

The Reconstruction of Qibla Burial Practice: An Islamic Law and Human Rights Perspective

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Abstract

The Indonesian state has an obligation to protect the basic rights of its citizens, including the right to be buried properly according to their religion and beliefs. This research aims to analyze the reconstruction of regulations on burial practices facing the Qibla for Muslims from the perspective of Islamic law and human rights. This study is a normative legal research with a conceptual and legislative approach. The research findings emphasize that the state plays a role in ensuring that Muslims can fulfill their religious obligation regarding graves facing the Qibla, which can be realized through the provision of appropriate burial facilities, education, and non-discriminatory regulations. The local government strives to achieve this by measuring and establishing the direction of the qibla at Public Cemeteries (TPU), enhancing socialization, and conducting regular calibration and evaluation. Therefore, the state needs to reconstruct the regulations for graves facing the Qibla, in accordance with Islamic law and positive law, through the revision of Government Regulation No. 9 of 1987, which includes standardizing the direction of the Qibla, educating burial officers, optimizing land use, and clarifying the role of local governments. With comprehensive regulations, the state can guarantee human rights, particularly the freedom of religion and belief.

Keywords: Religious Rights, Islamic Law, Islamic Burial, Role of the State.

A. INTRODUCTION

A funeral is a process or ceremony carried out to bury the body of someone who has died (Manan et al., 2024). This process usually involves a series of rituals or certain procedures that are adapted to the beliefs, customs and culture of the local community (Japarudin & Fitria, 2023). The main purpose of a funeral is to honor and

pay final respects to the deceased, as well as a form of managing the body so that it does not cause health problems for the surrounding environment (Satyam & Kumar, 2025). Customs and religion play an important role in funeral ceremonies in Indonesia (Dirkareshza et al., 2022). Funeral rites are traditions associated with the burial, cremation, or memorialization of the deceased, and provide support for the bereaved family. Funeral processions incorporate various prayers and rituals according to the culture and religion of each respective community.

Funeral customs represent a cultural value system that provides a framework for upholding life values (Prasetio, 2024)(Maylinda & Sudarmono, 2021). Funeral customs also serve to maintain cultural values such as community solidarity, respect for ancestors, and harmony with nature. Certain regions have unique funeral traditions, such as mummification by the Asmat people of Papua, the Trunyan burial practices in Bali where bodies are simply placed on the ground, and the *Tiwah* ceremony of the Dayak people in Central Kalimantan, performed years after burial. Funeral rites also symbolize respect for deceased ancestors.

Religion plays a central role in funeral ceremonies, offering guidance and rituals that support bereaved families during the mourning process (Sakti, 2025)(Ismail et al., 2023). For instance, in rural communities, communal prayers, such as *tahlilan* (a Shia Muslim practice of reciting prayers for the deceased), are common, aiming to provide spiritual comfort to the bereaved. Furthermore, funeral rites are intended to assist the deceased's soul in its transition to the afterlife. Funeral practices are relevant to human rights, particularly the right to freedom of religion, as everyone is entitled to final respects aligned with their beliefs (Cromer & Bjork-James, 2023)(Richmond, 2017). The state has a responsibility to ensure that all

citizens, including religious minorities, have equal access to decent funeral facilities.

Freedom of religion includes the right to practice one's faith, encompassing funeral rites (Trispiotis, 2019). Every individual has the right to be buried according to his/her religious beliefs, and the state is obliged to protect this right (Dwi Kurniawan et al., 2023). Local governments are empowered to provide cemetery land for their citizens without discrimination. The Indonesian state guarantees freedom of religion for all its citizens, as enshrined in the constitution. This guarantee includes the right to practice religious worship and rituals, including funeral rites according to individual beliefs. The government has a responsibility to ensure that everyone can exercise this right without discrimination or impediment. The Indonesian government guarantees the right of every person to embrace and practice their religion (Sekarbuana et al., 2021). This right also encompasses funeral practices in accordance with one's religious teachings. Public cemeteries (TPU) are available to everyone regardless of religion or social group. Everyone is entitled to equal treatment in public cemeteries. Government Regulation No. 9 of 1987 governs the provision and use of land for cemeteries, stipulating that public cemeteries are intended for all people without discrimination based on religion or social group (Lainata et al., 2022). Public cemeteries (TPU) are managed by either local or village governments. Local governments have the authority to regulate land management, including the use of land for cemeteries, while considering local wisdom and traditions.

In Islam, burials have specific procedures that reflect respect for the deceased and adherence to religious teachings. A crucial aspect of the burial process is the positioning of the body to face the Qibla (the direction of the Kaaba in Mecca)

(Hijriah & Anis, 2021). The Qibla, the direction of the Kaaba in Mecca, is a sacred direction for Muslims and the direction faced during prayer and other acts of worship. Therefore, when a body is placed in the grave, the face is turned towards the Qibla as a final mark of respect and a symbol of submission to God (Allah SWT) (Nafisah, 2023). Facing the Qibla is a religious practice integral to Islamic burial customs.

Land scarcity is a major challenge for burials in large cities. Population growth and urbanization have led to shrinking land availability, affecting not only housing but also cemeteries. In Jakarta, for example, cemetery land has not expanded significantly in recent years, creating competition for burial plots. This is exacerbated by urban planning policies that inadequately address the need for cemetery land, and inefficient land use. In some areas, public cemeteries (TPU) are nearing full capacity. This land crisis has forced some cities to adopt the practice of layered burials, where one plot is used for multiple bodies.

Beyond land scarcity, another common problem is extortion in burial arrangements, adding financial and emotional burdens to grieving families. Local governments are responsible for land management, including cemetery land allocation, while respecting local customs. Local legislatures (DPRD) in various cities have identified strategies to address these issues, such as requiring developers to allocate land for cemeteries, providing space for layered burials, and eliminating unused reserve burial plots. The issue of graves not facing the Qibla is significant in Islamic faith and scholarship. Most Shafi'i scholars consider orienting the deceased towards the Qibla during burial as obligatory. If a grave is not properly oriented, corrective action is necessary. Therefore, this research aims to analyze the

reconstruction of regulations concerning Qibla-oriented burials for Muslims from the perspectives of Islamic law and human rights. Two key legal issues will be addressed: (i) The state's role in ensuring Qibla-oriented burials for Muslims as a fulfillment of human rights, and (ii) The reconstruction of regulations for Qibla-oriented Muslim burials that comply with both Islamic law and positive law enacted by the state.

Regarding burial practices, there are several previous studies that discuss burial, such as the research conducted by Manan, et al. (2024), which focuses on an ethnographic study of burial practices in Aceh (Manan et al., 2024). Another study was conducted by Hasem et al. (2024), which briefly discusses burial from a human rights perspective during the COVID-19 pandemic (Hasem & Banerjee, 2024). Further research was conducted by Dewi, et al. (2025), which discusses burial practices in Cianjur, West Java, from the perspective of tradition and religion (Puri Swastika Gusti Krisna Dewi, Retna Siwi Padmawati, Yati Soenarto, 2025). From the three previous studies mentioned above, this research can be considered original because the discussion in this study focuses on the aspects of reconstruction and renewal of cemeteries based on the direction of the Qibla for the Muslim community from a human rights perspective.

A normative legal research method will be employed, examining the internal aspects of positive law, focusing on legal concepts, principles, and rules (Diantha, 2017). This research bases its analysis on applicable and relevant legislation related to the legal issues under investigation. Normative legal research is a process of identifying legal rules, principles, and doctrines. The focus of this research is the reconstruction of regulations governing Qibla-oriented burial practices for Muslims

from the perspectives of Islamic law and human rights. Primary legal materials include: the 1945 Indonesian Constitution, Law No. 39 of 1999 on Human Rights, and Government Regulation No. 9 of 1987 on the Provision and Use of Land for Cemeteries. Secondary legal materials consist of books, journal articles, and research findings discussing human rights, religious freedom, and cemetery regulations. Non-legal materials include dictionaries. The approach used is conceptual and statutory.

B. RESULT AND DISCUSSION

1. The Role of the State Regarding Burials Facing the Qibla for Muslims in Efforts to Fulfill Human Rights

The historical development of human rights in the world is a long journey marked by the struggle against injustice and oppression (Jovanovic, 2020). The concept of human rights began to develop along with the emergence of ideas about freedom, dignity, and equality in human civilization. The history of human rights can be traced back to ancient times in the Egyptian, Babylonian, and Greek civilizations (Kittichaisaree, 2020). Although the modern concept of human rights was not yet fully formed, philosophers such as Socrates, Plato, and Aristotle began to discuss ideas about individual freedom and justice in society. Hammurabi's Code of 1792 BC is one of the oldest laws that ensures that every citizen's rights and obligations are fulfilled fairly (Suwandoko & Rihardi, 2020). Cyrus the Great in 593 BC freed slaves and granted religious freedom, which is considered the first charter of human rights (Oh, 2020).

After World War II, the United Nations (UN) adopted the Universal Declaration of Human Rights (UDHR) in 1948. The UDHR became the first global

document to recognize and regulate basic human rights, such as the right to life, freedom of expression, protection from torture, the right to education, and the right to work (Shah & Sivakumaran, 2021). Following the ratification of the Universal Declaration of Human Rights, many countries began to develop laws and institutions to protect human rights domestically (Dicky Eko Prasetyo, Muh. Ali Masnun, Arinto Nugroho, Denial Ikram, 2024). The UN also established various international legal instruments, such as the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966), to further detail the rights that must be protected (Ahmad et al., 2025)(Shah & Sivakumaran, 2021).

The right to religion is a fundamental human right and cannot be reduced under any circumstances (Salemot, 2021). This right includes the freedom of every individual to choose, adhere to and practice a religion according to his/her beliefs (Shaheed, 2022). Freedom of religion also includes the right to have no religion, as well as the right to change religion or belief. In the context of international law, the right to religion is guaranteed by various main instruments. The 1948 Universal Declaration of Human Rights (UDHR) guarantees freedom of thought, conscience, and religion in Article 18 (Mohd. Yusuf DM & Saragih, 2022)(Hikmah et al., 2024). This article covers the right of every person to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom to manifest his religion or belief in teaching, practice, worship and observance, either individually or in community with others in public or in private.

The International Covenant on Civil and Political Rights (ICCPR), ratified by Indonesia through Law No. 12 of 2005, also regulates freedom of religion in Article

18 (Shany, 2021). Article 18 of the ICCPR guarantees the right to freedom of thought, conscience and religion, including freedom to have or adopt a religion or belief of his choice. No one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice. The ICCPR requires states to ensure freedom of religion, including respecting people's choices, not coercing them, providing freedom to practice religion, and ensuring religious and moral education. Although the right to religion is a *non-derogable right* that cannot be derogated under any circumstances, the freedom to practice religion externally (*forum externum*) may be limited (Firdaus, 2023). These limitations must be implemented to protect the rights guaranteed by the Covenant, including the rights to equality and non-discrimination. Limitations are only justified if necessary to protect national security, public order, public health, or morals, or the fundamental rights and freedoms of others.

As a state that has ratified the ICCPR (International Covenant on Civil and Political Rights), Indonesia is obligated to harmonize its national laws with the international standards set forth in the ICCPR. The state has a duty to protect citizens' right to practice their religion. However, the Constitutional Court (MK) emphasizes that the guarantee of religious freedom in the ICCPR and the 1945 Constitution differs because the ICCPR does not incorporate religious values into the limitations on human rights as stipulated in Article 28J paragraph (2) of the 1945 Constitution.

In Indonesia, the right to religious freedom is guaranteed by the constitution and laws. Article 28E paragraph (1) of the 1945 Constitution states that everyone is free to embrace and practice their religion. Article 29 of the 1945 Constitution also

affirms that the state guarantees the freedom of each inhabitant to embrace their religion and to worship according to their religion and beliefs. Furthermore, Law Number 39 of 1999 on Human Rights also guarantees freedom of religion. Article 22 of the UU HAM states that everyone is free to embrace their religion and to worship according to their religion and beliefs.

Freedom of religion encompasses the freedom to practice, express, and teach one's religion. The state is responsible for protecting and guaranteeing this freedom (Sung-Min Kim, J. B. Banawiratma, 2020). Freedom of religion must also be respected by all parties, and there must be no discrimination against religious minority groups (Warnis et al., 2024). Freedom of religion encompasses various aspects of life, including the right to practice religious rituals, religious education, and life-cycle practices such as marriage and funerals. This freedom is guaranteed by the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). The state has an obligation to protect this freedom and ensure that every individual can practice their religion without discrimination or interference.

In the context of funerals, freedom of religion means that everyone has the right to be buried according to their religious beliefs and traditions. This includes the right to choose the funeral arrangements, rituals performed, and burial site. The state must not impose funeral practices that contradict the religious beliefs of individuals or religious groups. However, the exercise of freedom of religion in funeral practices can also present challenges, particularly in multicultural and multi-religious societies. Differences in traditions and religious beliefs can lead to conflicts regarding the use of burial land, funeral rites, and permits. In such situations, the state needs to find fair

and balanced solutions, respecting the religious freedom of all parties and ensuring that the rights of religious minorities are also protected. The state has an obligation to facilitate and regulate the burial of its citizens according to their religion and beliefs. This obligation is part of the state's responsibility in guaranteeing everyone's right to practice their religion, including aspects of rituals related to the life cycle, such as funerals. Local governments are responsible for providing the facilities and infrastructure for burials as a basic community need.

Funeral arrangements include land provision, permits, and maintenance. Local governments can create local regulations (Perda) to regulate the provision and management of burial sites. Ideally, these regulations are general and non-discriminatory, providing equal legal certainty for all community groups. The government provides public cemeteries (TPU) for all religious groups. For orderliness, TPUs can be grouped by religion. In addition to TPUs, there are also non-public cemeteries managed by specific social or religious bodies.

In Islam, one of the requirements for a valid burial is that the body must be positioned facing the Qibla. The body is placed on its right side facing the Qibla. This is the consensus of the four major schools of Islamic jurisprudence (madhhabs). According to the Hanbali, Shafi'i, and Hanafi schools, facing the Qibla during burial is obligatory as long as it is possible (Al Anshor et al., 2024). If a body was not oriented towards the Qibla and has already been buried, it is considered obligatory to exhume and reorient the body towards the Qibla, provided the remains have not decomposed.

As a nation governed by the rule of law, Indonesia has a duty to uphold fundamental human rights, including the right to a dignified burial according to

religious rites and in adequate facilities (Rudy et al., 2023). The state must also respect religious values, morality, public order, security and democracy in organizing funerals (Santos & Romanello, 2021). Therefore, the state must not impose burial practices that contradict the religious beliefs of individuals or groups. The state plays a crucial role in fulfilling human rights, particularly concerning Qibla-oriented burials for Muslims. Burying a body facing the Qibla is an obligation in Islam. The state is obligated to ensure that Muslims can fulfill this religious duty properly. This can be achieved through several actions, including providing burial facilities that allow for the arrangement of bodies according to religious guidelines, and educating the public about the importance of facing the Qibla during burial.

Local governments can create regulations regarding the provision and management of burial sites that are non-discriminatory and provide legal certainty for all community groups. Some regions have attempted to measure and establish Qibla direction markers in public cemeteries, although many graves are still not precisely oriented towards the Qibla. The state's role also includes increasing socialization and education for grave diggers and TPU managers regarding the importance of the Qibla direction in burials, for example, through regular training and the dissemination of information on *tajhiz al-janazah* (Islamic funeral rites) and Qibla direction rules. The use of accurate calibration tools and periodic evaluations are also needed to ensure the accuracy of Qibla direction in TPUs.

2. Reconstruction of Burial Arrangements Facing the Qibla for Muslims in Accordance with Islamic Law and Positive Law by the State

There is no specific verse of the Quran that directly regulates burial facing the Qibla. However, there are interpretations of the Quranic verses and hadith that form

the basis for this practice. There is an interpretation of the Quranic verse that generally commands Muslims to face the Qibla, namely, "Then turn your faces towards the Grand Mosque" (Firman & Yani, 2025). Some scholars interpret this command to apply to both the living and the dead, so that the corpse is also faced towards the Qibla. The basis for facing the corpse towards the Qibla is the hadith of the Prophet Muhammad SAW: "(The Kaaba is) your Qibla, in a state of life and death". Scholars from various schools of thought generally agree that the corpse should be placed facing the Qibla (Daud & Kamalussafir, 2019). The majority of Shafi'i and Hanbali scholars consider orienting the deceased towards the Qibla during burial obligatory. If possible, the body should be placed on its right side facing the Qibla. If the body was buried without facing the Qibla, exhumation and reorientation are obligatory, provided the remains have not decomposed.

However, some scholars, such as Qadhi Abu Thayyib of the Shafi'i school, as well as Maliki and Hanafi scholars, hold the view that orienting the body towards the Qibla is Sunnah (recommended practice) rather than Fard (obligatory). According to this view, exhumation is not obligatory if the body was not initially oriented towards the Qibla. The practice of orienting the deceased towards the Qibla has become a tradition in many Muslim communities, representing a final act of respect for the deceased. Understanding that Qibla-oriented burial practices are based on interpretations of verses and hadiths, and that differing opinions exist among scholars, is crucial for respecting the traditions and beliefs of Muslims.

The legal consequences in Islam regarding burials not facing the Qibla vary depending on the school of jurisprudence followed. The majority of Shafi'i and Hanbali scholars consider orienting the body towards the Qibla obligatory. If a body

was inadvertently buried without facing the Qibla, exhumation and reorientation are obligatory, provided the remains have not decomposed. However, if decomposition has occurred, exhumation is not obligatory. Some Shafi'i scholars (such as Qadhi Abu Thayyib), as well as Maliki and Hanafi scholars, consider orienting the body towards the Qibla as Sunnah (recommended). If the body was not oriented towards the Qibla, exhumation is not obligatory. Regardless of differing opinions, all scholars agree that ideally, burials should be performed with the body facing the Qibla.

The state has a crucial role in accommodating human rights, including in the context of burials (Olasupo et al., 2024). As a nation governed by the rule of law, Indonesia has a duty to uphold fundamental human rights, including the right to a dignified burial according to religious rites and in adequate facilities. The state must also respect religious values, morality, public order, security, and democracy in the management of burials and must not impose burial practices that contradict the religious beliefs of individuals or groups. Local governments are responsible for providing burial facilities and infrastructure as a basic community need, which can be regulated through non-discriminatory local regulations that provide equal legal certainty for all community groups. The state also plays a role in providing access to burial facilities for religious minority groups as an effort to realize fundamental human rights.

Government Regulation (PP) No. 9 of 1987 regulates the provision and use of land for cemeteries. This regulation outlines provisions concerning Public Cemeteries (TPU), Non-Public Cemeteries, and Special Cemeteries. TPUs are land areas provided for the burial of bodies for everyone regardless of religion or social group, managed by the Regency/Municipality or Village governments. This

regulation also regulates the granting of land use rights for TPUs and Non-Public Cemeteries, and the management of TPUs and Non-Public Cemeteries by local governments. PP No. 9 of 1987 aims to regulate land use for cemeteries to be more productive and efficient, while still considering religious, socio-cultural aspects, and principles of land use and utilization.

Based on Government Regulation (PP) No. 9 of 1987, several challenges and problems related to burials in Indonesia include cemetery locations often being in city centers or densely populated areas, making them unsuitable for urban planning. Furthermore, there is wasteful land use due to a lack of land use restrictions for cemeteries. The use of fertile land for cemeteries, insufficient attention to environmental harmony, and inadequate efforts to prevent land degradation are also problems. In some areas, TPUs are disorganized and lack space between graves due to limited land. Government Regulation Number 9 of 1987, which is the basis for the formation of local regulations, is considered no longer suitable for the problems and needs of modern society. The implementation of Building Permits for Cemeteries has not been well implemented.

Land scarcity is a major problem in burials in Indonesia. This is exacerbated by the often uneven location of TPUs and their presence in densely populated areas. Furthermore, the lack of land use restrictions leads to waste and the use of fertile land for burials. The cemetery land crisis is exacerbated by rampant extortion in burial arrangements. Limited cemetery land in Indonesia impacts the inability to always ensure Qibla-oriented burials. The increasing population and death rate reduce land availability, especially in urban areas, resulting in disorganized and closely spaced TPUs. This situation is worsened by the lack of socialization

regarding the importance of the Qibla direction and understanding of *tajhiz al-janazah* among cemetery staff.

The urgency of the state's obligation to regulate burials in Indonesia arises because land is an increasingly limited basic need, while the need for cemetery land continues to increase. Regulations are needed to guarantee the availability of decent and affordable land for all citizens without discrimination based on religion or social group. The state, through local governments, is responsible for providing, using, and managing cemetery land areas. Regulations for the administration of cemetery management are also important regarding identity, grave location, and burial date. Furthermore, there is a need for site planning that considers Regional Development Plans, environmental harmony, and the prevention of land degradation.

The reconstruction of regulations for Qibla-oriented burials for Muslims, in accordance with Islamic law and positive law, requires several strategic steps. First, the state needs to reaffirm its obligation to facilitate the practice of Muslim worship, including burials that comply with Islamic law. This can be done by revising Government Regulation (PP) No. 9 of 1987. This revision aims to make the regulation more relevant to the needs and problems of modern society regarding burials. The revision of PP No. 9 of 1987 can include several important aspects, such as including provisions on the standardization of the Qibla direction in TPUs, including the use of accurate calibration tools and periodic evaluations; mandating continuous education and socialization for grave diggers and TPU managers on burial procedures according to Islamic law, including the importance of facing the Qibla; optimizing the use of cemetery land by considering layered burials or other methods that comply with Islamic law and do not violate human rights; and

clarifying the roles and responsibilities of local governments in providing adequate burial facilities that meet the needs of the local Muslim community. By reconstructing burial regulations that are more comprehensive and responsive to the needs of Muslims, the state can fulfill its obligation to guarantee human rights, especially freedom of religion and belief.

C. CONCLUSION

Indonesia has an obligation to protect the fundamental rights of its citizens, including the right to a dignified burial according to their religion and beliefs, without imposing practices that contradict those beliefs. The state plays a vital role in ensuring that Muslims can fulfill their religious obligations regarding Qibla-oriented burials. This can be achieved by providing appropriate burial facilities, educating the public about the importance of facing the Qibla, and creating non-discriminatory regulations. Local governments are working towards this by measuring and establishing Qibla direction markers in TPUs (Public Cemeteries), increasing socialization and education for relevant personnel, and using calibration tools and periodic evaluations to ensure the accuracy of the Qibla direction in TPUs.

The state has an obligation to reconstruct the regulations for Qibla-oriented burials for Muslims, in accordance with Islamic law and positive law, by revising PP No. 9 of 1987. This revision should include standardizing the Qibla direction in TPUs, educating cemetery staff, optimizing land use, and clarifying the role of local governments in providing adequate facilities. With comprehensive regulations, the state can guarantee human rights, particularly freedom of religion and belief.

REFERENCES

- Ahmad, N., Aqilah Walin Ali, & Mohammad Hilmy Baihaqy bin Yussof. (2025). The Challenges Of Human Rights In The Era Of Artificial Intelligence. *UUM Journal of Legal Studies*, 16(1), 150–169. <https://doi.org/10.32890/uumjls2025.16.1.9>
- Al Anshor, M. Z., Pancasilawati, A., & Fitriyanti, V. (2024). Posisi Kuburan Yang Tidak Menghadap Kiblat Perspektif Ulama Kota Samarinda Dan Fikih Jenazah. *Mitsaq: Islamic Family Law Journal*, 2(1), 30–52. <https://doi.org/10.21093/jm.v2i1.7373>
- Cromer, R., & Bjork-James, S. (2023). Deploying fetal death: “Fetal burial” laws and the necropolitics of reproduction in Indiana. *PoLAR: Political and Legal Anthropology Review*, 46(1), 9–23. <https://doi.org/10.1111/plar.12520>
- Daud, M. K., & Kamalussafir, M. (2019). Akurasi Arah Kiblat Komplek Pemakaman Ditinjau Menurut Kaidah Trigonometri (Studi Kasus di Kecamatan Syiah Kuala Kota Banda Aceh). *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 2(2), 502. <https://doi.org/10.22373/sjhg.v2i2.4750>
- Diantha, I. M. P. (2017). *Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum*. Kencana.
- Dicky Eko Prasetyo, Muh. Ali Masnun, Arinto Nugroho, Denial Ikram, N. (2024). Discrimination Related to Labour Age Limitation in Indonesia : A Human Rights and Comparative Law Perspective. *Suara Hukum*, 6(2), 228–254.
- Dirkareshza, R., Dirkareshza, N. P., & Agustanti, R. D. (2022). Assimilation Of Customs With Islamic Law In Minangkabau Customary Inheritance Law. *Syiah Kuala Law Journal*, 6(1), 80–92. <https://doi.org/10.24815/sklj.v6i1.28305>
- Dwi Kurniawan, I., Suyatno, S., & Ayu, H. (2023). Kebijakan Pencatatan

- Perkawinan Beda Agama. *Jurnal Penelitian Serambi Hukum*, 16(02), 23–30.
<https://doi.org/10.59582/sh.v16i02.748>
- Firdaus, M. I. (2023). The Legalization of Interfaith Marriage in Indonesia (Between Universalism and Cultural Relativism). *The Easta Journal Law and Human Rights*, 1(02), 64–72. <https://doi.org/10.58812/eslhr.v1i02.52>
- Firman, & Yani, N. A. (2025). Socio-Religious Context on Living Hadith: Expression of Gratitude in the Community of Kebun Durian. *BELIEF: Sociology of Religion Journal*, 2(2), 96–104.
<https://doi.org/10.30983/belief.v2i2.8767>
- Hasem, A., & Banerjee, N. (2024). Unprecedented Struggles: Preserving Last Rites as Human Rights During the Second Wave of COVID-19 in India. *Journal of Human Rights and Social Work*, 9(2), 330–343. <https://doi.org/10.1007/s41134-023-00282-z>
- Hijriah, N., & Anis, M. (2021). Eksistensi Ilmu Falak Dalam Penentuan Arah Kiblat Kuburan (Studi Pemakaman Desa Labokong Kabupaten Soppeng). *HISABUNA: Jurnal Ilmu Falak*, 2(3), 118–131. <https://doi.org/10.24252/hisabuna.v2i3.14662>
- Hikmah, N., Faisol, S. A., & Che Noh, M. A. (2024). The Existence of Marriage Post The Constitutional Court Decision: As A Right or A Prerequisite? *Justicia Islamica*, 21(1), 111–136. <https://doi.org/10.21154/justicia.v21i1.7333>
- Ismail, N., Yanis, M., & Asyqari, A. (2023). The use of magnetic and geoelectrical methods to locate buried ancient artificial canals and wells around the cultural heritage of Indrapatra Fort, Aceh, Indonesia. *Geosciences Journal*, 27(1), 67–76. <https://doi.org/10.1007/s12303-022-0025-y>
- Japarudin, J., & Fitria, R. (2023). Exploring the Values of Education through Post-

- Death Traditions in Indonesia. *Qalamuna: Jurnal Pendidikan, Sosial, Dan Agama*, 15(1), 527–538. <https://doi.org/10.37680/qalamuna.v15i1.3977>
- Jovanovic, M. (2020). The Essence of Slavery: Exploitation in Human Rights Law. *Human Rights Law Review*, 20(4), 674–703. <https://doi.org/10.1093/hrlr/ngaa023>
- Kittichaisaree, K. (2020). *International Human Rights Law and Diplomacy*. Edward Elgar Publishing.
- Lainata, R. P., Rolobessy, M. J., & Khairunnisa, A. (2022). Kebijakan Pemerintah dalam Penyediaan Lahan Pemakaman Umum Masyarakat Kecamatan Sirimau. *Journal of Government Science Studies*, 1(1), 39–49. <https://doi.org/10.30598/jgssvol1issue1page39-49>
- Manan, A., Kamarullah, K., Husda, H., Rasyad, R., & Fauzi, F. (2024). The Unity Of Community In Cemetery: An Ethnographic Study Of The Islamic Burial Rituals In Aceh, Indonesia. *Jurnal Ilmiah Islam Futura*, 24(1), 21. <https://doi.org/10.22373/jiif.v24i1.14965>
- Maylinda, E., & Sudarmono, S. (2021). Pembangunan Pariwisata Berkelanjutan Di Desa Adat Osing Kabupaten Banyuwangi. *Jurnal Environmental Science*, 4(1), 18. <https://doi.org/10.35580/jes.v4i1.20452>
- Mohd. Yusuf DM, & Saragih, G. M. (2022). Juridical Overview of the Prohibition of Interfaith Marriage from the Perspective of Human Rights and Criminal Law in Indonesia. *Journal of Scientific Research, Education, and Technology (JSRET)*, 1(2), 69–82. <https://doi.org/10.58526/jsret.v1i2.11>
- Nafisah, F. S. (2023). Uji Akurasi Arah Kiblat Dengan Metode Rashdul Kiblat Di Pemakaman Islam Lingkungan Plumbon. *Sakina: Journal of Family Studies*,

- 7(4), 491–500. <https://doi.org/10.18860/jfs.v7i4.5694>
- Oh, J. (2020). Evolutionary synthesis of human rights and global health: beyond companionship. *Journal of Global Health Science*, 2(2), 3–5. <https://doi.org/10.35500/jghs.2020.2.e23>
- Olasupo, O., Hosea, P., & Abioro, B. (2024). Dysfunctional State and Human Rights Violations in Nigeria: An Assessment of President Buhari's Administration (2015-2023). *African Journal of Inter/Multidisciplinary Studies*, 6(1), 1–16. <https://doi.org/10.51415/ajims.v6i1.1540>
- Prasetio, D. E. (2024). Perlindungan Dan Pengakuan Hak Ulayat Masyarakat Adat Biak Papua. *Realism: Law Review*, 2(1), 54–82.
- Puri Swastika Gusti Krisna Dewi, Retna Siwi Padmawati, Yati Soenarto, H. S. (2025). Understanding the Ideal End of Life for Older Adults in Cianjur, West Java: From a Religious and Cultural Perspective. *Journal of Ecohumanism*, 4(1), 4883–4886. <https://doi.org/10.62754/joe.v4i1.6402>
- Richmond, B. H. of. (2017). Freedom of Religion and Freedom from Religion. *Ecclesiastical Law Journal*, 19(01), 3–13. <https://doi.org/10.1017/S0956618X16001058>
- Rudy, R., Natamiharja, R., Serna, J. A. M., & Syofyan, A. (2023). Implementation of Civil Rights against Vulnerable Groups in the Legal and Constitutional System in Indonesia. *Hasanuddin Law Review*, 8(3), 299. <https://doi.org/10.20956/halrev.v8i3.4229>
- Sakti, V. K. (2025). Older refugee perspectives on death, remembrance, and burial: the East Timorese in Indonesia. *Journal of Refugee Studies*, 38(1), 66–79. <https://doi.org/10.1093/jrs/fead010>

- Salemot, M. A. (2021). Non-derogable Rights during State of Emergency: Evaluation of the Ethiopian Legal Framework in Light of International Standards. *Hawassa University Journal of Law*, 5(1), 177.
- Santos, M. F. G. dos, & Romanello, M. V. D. (2021). Law, State and Religious Freedom in Brazil: A Historical and Constitutional Analysis of Freedom of Belief and Religion. *Athens Journal of Law*, 7(4), 541–562.
- Satyam, K., & Kumar, R. R. (2025). Living with the Dead: The Rites and Rituals of Toraja in Indonesia. *Jurnal Litbang Provinsi Jawa Tengah*, 22(2), 219–230. <https://doi.org/10.36762/jurnaljateng.v22i2.1252>
- Sekarbuana, M. W., Widiawati, I. A. P., & Arthanaya, I. W. (2021). Perkawinan Beda Agama dalam Perspektif Hak Asasi Manusia di Indonesia. *Jurnal Preferensi Hukum*, 2(1), 16–21. <https://doi.org/10.22225/jph.2.1.3044.16-21>
- Shah, S., & Sivakumaran, S. (2021). The Use of International Human Rights Law in the Universal Periodic Review. *Human Rights Law Review*, 21(2), 264–301. <https://doi.org/10.1093/hrlr/ngaa056>
- Shaheed, A. (2022). Interim Report of the Special Rapporteur on Freedom of Religion or Belief. *Journal of the Council for Research on Religion*, 5(2), 3–7. <https://doi.org/10.26443/jcreor.v5i2.110>
- Shany, Y. (2021). The Road Taken: ICCPR and Discriminatory Restrictions on Religious Freedom. *Harvard Human Rights Journal*, 34(1), 305–313.
- Sung-Min Kim, J. B. Banawiratma, D. S. (2020). Religious Pluralism Discourse In Public Sphere Of Indonesia: A Critical Application Of Communicative Action Theory To Inter-Religious Dialogue. *Religio*, 10(2), 158–182.
- Suwandoko, S., & Rihardi, S. A. (2020). Legal Reform for the Fulfilment of

Disabilities Human Rights. *Unnes Law Journal*, 6(2), 217–224.

<https://journal.unnes.ac.id/sju/index.php/ulj/article/view/38973>

Trispiotis, I. (2019). Religious Freedom and Religious Antidiscrimination. *The Modern Law Review*, 82(5), 864–896. <https://doi.org/10.1111/1468-2230.12449>

Warnis, W., Kustini, K., Zuhrah, F., Farida, A., & Atieqoh, S. (2024). The struggle for the construction of places of worship of minority religions in Indonesia. *HTS Teologiese Studies / Theological Studies*, 80(1). <https://doi.org/10.4102/hts.v80i1.9186>