, no. 2 (April 13, 2023): 185–204. https://doi.org/10.1111/aspp.12685.

Ida, Rachmah, and Muhammad Saud. "The Narratives of Shia Madurese Displaced Women on Their Religious Identity and Gender Citizenship: A Study of Women and Shi'as in Indonesia." *Journal of Religion and Health* 60, no. 3 (June 25, 2021): 1952–68. https://doi.org/10.1007/s10943-020-01001-y.

Isra, Saldi, Ferdi Ferdi, and Hilaire Tegnan. "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia." *Hasanuddin Law Review* 3, no. 2 (August 12, 2017): 117. https://doi.org/10.20956/halrev.v3i2.1081.

Jufri, Muwaffiq. "Regulation Model of Religious Rights and Freedoms for Local Religious Believers in the Majapahit Constitution." *Jurnal HAM* 13, no. 3 (December 22, 2022): 539. https://doi.org/10.30641/ham.2022.13.539-556.

Jufri, Muwaffiq, and Mukhlish Mukhlish. "Akibat Hukum Pemisahan Hak Beragama Dengan Hak Berkepercayaan Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945." *Jurnal Konstitusi* 16, no. 2 (July 11, 2019): 274. https://doi.org/10.31078/jk1624.

Jufri, Muwaffiq, Safi Safi, Paul Atagamen Aidonojie, Zaini Zaini, and Yusuf Ibrahim Arowosaiye. "Religion and State in Islamic Constitutional Law: The Role of Pesantren in Strengthening Symbiotic Islam and the State in Madura." *Justicia Islamica* 21, no. 2 (November 6, 2024): 221–46. https://doi.org/10.21154/justicia.v21i2.9283.

Liem, Justiani, Saurip Kadi, and Gregorius Neonbasu. "Human Right Violation Through State Terrorism in Indonesia." *International Journal on Minority and Group Rights* 31, no. 5 (January 30, 2024): 874–97. https://doi.org/10.1163/15718115-bja10149.

Lumbanrau, Raja Eben. "Ratusan Pengungsi Syiah Sampang Dibaiat Menjadi Suni Di Tengah Keinginan Pulang Kampung: Pemerintah Dituding 'Mengalahkan Minoritas Demi Keinginan Mayoritas.'" BBC Indonesia, 2020.

Manullang, Elika, Budiman N.P.D Sinaga, and Kasman Siburian. "Protection Of Human Rights In The Context Of Indonesian Constitutional Law Against The Functions Of State Institutions." *Indonesian Journal of Law and Justice* 2, no. 3 (January 2025). https://doi.org/10.47134/ijlj.v2i3.3652.

Maulana, Fauzan Aziz, and Ding Changchun. "State Policies on Religious Freedom in Indonesia: Decolonial Perspectives, Historical Contexts, and Contemporary Challenges." *Tribakti: Jurnal Pemikiran Keislaman* 37, no. 1 (2026): 1–22. https://doi.org/https://doi.org/10.33367/tribakti.v37i1.8317.

Muannif Ridwan, Usman Jayadi, Sobardo Hamonangan, Daniel Tanati, and James Yoseph Palenewen. "Reconciliation of Human Rights, Positive Law, and Siyasah Syar'iyyah: An Innovative Approach to Addressing Human Rights Issues in the Contemporary Era." *MILRev: Metro Islamic Law Review* 4, no. 1

(June 30, 2025): 463–87. https://doi.org/10.32332/milrev.v4i1.10433.

Muhlis, Ahmad, and Abd Hannan. "The Oath-Taking (BAIAT) Phenomenon of Sampang Shia Become Sunni from A Human Rights Perspective." *Islam Realitas: Journal of Islamic and Social Studies* 9, no. 2 (January 2024): 115. https://doi.org/10.30983/islam_realitas.v9i2.6775.

Muhtada, Dani, Suhadi Suhadi, In'am Zaidi, and Rayyan Alkhair. "The Protection of Civil Rights for the Shi'ite Refugees of Sampang, East Java: A Systemic Governance Approach to Restore the Refugees' Rights." *Indonesian Journal of Islam and Muslim Societies* 12, no. 2 (December 17, 2022): 231–56. https://doi.org/10.18326/ijims.v12i2.231-256.

Muhtadli, Muhtadli. "Recognition of Traditional Villages as Local Government Administrators in Indonesia Based on the Principle of Autonomy." *Constitutionale* 1, no. 1 (September 2020): 57–70. https://doi.org/10.25041/constitutionale.v1i1.2008.

Mukhlis, Mukhlis, Raphael D. Jackson-Ortiz, Muwaffiq Jufri, Evis Garunja, and Paul Atagamen Aidonojie. "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia." *Lex Scientia Law Review* 7, no. 2 (November 2023): 959–94. https://doi.org/10.15294/lesrev.v7i2.72156.

Mukhlis, Mukhlis, Muwaffiq Jufri, Yusuf Ibrahim Arowosaiye, Evis Garunja, and Helmy Boemiya. "The Legal Culture to Prevent Radical Islamism by a Pesantren in Madura." *De Jure: Jurnal Hukum Dan Syar'iah* 16, no. 1 (June 2024): 58–87. https://doi.org/10.18860/j-fsh.v16i1.26216.

Oci, Yohanes, Ratu Yasmin Adara Dinanti, and Bela Nabila. "Local Government In The Perspective Of Law Number 23 Of 2014." *KYBERNAN: Jurnal Ilmiah Ilmu Pemerintahan* 15, no. 2 (December 2024): 87–98. https://doi.org/10.33558/kybernan.v15i2.10489.

Rizal, Luthfi Fahrul, Karina Puji Fauziah, and Iqbal Reza Satria. "Quo Vadis Head of Local Government Authority: Products of Local Elections within the Principle of Decentralization." *Politicon : Jurnal Ilmu Politik* 6, no. 1 (May 2024): 122–49. https://doi.org/10.15575/politicon.v6i1.33397.

Robby, Hadza Min Fadhli, and Inas Ainun Shafia. "Philosophizing Movement, Mobilizing Philosophers: Rausyan Fikr Institute and the Dissent Narratives of the Shia Islam Community in Indonesia." *Religions* 16, no. 11 (November 6, 2025): 1415. https://doi.org/10.3390/rel16111415.

Sayuti, Sayuti, and Illy Yanti. "Freedom of Speech Without a Direction: Criticism of Promotion of Freedom of Speech in Indonesia." *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 23, no. 1 (June 30, 2023). https://doi.org/10.30631/alrisalah.v23i1.1389.

Suaedy, Ahmad, and Said Aqiel Siradj. "Sunni-Shi'a Relations in Post Reformasi Indonesia: Political Identity and Religious Transformation." In *Islam, Conflict, and Political Transformation in Southeast Asia*, 71–87. Singapore: Springer Nature Singapore, 2026. https://doi.org/10.1007/978-981-95-5473-7_4.

Suheri, Suheri. "A Contested Freedom of Religion or Belief (FoRB) under the Majority Power: The Dynamics of Shia Community in Indonesia." *Walisongo: Jurnal Penelitian Sosial Keagamaan* 32, no. 2 (November 2024): 153–70. https://doi.org/10.21580/ws.32.2.23875.

Syahrin, M. Alvi, M. Rafly Qalandy, and M. Syaran Jafizhan. "In Search of Durable Solutions for Refugees in Indonesia: A State Security and Human Rights Protection Approach." *The Age of Human Rights Journal*, no. 22 (April 11, 2024). https://doi.org/10.17561/tahrj.v22.8255.

Taufani, Taufani, Juhansar Juhansar, and Hengki Firmanda. "Religion and Violence: Unraveling Ahmad Syafii Maarif's Philosophical Thought on the Muslim Community's Internal Conflict." *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 19, no. 2 (December 27, 2023): 185–98. https://doi.org/10.18196/afkaruna.v19i2.18080.

Tobroni, Faiq, Ach Tahir, Iswantoro, Udiyo Basuki, and Murdoko. "The End of Blasphemy Crimes in Indonesia: Shifts in Human Rights Limitations and MUI's Fatwa Authority." *Jurnal Litigasi* 26, no. 2 (October 31, 2025). https://doi.org/10.23969/litigasi.v26i2.31471.

Widyani, Retno, Li Wei, and Wang Jun. "Empirical Legal Research Methods: Applications in Legal Research in Indonesia." *Rechtsnormen: Journal of Law* 3, no. 2 (April 2025): 135–45. https://doi.org/10.70177/rjl.v3i2.2095.

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