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Children's Rights

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Abusive Dress Codes for Women and Girls in Indonesia

(Jakarta, March 18, 2021) Dress codes for women and girls in Indonesia discriminate against students, civil servants, and visitors to government offices and should be revoked, Human Rights Watch said in a report released today. The government should fully enforce a February 2021 decree that bans abusive dress codes for female students and teachers in Indonesia's state schools, and take additional legal steps to end discrimination against women and girls.

The report, *I Wanted to Run Away: Abusive Dress Codes for Women and Girls in Indonesia*, documents government regulations that require girls and women to wear the jilbab, Muslim apparel that covers the head, neck, and chest. Human Rights Watch describes the historical imposition of discriminatory regulations on clothing, and the widespread bullying to wear a jilbab that causes women and girls psychological distress. Girls who don't comply have been forced to leave school or have withdrawn under pressure, while female civil servants have lost their jobs or resigned to escape constant demands to conform.

Sebuah sekolah dasar di Padang, Sumatra Barat, Indonesia, Januari 2021. 2021 Antara Foto/Iggoy el Fitra/ via REUTERS

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The report, *I Wanted to Run Away: Abusive Dress Codes for Women and Girls in Indonesia*, documents government regulations that require girls and women to wear the jilbab, Muslim apparel that covers the head, neck, and chest. Human Rights Watch describes the historical imposition of discriminatory regulations on clothing, and the widespread bullying to wear a jilbab that causes women and girls psychological distress. Girls who don't comply have been forced to leave school or have withdrawn under pressure, while female civil servants have lost their jobs or resigned to escape constant demands to conform.

Over the past two decades, women and girls in Indonesia have faced unprecedented legal and social demands to wear clothing deemed Islamic as part of broader efforts to impose the rules of Sharia, or Islamic law, in many parts of the country. These pressures have increased substantially in recent years.

In 2014, the Indonesian government issued a national regulation on school dress that has been widely interpreted to require female Muslim students to wear a *jilbab* as part of their school uniform. Prior to and since this regulation, many provincial and local governments in Indonesia have adopted several hundred Sharia-inspired regulations, many of which are targeted at women and girls, including their dress. In Indonesia, the term *jilbab*, which literally means partition in Arabic, is widely used to refer to a cloth that covers a woman's head, neck, and chest. *Hijab*, which means cover in Arabic, is typically a cloth that covers the hair, ears, and neck but sometimes also covers the chest. Many Muslim women and girls also wear long-sleeve shirts and long dresses.

This report focuses on the discriminatory regulations and related social pressures on women and girls to wear the *jilbab* or *hijab* in schools, within the civil service, and at government offices. Women, girls, and family members from around Indonesia described to Human Rights Watch the impact of discriminatory dress regulations in these and other spheres, from evening curfews to riding on motorcycles.^[1]

A woman in Yogyakarta described the impact of the 2014 national student dress code on her teenage daughter, who went to state school in 2017: Although the school and her teachers do not all explicitly say she must wear *jilbab*, they tend to give unsolicited comments or make fun of her choice not to wear *jilbab*. The pressure is in a way implicit, but constant.

She said that her daughter was able to handle the situation in the first year, but in the second year she had an Islamic teacher for homeroom and the pressure to wear a *jilbab* became unbearable:

The *jilbab* rules also affect female civil servants in Indonesia. A lecturer at a public university in Jakarta who wishes to remain anonymous told Human Rights Watch that she was under pressure to wear a *jilbab* despite the absence of any campus regulation. She pointed to a huge billboard reminding all female visitors on campus to wear Islamic attire. She said it embodies attitudes she faced every day that made her uncomfortable, adding that the university only mandates decent clothing in its regulations. The constant pressures finally prompted her to resign in March 2020. She took a new job at a private university where she says she is not judged for teaching without a *jilbab*.

The Indonesian governments compulsion or acquiescence to pressure women and girls to wear a *jilbab* is an assault on their basic rights to freedom of religion, expression, and privacy. And for many, it is part of a broader attack on gender equality and the ability of women and girls to exercise a range of rights, such as to obtain an education, a livelihood, and social benefits. The threat of being denied an education or job is a highly effective way of persuading a woman or girl to wear a *jilbab*, at considerable psychological cost.

Mandatory dress codes have even exposed women and girls to unnecessary physical dangers. Women in parts of the country who are forced or pressured to wear long *hijabs* and required to wear long skirts instead of long pants risks having their clothes getting caught in motorcycle wheels, particularly if also required to ride side-saddle, as they are in Aceh.^[4] In February 2020, 10 Girl Scouts wearing long skirts died when they were swept into a river during a hike in Yogyakarta. The search and rescue team said that the long skirts had limited their physical movement and ability to avoid drowning.^[5]

A woman in Cianjur who is required to wear a *hijab* and long skirt for her government job told Human Rights Watch: I disagree with government interference on this *hijab* matter. I am afraid these measures will continue, with demands that [the *hijab*] becomes even longer and more restrictive. [I fear] they will add other rules that curb women, such as curfew restrictions.^[6]

Dahlia Madanih, who spent years monitoring local dress regulations for the governmental National Commission on Violence Against Women (Komnas Perempuan), said that once a local government begins to impose a mandatory *jilbab*, other areas soon copy it, compelling either female civil servants or schoolchildren to wear the *jilbab*. The *jilbab* is seen as a symbol of female piety, high morality. Indonesia has a growing number of these mandatory *jilbab* areas, but they obviously do not correspond to piety and morality.^[7]

Indonesias founding president, Sukarno, and his successor, Suharto, saw a conservative interpretation of what was termed Islamic Sharia as a threat to the country's guiding ideology of Pancasila, which established multi-culturalism as a foundation stone of the country's political system.^[8] However, in 1999, Suharto's successor, President B.J. Habibie, under pressure to end a long and brutal civil armed conflict in Aceh, signed the Aceh Special Status Law, which for the first time in Indonesias post-independence history allowed part of the country to implement Sharia.^[9]

While other parts of the country have no legal authority to impose Sharia, the law and subsequent agreements had the unintended consequence of emboldening religious conservatives. In 2001, three regencies in West Java and West Sumatra began requiring the *jilbab* in schools. Other regencies, mostly on Java, Sumatra, and Sulawesi islands, began to issue similar ordinances, making female teachers and students wear a *jilbab*.

As part of a larger decentralization effort, parliament in 1999 passed a regional autonomy law, amended in 2004, empowering provincial and local governments to regulate the education and civil service sectors. Some Islamic political parties and Muslim politicians, who came from nationalist parties, seized the opportunity to impose Sharia regulations and ordinances in various provinces and localities.

Although religion formally remains the domain of the national government and has not been decentralized, over the next decade, a plethora of religiously inspired discriminatory regulations and ordinances aimed at women were passed around the country often in the name of public order.

As of 2016, Komnas Perempuan had identified 421 ordinances passed between 2009-2016 that discriminate against women and religious minorities.^[10] An academic study found that, by April 2019, more than 700 Sharia-inspired ordinances had been adopted.^[11] Women and girls have been the most common target.

In June 2014, the government of President Susilo Bambang Yudhoyono opened the door even wider when Education and Culture Minister Mohammad Nuh issued a national regulation that, while ambiguously worded, implies and has been interpreted by officials and schools around the country to require all female Muslim primary and secondary school students to wear a *jilbab* as part of their school uniform.^[12] While Sharia-inspired regulation of female dress in other domains remains limited to the provincial or local level, schools

are now the subject of a de facto national policy.

The 2014 regulation grew out of dress requirements for Pramuka, the national scouting movement. The 2010 Pramuka Law compels all of Indonesia's provinces, cities, and regencies to have Pramuka chapters as part of their extracurricular activities. While the law says that the Pramuka Movement is supervised by the Minister of Youth and Sports, in practice the Minister of Education and Culture plays a larger role as most Pramuka members are students. [13] The Pramuka Movement does not require school students to wear the official Pramuka uniform, but many local government leaders, who often also head Pramuka branches and supervise local education offices, make it mandatory for students to wear the scout uniform at least once a week. [14]

In December 2012, the chairman of the Pramuka Movement, Azrul Azwar, issued a 50-page instruction for boy scouts and girl scouts. This included a specific uniform for female Muslims that requires the jilbab, a long skirt or long pants, and a long-sleeve shirt. The official instruction includes pictures with details about the length and style of the clothes and headdress and specifies use of dark and light brown fabrics. [15]

In July 2014, Minister of Education and Culture Mohammad Nuh decreed that all schools, from primary to high schools, must include the Pramuka Movement as part of their extra-curricular activities and that all students should join. He also stated that all teachers should be accredited as Pramuka mentors. As a result, nearly all state school children, from grade 1 to grade 12, regularly wear the officially mandated Pramuka clothes to school at least once a week. [16] Regardless of whether girls choose to participate in extracurricular scouting activities, they are required to wear the uniform and, accordingly, jilbabs.

In a 2019 interview with Human Rights Watch, Nuh, now chairman of the Press Council, stressed that he did not include the word mandatory (*wajib*) in the 2014 regulation, explaining that it provides Muslim girls two uniform choices: a long sleeve shirt, long skirt and the jilbab, and the regular uniform without the jilbab. He said:

In practice, however, the 2014 regulation has been understood in many regencies and provinces as requiring a headscarf for all Muslim girls. In areas that have adopted this approach, a girl from a Muslim family who wished to be exempted from wearing the Muslim girl uniform would have to tell school authorities that she is not a Muslim, something girls from Muslim families are very unlikely to do nearly all consider themselves Muslim even if they do not want to wear a jilbab.

This regulation prompted provincial and local education offices to introduce new rules, which in turn induced thousands of state schools, from primary to high schools, to rewrite their school uniform policies to require the jilbab for Muslim girls, especially in Muslim-majority areas. In such schools, Muslim girls are required to wear long-sleeve shirts and long skirts, along with a jilbab. [18]

Currently, most of Indonesia's almost 300,000 public schools, particularly in the 24 predominantly Muslim provinces, require Muslim girls to wear the jilbab beginning in primary school. [19] Even where school officials have acknowledged to Human Rights Watch that the regulation does not legally require a jilbab, the existence of the regulation adds to the pressure on girls and their families to wear one.

Komnas Perempuan has repeatedly expressed concerns about discriminatory regulations, including those related to the jilbab. It has called on the national government, particularly the Ministry of Home Affairs, to revoke the local ordinances passed under the cover of the 2004 decentralization law and to end jilbab-related discrimination nationwide. [20] But the Yudhoyono government contended that the local ordinances (*peraturan daerah*) did not contradict national regulations as they represented local values. [21] His administration also allowed the adoption of elements of Sharia at the provincial and local level, including anti-Ahmadiyah and other regulations targeting religious minorities. [22] The subsequent Jokowi government has similarly failed to take action. [23]

Komnas Perempuan has identified 32 regencies and provinces with rules requiring the jilbab to be worn in state schools, the civil service, and in some public places, including Bengkulu, West Sumatra, and South Kalimantan provinces. [24] Some other predominantly Muslim provinces, such as Yogyakarta, have adopted similar regulations but have not made them mandatory, instead calling on or advising Muslim girls and women to wear the jilbab.

A 2019 report by the Jakarta-based Alvara Research Centre found that 75 percent of Muslim women in Indonesia, or approximately 80 million women and girls, were wearing the hijab. [25] It is unclear how many do so voluntarily and how many do so under legal, social, or familial pressure or compulsion. [26] Most wear one of three styles of Islamic headdress: *kerudung* (still showing hair), traditionally worn in many parts of Southeast Asia; *jilbab* (which in Indonesia refers to dress that covers the hair, ears, and neck), now the most common style in Indonesia; and the Saudi-style *abaya* (covering the whole body with a long robe). The abaya is sometimes combined with the *niqab*, a face veil showing only the eyes. [27] Attire that is increasingly worn in Indonesia. [28] Its advocates say that the niqab (the term used in Indonesia to refer to the abaya or the abaya and the face veil) is the perfect hijab (*kaffah jilbab*) because it completely hides the shape of female bodies and their faces. [29]

Proponents have offered different justifications for the regulations, asserting they are necessary to cope with issues such as poverty, teen pregnancy, and pornography on the internet. [30] Currently, there is a campaign to pass a conservative Criminal Code that includes a provision that could be interpreted to authorize localities to apply *hukum adat*, or customary criminal law, aspects of which are blatantly discriminatory. [31] Many Muslim politicians argue that the jilbab is mandatory in Islam and that Muslim girls should be forced to wear the jilbab from a young age. Some criticize opposition to the mandate as Islamophobia. [32]

Dewi Candraningrum, in her book *Negotiating Womens Veiling: Politics and Sexuality in Contemporary Indonesia*, wrote that most veiled women do so in the name of Islam, compelled by parents and schools, as well as formal law. She argued that schools are particularly influential, concluding based on surveys of girls and women in Java and Sumatra that school regulations were the most effective means of inducing girls to wear the jilbab. [33]

After Joko Widodo, popularly known as Jokowi, was elected president in 2014, hopes were raised among women's rights advocates when the new home affairs minister, Tjahjo Kumolo, promised that he would review discriminatory regulations in the country. Meeting with leaders of religious minority groups in November 2014, Kumolo told them, Indonesia is not a country based on any one religion. It is a country that is founded on the 1945 Constitution, which recognizes and protects all faiths. [34] Pressed by Komnas Perempuan on jilbab regulations, the Home Affairs Ministry identified 139 ordinances that violate the rights of women and promised to look for ways to

revoke them.[\[35\]](#)

This has not happened. While President Jokowi announced in June 2015 that his administration had scrapped 3,143 of 3,266 problematic local ordinances and bylaws because they contradicted higher regulations, promoted intolerance, or deterred investment, the main purpose was to invalidate local ordinances that hampered foreign investment. None of the jilbab or other Sharia-inspired ordinances were revoked.[\[36\]](#)

Following an attack by an Islamist couple on the chief security minister, Wiranto, in October 2019, the religious affairs minister, Fachrul Razi, suggested banning women civil servants from wearing niqabs at work. Facing public criticism from conservatives, Razi later apologized and stopped pursuing the ban.[\[37\]](#) However, the next month Razi and the newly appointed minister of education, Nadiem Makarim, signed a joint decree with other ministers to ban civil servants from using their social media accounts to propagate hate speech and radicalism. While the decree states that civil servants must be loyal to the state ideology of Pancasila, it did not directly mention Islamist radicalism or extremism, and did not address ordinances mandating the wearing of the jilbab.[\[38\]](#)

However, in November 2019 Jokowi's newly appointed home affairs minister, Tito Karnavian, called on provincial and local officials nationwide to write ordinances based on Pancasila. He said they should not adopt any dress codes for civil servants that deviate from Pancasila.[\[39\]](#)

On January 11, 2021, Elianu Hia, a Christian father, recorded a meeting with a teacher in his daughters SMKN2 state school in Padang, during which the teacher pressured him to ask his daughter, herself a Christian, to wear a jilbab at school. He asked the teacher, Is it advice or an order? The teacher replied, This is the school regulation at SMKN2 Padang. This is a mandatory jilbab rule. After Elianu Hia uploaded the video and the school letter on Facebook, the story was reported by the media and national television, prompting netizen protests against the school and the education office in West Sumatra.[\[40\]](#)

On January 24, 2021, the Minister of Education, Nadiem Makarim, responded in a video statement, condemning the abuse at SMKN2 in Padang and saying that the "mandatory jilbab regulation" at the school, or any state school in Indonesia, is against the constitution, against the education law, and against the 2014 public uniform regulation. He told the Padang local government to order the school to change its policy. The school complied, but at the time of writing it had not formally changed the regulation. That week, five Christian female students attended their classes without a jilbab, quoting Makarim's statement. However, other Christian girls continued to wear a jilbab, saying they were afraid to attend without one since the principal had not changed the regulation.[\[41\]](#) On February 3, 2021, Education and Culture Minister Nadiem Makarim, Home Affairs Minister Tito Karnavian, and Religious Affairs Minister Yaqut Cholil Qoumas signed a decree that allows any student or teacher to choose what to wear in school, with or without religious attributes. The decree orders local governments and school principals to abandon regulations requiring a jilbab in thousands of state schools around the country.[\[42\]](#) On February 10, the Indonesian Ulama Council sent a letter to the government asking for the school uniform regulation to be revised so that Muslim teachers are allowed to teach Muslim schoolgirls that it is appropriate for Muslim girls to wear the jilbab. The decree does not prohibit girls from wearing a jilbab. The letter criticized the decree for leading to noisy protests.[\[43\]](#)

After the government revoked thousands of local ordinances to promote its business-friendly program, rumors and speculation circulated widely that the revoked regulations included Sharia-inspired regulations, including mandatory jilbab bylaws. *Nahi Munkar*, an Islamic blog, incorrectly headlined that the Jokowi administration had revoked Islamic ordinances, listing some mandatory jilbab ordinances.[\[44\]](#) Kumolo immediately issued a statement that none of the 3,143 ordinances were Sharia-inspired and called on the public to ignore the rumors.[\[45\]](#)

The removal of the investment-related ordinances, however, infuriated the Indonesian Association of Regency Governments (Asosiasi Pemerintah Kabupaten Seluruh Indonesia, or Apkasi).[\[46\]](#) It filed a petition with the Constitutional Court seeking a ruling that the Ministry of Home Affairs lacked the authority to invalidate local ordinances. Apkasi asked the court to invalidate articles from the 2014 Regional Governance Law authorizing the Ministry of Home Affairs to revoke local ordinances.

The government defended its position, but in 2017, the Constitutional Court ruled that that Home Affairs Ministry's decision to cancel local regulations had violated the 1945 Constitution and that cancelling local regulations could only be done through a judicial review at the Supreme Court.[\[47\]](#) The commissioner of Komnas Perempuan, Khariroh Ali, explained the impact of the Constitutional Court decision: By ending the central governments authority to revoke bad regulations, the court ruling has let local governments off the leash. These uncontrolled local regulations will be the source of discriminatory regulations against minorities.

The government has thus far failed to bring a case at the Supreme Court challenging local regulations as discriminatory. While private actors can file a case, Supreme Court rules do not allow witnesses, experts, or other relevant parties to testify in court.[\[48\]](#)

Tim Lindsey, a legal expert on Indonesia at Melbourne University, described the situation as a constitutional hole. The Constitutional Court can only rule on the constitutionality of laws, not regulations. The Supreme Court only considers whether laws and regulations were properly adopted, not their constitutionality. This means there is no judicial venue to determine the constitutionality of a large number of regulations, including the jilbab rules. This is problematic because in Indonesia the real-world impact of laws is often found in implementing regulations, such as the jilbab regulations. Lindsey suggested that the Constitutional Court should reconsider its position in order to remedy this problem.[\[49\]](#)

If the Constitutional Court and Supreme Court continue to allow discriminatory regulations to be implemented, the national government will only be able to address them through superseding national legislation that expressly prohibits discriminatory dress and other provisions.

The contradictory signals from the Jokowi administration highlight how the fight over women's rights and autonomy is one of the most important and contested issues in Indonesia, having a major impact on the country's social, economic, and political future. Devi Asmarani, publisher of *Magdalene*, an online women's magazine in Jakarta, captured the broader public resonance of the jilbab issue: No other women's rights stories, from rapes to #MeToo rallies, from celebrities profiles to our long features, can compete with jilbab stories. All stories about the pros and cons of jilbab are widely read on our website, often with the highest readership.[\[50\]](#)

Requiring women and girls to wear a jilbab is part of a movement by conservative religious and political forces to reshape human rights protections in Indonesia. It undermines womens right to be free from discriminatory treatment based upon any grounds whatsoever under Indonesias Constitution. Women are entitled to the same rights as men, including the right to wear what they choose. International human rights law guarantees the right to freely manifest ones religious beliefs and the right to freedom of expression. Any limitations on these rights must be for a legitimate aim, applied in a non-arbitrary and non-discriminatory manner.

Human Rights Watch opposes both forced veiling and blanket bans on the wearing of religious dress as disproportionate and discriminatory interference with basic rights and has repeatedly criticized governments for excessive regulation of dress.

Human Rights Watch urges the Indonesian government to:

Abdurrahman Wahid (1940-2009)

A leading Muslim scholar, he was Indonesias fourth president (1999-2001). His grandfather was a founder of the Nahdlatul Ulama, the largest Muslim organization in Indonesia. Popularly known as Gus Dur, Wahid chaired the organization from 1984-1998.

Ahmadiyah

An Islamic revivalist movement, founded in Qadian, Punjab, originating with the teachings of Mirza Ghulam Ahmad (1835-1908). In Arabic, Ahmadiyah means followers of Ahmad. Its adherents are often called Ahmadis. It first appeared in Indonesia in Sumatra in 1925. It was legally registered in Jakarta in 1953.

Bacharuddin Jusuf Habibie (born 1932)

Indonesias third president. A German-trained aeronautical engineer, he became President Suhartos vice president in March 1998 and replaced him in May 1998. He lost a bid for reelection in 1999.

Cadar

Veil, from the Arabic word *cador*. In Indonesia, it covers the head, face, neck, and below the chest, showing only the eyes.

Darul Islam

Armed movement established in Garut, West Java, in 1949, to set up an Islamic state in Indonesia. In Arabic, *Dar al-Islam* means house or abode of Islam and is commonly used to refer to an Islamic state.

Hidayah

Godly guidance in Arabic. It is usually used to politely ask Muslim women to wear the hijab.

Hijab

From the Arabic term *al hijab* (), meaning cover. It refers to a cloth that covers a womans head, neck, and chest that some Muslim women wear outside their homes or in the presence of any male outside of their family.

Jilbab

From the Arabic term *al jalb* (), meaning partition. It refers to a cloth that covers a womans head, neck, and chest. This term is more widely used in Indonesia than the term *hijab*.

Joko Widodo (born 1961)

Indonesias seventh president from 2014 to the present. Born in Solo, Central Java, from a commoner family. Before going into politics, he was in the furniture business. He is the only Indonesian president who did not come from the countrys political elite or a had military background.

Kebaya

A traditional blouse-dress combination that originated from Java Island and is traditionally worn by women in Indonesia, Malaysia, Singapore, and Brunei. They are usually colorful embroideries. A kebaya is usually worn with a *jarit* or unsewn batik.

Kerudung or tudung

A piece of fabric covering a womans head but still showing her hair.

Komnas Perempuan

National Commission on Violence Against Women (Komisi Nasional Anti Kekerasan terhadap Perempuan), an independent state institution set up in 1999 under President B.J. Habibie.

Muhammadiyah

A Sunni Muslim reformist organization established in 1912 in Yogyakarta, Central Java. One of the largest mass organizations in Indonesia, it operates hundreds of hospitals and schools throughout Indonesia. In Arabic, *Muhammadiyah* means followers of Muhammad.

MUI

Indonesian Ulama Council (*Majelis Ulama Indonesia*), a semi-official Muslim clerical body founded in Jakarta in 1975 comprising Sunni Muslim groups, including Nahdlatul Ulama, Muhammadiyah, and smaller groups.

Nahdlatul Ulama

A traditionalist Sunni Islam organization established in 1926 in Jombang, East Java. It claims to have approximately 60 million members, making it the largest Muslim social organization in the world. It has more than 20,000 Islamic boarding schools, called *pesantren*, mostly in Java.

Niqab

From the Arabic term *al niqab* (), meaning veil, sometimes in Indonesia called *kaffah hijab* (perfect hijab).

Pancasila

Indonesian state principle or philosophy (literally, five principles) articulated at independence in 1945 consisting of five inseparable principles: belief in the One and Only God (thereby legitimizing several world religions and not just Islam); a just and civilized humanity; the unity of Indonesia; democracy; and [social justice](#). It became the state ideology under President Suharto, under whom the promotion of alternative ideologies was considered subversion. It continues to be a key reference point in discussions of religion and religious pluralism in Indonesia today.

PKS

Prosperous Justice Party (*Partai Keadilan Sejahtera*) is an Islamist political party in Indonesia modeled on the Muslim Brotherhood in Egypt.

Qanun

Literally law, a term derived from Arabic (in English, canon), used in Aceh to refer to all ordinances enacted by provincial and regency administrations in the name of Sharia.

Regencies, Cities

Indonesias 34 provinces are divided into 514 regencies and cities. Regencies are mostly in rural areas. Cities are urban areas.

Sharia

Islamic law, or the body of legal regulations (*fiqh* in Arabic) elaborated by Muslim jurists. It is seen by many Muslims as a complete system of guidelines and rules which encompass criminal law (*qanun jinayah*), personal status law, and many other aspects of religious, cultural, and social life. There are many different schools of thought and different interpretations of the provisions of Sharia.

Shia Islam

The second largest denomination of Islam. In Arabic, Shia is the short form of the phrase *Shatu Ali*, meaning followers of Ali, a reference to Ali ibn Abi Talib (656-661), the son-in-law of the Prophet Mohammad. Shia believe that Ali was the legitimate successor to Mohammad.

Suharto (1921-2008)

Indonesias second president (1966-1998).

Sukarno (1901-1970)

Indonesias first president (1945-1968). He adopted Pancasila as the state ideology, but also signed the blasphemy law in 1965.

Sunni Islam

The largest branch of Islam. In Arabic it is known as *Ahl s-Sunnah wa l-Jamah* or people of the tradition of Mohammad and the consensus of the Ummah. Sunni members believe that Mohammads successors were successively four caliphs: Abu Bakr, Umar al-Khattab, Uthman ibn Affan, and Ali ibn Abi Talib. Most Indonesian Muslims are Sunni.

Susilo Bambang Yudhoyono (born 1949)

Indonesias sixth president (2004-2014).

Wahhabism

An orthodox Islamic creed centered in and emanating from Saudi Arabia. It is named for preacher Muhammad ibn Abd al-Wahhab (1703-1792), who formed an alliance with the House of Saud.

Human Rights Watch conducted research for this report from 2014 to January 2021, including 142 in-depth interviews with schoolgirls, their parents or guardians, female civil servants, educators, government officials, and womens rights activists. Interviews took place on Java Island, including in the cities of Bandung, Banyuwangi, Boyolali, Cianjur, Cibinong, Cirebon, the Greater Jakarta area, Parapat,

Rangkasbitung, Serang, Sukabumi, Surakarta, and Yogyakarta; on Sumatra Island, including in Banda Aceh, Bandar Lampung, Medan, Padang, Pekanbaru, Solok, and Sijunjung; on Kalimantan Island, including in Penajam Paser Utara, Pontianak, and Banjarmasin; on Sulawesi Island, including in Makassar, Maros, and Gorontalo; on Lombok Island in Praya; and Denpasar on Bali.

We conducted interviews with students and their family members in safe locations, sometimes close to schools or government offices. For security reasons, including interviewees fear of retaliation including bullying or intimidation, we have withheld the names of nearly all of the students forced to wear a jilbab even if they are now adults, and, in the case of those who are still children, we also withheld the names of their parents. Where we identify a persons age, city, or organization, we do so with their consent. We have used real names only when the individual insisted that we use their names, and only then when we believed it was safe to do so. In most cases the people we name have previously been identified in media reports or written about their experiences themselves in blogs or social media.

Interviews with female students or former students were conducted one-on-one in English and Bahasa Indonesia by a female interviewer. We informed interviewees how the information gathered would be used and told them they could decline the interview or terminate it at any point. We also explained there would be no compensation for participation.

Our accounts of specific bullying or intimidation are based on interviews with students and teachers about the specific incident or, where indicated, on secondary media sources that we cross-checked with witnesses with direct knowledge of or involvement in the incidents. In addition, we reviewed an incident in a public high school in Bandar Lampung that was recorded on a mobile phone. The victim shared her 19-minute ordeal inside the schools counselling room. Another source in Bandung gave us a 30-page letter that she wrote to her mother about jilbab bullying she had experienced. A high school student in Solok, a city near Padang, gave us her school regulation book which sets forth the points system used for punishing students who do not wear the jilbab or wear it incorrectly.[\[51\]](#)

On December 22, 1928, about 1,000 people attended the Dutch Indies first womens congress in the city of Yogyakarta, on Java, with 15 speakers representing various organizations. The attendants were mostly Dutch-educated teachers, writing and presenting their speeches in the Malay language (now Bahasa Indonesia). They discussed various issues during the four-day conference: regulations on marriage and divorce, girls education, child marriage, female laborers, and the womens rights movement in Europe. Polygamy and child marriage, issues related to Sharia, attracted huge debate when secularists and Muslim activist participants advocated divergent views.[\[52\]](#) The strong influence of the wave of nationalism meant that the underlying spirit of the congress was countering or managing the existing diverse ideologies and interests with the primary purpose of attaining liberty from Dutch colonialism.[\[53\]](#)

Debates about womens rights and Islamic Sharia continued in the coming decades. Three more women congresses were held in 1935, 1938, and 1941. Women with diverse Islamic views debated polygamy, child marriage, and the mortality rate of young children but they never mentioned the hijab.[\[54\]](#) Susan Blackburn, an Australian scholar who focuses on womens rights in Indonesia, contends that during the Dutch colonial period it was easier to smooth over the contradictions within the Islamic world by reference to shared nationalist goals. All anti-colonial activists wanted to be independent, supported nurturing Bahasa Indonesia as the national language, and worked to strengthen civil society groups.[\[55\]](#)

The divide between radical and moderate Islamic views, including on womens attire, however, became more difficult to bridge after Indonesias independence in 1945.[\[56\]](#) Indonesias founding president, Sukarno, who led the country from 1945 to 1965, faced increasing pressures from Islamists. In 1965, he passed a blasphemy law, which an accompanying presidential decree conferred official recognition on only six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism, and Confucianism. The Islamists did not advocate to make the hijab mandatory; no law or regulation required women and girls to wear the hijab.[\[57\]](#)

A 1965 photo of Muhammadiyah leaders shows them posing with Sukarno at the State Palace in Jakarta. At the time, Muhammadiyah already had long been Indonesias second largest Muslim group and Sukarno had been a member since he was a young man. These Muslim leaders presented Sukarno with the Muhammadiyah Star, an award to recognize Sukarnos contribution to the development of the organization. The visitors included 12 top Muhammadiyah female leaders. They all wore a traditional Javanese outfit made up of an unsewn long batik sarong or *jarit* around the waist, a colorful *kebaya* blouse, and a white *kerudung* headscarf partly showing their hair.[\[58\]](#) It was typical Javanese womens attire.

Alissa Wahid, a Nahdlatul Ulama activist, said that her mother and grandmother, themselves ulamas, also wore *kebaya*, *jarit*, and *kerudung*, and regularly taught the Quran. The Nahdlatul Ulama is the largest Muslim organization in Indonesia. Wahid is the eldest daughter of former president Abdurrahman Gus Dur Wahid and Sinta Nuriyah:

On September 30, 1965, a failed coup against President Sukarno claimed the lives of six army generals. The events surrounding the coup attempt remain unclear and some participants themselves described it as an internal military affair, but General Suharto soon took power and his government maintained that the Indonesian Communist Party was exclusively responsible for the coup attempt. From 1965 to 1967, the military and vigilantes carried out a bloodbath against leftists and suspected sympathizers, including many left-leaning feminists, in Java, Bali, Sumatra, Kalimantan, and other parts of Indonesia. Estimates of the number of people killed range from several hundred thousand to three million.[\[60\]](#)

Throughout his three decades in power, Suharto used Pancasila, the Indonesian state philosophy established in 1945, to control the country, including organizations considered to be supporters of political Islam. He rejected the idea to revive Masyumi, an Islamist party banned during the Sukarno period, and pressured all Muslim parties to make Pancasila their platform instead of Islam.[\[61\]](#)

On March 17, 1982, the Ministry of Education under Daoed Joesoef issued a decree on student uniforms in state schools. It was the first time in Indonesia that the government regulated school uniforms nationwide. It created three categories: red and white for primary school students (grades one to six); blue and white for junior high school students (grades seven to nine); and gray and white for senior high school students (grades 10 to 12). The categories were based on Indonesias existing school system. The decree removed the autonomy of state schools to regulate their own uniforms. It also implicitly banned schoolgirls from wearing the hijab as it did not include any type of headscarf as a choice for girls uniforms in any of the categories.[\[62\]](#)

Siyohelpiyanti, a school supervisor, told Human Right Watch that when she was in high school in Jakarta in the 1980s her friend was prohibited from wearing the hijab. Her teacher forced students to take off their hijabs, she said.[\[63\]](#) Some schools expelled students who

wore the headscarf.[64]

The 1982 regulation came into effect three years after the 1979 Islamic revolution in Iran as well as the 1979 seizure of the Great Mosque of Mecca, Islam's holiest site, which helped trigger the rivalry between Iran and Saudi Arabia and fueled debates over the politics of piety in the Muslim world, including the place of female Muslim attire. In Indonesia, the increasing number of Muslim clerics who studied in Saudi Arabia and the Middle East advocated for a dress code for women based on Arabian norms, as well as other conservative restrictions on women imposed in the Gulf region. [65]

Muslim activists opposed the school uniform regulation over its implicit ban of the hijab and used it as a rallying point for protests against Suharto's military-backed regime. Some students who wore the hijab were questioned in different locations in Java and Sumatra and cited two Quranic verses that they interpreted as requiring Muslim girls and women to wear it. [66] Some commentators suggest that the regulation helped unite previously diffuse Muslim ethnic groups. [67]

In 1991, Suharto reversed his approach to religion and politics. He made a pilgrimage to Mecca, flaunted his Islamic credentials, embraced political Islam, and extended his support for the Indonesian Association of Muslim Intellectuals, where many Islamists were to channel their political aspirations. [68] On February 16, 1991, the Ministry of Education issued a guideline on school uniforms that allowed special clothing (*pakaian khas*), but did not use the term jilbab or hijab as some Muslim organizations had sought. [69]

After more than three decades in power, in 1998 Suharto was forced to step down after massive public protests at the height of the Asian economic crisis. This opened an era of greater freedom in Indonesia that has since included regular and largely free and fair elections for parliament and the presidency.

Viewpoints long repressed emerged into the open. Many ethnic and religious groups promptly tried to create a new social reality, demanding more say in political, economic, and cultural domains. Some became involved in deadly conflicts, including in the province of Aceh, where the Free Aceh Movement had been fighting for independence since the 1970s. A strong thread of Islamist militancy emerged in different parts of the country. At least 90,000 people were killed in mostly communal violence in the decade after Suharto's departure from office. [70]

In an attempt to end a longstanding separatist movement and armed conflict in the province of Aceh, the Indonesian parliament in 1999 granted Special Status and broad autonomy to Aceh, including allowing it to adopt ordinances derived from Sharia, the only province given authority to do so. [71] In 2002, the Aceh parliament passed a bylaw on the belief, ritual, and promoting Islam, which contains a mandatory jilbab regulation along with other Sharia-inspired provisions, such as making sex between unmarried adults and *khalwat* (a man and a woman together in private) crimes. In 2003, Aceh set up its own Sharia court and Sharia police (*wilayatul hisbah*). [72] In 2004, the Aceh parliament passed the Islamic Criminal Code (*Qanun Jinayah*). [73]

The Special Status agreement had the unintended consequence of emboldening religious conservatives elsewhere in Indonesia. In 2001, Indramayu regency in West Java issued a decree on mandatory Islamic dress code and the Quran literacy for school students, thereby becoming the first local government other than Aceh to issue a mandatory jilbab regulation. [74] Banten province soon followed, issuing its own ordinance. [75] In South Sulawesi province, six of the 24 regencies declared implementation of Sharia, including Bulukumba, Enrekang, Gowa, Maros, Takalar, and Sinjai. [76] West Sumatra and Riau provinces also passed Sharia-derived regulations. In East Java, Pamekasan regency on Madura Island declared a Sharia regulation, mandating that Muslim women and girls wear the jilbab in public. [77]

On October 14, 2002, Aceh Governor Abdullah Puteh signed a *qanun* (ordinance) on aspects of belief, ritual, and promotion of Islam that required all Muslims in the province to wear Islamic attire. This was defined as clothing that covers the *aurat* for men, the area of the body from the knee to navel. For women, it required covering the entire body except for the hands, feet, and face. The ordinance specified that Islamic clothing (*busana Islami*) must not be transparent or reveal the shape of the body. [78] Human Rights Watch has previously documented that some of those suspected of violating the ordinance have been violently assaulted or had their homes broken into by vigilante groups, who have largely acted with impunity. [79]

Aceh immediately became the exemplar for conservative political leaders elsewhere in Indonesia who supported the adoption of new Islamic ordinances, including mandatory jilbab regulations, to demonstrate their piety and gain political support.

Local governments began to issue new jilbab rules during the presidency of Megawati Sukarnoputri. On Java, Indonesia's most populous island, the first jilbab ordinances were announced in some regencies in West Java province in 2001. One of the first areas in Sumatra other than Aceh to issue a mandatory jilbab regulation was Solok regency in West Sumatra province. Also, in 2001, Zainal Bakar of West Sumatra was the first governor to issue a mandatory jilbab decree for all female civil servants. [80]

On March 11, 2002, Solok Regent Gamawan Fauzi issued a 15-article regulation on Muslim attire aimed at schoolgirls and civil servants. It mandates girls and women to wear the jilbab. The regulation states that it only applies to Muslims and specifies sanctions and disciplinary action against Muslim women who do not comply. [81] Other regencies in West Sumatra, such as Pesisir Selatan, Tanah Datar, Sijunjung, Pasaman, and Agam, issued similar regulations.

In June 2004, Maman Sulaiman, the regent of Sukabumi, the biggest regency on Java, issued a local ordinance requiring the jilbab for female Muslim students. It not only called for Muslim schoolgirls to wear jilbabs, both in public and private schools, but also required the hijab for kindergarten pupils. It also warned non-Muslim schools a reference to private Catholic schools not to prevent Muslim girls from following this requirement. [82]

Susilo Bambang Yudhoyono was elected president and then sworn into office in October 2004. He was reelected in 2009 and served until 2014. During his two terms in office, jilbab regulations spread throughout much of Indonesia, particularly in populous areas in Java, Sumatra, and Sulawesi. [83]

Yudhoyono's administration repeatedly turned a blind eye to violence, threats, and intimidation by Islamist militants against religious minorities such as Christians, Hindus, Buddhists, traditional faith practitioners, and Shia, Ahmadiyah, and other non-Sunni

Muslims.[84]

In March 2005, Mayor Fauzi Bahar of Padang, the capital of West Sumatra, issued a decree on Muslim attire entitled, Implementing the Requirement that Teenagers Recite the Quran in the Morning, Anti-Lottery/Drugs, and Islamic Attire for Muslim/Muslimah Students at Primary Schools, Junior High Schools, and Senior High Schools in Padang. Article 10 of the decree states that, Muslim students at primary schools, Islamic madrasah, junior high schools, and senior high schools must wear Muslim/Muslimah attire; non-Muslims should adopt [long skirts for girls and long pants for boys]. [85]

On its face the decree appears to be gender neutral. However, as schoolboys already wore long pants to school, only girls were affected. Muslim girls were now required to wear the jilbab, a long-sleeve shirt, and a long skirt, and non-Muslim girls were required to wear a long skirt. On March 30, 2005, the Ministry of Education in Padang sent a circular to all public and private schools attaching Mayor Bahars decree and instructing all principals to implement the jilbab rule for Muslim girls.[86]

In August 2005, Gamawan Fauzi, the governor of West Sumatra, issued a circular calling on all Muslims to wear Islamic attire; this included women and girls in all public spaces.[87] Fauzi would play a key role in regulating womens and girls clothing. In 2009, Yudhoyono promoted him to be the home affairs minister. Fauzi promoted the adoption of Sharia provisions in predominantly Muslim provinces throughout Indonesia.

Also, in 2005, South Kalimantan Governor Rudy Ariffin issued a decree requiring women civil servants to wear a hijab and long skirt.[88] On December 30, 2005, Nadjamuddin Aminullah, the regent of Maros, South Sulawesi, signed a local ordinance on Muslim attire stating that sanctions would be enforced against Muslim civil servants and students who did not wear the jilbab.[89] As in Sumatra, this local ordinance spread to nearby areas. Five other South Sulawesi regenciesBulukumba, Enrekang, Gowa, Takalar, and Sinjai followed suit and passed local ordinances. In time, it spread further to regencies in other provinces in Sulawesi, such as Gorontalo.

The Indonesian state school uniform regulation started with the case of a Muslim schoolgirl prohibited from covering her head at school.[90]

In January 2014, SMAN2 Denpasar public high school in Hindu-majority Bali and the Ministry of Education received a complaint after a Muslim student, Anita Wardhani, was not allowed to wear her hijab. The school argued that it was enforcing a school uniform rule that applied equally to all students and did not allow any head covering.[91] The controversy died down without much media coverage after the school allowed Wardhani to wear her hijab.

School principal Ida Bagus Sweta Manuaba told Human Rights Watch that Wardhani was already in her last semester, euphemistically saying, We did not ban her hijab but asked her to delay wearing it [until her graduation]. The ban prompted the Ministry of Education to summon school officials to Jakarta. Manuaba said the authorities ordered the school to change its policy. Now you see Muslim students in this school wearing hijab, he said.[92]

Five months later, on June 9, 2014, the education and culture minister, Mohammad Nuh, a member of President Yudhoyonos cabinet, issued a school-uniform regulation, including a provision outlining requirements for school uniforms that include the jilbab for Muslim girls.

The 2014 regulation specifies a national uniform and a variation for Muslim girls. There is no reference to any other religions or other group identities that might warrant a variation on the otherwise standard school uniform.

Illustrations in appendices, which are part of the regulation, show two options for boys, one with long pants and one with shorts. For girls, the illustrations show long-skirt and regular-length-skirt options, but include a third illustration, the Muslim girl (Muslimah) uniform, which is the long-skirt and long-sleeve shirt option with the addition of a jilbab. The regulation applies to all state schools in the country, and individual schools are not allowed to adopt different uniforms or abolish them altogether.[93]

The regulation includes broad language acknowledging freedom of religion (e.g., school uniforms are to be dealt with [*diatur*] by each school with consistent attention to the rights of each citizen to follow their own religion,) and even the definition of the Muslim girl uniform refers to the personal beliefs of the girl (The Muslim girl uniform is a uniform worn by Muslim girls because of their personal religious beliefs [*karena keyakinan pribadinya*]).

In a 2019 interview with Human Rights Watch, Mohammad Nuh, the minister who signed the regulation, and now the chairman of the Press Council, stressed that he did not include the word mandatory (*wajib*) in the regulation, explaining that the regulation provides two uniform choices: a long sleeve shirt, long skirt and the jilbab, and the regular uniform without the jilbab. He said:

In practice, however, the 2014 regulation has been understood in many regencies and provinces as requiring a headscarf for all Muslim girls. In areas that have adopted this approach, a girl from a Muslim family who wished to be exempted from wearing the Muslim girl uniform would have to tell school authorities that she is not a Muslim, something girls from Muslim families are very unlikely to do nearly all consider themselves Muslim even if they do not want to wear a jilbab.

This regulation prompted provincial and local education offices to introduce new rules, which in turn promoted thousands of state schools, from primary to high schools, to rewrite their school uniform policies to require the jilbab for Muslim girls, especially in Muslim-majority areas. In such schools, Muslim girls are required to wear a jilbab as well as long-sleeve shirts and long skirts.[95]

The teachers use scissors. They cut the female students clothes if the shirts were considered not meeting the school regulation, too tight or too short. Then the students get this mark on their disciplinary book. They lost some points. No students dare not to wear the jilbab to go to school. A classmate got expelled from the school when she was protesting a teacher telling her to wear a jilbab.

Indonesia has more than 297,000 state schools (*sekolah negeri*). They are divided into five educational categories: approximately 85,000 kindergartens; 147,000 primary schools; 37,000 junior high schools; 12,000 senior high schools; and 12,000 technical high schools.[96] Indonesias Ministry of Religious Affairs also administers its own Islamic public schools from elementary to senior high school exclusively

for Muslim students.

The Ministry of Education and Culture in Jakarta oversees state schools around the country through complex arrangements with local governments. Indonesian universities are mostly private institutions, although the Ministry of Education and the Ministry of Religious Affairs jointly administer 550 state universities.[\[97\]](#)

It is not clear how many state schools, especially in Indonesia's 24 predominantly Muslim provinces, have compulsory hijab regulations for their Muslim students. The number of localities and schools requiring the hijab is growing, as are the number requiring clothing that covers more and more of girls' hair and bodies.

In schools in some conservative areas, it is not only Muslim girls who are required to wear hijabs. Human Rights Watch interviewed dozens of non-Muslim girls, mostly Christians, who said that they were forced to wear the jilbab uniform even though they did not want to wear it on faith grounds.[\[98\]](#)

These hijab regulations violate Indonesia's obligations under international human rights law to protect the rights to freedom of religion and expression, the rights to privacy and personal autonomy, the best interests of the child, and the right to education, as in many cases schoolgirls are pressured not only to wear clothing, they dislike but also to leave their schools, temporarily or permanently, if they fail to comply. Those who were not forced to leave still described harm to their education, including bullying, humiliation, and lower grades for not wearing hijab.

Indonesian state schools use a combination of psychological pressure, public humiliation, and sanctions to persuade girls to wear the hijab. This environment encourages peer pressure and bullying by teachers and fellow students to ensure that good Muslim girls wear a hijab. Human Rights Watch found instances in which school officials dropped the jilbab requirement following a parents' complaint to the government. But for the most part, state schools are, at best, failing to protect girls from harassment and bullying that interferes with their education and, at worst, encouraging and perpetrating them.

Nadya Karima Melati, now a 24-year-old activist, spoke about the three difficult years she had to endure facing bullying and pressure from teachers to wear the jilbab after she enrolled at SMAN2 senior high school in Cibinong, Bogor regency, near Jakarta. She came from a private middle school where girls did not wear jilbabs or long skirts and so, before she enrolled at the public high school, she spoke to teachers there about school uniforms. She was told that the school had two options for girls, one with the jilbab and one without, and she could choose the latter option. When she went to buy her uniform at the school, however, she found there was only one option. As she put it: I felt like I was being cheated. All new students wore jilbab. In fact, all female students in this school wore jilbabs. It was mandatory.[\[99\]](#)

In her first year, Melati wore a jilbab when entering the school compound but took it off inside the classroom. She said that the teachers did not accept this and advised her to wear a jilbab inside the classroom. She reluctantly followed the request. In her second year, Melati said she rebelled by taking off her jilbab after she walked out the school gates.

Melati's high school has a chapter of the Rohani Islam (Islamic Spiritual Guidance), an extracurricular Islamic prayer network established in many high schools in Indonesia, associated with the Indonesia affiliate of the Muslim Brotherhood. Whether or not a Muslim girl wears the jilbab is one of the first ways the Rohani Islam measures their piety.[\[100\]](#)

Rohani Islam began in the late 1970s in West Java, gradually setting up branches in many schools throughout Java and Sumatra. It usually operates under the guidance of the Islamic class teacher in each school.[\[101\]](#) Analysts describe it as the driving force to radicalize high school students in Indonesia.[\[102\]](#)

Melati said she faced serious peer pressure from this group, whose members often criticized her for not always wearing the jilbab. The school's Islamic teacher, who even opposed the teaching of singing in the school, was the dominant voice within this network.[\[103\]](#)

Melati said that her struggle with the jilbab also took place at home. Melati's mother, herself an Islamist activist who had struggled against President Suharto's ban on the hijab in the 1990s, used the school's rigid approach on hijabs to pressure Melati to wear her hijab full-time in public spaces. She said she could only take her hijab off at home: My mother does not understand that wearing or not wearing a jilbab should be an individual choice. The high school rule gave my mother another chance to pressure me to wear a jilbab, creating disputes between us for years.[\[104\]](#)

A former student at SMAN1 Solok high school said she was punished in 2012 for having a hair-bun under her jilbab. Hair-buns are considered to be fashionable and immodest by some conservatives and were banned in that school. She was humiliated by being forced by her teacher to wear a motorcycle helmet in the classroom over her jilbab.[\[105\]](#)

Tempo magazine reported that two state high schools in Yogyakarta, SMPN7 and SMPN11, had compelled Muslim girl students to wear long-sleeve shirts, long skirts, and the jilbab. The principal of one of the schools had even put the requirement in writing in a July 13, 2017 circular. Several parents protested, making statements to the media and demanding that the Ministry of Education inspect the schools. The school principal denied that wearing a jilbab was required despite his written circular. Instead, he said it was only advice and that no sanction was imposed on students who refused to wear it, though he added that good Muslim girls should wear the jilbab.[\[106\]](#)

Another woman in Yogyakarta, whose teenage daughter went to SMPN8 public school in 2017, explained how the jilbab issue had played out at her daughter's school, where the school dress code is based on the 2014 national regulation:

She reported SMPN8 junior high school in Yogyakarta to the National Ombudsman Office because the school principal, the Islam religion teachers, and other students had routinely bullied her daughter into wearing a jilbab since she entered the school:

This teenager has since finished her three years at SMPN 8 but still faces bullying for refusing to wear a jilbab. Her mother and father, themselves Sunni Muslims, continued defending the rights of their daughter. Sometimes the girl wears the jilbab during Islamic class and

prayers, but most of the time she refuses to wear it.

The National Ombudsman Office visited the school and found in February 2019 that the school regulation does not explicitly mandate the jilbab for Muslim girls but creates pressure on the girls, noting that the principal and Islamic teachers have pressured Muslim girls to wear jilbab. The ombudsman asked the school to correct the regulation.^[109] However, some other parents, who supported the jilbab rule, asked the school to expel the protesting girls. The mother said, My daughter finally compromised. She sometimes uses her jilbab. She sometimes also does not use it, depending on the situation. If the situation is hostile, she will use her jilbab.^[110]

In January 2020 in Sragen, Central Java, a father reported his daughters SMAN1 Gemolong school to the police and the local government after his daughter was bullied for not wearing a jilbab. Agung Purnomo said that members of the schools Rohani Islam group had systematically pressured and intimidated his daughter. His complaint prompted the government to require the school principal to meet Purnomo, apologize to his daughter, and promise that he would stop the Islamic group from intimidating students.^[111]

In Padang, a 19-year-old student told Human Rights Watch that she had tried to refuse to wear a jilbab, but her school had compelled her through threats and intimidation. She said, I actually refused, but what else could I do? Many of my classmates do not like to wear jilbabs. When they are out of school, they take off their jilbabs.^[112]

In Bandung, Mida Damayanti, a former student at SMKN2 Baleendah, explained that her teachers especially female teachers and Islamic class teachers had enforced the jilbab rule and reprimanded students who did not wear their jilbab in a certain way during her years there in 2005-2008. She said students felt unlucky if they had the Islamic class or a hot-tempered teacher on Fridays. It would mean that there would be no space for them to take off their jilbab or to wear the more traditional *kerudung*. The school required that the headscarf cover the neck and that girls also wear a long sleeve shirt and big skirt. The outfit that we wear would directly affect the teachers [academic] grading, she said.^[113]

A student at Makassar State University in Sulawesi said that she was surprised when she was confronted for not wearing a jilbab during her one-week orientation program in August 2016. A senior male student asked her religion. She said, Islam. The senior told her that Muslim girls should wear a jilbab if they want to go to heaven. She told him that it's a public university and there was no such regulation. More seniors joined in, threatening not to pass her out of the orientation program. She explained that two other Muslim girls also did not wear a jilbab. The students running the program threatened all three with expulsion from the program. The three finally succumbed, planning to take off their jilbabs after the orientation program ended. But they later learned that some university lecturers act against students who do not wear a jilbab on campus. Only Christian students have the freedom not to wear a jilbab, she said. They finally decided to keep wearing the jilbab on campus but take it off once they left campus.^[114]

A psychologist who comes from one of Indonesia's elite families in Yogyakarta spoke about her concerns for her teenage daughter:

Ifa Hanifah Misbach, a psychologist in Bandung, who often helped students who had been subjected to jilbab bullying and suffered from a condition she called body dysmorphic disorder, talked about the emotional distress many Muslim schoolgirls face, particularly in conservative regencies like Indramayu, Cianjur, Sukabumi, and Tasikmalaya in West Java. She argued that it is in the best interests of the children for the Indonesian government to reconsider policies and practices that lead to mandatory hijab wearing in Indonesian schools: If our bodies are hurt, we can diagnose the problem and cure them. But if our mental health is hurt, how do you handle it? We never know the scars that we have created with these intense school and office pressures. ^[116]

An 18-year-old said that she was compelled to wear a jilbab from the time she went to kindergarten in Solok: My teachers argued, It's for educating very little girls about jilbab, covering their bodies. You could imagine being a little girl, wearing a jilbab; it was frightening when teachers began checking our jilbabs.^[117]

One mother in Banyuwangi complained to Human Rights Watch that her 6-year-old daughter was compelled to wear a jilbab in a public kindergarten in 2012.^[118] The teachers, without asking the parents, put a hijab on all the little girls for a class photo. I protested, telling the teachers that these little girls should not be compelled to wear jilbab.^[119]

Many schools regulate headscarves to the tiniest detail, specifying that the fabric should not be transparent, no hair should show, and girls cannot have a hair-bun. Some schools use measures that stigmatize girls, damage their clothing, and even threaten them with expulsion for not wearing the jilbab to enforce its wearing. Yet, many girls deliberately wear thin and shorter headscarves as a form of daily resistance.

In many schools, every time a student is considered to have breached a school regulation including the jilbab regulation she gains some demerits. If a student's points reach a certain level, the student will get a formal warning. As the demerit levels rise parents are summoned to school. Ultimately, a student can be expelled, a school supervisor in Solok, West Sumatra, explained to Human Rights Watch, showing samples from that school's rules.^[120]

For example, a school regulation at SMAN3 Solok includes multiple sanctions, including two demerits if a student wears a transparent jilbab and another two demerits if she wears a tight skirt, a mini skirt or a split skirt. The regulation specifies that female clothing must cover the hips and not be tight. The jilbabs must not be transparent. During gym class, female sports uniforms must not be tight, not have pencil-shaped pants, and the jilbabs must not be transparent.^[121]

A woman in Solok, now 27, recalled her experience with the demerit system:

Schools often hesitate to expel students because grants programs (Bantuan Operasional Sekolah) are linked to the number of pupils in the school. To avoid the loss of operational grants and a potentially long bureaucratic dispute with complaining parents, many schools use markers on girls' clothes to stigmatize students who do not wear a jilbab. Said a student in Padang:

In Tasikmalaya, West Java, a 16-year-old student at SMAN9 said she and her classmates were forced to wear a jilbab at the school. Students who wear the school skirt but allow their socks to show around the ankle get 40 points. If a student accumulates 500 demerits, the school can expel the student. Everyone was compelled to wear jilbab, she said. No other option. She explained that when she was not

at school, she did not wear a jilbab and went out in shorts.[\[124\]](#)

Human Rights Watch documented five separate cases in which the demerits led parents to move their daughters to other schools; usually these were private, fee-paying schools. This not only imposed an economic cost on the families but had negative impacts on learning and friendships. Many reported social stigmas.

In Solok, a mother said she had no choice but to move her daughter Fifi after her demerit had reached 75 of 100 points in only one semester because she did not wear the approved jilbab. Fifi was very likely to be expelled from the school. The mother said:

On October 19, 2017, a 16-year-old student at SMKN4 vocational state school in Bandar Lampung, Sumatra, was summoned to meet her teachers after she had repeatedly taken off her jilbab during school. She said that two female counsellors had previously threatened to shave her head. She used her mobile phone to record the 19-minutes of intimidation she experienced and told Human Rights Watch:

The student called her parents in Jakarta and begged them to remove her from the school. They tried to console her, asking her to calm down and promising to send her uncle and aunt, who lived in Bandar Lampung, to visit the school. They also asked her to persevere since she would graduate in four months. Said the student:

The student sent her 19-minute recording of the meeting with the teachers to Human Rights Watch. The aunt verified the recording and told Human Rights Watch that she had planned to report the school to the Bandar Lampung police but decided not to after considering the emotional nature of some Muslim residents in Bandar Lampung. As her niece was also about to finish school, she and the school had made a compromise that she would not be intimidated again.[\[128\]](#)

A 16-year-old high school student in Solok said some of her teachers cut students shirts if they fit their bodies too closely: First you lose some points. Then the teacher asks [the student] to tug off her shirt and cuts the shirt. [The student] then sews it up again, but looser, and the following day the teacher checks.[\[129\]](#)

In Solok, a student at SMAN3 talked about how her teachers had used scissors to cut the girls clothes:

In Muaraenim, South Sumatra, a male teacher reportedly used scissors to cut the hijabs of several female students after a school assembly when he determined that their hijabs did not meet the schools requirement. After he cut their hijabs, he sent them home to change their hijabs.[\[131\]](#)

After Mayor Fauzi Bahar in Padang, West Sumatra, introduced the mandatory jilbab regulation in 2005, female students not wearing a jilbab said they were sent to counsellors who work with troubled students. Every Monday, after the morning assembly teachers waited for their students in front of their classrooms, sometimes with scissors, and cut the sides of students shirts that were too tight. They would also cut the bangs of students if strands of their hair were visible from their jilbab. Said a former high school student:

In many Muslim-dominated areas on Java and Sumatra, Indonesias two most populated and predominantly Muslim islands, Christian girls are sometimes compelled to wear a jilbab.

In July 2008, *Tempo* magazine reported that when Padang Mayor Fauzi Bahar decreed that the jilbab was mandatory in the West Sumatra capital, he said non-Muslims should adjust. All schoolgirls in Padang, including Christians and Buddhists, from kindergarten to high school, were required to wear a jilbab. Bahar admitted that his 2005 decree was controversial. It was even discussed at a national cabinet meeting in Jakarta, but the cabinet took no action. Bahar argued that the decree should stand as it did not create any unrest in Padang.[\[133\]](#)

On July 16, 2017, *Kompas* newspaper reported that Yenima Swandina Alfa, a new student in SMPN3 Genteng junior high school in Banyuwangi, East Java, had cancelled her enrollment after she was asked to sign a document declaring that she was willing to wear the jilbab as part of her school uniform despite her Catholic faith. Banyuwangi regent Abdullah Azwar Anas apologized to her and her parents, asking the school to revoke the rule. He admitted it was a discriminatory practice.[\[134\]](#)

In July 2018, Human Rights Watch learned that Yenima Swandina Alfa had moved to a different state school that ensured that she would not have to wear a jilbab. Many state schools in Banyuwangi have similar requirements as the school Yenima previously attended.[\[135\]](#)

A 16-year-old Catholic high school student decided to stop going to a state school after she was repeatedly bullied for not wearing a jilbab. In 2017, she decided to study at the SMAN1 Wongsorejo state school. The school was walking distance from her house. Citing her Catholic faith, she refused to wear a jilbab. The schools principal agreed, and she became the only student in her grade of around 100 students who did not wear a jilbab. The biology teacher, however, asked her to wear a jilbab during Indonesias Independence Day celebration in August 2017. She objected and reported the demand to another teacher, who agreed with her but did not directly address the issue with the biology teacher. She said:

Her father went to the school three times, but the biology teacher refused to see him. The student later stopped going to school for two weeks, prompting four male teachers to separately visit her and ask her to return. The biology teacher finally met her father during her two-week boycott, telling her father that he did not know that she was a Catholic. Of course, he knew Im not a Muslim. I was the only one without a jilbab, she said, adding that she realized that the school would never apologize. She decided to leave the school, moving to a private school about 16 kilometers from her house. She said she had a hard time adapting to the new school. Transportation took longer and was expensive, as Banyuwangi does not have a reliable public transit system. Her father is a farm worker with limited financial ability to bear the extra cost. A Catholic group later helped her to find a room to rent near the school, meaning she no longer live with her parents.[\[137\]](#)

Daisy, a 24-year-old Catholic woman in Solok, West Sumatra, chronicled her jilbab problem, saying it started when she was in grade 6 at state school SDN3 in 2005, the year of Regent Gamawan Fauzis mandatory jilbab regulation in Solok:

In Padang, a 22-year-old woman recalled her experience of being forced to wear the jilbab since grade 1. She is Catholic and attended

state schools in Solok, where she was required by her teachers and school administrators to wear the jilbab through grade 12 or face expulsion. Sometimes I felt bad, but my friends said I was more beautiful wearing the jilbab. They also invited me to convert to Islam.

She said that her worst experience was wearing the thick and dark Girl Scout jilbab as a young girl at school: I was crying. Once I got home, I cried and told my mother. I was still in elementary school. I was in third grade. Maybe 9 or 10 years old.[\[139\]](#)

Human Rights Watch interviewed nine other Christian students in Solok and Padang, West Sumatra. They all said that they must wear the jilbab despite the 2014 national regulation ensuring religious freedom. State school SMPN2 Solok even put a huge billboard outside their school, showing the principal in a long hijab smiling and saying, *Kawasan wajib berbusana Muslim* (Mandatory Muslim clothing area).

A Christian student in Solok said that her school had even asked her mother, also a Christian, to wear a jilbab when going to attend a parent-teacher conference:

A school supervisor in Sijunjung, West Sumatra, said that a Christian couple had decided not to enroll their daughter in a state school when the school principal told them that the school requires girls to wear a jilbab. They decided to cancel the enrollment, sending her to a private school, said the supervisor. [\[141\]](#)

A teacher in Banyuwangi said his private school had received more students because parents were worried about the increasing Islamic tone in state schools. Christian students avoid going to state schools if they can go to a private one, he said.[\[142\]](#)

Another 27-year-old Catholic woman in Solok said, In my heart, I oppose wearing a jilbab. But I dare not speak about this because the number of non-Muslim students is very small. We had only five girls. She said in her first week at the SMPN1 junior high school in downtown Solok, the school principal came to each class:

In Solok, a town near Padang, a 22-year-old woman recalled her experience, saying that even though she is Catholic, she went to state schools in Solok and was forced to wear the jilbab from grade 1 through grade 12 or face expulsion. She told Human Rights Watch that the most difficult was to wear the thick dark brown Pramuka girl scout jilbab at school.[\[144\]](#)

A Catholic girl who graduated from a state school in Solok in 2018 told Human Rights Watch that she had been wearing a jilbab to school for 14 years since kindergarten:

Another 18-year-old Christian girl, living in Padang, talked about how she has been compelled to wear a jilbab since she was in grade 4 in SDN8 Bawah Bungo state school in Solok:

In Padang, some Catholic girls said they felt they could not protest the jilbab requirement because their parents want to send them to state universities rather than far more expensive private ones; their parents believe it will be easier for them to gain entry to state universities if they graduate from public high schools, and that means putting up with the jilbab requirement.[\[147\]](#)

On August 25, 2018, *Independensi* newspaper headlined a story about Christian students in SMAN2 public high school in Rokan Hulu, a plantation town in Riau province, Sumatra, who were forced to wear a jilbab. It published a photo and the names of ethnic Batak Christian students wearing jilbabs and gray-and-white uniforms.[\[148\]](#)

The schools principal admitted that all female students, including the Christian girls, wore a jilbab. He told the BBC, Its been going on for a while even before I started this job. All Christian students wear jilbabs but its not compulsory. Theyre free not to wear the jilbab. He added that its strange that the Christian girls and their parents were complaining now.[\[149\]](#)

Education and Culture Minister Muhajir Effendy then immediately asked his inspectors to look into the report. In a meeting with a group of representatives from the Communion of Churches, which sent a delegation to discuss the issue with him, he said: I have reviewed all of the documents, there is not a single Ministry of Education and Culture policy that requires students to wear the jilbab, even Muslim students. That's why last Friday I immediately ordered the Inspectorate to go to Riau. Those students were not compelled but they felt they will be looked at differently from other students [if they dont cover their heads] so they wear the jilbab themselves. The problem is solved![\[150\]](#)

Another student explained the twin challenges of being female and a member of the Sunda Wiwitan, a local religion among some ethnic Sundanese in West Java. She said:

She said the next day the teacher threatened her: The following morning, she talked to me, If you report [me], I could report [you] to the MUI (Indonesian Ulama Council).

She moved to another school but faced similar pressures:

The Sunda Wiwitan leader then visited the school with the girls grandfather. The school agreed to let her take a Sunda Wiwitan religion class off campus, but she said that the teachers did not stop asking her to wear a jilbab: My parents, grandparents and other relatives cannot dream to apply for a government job simply because of our religion. The first problem is my faith. The second is the jilbab rule.[\[151\]](#)

On January 21, 2021, Elianu Hia, a Christian father, recorded a one-on-one meeting with a teacher in his daughters SMKN2 state school in Padang, during which the teacher asked him to make sure his daughter, Jeni Hia, wore a jilbab at school. Hia asked the teacher, If my daughter has to wear a jilbab, it will breach her [Christian] faith. Where are our human rights? Is it advice or an order?

Zakri Zaini, the teacher, replied, This is mandatory. This is the school regulation at SMKN2 Padang.

Zaini asked Hia to sign a statement verifying his refusal, saying that he would report the refusal to the education office in Padang. Hia

said he understood this as a threat to expel his daughter from the school. Zaini also asked Elianu to spell his daughters name. Jeni Cahyani Hia, said Hia, asking Zaini to let him take a photo of the regulation.

Later that day at around 11 a.m., Elianu Hia uploaded that video and the photo on his Facebook page. [\[152\]](#) He wrote: I am doing this not only for my daughter but also for the future of other school children.

Jeni Hia is a grade 10 student who began attending in person classes at SMKN2 for the first time on January 4, 2021. From the time she started, she refused to wear a jilbab. Her teachers frequently asked her why she did not wear it. Hia explained that she is a Christian and it is not part of her beliefs that she should wear a jilbab. [\[153\]](#)

Elianu Hia asked a lawyer, Amizuduhu Mendrofa, to represent his daughter. Mendrofa immediately sent a letter to President Jokowi, Minister of Education Nadiem Makarim, and the National Commission on Human Rights asking them to protect Jeni Hias rights to education, expression, and other rights. He expected the rights commission to visit the school in Padang. [\[154\]](#)

Hias video was reported by several media companies and shown on national television, creating a viral hashtag (#smkn2padang) and prompting public protests against the school and the education office in Padang in West Sumatra. [\[155\]](#)

On January 23, 2021, the West Sumatra education office head Adib Alfikri held a news conference, saying that he had investigated the case at SMKN2 Padang and asked the school to stop forcing Christian students to wear a jilbab. He said that many Christian schoolgirls wear a jilbab voluntarily, unlike Jeni Hia. [\[156\]](#)

On January 24, Minister of Education Nadiem Makarim made a video statement on his Instagram, condemning the abuse at SMKN2 in Padang and saying that the "mandatory jilbab regulation" at the school, or any state school in Indonesia, is against the constitution, the 1999 human rights law, the 1999 education law, and the 2014 public uniform regulation, which says that school uniforms should protect religious freedom. Makarim said, I asked the local government to immediately impose strict sanctions for disciplinary violations for all parties involved in these abuses including the possibility of [termination], so that this becomes a lesson." [\[157\]](#) The Ministry of Education and Culture also opened a Ministry of Education hotline (177), a chatroom, and an email address to receive complaints about jilbab abuses. [\[158\]](#)

On Monday, January 25, five other Christian female students attended classes without a jilbab, quoting the widely-broadcast ministerial video to defend their decision. The remaining Christian girls continued to wear a jilbab, some saying that the principal had not changed the regulation and they were afraid not to wear a jilbab. [\[159\]](#)

West Sumatra officials said that while they would accept that Christian schoolgirls should not be forced to wear a jilbab, Muslim girls should still be required to do so. Former Padang mayor Fauzi Bahar, himself a retired Navy officer and now involved with the National Democrat Party, who introduced the jilbab rule in 2005, made statements that reflected conservative sentiment. He said:

Bahar added that the regulation had helped reduce dengue fever in Padang:

However, Bahar did not suggest that male students should be covered to gain the same protection. He went on to insist that female Muslim students wear a jilbab, saying that it helped female students not compete against each other with their gold necklace or gold earrings as well as dyed hair. [\[162\]](#)

Fasli Jalal, a former deputy minister of education, told Human Rights Watch that he had heard many stories of abuses, such as Christian girls being forced to wear the hijab in his home province of West Sumatra, as a result of the uniform regulation:

As of 2016 (latest available official figures), Indonesias civil service consisted of 4.37 million workers. Approximately 70 percent were state schoolteachers, of which 49 percent were female teachers or around 1.49 million people. Most civil servants work in local government offices. [\[164\]](#)

Many of these female civil servants face rules or pressure from provincial and local governments to wear an Islamic dress. Even when a formal policy does not exist, unofficial rules still put pressure on women to conform, creating a hostile work environment for those who do not want to wear a jilbab.

Many provincial and local governments, including Aceh, Central Java, West Sumatra, and South Kalimantan, have passed ordinances requiring female civil servants to wear a jilbab at work. Jilbab regulations are enforced with penalties ranging from a simple warning to a delay in promotion and dismissal. Officials and managers regularly check whether women are wearing a jilbab. Women cannot even interview for a job in many places unless they wear a jilbab.

Most female Muslim workers comply with the regulations, but many told Human Rights Watch that they see this as an infringement on their rights. Some women have quit their government jobs, seeking a freer work environment elsewhere.

One of the earliest regulations was in Tasikmalaya, West Java. A 2001 regulation on Islamic dress, which remains in force, requires female Muslim civil servants to wear a jilbab in addition to their officially prescribed work clothes. In government offices in urban areas in Tasikmalaya, female civil servants are still allowed to wear pants with the jilbab, but in rural areas they are required to wear a long skirt instead. [\[165\]](#) A Ministry of Health official in Tasikmalaya told Human Rights Watch that approximately 10 to 20 percent of the female workforce at the ministry, including doctors and nurses, did not wear a hijab before the decree, but that within a year every female staff member wore a hijab. [\[166\]](#)

The official said that women were under heavy institutional and peer pressure to follow the rules. She said that at the daily morning assembly the head of the health office would comment on those who were not wearing a hijab, and sometimes would ask those without a hijab to stand on the back row. [\[167\]](#) Some supervisors and other senior female staff would ask them to explain why they did not wear the hijab and when they would start wearing it. She said they used Arabic terms to assert that the non-hijab wearing women had not experienced *hijrah* (in Indonesia this has come to mean spiritual transformation) or received *hidayah* (godly guidance). She told Human

Rights Watch: Maybe some of them become embarrassed. People stare. Sometimes there is mocking from others. Maybe they become embarrassed and uncomfortable. If one stands out, the others stare.

After three years of resistance, she says, she gave in and started wearing a hijab. She felt she had no choice:

Office staff in Tasikmalaya were also required to attend events at which staff had to recite the Quran, she said.

Cianjur regency in West Java adopted a mandatory jilbab ordinance in 2006 for government offices and state schools.^[169] Three female civil servants told Human Rights Watch that in 2016, a decade after the ordinance, the local government began to pressure female civil servants to wear long hijabs and long skirts. They even made it mandatory for Muslim government employees to attend evening prayer in the Cianjur Grand Mosque every day.^[170]

A 55-year-old woman who wore a jilbab before the 2006 regulation said that it was applied to both Muslims and non-Muslims. She said that the requirements are evolving, with increasing social pressures on women to wear longer coverings made with thicker fabric:

A Cianjur civil servant, who wears a jilbab, complained that she now faces pressure to wear *gamis* a long dress to cover not only her hips but her feet combined with a big hijab that covers her chest restricting her when she rides a motorcycle. The 2006 regulation has made the hijab longer and more restrictive for movement:

In Jakarta, a lecturer at one of Indonesia's largest state universities, said that in 2019 she came under pressure to wear a jilbab despite the absence of any campus regulation. She pointed to a huge billboard reminding all female visitors on campus to wear Islamic attire. She said it makes her uncomfortable, adding that the university only mandates decent clothing in its regulations:

The lecturer finally resigned in 2020, giving up her coveted civil service job, and took a new post at a private university.

An administrative staff member at a school of social and political sciences in a Jakarta public university described her experience to Human Rights Watch:

A civil servant working for the government in Tangerang, west of Jakarta, explained the pressure she faced:

A former kindergarten teacher in Jakarta explained the demands she faced:

A self-described socially liberal woman with a Ph.D. explained the compromises she had to make to take a job as a lecturer in a public university in Jakarta.

A 28-year-old piano teacher at a state school in Bantul, Yogyakarta, described her treatment and the deep physical and psychological pain the jilbab rule had caused her. In 2019 she started to teach at a prominent state school. She attended an official ceremony at the Yogyakarta Governors office to welcome new teachers. She described her experience at the ceremony and after:

The teacher's mother, also a music teacher at the school, told her that all female teachers at the school had been pressured to wear a jilbab since 2014. In 2017, female students were also required to wear a jilbab, but a student reported what she termed an abusive rule to the Education Office in Yogyakarta, prompting the school to relax the pressure on schoolgirls to wear a jilbab.

In September 2019, the teacher told the principal that she was not comfortable wearing a jilbab. She told him that she had never had to wear a jilbab in her university. He argued college students are mature enough to make this decision, but high school students are not. Teachers, he said, should be a role model for the schoolgirls.

She decided to use her social media to air her objection to the jilbab rule. She added an avatar in which she posed with her Javanese dress and her long hair, writing, Don't ask me where the jilbab is but please ask me where my hair bun is. She argued that a jilbab is not required to be a good Muslim.

The teacher said she became psychologically distressed and started having headaches for months. In November 2019, a female colleague texted her in a threatening manner, saying, We are not forcing you to wear a jilbab. We just remind you as a friend. If you take off your jilbab, do not blame us.

One of her Javanese Muslim friends, who had moved to Bali, the predominantly Hindu island, saw her social media messages and texted her to say that she had moved to Bali because Java had become a (Saudi) Arabic territory because of the mandatory jilbab regulations. She captured that text and shared it with some of her friends on WhatsApp. A supervisor saw the image and warned her about that. She recalled the supervisor saying, It is blasphemy against Islam. The supervisor reminded the teacher to keep wearing a jilbab. She also asked the teacher to consult with the Islam religion teacher in the school to understand the Sharia requirement on jilbabs for Muslim girls and women. ^[180]

Her mother decided to ask the school principal to intervene, informing him that her daughter was planning to resign. The principal asked the teacher to come to his office and asked her to listen to his three arguments: whatever her faith, she should wear a jilbab; she must start building relationships with her other colleagues; and she should never resign from the civil service as this would be defaming this country. She said:

She said she then went to see a psychiatrist because of her constant headaches. The psychiatrist concluded that she was having panic attacks and prescribed anti-depressant medication.

She decided to visit the Education Office in Yogyakarta to report that she had been bullied for not wearing a jilbab. An official told her that she should write a resignation letter if she could not withstand the demands. In early 2020, she sent her resignation letter to the school principal with carbon copies to some offices in Yogyakarta. The principal unexpectedly called her and apologized for the mistreatment in the school, saying that her social media messages had been read in the influential Yogyakarta Palace. ^[182]

Her letter also prompted some Christian colleagues to promise to defend her against bullies if she would remain at the school. Her mother also asked her to stay. She agreed to cancel her resignation if the school promised she would not be forced to wear a jilbab. The Education Office and the principal agreed. She was also promoted. [\[183\]](#)

In East Kalimantan, another ethnic Javanese teacher also resisted the jilbab pressures in a state school where she teaches traditional dance. The problem began when she decided to take off her jilbab in August 2019 because the air was very hot and humid. It was very itchy on my scalp. I also need to tie my hair to wear a jilbab. I thought it does not meet my conscience. I believe I should live with my own conscience. There is no regulation about wearing a jilbab in my school, so I took it off. [\[184\]](#) Her supervisor called her later in the evening and asked her if she was serious about this decision. You might regret your decision. Her colleagues later politely pressured her to wear a jilbab, saying things like, You are prettier with a jilbab or You're more elegant with a jilbab.

In October 2019, the teacher took four students—two boys and two girls—to dance at the Regency Office in a public ceremony to commemorate the Youth Pledge Day. [\[185\]](#) They were dancing a traditional Dayak dance. She said:

Traditional dance costumes in Indonesia do not include a jilbab. Some instructors have created costumes with jilbabs, but many traditional dances, such as the slow Javanese *gambhyong* dance or the Dayak dances in Kalimantan with a mini-skirt, vest, and bare arms are not amenable to a jilbab.

After the performance, the schoolgirls went back to the school in their costumes. Some teachers assumed the dance teacher had made the girls take off their jilbabs. In the ensuing days, these teachers confronted the girls in front of other students in the classrooms. Why did you take off your jilbab? the teachers asked, saying that wearing a jilbab is in accordance with Islam. The teachers' remarks led some students to bully the two girls.

One of the girls' parents complained to the school. The dance teacher said:

After the meeting, the principal asked the dance teacher to only choose Christian schoolgirls to perform traditional dances. Out of 350 students at the school, only around 15 are Christian students, mostly indigenous Dayak.

Politicians who impose jilbab requirements on civil servants have said that the strictures should be an example for how women dress when they leave their homes. Some provinces and local governments have since begun to impose jilbab requirements on women who go to these offices to access government services or for other reasons.

Many local governments have not only created a hostile work environment for women but have established rules and norms requiring female visitors to wear a jilbab as well. Often government offices put up signs and posters saying that jilbabs are required or employ security guards who deny entry to women and sometimes girls who are not wearing a jilbab.

A woman who was asked to lecture at a high school in Gorontalo, Sulawesi, described her experience:

Siti Ramadhania Azmi, a university student, said she was shocked by her treatment when she visited a government office in West Sumatra:

Siti Ramadhania Azmi explained, however, that in Padang, many government offices have mandatory jilbab rules:

Some schools also require female visitors, including parents of students, to wear a jilbab. Said a student in Solok:

Jilbab requirements have led to harassment of women in public spaces who choose not to wear a jilbab and imposition of pressure to conform. [\[191\]](#)

An early example was in Bitung, an industrial area in Tangerang, Banten province, near Jakarta. In 2005, a local ordinance was adopted banning sex work. [\[192\]](#) The ordinance is silent on wearing a jilbab in public. However, officials claimed that the ordinance required the wearing of a jilbab. Public order officials reportedly said that good women do not go out at night alone and that good women will always wear the jilbab. Only bad women, implying sex workers, would leave home at night without a jilbab.

Michelle, a part-time interpreter, told Human Rights Watch that she was detained one evening in 2005 soon after the ordinance went into effect:

Michelle (pseudonym) was able to avoid arrest by convincing the officers to let her call someone. She called her friend, a police counter-terrorism officer:

Another woman told Human Rights Watch about a similar experience in Gorontalo, a city in Sulawesi, in 2011. She was at dinner with two male colleagues when an officer came up and asked for her ID card. He did not ask for her male friends' ID cards:

Even when a formal policy does not exist, unofficial rules still put pressure on women to conform. Thohir, the Central Lombok regent, was explicit in his goals, making all women in his regency wear not only the jilbab but also the niqab. Speaking at a public ceremony in Praya, the capital of Central Lombok, he called on female Muslim civil servants to wear the niqab as an example for other women, including visitors to government offices, as a part of the cadarization process (the idea that a woman must cover her entire body except her eyes). [\[195\]](#)

A journalist at *Kompas* newspaper in Banyuwangi explained her experience at a popular beach in eastern Java:

Many women and girls reported to Human Rights Watch that they suffer serious stress from being forced to wear a jilbab or resisting official and social pressures to do so. This stress manifests itself in different ways.

A psychiatrist at the Ministry of Health in Jakarta observed that some women who were pressured to cover their heads had reported the symptoms of body dysmorphic disorder, sometimes called dysmorphophobia, which is characterized by the obsessive idea that they feel

parts of their bodies, in this case their covered heads, are flawed. [\[197\]](#)

Ifa Hanifah Misbach, a psychologist in Bandung, who had helped young women and girls with traumatic experiences with the mandatory jilbab regulations said that they were uncomfortable with the peer pressure and the bullying they had faced to wear the jilbab. The easiest example to see a girl in distress is crying or not going to school. Misbach has 37 clients who experienced bullying. Two have tried to take their lives.

Misbach, herself a survivor of the jilbab bullying, told Human Rights Watch:

When Ifa Misbach was a teenager, she loved to play basketball but was told to stop. Her mother is a Quran teacher in Bandung, often lecturing about Islam in West Java:

When she went to work for the first time at a state university in Bandung, she wore boots, white jeans and a blazer, without a jilbab to cover her dyed hair. She described the other new recruits as a sea of jilbabs in the hall with only white, black and gray. She immediately began to face social pressure: Many [senior] lecturers quip about me not wearing jilbab. My work clothing is a blazer. Every time I must raise my hand and the blazer sometimes lifted; I became the talk of the campus.

She said that she is under psychological pressure to wear the jilbab. Ninety percent of female lecturers at her campus wear a jilbab. In her department, only five women do not. She said that if she were a Christian it would be tolerated. She said the campus organizes a monthly prayer or the Quranic recital:

Novi Poespita Chandra, a psychologist and lecturer at the Gadjah Mada University in Yogyakarta, set up a non-profit organization called *Gerakan Sekolah Menyenangkan* (Joyful School Movement) to promote critical thinking and to stop bullying in Indonesian schools. After studying how the hijab rules have been implemented, she concluded that they may have long-term psychological impacts on girls.

Chandra explained the impact on her three daughters. Her family previously lived for seven years in Melbourne where Chandra obtained her PhD at the University of Melbourne's School of Population and Global Health. When they returned to Indonesia, the three girls attended state schools in Yogyakarta in grades 8, 5, and 2, respectively. She observed that the pressure to wear a hijab increased considerably once her daughters entered junior high school in grade 7. She said:

Chandra told Human Rights Watch that the responses among Muslim schoolgirls who resist the mandatory hijab regulation could be divided into three categories:

Many schoolgirls and women prefer the adaptive approach, wearing the jilbab to avoid social pressures, bullying, intimidation, or punitive sanctions. It is unclear how and to what extent two decades of mandatory jilbab rules in Indonesia have affected millions of girls and women.

Indonesia is a party to the core international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). [\[203\]](#)

The Indonesian government's enforcement of its jilbab regulations against women and girls violates provisions in several treaties, including the rights to freedom of religion, expression, privacy, and personal autonomy.

Human Rights Watch takes no position on whether wearing the hijab, jilbab, or niqab is desirable. We oppose government policies of both forced veiling, as well as blanket or disproportionate bans on the wearing of religious dress, as in France, Germany, and China's Xinjiang region, as a discriminatory interference with basic rights. Human Rights Watch has repeatedly criticized governments and de facto authorities, such as the Islamic State and Taliban, for their enforcement of dress codes.

Article 18 of the ICCPR, which Indonesia ratified in 2006, states that, No one shall be subject to coercion which would impair his [or her] freedom to have or to adopt a religion or belief of his [or her] choice. [\[204\]](#) The Human Rights Committee, the body of independent experts established by the United Nations to monitor implementation of the ICCPR, has stated in a general comment that, The freedom from coercion to have or to adopt a religion or belief cannot be restricted. [\[205\]](#) The Human Rights Committee also said that the right to freedom of religion may be violated when women are subjected to clothing requirements that are not in keeping with their religion or their right of self-expression; and when the clothing requirements conflict with the culture to which the woman can lay a claim. [\[206\]](#)

Several UN independent experts have criticized rules that require wearing religious dress in public. In 2006, Asma Jahangir, the late UN special rapporteur on freedom of religion or belief, said that the use of coercive methods and sanctions applied to individuals who do not wish to wear religious dress or a specific symbol seen as sanctioned by religion indicates legislative and administrative actions which typically are incompatible with international human rights laws. [\[207\]](#)

Article 14(1) of the Convention on the Rights of the Child guarantees freedom of religion for children by establishing that states must respect the right of the child to freedom of thought, conscience and religion. [\[208\]](#) Laws and regulations requiring female students to wear the hijab or the jilbab at school violate the obligation of state authorities under international law to respect the rights of the child to religious freedom and personal autonomy and the duty to avoid coercion in matters relating to religious freedom. [\[209\]](#)

Article 14(2) of the CRC guarantees parents or legal guardians the right to ensure the religious and moral education of their children in general conformity with their own convictions about a child's upbringing. [\[210\]](#) The special rapporteur on freedom of religion or belief, Ahmed Shaheed, recently emphasized that this right must be fully respected. [\[211\]](#)

Primary school-aged children are especially vulnerable to coercive measures given their age and that education at that level is compulsory. At particular risk of discrimination are children belonging to religious minorities.

Article 3 of the ICCPR states that men and women should enjoy equal access to all the civil and political rights set forth in the covenant,

a principle reiterated in the CEDAW.

CEDAW obligates states to refrain from engaging in any act or practice of discrimination against women, to ensure that public authorities and institutions similarly refrain from doing so, and to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.^[212]

It permits differences of treatment based on sex only where they are based on reasonable and objective criteria, pursue a legitimate goal, and are proportionate to the aims sought to be realized. Indonesias mandatory jilbab regulations which mandate that women and girls wear the jilbab, prohibits them from wearing the clothing of their choice, and requires them to cover all of their bodies except their hands, feet, and face fail this test.

Under international human rights law, both direct and indirect discrimination on protected grounds is strictly prohibited. A law nominally neutral on its face may still result in indirect discrimination if it has a disproportionate impact on a group.^[213] Compulsory dress codes constitute a form of gender-based discrimination prohibited under human rights conventions, including the ICCPR and CEDAW.

Article 17 of the ICCPR states that no one shall be subjected to arbitrarily or unlawful interference with his [or her] privacy and that everyone has the right to the protection of the law against such interference.^[214] This right has been interpreted to include that particular area of individual existence and autonomy that does not touch upon the sphere of liberty and privacy of others.^[215]

The right to autonomy is a core principle of womens rights.^[216] This principle encompasses the right to make decisions freely in accordance with ones values, beliefs, personal circumstances, and needs. Exercise of this right presupposes freedom from coercion as well as freedom from illegitimate restrictions. As with the right to religion, a state can only restrict this right if such a restriction is carried out for a legitimate aim, is nondiscriminatory, and the extent and impact of the restriction is strictly proportionate to meeting the aim. It is for the authority to justify its restriction.^[217]

Article 3(1) of the CRC requires that in all actions concerning children, the best interests of the child shall be a primary consideration. States have a positive obligation to protect all children within their jurisdiction against abuse, neglect, and exploitation and to ensure that children enjoy an adequate standard of living for their physical, mental, spiritual, moral, or social development.^[218] States may not discriminate in the provision of the conventions rights and protections and must take all appropriate measures to ensure that children are protected from discrimination based, among other things, on the basis of the status, activities, expressed opinions, or beliefs of the childs parents, legal guardians, or family members.^[219]

In 2010, the UN special rapporteur on freedom of religion and belief, Heiner Bielefeldt, in a thematic report focusing on freedom of religion or belief and school education, stated that:

The ICESCR, CRC, and CEDAW guarantee the right to education.^[221] The CRC and Committee on Economic, Social and Cultural Rights have made clear that education at every level, including technical and vocational education, must be available to all on a non-discriminatory basis.^[222]

The Committee on the Rights of the Child when considering Indonesias compliance with the CRC in 2014, specifically expressed concern about social pressure on non-Muslim students to wear Islamic dress at school and urged the Indonesian government to combat every kind of social pressure on children to adhere to the rules of a religion with which he or she is not affiliated.^[223]

The special rapporteur on the freedom of religion or belief specifically considered the issue of freedom of religion and school education, noting that the topic requires very careful handling in that school life can put persons in situations of unilateral dependency or particular vulnerability and [s]tudents may feel exposed to pressure exercised by fellow students, teachers or the school administration.^[224] Regarding the wearing of religious symbols and garments, the special rapporteur stated:

Additionally, the special rapporteur stated that any such restriction must not favor one religious group over another, but also must account for womens rights, in particular the principle of equality between men and women and the individuals freedom to wear or not to wear religious symbols.^[226] Enforcement of Islamic dress in educational institutions in the absence of restrictions on other religious clothing discriminates against female students and may interfere with their right to education.

Under article 27 of the ICCPR, in states where religious and other minorities exist, members of minorities shall not be denied the right, in community with the other members of their group, to profess and practice their own religion. The UN General Assembly Minorities Declaration adds to this by stating in article 1 that states shall protect the existence and religious identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.^[227]

Compulsory dress codes, if they include wearing religious articles, disproportionately affect religious minorities, stigmatize members of those minorities, and have a negative impact on childrens enjoyment of the right to education, often with a disproportionate impact on girls. Schools may have policies on uniforms, but these should not impose specific religious symbols on those who choose not to adopt them.^[228]

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[1] These regulations are often also aimed at religious minorities, women, and girls, as well as lesbian, gay, bisexual, and transgender (LGBT) individuals. See Andreas Harsono, Indonesian Womens Rights Under Siege, Al Jazeera, November 25, 2014, <https://www.hrw.org/news/2014/11/25/indonesian-womens-rights-under-siege> (accessed on September 17, 2020); Elaine Pearson, Five urgent issues for Indonesias president, The Interpreter, February 10, 2020, <https://www.lowyinstitute.org/the-interpreter/five-urgent-issues-indonesia-s-president> (accessed on September 17, 2020).

[2] Human Rights Watch interview with Analisa (pseudonym) whose daughter was in SMPN 8, Yogyakarta, June 12, 2019.

[3] Human Rights Watch interview with a female Muslim academic [name withheld], [location withheld], September 10, 2020.

[4] In January 2013, authorities in Aceh introduced a regulation to ban female passengers from straddling motorbikes. Indonesian province moves to ban women from straddling motorbikes, *Associated Press*, January 7, 2013, <https://www.theguardian.com/world/2013/jan/07/indonesia-aceh-ban-women-motorbikes> (accessed on January 30, 2020).

[5] Eleonora Padmasta Ekaristi Wijana, Semua Korban Meninggal Susur Sungai Sempor Pakai Rok Panjang (All Victims in the Sempor River Trekking Wore Long Skirts), *Suara*, February 22, 2020, <https://jogja.suara.com/read/2020/02/22/195728/semua-korban-meninggal-susur-sungai-sempor-pakai-rok-panjang> (accessed on May 29, 2020).

[6] Human Rights Watch interview with a woman [name withheld], Cipanas, Cianjur, July 26, 2018.

[7] Human Rights Watch interview with Dahlia Madani of Komnas Perempuan, Jakarta, January 18, 2018.

[8] Pancasila, or Five Principles, was a political compromise made on August 18, 1945 by Indonesias founding fathers prior to announcing the constitution later that day. The principles are belief in the One and Only God; a just and civilized humanity; the unity of Indonesia; democracy; and social justice. See Andreas Harsono, *Race, Islam and Power: Ethnic and Religious Violence in Post-Suharto Indonesia* (Melbourne: Monash University Publishing, 2019) pp. 108-116.

[9] Edward Aspinall. *Islam and Nation: Separatist Rebellion in Aceh, Indonesia* (California: Stanford University Press, 2009).

[10] Komnas Perempuan Finds 421 Discriminatory Policies, *Tempo*, August 19, 2016, <https://en.tempo.co/read/news/2016/08/19/055797156/Komnas-Perempuan-Finds-421-Discriminatory-Policies> (accessed on April 21, 2020). Komnas Perempuan stopped counting after this date.

[11] See Analysis by Dr. Michael Buehler: There Will Be More Sharia Ordinances, Human Rights Are Not Prioritized, and the Fate of LGBT Individuals Will Not Be Good (*Analisa Dr. Michael Buehler: Perda Syariah Akan Makin Banyak, HAM Tak Diprioritaskan dan Nasib LGBT Tidak Terlalu Baik*), *Deutsche Welle*, April 22, 2019, <https://www.dw.com/id/analisa-dr-michael-buehler-perda-syariah-akan-makin-banyak-ham-tak-diprioritaskan-dan-nasib-lgbt-tidak-terlalu-baik/a-48412031> (accessed on May 29, 2020).

[12] Peraturan Menteri Pendidikan dan Kebudayaan tentang Pakaian Seragam Sekolah Bagi Peserta Didik Jenjang Pendidikan Dasar dan Menengah (Minister of Education and Culture Regulation on School Uniform for Primary and High Education), no. 45/2014, http://simpuh.kemenag.go.id/regulasi/permendikbud_45_14.pdf (accessed on August 7, 2019).

[13] In 2017, Pramuka chairman Adhyaksa Dault, himself a former Youth and Sport Minister, suggested that the 2010 Pramuka Law is to be amended, saying that the Pramuka Movement would be better placed under the supervision of the Minister of Education and Culture. See: Mendikbud Tak Sepakat jika Pramuka Diwacanakan di Bawah Kemendikbud, (Minister of Education Disagrees if Pramuka is to be under the Ministry of Education and Culture), *Kompas*, August 21, 2017: <https://nasional.kompas.com/read/2017/08/21/19382641/mendikbud-tak-sepakat-jika-pramuka-diwacanakan-di-bawah-kemendikbud> (accessed on April 21, 2020).

[14] On Sumbawa Island, for instance, Deputy Regent Mahmud Abdullah is also the head of the local Pramuka Movement. On November 5, 2019, he gave a speech at a Pramuka meeting praising local education and religious affairs offices for issuing a joint decree making it mandatory for all students and teachers to wear the Pramuka uniform every Saturday. See: Guru dan Siswa Wajib Pakai Seragam Pramuka (Teachers and Students Must Wear Pramuka Uniform), *Pulau Sumbawa News*, November 5, 2019, <http://pulausumbawanews.net/index.php/2019/11/05/guru-dan-siswa-wajib-pakai-seragam-pramuka/> (accessed on April 21, 2020).

[15] Kwartir Nasional Gerakan Pramuka, Petunjuk Penyelenggaraan Pakaian Seragam Anggota Gerakan Pramuka (Instruction for Organizing Uniforms for the Pramuka Movement Members), December 21, 2012:

<http://buk.um.ac.id/wp-content/uploads/2016/07/document.pdf> (accessed on April 21, 2020).

[16] Ministry of Education and Culture, Pramuka education as a mandatory extra-curricular activity in primary and high schools, July 2, 2014, <http://pramukamembangunkarakter.blogspot.com/2016/07/httpsdrive.html> (accessed on April 21, 2020).

- [17] Human Rights Watch interview with Minister of Education and Culture Mohammad Nuh, Jakarta, November 13, 2019.
- [18] Indonesia has nearly 300,000 state schools, from kindergartens to high schools. See 2016, Jumlah Sekolah Hampir Mencapai 300 ribu unit, *Katadata*, November 15, 2016, <https://databoks.katadata.co.id/datapublish/2016/11/15/2016-jumlah-sekolah-hampir-mencapai-300-ribu-unit> (accessed on August 7, 2019).
- [19] Of Indonesias 34 provinces, only five do not have Muslim majorities. They include four predominantly Christian provinces: West Papua (population 755,000); Papua (2.8 million); North Sulawesi (2.3 million); and East Nusa Tenggara (4.8 million). Bali has a Hindu majority (84 percent of 3.9 million). Five other provinces have a small Muslim majority, including Moluccas Island and four provinces on Kalimantan Island. As of 2010, these 24 provinces contained approximately 214 million of the countrys 238 million people, or approximately 90 percent of Indonesias total population. It is unclear how many provinces also require the jilbab in kindergarten, which is not mentioned in the 2014 decree. In August 2018, several Indonesian media outlets published news reports about a kindergarten parade in Probolinggo, East Java, in which the children were wearing Islamic State-like black niqab uniforms and carrying AK-47 toy guns. See Pawai murid TK bercadar dan bawa replika senjata, 'isyarat ancaman radikalisme mulai mengakar' (Kindergarten pupil with niqab and bringing AK-47 toy guns, indicating the threat of radicalism), *BBC News Indonesia*, August 21, 2018, <https://www.bbc.com/indonesia/indonesia-45248639> (accessed February 25, 2021). Human Rights Watch interviewed a mother of a kindergarten daughter, who was asked to wear a jilbab, in Banyuwangi (July 30, 2018) and a 19-year-old woman in Padang who had to wear a jilbab since she was in kindergarten (August 13, 2019).
- [20] Camely Arta, Komnas Perempuan: Government Must End Discriminative Policies, Identity Politics, *Magdalene*, July 13, 2017, <https://magdalene.co/news-1291-komnas-perempuan-government-must-end-discriminative-policies-identity-politics.html> (accessed on May 29, 2020). Komnas Perempuan also identified discriminatory regulations against Muslim minorities like Ahmadiyah and Shia.
- [21] Margareth Artonang, Human rights must conform to local values, *Jakarta Post*, September 25, 2012, <https://www.thejakartapost.com/news/2012/09/25/human-rights-must-conform-local-values.html> (accessed on September 17, 2020).
- [22] Michael Buehler, *The Politics of Sharia Law: Islamic Activists and the State in Democratizing Indonesia* (Cambridge University Press, March 2018).
- [23] Ayomi Amindoni, Government annuls 3,143 bylaws, *Jakarta Post*, June 13, 2016, <https://www.thejakartapost.com/news/2016/06/13/government-annuls-3143-bylaws.html> (accessed on September 17, 2020).
- [24] See Appendix 1 on the Mandatory Hijab Regulations in Indonesia.
- [25] Alvara Research Center, *Indonesia Muslim Report 2019: The Challenges of Indonesia Moderate Moslems* (Jakarta: December 2019). The study also found that fewer than 2 percent of Muslim women in Jakarta wear the full-face veil but their number was growing along with niqab-wearing communities across Indonesia. No figure is available for the number of Muslim women who wore the hijab before the post-Suharto era. One researcher estimates that kerudung was used only in Islamic madrasah or around 10 to 15 percent of students. Human Rights Watch interview with Hasanuddin Ali of the Alvara Research Center in Jakarta, November 7, 2019.
- [26] In Indonesia, there are no official statistics on how many women wear a hijab. Most estimates suggest that more than 50 percent of the female Muslim population wear a hijab. Samantha Hawley, Why do Indonesian women wear the hijab when they don't have to? *ABC Australia*, September 17, 2017, <https://www.abc.net.au/news/2017-09-17/indonesian-women-and-why-they-wear-the-hijab/8856288> (accessed on May 25, 2020).
- [27] Dewi Candraningrum, *Negotiating Women's Veiling: Politics & Sexuality in Contemporary Indonesia*, Research Institute on Contemporary Southeast Asia, Bangkok, June 2013. Candraningrum is an academic-cum-painter who lives in Boyolali, Central Java. She told Human Rights Watch that she faces hostility because of her writing: My colleagues used to threaten me, or would write to intimidate me, or try to get me fired, or otherwise get rid of me, because I'm a threat, a liberal, a feminist, or whatever it is. Human Rights Watch interview with Dewi Candraningrum, Boyolali, June 12, 2019.
- [28] Amanda Siddharta, Why niqab is being worn by more Muslim women in Indonesia, and a secular nations sometimes hostile response to full-face veil, *South China Morning Post*, February 19, 2018, <http://www.scmp.com/lifestyle/fashion-luxury/article/2133570/why-niqab-being-worn-more-muslim-women-indonesia-and> (accessed on May 30, 2020).
- [29] Wanita Indonesia Bercadar (Indonesian Women with Veil) in Facebook promote the wearing of the niqab as a requirement of Islam, <https://www.facebook.com/wibjakarta/> (accessed on May 29, 2020).
- [30] Human Rights Watch interview with Komnas Perempuan commissioner Khariroh Ali, Jakarta, January 18, 2018.
- [31] Only a nationwide protest prevented the bill from going to President Joko Widodo for signature in 2019, but it remains with parliament and is still listed as a priority bill on its docket. Indonesia: Draft Criminal Code Disastrous for Rights, Human Rights Watch news release, September 18, 2019, <https://www.hrw.org/news/2019/09/18/indonesia-draft-criminal-code-disastrous-rights>.
- [32] Rut Sri Wahyuningsih, Islamophobia di Balik Helaian Kerudung (Islamophobia Behind the Kerudung), *Harian Aceh*, January 28, 2021, <https://www.harianaceh.co.id/2021/01/28/seruan-islamophobia-di-balik-helaian-kerudung/> (accessed on February 1, 2021).
- [33] Dewi Candraningrum, *Negotiating Women's Veiling: Politics & Sexuality in Contemporary Indonesia*, (Bangkok: Research Institute on Contemporary Southeast Asia, 2013. Candraningrum is an academic-cum-painter who lives in Boyolali, Central Java. Human Rights Watch interview with Dewi Candraningrum, Boyolali, June 12, 2019.
- [34] Margareth Artonang, Tjahjo to protect minorities, *The Jakarta Post*, November 6, 2014, <http://www.thejakartapost.com/news/2014/11/06/tjahjo-protect-minorities.html> (accessed on April 21, 2020).

- [35] Women call for end to discrimination in bylaws, *The Jakarta Post*, August 19, 2015, <http://www.thejakartapost.com/news/2015/08/19/women-call-end-discrimination-bylaws.html> (accessed on April 21, 2020).
- [36] Government annuls 3,143 bylaws, *The Jakarta Post*, June 13, 2016, <http://www.thejakartapost.com/news/2016/06/13/government-annuls-3143-bylaws.html> (accessed on April 21, 2020).
- [37] Tempting niqab ban, *The Jakarta Post*, November 8, 2019, <https://www.thejakartapost.com/academia/2019/11/08/tempting-niqab-ban.html> (accessed on May 23, 2020).
- [38] The joint decree was signed by 18 ministers and heads of state agencies. They included minister of bureaucratic reform and civil service Tjahjo Kumolo; minister of home affairs Tito Karnavian; minister of law and human rights, Yasonna Laoly; and minister of communications Johnny G. Plate. Others included the head of the State Intelligence Agency Budi Gunawan; head of the State Counter Terrorism Agency Suhardi Alius; head of the Civil Service Registry Bima Haria Wibisana; coordinator of the Agency to Implement Pancasila Hariyono; and head of the Civil Servants Commission Agus Pramusinto. See: SKB Penanganan Radikalisme ASN Dikritik, Simak Lagi Isinya, *Detik*, November 27, 2019: <https://news.detik.com/berita/d-4799859/skb-penanganan-radikalisme-asn-dikritik-simak-lagi-isinya/> (accessed on May 23, 2020).
- [39] Tito Dirhantoro, Pesan Tito Karnavian ke gubernur: Bikin perda harus berasas Pancasila (Tito Karnavians Message to Governors: Local Ordinances Should be Based on Pancasila), *Aliena*, November 26, 2019, <https://www.alinea.id/nasional/tito-karnavian-imbau-bikin-perda-harus-berasaskan-pancasila-b1Xqe9pvQ> (accessed on September 17, 2020).
- [40] Adi Briantika, Rombak Peraturan Diskriminatif Wajib Jilbab di Sekolah Sumbar (Reform the Discriminatory Hijab Regulations in West Sumatra), *Tirto*, January 26, 2021, <https://tirto.id/rombak-peraturan-diskriminatif-wajib-jilbab-di-sekolah-sumbar-f9CC> (accessed on January 27, 2021).
- [41] Yola Sastra, Siswa Non-Muslim di SMK Negeri 2 Padang Mulai Lepaskan Jilbab (Non-Muslim Students at SMKN2 Padang Begin to Take Off Jilbab), *Kompas*, January 26, 2021, <https://bebas.kompas.id/baca/nusantara/2021/01/26/siswa-nonmuslim-di-smk-2-padang-mulai-lepaskan-jilbab/> (accessed on January 28, 2021).
- [42] Keputusan Bersama Menteri Pendidikan Dan Kebudayaan Republik Indonesia Menteri Dalam Negeri Republik Indonesia Menteri Agama Republik Indonesia Tentang Penggunaan Pakaian Seragam Dan Atribut Bagi Peserta Didik, Pendidik, Dan Tenaga Kependidikan Di Lingkungan Sekolah Yang Diselenggarakan Pemerintah Daerah Pada Jenjang Pendidikan Dasar Dan Menengah (Joint Decree Minister of Education and Culture, Minister of Home Affairs, and Minister of Religious Affairs on the Uniform Clothes and Attributes for Students, Educators, and Education Staff in State Schools under the Management of Local Government on Primary and Secondary Education), February 3, 2021, <https://setkab.go.id/wp-content/uploads/2021/02/SALINAN-SKB-Mendikbud-Mendagri-Menag-CAP.pdf> (accessed February 25, 2021).
- [43] Haryanti Puspa Sari, MUI Minta SKB 3 Menteri tentang Seragam Sekolah Direvisi, Ini Alasannya (MUI Asks the 3 Ministers Regulation on School Uniform to be Revised), *Kompas*, February 13, 2021, <https://nasional.kompas.com/read/2021/02/13/11003951/mui-minta-skb-3-menteri-tentang-seragam-sekolah-direvisi-ini-alasannya?page=all> (accessed on March 9, 2021).
- [44] Astaghfirullah, Ini Perda Bernafaskan Islam yang Dihapus Presiden Jokowi (Oh My God, These Are the Islamic Ordinances that President Jokowi Revoked), *Nahi Munkar*, June 18, 2016, <https://www.nahimunkar.org/astaghfirullah-perda-bernafaskan-islam-dihapus-presiden-jokowi/> (accessed on April 21, 2020). The article listed some mandatory ordinances in Tanah Datar (West Sumatra), Cianjur (West Java), and Dompu (West Nusa Tenggara).
- [45] Mendagri Tegaskan Tak Ada Perda Bernuansa Islam yang Dibatalkan (Minister of Home Affairs Reiterated that No Islamic Ordinances Were Revoked), *Kompas*, June 16, 2016, <https://nasional.kompas.com/read/2016/06/16/14264701/mendagri.tegaskan.tak.ada.perda.bernuansa.islam.yang.dibatalkan> (accessed on April 21, 2020).
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- [47] Carlos Ky Paath, Constitutional Court Takes Away Home Affairs Ministry's Power to Revoke Local Regulations, *Jakarta Globe*, April 6, 2017, <https://jakartaglobe.id/news/constitutional-court-takes-away-home-affairs-ministrys-power-revoke-local-regulations/> (accessed on February 2, 2021). See also: Constitutional Court rule No. 137/PUU-XIII/2015, Pengujian Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah Terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (Legal Review of the 2014 Regional Governance Law based on the 1945 Constitution), June 15, 2017, https://www.mkri.id/public/content/persidangan/putusan/137_PUU-XIII_2015.pdf (accessed on February 2, 2021).
- [48] Human Rights Watch interview with Komnas Perempuan commissioner Riri Khariroh Ali, Jakarta, January 18, 2018. Also see: Maruarar Siahaan, Uji Konstitusionalitas Peraturan Perundang-Undangan Negara Kita: Masalah dan Tantangan (Constitutional Review of Our Laws and Regulations: Problems and Challenges), *Jurnal Konstitusi*, Volume 7 No. 4 2010, <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/236/232> (accessed on February 2, 2021). Siahaan is a retired Constitutional Court judge. *Jurnal Konstitusi* is the Constitutional Court-owned legal journal.
- [49] Tim Lindsey, Filling the Hole in Indonesias Constitutional System: Constitutional Courts and the Review of Regulations in a Split Jurisdiction, *Jurnal Konstitusi*, Volume 4 No.1 2018, <https://consrev.mkri.id/index.php/const-rev/article/view/412/362> (accessed on January 25, 2021).
- [50] Human Rights Watch interview with Devi Asmarani, Denpasar, March 19, 2019.

[51] Copy on file with Human Rights Watch.

[52] Susan Blackburn, an Australian scholar at Monash University, Melbourne, collected all the speeches, wrote a detailed introduction, and published them in a 270-page book in 2007. See Susan Blackburn, *Kongres Perempuan Pertama: Tinjauan Ulang* (The First Women Congress: Revisited), Yayasan Obor Indonesia and KITLV, Jakarta 2007.

[53] Gadis Arivia and Nur Iman Subono, *A Hundred Years of Feminism in Indonesia: An Analysis of Actors, Debates and Strategies*, Friedrich Ebert Stiftung, September 2017, <http://library.fes.de/pdf-files/bueros/indonesien/13830.pdf> (accessed on January 22, 2021).

[54] The National Commission on Violence Against Women published a book on the struggle of women's rights in 2014 that included a chapter on the Dutch East Indies period. See *Rekam Jejak Komnas Perempuan: 16 Tahun Menghapus Kekerasan terhadap Perempuan*, Jakarta, 2014.

[55] Susan Blackburn, How Do Women Influence Political Islam in Indonesia? *Qantara*, September 15, 2009, <https://en.qantara.de/content/susan-blackburn-how-do-women-influence-political-islam-in-indonesia> (accessed on July 23, 2020).

[56] The idea of implementing Sharia, especially the Islamic criminal code, is not new in Indonesia. See, for example, Theodore G. Th. Pigeaud and H.J. de Graaf, *Islamic States in Java 1500-1700* (The Hague: Martinus Nijhoff) (noting that Islamic states on Java, especially in the 16th century, had implemented Islamic Sharia).

[57] In January 1965, President Sukarno decreed the blasphemy law to appease the Islamists. See Human Rights Watch, *In Religions Name: Abuses against Religious Minorities in Indonesia*, New York, February 2013, <https://www.hrw.org/report/2013/02/28/religions-name/abuses-against-religious-minorities-indonesia>.

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[59] Human Rights Watch interview with Alissa Wahid, Yogyakarta, June 13, 2019.

[60] Oei Tjoe Tat, a Sukarno cabinet minister who led a fact-finding mission in 1966, estimated 780,000 people were killed in 1965-1966. But Gen. Sarwo Edhie Wibowo, who led the military operation against the communists, told a parliamentarian delegate in 1989 on his deathbed that around three million people were killed. See Oei Tjoe Tat et al., *Memoar Oei Tjoe Tat: Pembantu Presiden Soekarno* (Memoar Oei Tjoe Tat: Assistant to Presiden Soekarno), (Jakarta: Hasta Mitra, 1995); Tempo, *Sarwo Edhie dan Misteri 1965* (Sarwo Edhie and the 1965 Mystery), Jakarta: Kepustakaan Populer Gramedia, 2012.

[61] Rmy Madinier, *Islam and Politics in Indonesia: The Masyumi Party between Democracy and Integralism* (Singapore: NUS Press, 2015).

[62] Darmaningtyas, *Pendidikan Yang Memiskinkan* (Education That Marginalizes) (Yogyakarta: Galang Press, 2004). Human Rights Watch also interviewed Doni Koesoema, an education consultant in Jakarta, June 12, 2014.

[63] Human Rights Watch interview with Siyohelpiyanti, Solok, West Sumatra, May 16, 2014. It was quite common to ban Muslim students from wearing hijabs in the 1980s in Jakarta. See Alwi Alatas, Fifrida Deslianti, *Revolusi jilbab: Kasus pelarangan jilbab di SMA Negeri Se-Jabotabek, 1982-1991* (Jakarta: Ishom, 2002).

[64] Dhanisa Sarahtika, The Politics of Hijab in Indonesia, *Jakarta Globe*, May 8, 2018, <https://jakartaglobe.id/culture/politics-hijab-indonesia/> (accessed on January 22, 2021).

[65] Saba Mahmood of the University of California, Berkeley, described the role of the Iranian Revolution in spreading the use of niqab in her book, *Politics of Piety: The Islamic Revival and the Feminist Subject* (New Jersey: Princeton University Press, 2011). Terence Ward describes the two-week seizure of the Grand Mosque of Mecca as a political tectonic shift that prompted the Saudi ruling family to launch a global campaign on Wahhabism in his book *The Wahhabi Code: How the Saudis Spread Extremism Globally* (New York: Arcade Publishing, 2018).

[66] The Qurans surah 24, verse 31 says: And tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and *to draw their veils over their bosoms*, and not to reveal their adornment save to their own husbands or fathers or husbands' fathers, or their sons or their husbands' sons, or their brothers or their brothers' sons or sisters' sons, or their women, or their slaves, or male attendants who lack vigor, or children who know naught of women's nakedness. The Qurans surah 33, verse 53 says: Believers do not enter the houses of the Prophet for a meal without permission. If you are invited, you may enter, but be punctual. When you want to ask something from the wives of the Prophet, ask them from *behind the curtain*. This would be more proper for you and for them. You are not supposed to trouble the Prophet or to ever marry his wives after his death, for this would be a grave offense in the sight of God. Emphasis added.

[67] Historians have chronicled cases in Java where Muslim students chose to quit going to state schools due to the ban. See Jilbab Terlarang di Era Orde Baru (Jilbab was Banned in the New Order Era), *Historia*, February 28, 2018, <https://historia.id/kultur/articles/jilbab-terlarang-di-era-orde-baru-6k4Xn> (accessed February 25, 2021).

[68] Adam Schwarz, *A Nation in Waiting: Indonesia's Search for Stability* (Boulder, Colorado: Westview Press, 1999).

[69] Muhammad Cheng Ho, 30 Tahun Perjuangan Melawan Larangan Jilbab (30 Years Fighting Against the Jilbab Ban), *Hidayatullah*, November 22, 2015, <https://www.hidayatullah.com/kajian/sejarah/read/2015/11/22/83688/30-tahun-perjuangan-jilbab-2.html> (accessed on July 23, 2020).

[70] Andreas Harsono, *Race, Islam and Power: Ethnic and Religious Violence in Post-Suharto Indonesia* (Melbourne: Monash

University Publishing, 2019).

[71] The Sharia was implemented in Indonesia with the establishment of the Islamic courts in 1830 under the Netherlands Indies colonial rule, accommodating many sultanates legal systems on Java and Sumatra. In January 1946, Indonesia also established the Ministry of Religious Affairs to ensure that Muslims were able to receive Islamic services from the government, such as haj management and Islamic schools. See: Direktorat Jenderal Badan Peradilan Agama Mahkamah Agung, *Sejarah Peradilan Agama (History of Religious Court)*, March 11, 2014, <https://badilag.mahkamahagung.go.id/sejarah/profil-ditjen-badilag-1/sejarah-ditjen-badilag> (accessed on January 20, 2021)

[72] Human Rights Watch, *Policing Morality: Abuses in the Application of Sharia in Aceh, Indonesia* (New York: Human Rights 2010), <https://www.hrw.org/report/2010/11/30/policing-morality/abuses-application-sharia-aceh-indonesia>.

[73] Indonesia: Acehs New Islamic Laws Violate Rights, Human Rights Watch news release, October 2, 2014, <https://www.hrw.org/news/2014/10/02/indonesia-acehs-new-islamic-laws-violate-rights>.

[74] See Appendix 1, Mandatory Hijab Regulations in Indonesia.

[75] Ibid.

[76] The Ministry of Law and Human Rights called the Islamic regulations in these 92 regencies problematic local ordinances. See Ministry of Law and Human Rights, *Peraturan Daerah Yang Di Permasalahan (Problematic Local Ordinances)*. The posting is not dated but includes the six regencies and the years when the ordinances were issued: <http://ditjenpp.kemenkumham.go.id/perkembangan-harmonisasi-rpp-tahun-2011/50-kajian-dan-inventarisasi-perda/157-peraturan-daerah-yang-bernuansa-syariat-islam.html> (accessed on July 23, 2020). Antara news service also published a story about Bulukumba in South Sulawesi: *Perda Syariah Bulukumba Juga Didukung non-Muslims (Bulukumbas Sharia Ordinance Gets Supports from Non-Muslims)*, *Antara*, July 25, 2006, <https://www.antaranews.com/berita/38591/perda-syariah-bulukumba-juga-didukung-non-muslim> (accessed on July 23, 2020).

[77] Pradana Boy, *Fikih Jalan Tengah: Dialektika hukum Islam dan Masalah-masalah masyarakat modern (Middle Road Theology: The Dialectics of Islamic Law and the Problems of Modern Society)* (Jakarta : Hamdalah, 2008). Aceh has also been a negative model on LGBT rights. In September 2014, the Aceh provincial parliament approved an Islamic criminal code that creates new discriminatory offenses that do not exist in the Indonesian national criminal code. It extends Sharia to non-Muslims and criminalizes consensual same-sex sexual acts as well as all zina (sexual relations outside of marriage). It also prohibits liwath (sodomy) and musahaqah (lesbian relations). This anti-LGBT action soon spread to other parts of Indonesia, including Java, Sumatra, and Sulawesi.

[78] *Pelaksanaan Syariat Islam Bidang Aqidah, Ibadah dan Syiar Islam (Implementation of the Islamic Sharia on Belief, Ritual and Promotion of Islam)*, Aceh Qanun no. 11/2002, http://www.jdih.setjen.kemendagri.go.id/files/P_ACEH_11_2002.pdf (accessed May 28, 2020), art. 13(1). Art. 13(2) says that Aceh government officials should enforce the Islamic clothing on their female employees and schoolgirls in their respective areas.

[79] Human Rights Watch, *Policing Morality: Abuses in the Application of Sharia in Aceh, Indonesia* (New York: Human Rights Watch, 2010) <https://www.hrw.org/report/2010/11/30/policing-morality/abuses-application-sharia-aceh-indonesia>.

[80] See Appendix 1 on the Mandatory Hijab Regulations in Indonesia.

[81] Article 11 states that, Any violation of the provisions of this Regional Regulation is subject to the following sanctions:

- a) For civil servants, lecturers, teachers, and others are subject to sanctions according to the official Employee Discipline provisions.
- b) For students and university students are subject to sanctions in the following level: 1. Reprimanded orally; 2. Reprimanded in writing; 3. Notifying parents; 4. Not allowed to take classes at school; 5. Expelled or moved from school.
- c) For committees that organize official event are subject to sanctions in the form of verbal reprimand if the committee members do not mention in the invitation. See: Solok Regent Gamawan Fauzi, *Peraturan Daerah Kabupaten Solok No. 6 Tahun 2002 tentang Berpakaian Muslim Dan Muslimah di Kabupaten Solok (Local Ordinance of Solok Regency No. 6/2002 on the Dresscode of the Muslims)*, March 11, 2002, <http://ditjenpp.kemenkumham.go.id/files/ld/2002/solok6-2002.pdf> (accessed on April 21, 2020).

[82] *Islamic Clothing for All School and University Students in Sukabumi (Pemakaian Busana Muslim bagi Siswa dan Mahasiswa di Kabupaten Sukabumi)*, Sukabumi Regent Instruction No. 4/2004 on June 22, 2004. A copy is available upon request.

[83] Imam Shofwan, *Syariat Islam: Mimpi Buruk Kaum Minoritas (Islamic Sharia: Nightmares for the Minorities)*, *Pantau*, September 12, 2014, <https://pantau.or.id/liputan/2014/09/syariat-islam-mimpi-buruk-kaum-minoritas/> (accessed May 22, 2019).

[84] In many cases in which the security forces and prosecutors did intervene, the result was charges against victims for blasphemy or creating unrest. Human Rights Watch, *In Religions Name: Abuses against Religious Minorities in Indonesia* (New York: Human Rights Watch, 2013), <https://www.hrw.org/report/2013/02/28/religions-name/abuses-against-religious-minorities-indonesia>; Andreas Harsono, *Undoing Yudhoyonos Sectarian Legacy, New Mandala*, May 13, 2014, <http://www.newmandala.org/undoing-yudhoyonos-sectarian-legacy/> (accessed May 25, 2019).

[85] *Pelaksanaan Wirid Remaja Didikan Subuh Dan Anti Togel/Narkoba serta Berpakaian Muslim/Muslimah Bagi Murid/Siswa Sd/Mi, Sltip/Mts Dan Sltu/Smk/Ma di Padang*, Padang Mayor Instruction no. 451.442/2005. A copy is available upon request.

[86] Elsam, Report: Monitoring on the Ordinance no. 6/2003 on the Requirement to Read the Quran in Primary Schools and the Padang Mayor Instruction no. 451.442/2005 on Implementing the Requirement that Teenagers Recite the Quran in the Morning, Anti-Lottery/Drugs, and Islamic Attire for Muslim/Muslimah Students at Primary Schools, Junior High Schools, and Senior High Schools in

Padang (*Laporan Hasil Pemantauan terhadap Perda No. 6/2003 Tentang Wajib Pandai Baca Al-Quran Bagi Peserta Didik Sekolah Dasar Dan Madrasah Ibtidaiyah; dan Intruksi Walikota Padang No; 451.442/Binsos-Iii/2005 tentang Pelaksanaan Wirid Remaja Didikan Subuh dan Anti Togel/Narkoba Serta Berpakaian Muslim/Muslimah Bagi Murid/Siswa Sd/Mi, Sltip/Mts Dan Slta/Smk/Ma di Padang*), October 2008, http://lama.elsam.or.id/downloads/1273476285_draft_Laporan_monitoring_-_Padang_2008.pdf (accessed on May 29, 2020).

[87] Andy Yentriyani, Azriana, Ismail Hasani, Kamala Chandrakirana, Taty Krisnawaty, *Atas Nama Otonomi Daerah: Pelembagaan Diskriminasi Dalam Tata Negara-Bangsa Indonesia* (Jakarta: Komnas Perempuan, 2010), https://www.komnasperempuan.go.id/file/pdf_file/Modul%20dan%20Pedoman/PP2_Atas%20Nama%20Otonomi%20Daerah.pdf (accessed on May 25, 2020), p. 126. The report cited that letter entitled, A Call to Implement the Muslimah Dresscodes in All Ministries/Agencies/Offices/Institutions in West Sumatra Province (*Surat Himbauan Gubernur No. 260/ 421/X/ PPr-05 tentang Himbauan Bersikap dan Memakai Busana Muslimah kepada Kepala Dinas/Badan/Kantor/Biro/Instansi di Provinsi Sumatera Barat*).

[88] Dresscode During Office Hours in South Kalimantan Province (*Tertib Berpakaian Dalam Jam Kerja di Provinsi Kalimantan Selatan*), South Kalimantan Governor Letter no. 065/ 2005, <https://tatalaksanakalsel.files.wordpress.com/2013/09/pergub-kal-sel-tgg-pakaian-dinas-ke-gub.pdf> (accessed on May 29, 2020). South Kalimantan, a relatively conservative Muslim area, has 11 regencies and 2 cities. It was the site of the Darul Islam (Islamic State) rebellion in the 1950s.

[89] Muslim and Muslimah Dresscodes in Maros Regency (*Berpakaian Muslim dan Muslimah di Kabupaten Maros*), Ordinance no. 16/2005, <http://makassar.bpk.go.id/wp-content/uploads/2010/10/PERDA-NO.16-TAHUN-2005-TTG-PAKAIAN-MUSLIM-MUSLIMAH.pdf> (accessed on May 29, 2020). Art. 6 (1) says all civil servants should wear Islamic clothing. Art. 6 (2) says ordinary people (*masyarakat umum*) should wear Islamic clothing in their daily activities. Art. 11 mentions several sanctions including demotion and dismissal for civil servants. Ordinary people might lose their government-issued license or permit. It also says that non-Muslims should adopt to this Islamic clothing ordinance. South Sulawesi is also an area where a Darul Islam rebellion took place in the 1950s.

[90] Human Rights Watch opposes both forced veiling and disproportionate bans on the wearing of religious dress as discriminatory interference with basic rights and has repeatedly criticized governments for excessive regulation of dress. See Appendix 2: Human Rights Watch Work on Headscarf Bans and Requirements in Other Countries.

[91] Larangan Jilbab, SMAN2 Denpasar Berlindung dengan Aturan Sekolah (The Banning of Jilbab, SMAN2 Denpasar Uses the School Dresscode), *Republika*, January 6, 2014, https://www.republika.co.id/be_rita/nasional/hukum/14/01/06/myz8y6-larangan-jilbab-sman-2-denpasar-berlindung-dengan-aturan-sekolah (accessed on August 7, 2019).

[92] Human Rights Watch interview with Ida Bagus Sweta Manuaba, Denpasar, October 11, 2019.

[93] The regulation divides the uniform into three school-specific variations (primary school, junior high school, and senior high school) that allow for the addition of school-specific badges on certain days: Peraturan Menteri Pendidikan dan Kebudayaan tentang Pakaian Seragam Sekolah Bagi Peserta Didik Jenjang Pendidikan Dasar dan Menengah (Minister of Education and Culture Regulation on School Uniform for Primary and High Education), no. 45/2014, http://simpuh.kemenag.go.id/regulasi/permendikbud_45_14.pdf (accessed on August 7, 2019).

[94] Human Rights Watch interview with Mohammad Nuh, Jakarta, November 13, 2019.

[95] Indonesia has nearly 300,000 state schools, from kindergartens to high schools. See 2016, Jumlah Sekolah Hampir Mencapai 300 ribu unit, *Katadata*, November 15, 2016, <https://databoks.katadata.co.id/datapublish/2016/11/15/2016-jumlah-sekolah-hampir-mencapai-300-ribu-unit> (accessed on August 7, 2019).

[96] 2016, Jumlah Sekolah Hampir Mencapai 300 ribu Unit (2016, the Number of Schools Have Reached 300,000 Units), *Katadata*, November 15, 2016: <https://databoks.katadata.co.id/datapublish/2016/11/15/2016-jumlah-sekolah-hampir-mencapai-300-ribu-unit>. In Indonesia, state schools (*sekolah negeri*) are named after their locations and levels. A public junior high school in Solok, for instance, is named Solok Public Junior High School (*Sekolah Menengah Pertama Negeri Solok* or SMPN Solok). If an area has more than one state school, they are usually numbered, such as SMPN1 Solok and SMPN2 Solok. Five acronyms are common nationwide: TKN (*Taman Kanak-Kanak Negeri*) for public kindergartens; SDN (*Sekolah Dasar Negeri*) for public elementary schools; SMPN (*Sekolah Menengah Pertama Negeri*) for public junior high schools; SMAN (*Sekolah Menengah Atas Negeri*) for public senior high schools; and SMKN (*Sekolah Menengah Kejuruan Negeri*) for public technical high schools.

[97] See Hal Hill and Thee Kian Wie, Indonesian Universities: Rapid Growth, Major Challenges, in Daniel Suryadarma and Gavin W. Jones (eds), *Education in Indonesia* (Singapore: ISEASYusof Ishak Institute, 2013).

[98] See multiple interviews with Christian schoolgirls in chapter IV in this report.

[99] Human Rights Watch interview with Nadya Karima Melati, Jakarta, July 24, 2018.

[100] Didin Nurul Rosiden, Muslim Fundamentalism in Educational Institutions: A Case Study of Rohani Islam in Cirebon, in Jajat Burhanudin and Kees van Dijk (eds), *Islam in Indonesia: Contrasting Images and Interpretations* (Amsterdam: Amsterdam University Press, 2013).

[101] Quinton Temby, The elusive pragmatist who transformed political Islam in Indonesia, *Lowly Institute*, July 16, 2020, <https://www.lowlyinstitute.org/the-interpreter/elusive-pragmatist-who-transformed-political-islam-indonesia> (accessed on July 17, 2020)

[102] UIN Jakarta, Ancaman Radikalisme di Sekolah 2018 (The Threat of Radicalism in Schools 2018), UIN Jakarta PPIM Policy Brief, (Issue 4, 2018), <https://ppim.uinjkt.ac.id/publikasi/policy-brief/> (accessed May 21, 2020).

[103] Human Rights Watch interview with Nadya Karima Melati, Jakarta, July 24, 2018.

- [104] Nadya Karima Melati, Saya, Ibu, dan Selemba Jilbab (Me, My Mother and a Piece of Jilbab), *Jurnal Perempuan*, August 6, 2015, <https://www.jurnalperempuan.org/wacana-feminis/saya-ibu-dan-selemba-jilbab> (accessed on July 20, 2018).
- [105] Human Right Watch interview with a woman [name withheld], Solok, August 8, 2018.
- [106] Alasan SMP Negeri 11 Yogya Imbau Siswa Muslim Berjilbab (The Reason Why SMPN 11 Yogyakarta Call On Their Muslim Students to Wear a Jilbab), *Tempo*, July 17, 2017, <https://nasional.tempo.co/read/892080/alasan-smp-negeri-11-yogya-imbau-siswa-muslim-berjilbab> (accessed on August 7, 2018).
- [107] Human Rights Watch interview with Analisa (pseudonym), whose daughter was in SMPN 8 Yogyakarta, Yogyakarta, June 12, 2019.
- [108] Human Rights Watch interview with Analisa (pseudonym) and her daughter, Yogyakarta, June 12, 2019.
- [109] Ombudsman Minta Revisi Aturan Wajib Jilbab di SMP Yogyakarta, (Ombudsman Asks Revision of the Mandatory Jilbab Regulation in Yogyakarta School), *CNN Indonesia*, February 8, 2019, <https://www.cnnindonesia.com/nasional/20190208074321-20-367371/ombudsman-minta-revisi-aturan-wajib-jilbab-di-smp-yogyakarta> (accessed on April 21, 2019).
- [110] Human Right Watch interview with a mother [name withheld] who reported her daughters school to the National Ombudsman Office, Yogyakarta, March 20, 2019.
- [111] Teror Siswi Tak Pakai Jilbab di SMA Sragen, Begini Pengakuan Orang Tua Korban, (Intimidating a Student Not Wearing a Jilbab, Father Complained), *INews*, January 10, 2020, <https://jateng.inews.id/berita/teror-siswi-tak-pakai-jilbab-di-sma-sragen-begini-pengakuan-orang-tua-korban> (accessed on February 26, 2020).
- [112] Human Right Watch interview with a university student [name withheld], Padang, August 10, 2018.
- [113] Human Rights Watch interview with Mida Damayanti, Bandung, July 30, 2018.
- [114] Human Rights Watch interview with a university student [name withheld], Makassar, March 12, 2019.
- [115] Human Rights Watch interview with an Indonesian psychologist [name withheld], Bangkok, August 17, 2018.
- [116] Human Rights Watch interview with Ifa Hanifah Misbach, Jakarta, July 27, 2018.
- [117] Human Right Watch interview with a young woman [name withheld] who grew up in Solok and returned to her hometown after doing her college degree, Solok, August 8, 2018.
- [118] Banyuwangi, only a 15-minute boat ride from Bali, a predominantly Hindu island, was once Hindu itself. Banyuwangi was the capital of the Blambangan Kingdom, the last Hindu monarchy on Java. When the kingdoms power declined in the 17th century, the populace slowly converted to Islam. Balis ancient rulers used Banyuwangi as a buffer against the rest of Java, which by then was predominantly Muslim. Yet, even in Banyuwangi, the jilbab is now becoming mandatory in most schools.
- [119] Human Right Watch interview with a mother [name withheld] whose daughter went to a public kindergarten, Banyuwangi, July 30, 2018.
- [120] Human Rights Watch interview with a state school supervisor [name withheld], Solok, West Sumatra, May 16, 2014.
- [121] SMAN 3 Solok, Buku Panduan PLS: Pengenalan Lingkungan Sekolah Tahun Pelajaran 2018/2019 (School Guidebook: School Regulation and Timetables 2018/2019), June 2018. Eko Gunanto, the principal of SMAN3, signed the guidebook.
- [122] Human Right Watch interview with a 27-year-old Catholic woman [name withheld] who studied in state schools in Solok grade 1 through high school, August 8, 2018.
- [123] Human Right Watch interview with a university student [name withheld] who grew up in Solok, Padang, August 9, 2018.
- [124] Human Rights Watch interview with a high school student [name withheld], Tasikmalaya, May 1, 2014.
- [125] Human Right Watch interview with Fifis mother [name withheld], Solok, August 7, 2018. Fifi is a pseudonym.
- [126] Human Rights Watch written interview with a SMKN4 vocational high school student [name withheld], Bandar Lampung, July 29, 2018. She also handed over the 19-minute audio recording in which she addressed each of the three teachers with their names. Copy on file with Human Rights Watch.
- [127] Human Rights Watch written interview with a student [name withheld], Bandar Lampung, July 29, 2018. She sent a written statement and the audio recording on July 30, 2018. Copy on file with Human Rights Watch.
- [128] Human Rights Watch interview with the students aunt [name withheld], Surabaya, July 29, 2018.
- [129] Human Rights Watch interview with a SMAN 3 high school student [name withheld], Solok, August 9, 2019.
- [130] Human Rights Watch interview with an SMAN3 student [name withheld], Solok, August 9, 2019. She later brought her classmate [name withheld] who shared their school regulation.
- [131] The incident took place at the Islamic High School (Madrasah Aliyah Negeri) in Muaraenim. See Guru Gunting Jilbab Siswi,

Tribun News, January 11, 2011, <https://palembang.tribunnews.com/11/01/2011/guru-gunting-jilbab-siswi> (accessed on May 23, 2020).

[132] Human Rights Watch interview with a former high school student [name withheld], Padang, May 17, 2014.

[133] D.A. Candraningrum and Febrianti, *Jilbab, Wajib dan Menyesuaikan (Jilbab, Mandatory and Adapting)*, *Tempo*, April 21, 2008, <https://majalah.tempo.co/read/126974/kewajiban-berjilbab-jilbab-wajib-dan-menyesuaikan> (accessed on May 25, 2018).

[134] "Ada Diskriminasi Terhadap Siswi Non Muslim di Banyuwangi, Bupati Anas Marah" (Discrimination Against Non-Muslim Student in Banyuwangi, Regent Anas Upset), *Kompas*, July 16, 2017, <https://regional.kompas.com/read/2017/07/16/23005061/ada-diskriminasi-terhadap-siswi-non-muslim-di-banyuwangi-bupati-anas-marah> (accessed on May 25, 2018).

[135] Human Right Watch interview with Ika Ningtyas and Ira Rachmawati, two local journalists in Banyuwangi who had covered the case, Banyuwangi, July 30, 2018.

[136] Human Right Watch interview with a high school student [name withheld] in her new school in Banyuwangi, July 31, 2018.

[137] Ibid.

[138] Human Rights Watch interview with Daisy (pseudonym), who lives in Solok, Jakarta, July 22, 2018.

[139] Human Rights Watch interview with a 22-year-old woman [name withheld], Padang, August 12, 2019.

[140] Human Rights Watch interview with a schoolgirl [name withheld], Solok, August 9, 2019.

[141] Human Right Watch interview with a school supervisor [name withheld], Solok, August 7, 2018.

[142] Human Rights Watch interview with a private school teacher [name withheld], Banyuwangi, July 30, 2018.

[143] Human Right Watch interview with a 27-year-old Catholic woman [name withheld] who studied in state schools in Solok for 12 years, since grade 1 until high school, Solok, August 8, 2018.

[144] Human Rights Watch interview with a 22-year-old woman [name withheld], Padang, August 12, 2019.

[145] Ibid.

[146] Human Right Watch interview with a woman [name withheld] who used to study at SDN8 Bawah Bungo state school in Solok, Padang, August 9, 2018.

[147] Human Rights Watch interviewed three young Christian women [names withheld], Padang, August 12, 2019.

[148] Mangasa Situmorang, *Siswi Kristen Wajib Pakai Jilbab di Riau (Christian Schoolgirls Forces to Wear Jilbab in Riau)*, *Independensi*, August 25, 2018, <https://independensi.com/2018/08/25/siswi-kristen-wajib-pakai-jilbab-di-riau/> (accessed on May 25, 2019).

[149] 'Kewajiban' jilbab di Riau, antara kearifan lokal dan 'pelanggaran' kebhinekaan (The Mandatory Jilbab in Riau, Between Local Culture and Breaching Diversity), *BBC News Indonesia*, August 28, 2018, <https://www.bbc.com/indonesia/indonesia-45319155> (accessed on May 25, 2019).

[150] Gomar Gultom, the secretary general of the Communion of Churches in Indonesia, joined the church delegation in meeting Education Minister Muhajir Effendy on August 28, 2018 in the ministers office. Gultom asked a question about the mandatory jilbab rule and posted the ministers comment on his Facebook page: <https://www.facebook.com/photo.php?fbid=10216078030760169&set=pcb.10216078034320258&type=3&theater> (accessed on August 7, 2019).

[151] Human Rights Watch interview, September 18, 2020. The woman also explained how her life has been affected by religious discrimination. My other problem is my official papers. My birth certificate only mentions my mothers name. My fathers name was absent because their Sunda Wiwitan marriage was not recognized. They do not have a legal marriage certificate. In the Civil Registration Office, my religion was a blank space only. Indonesia does not recognize Sunda Wiwitan. Every time I need to go to the civil registration office, I have to deal with questions on my religion, lately, also the fact that I do not wear a jilbab. Once I applied for a job in a restaurant, they told me I have to wear a jilbab. I declined. It was only a private enterprise. I obviously cannot apply for a government job unless I want to legally change my religion. It is nothing new. My Sunda Wiwitan faith has been persecuted for more than five decades.

[152] Elianu Hia, Facebook, <https://www.facebook.com/elianu.hia/videos/3444961562268596> (accessed on January 29, 2021).

[153] Human Rights Watch interview with Amizuduhu Mendrofa, a lawyer who represented the Hia family, Padang, January 29, 2021.

[154] Muhammad Aidil, *Kuasa Hukum Siswi SMKN 2 Padang yang Diwajibkan Berjilbab Yakin Komnas HAM Segera ke Padang (Lawyer of the SMKN2 Padang Student Forced to Wear a Jilbab Said the Rights Commission Will Visit Padang)*, *Padang Kita*, <https://padangkita.com/kuasa-hukum-siswi-smkn-2-padang-yang-diwajibkan-berjilbab-yakin-komnas-ham-segera-ke-padang/> (accessed on January 29, 2021).

[155] Adi Briantika, *Rombak Peraturan Diskriminatif Wajib Jilbab di Sekolah Sumbar (Reform the Discriminatory Jilbab Regulations in West Sumatra)*, *Tirto*, January 26, 2021, <https://tirto.id/rombak-peraturan-diskriminatif-wajib-jilbab-di-sekolah-sumbar-f9CC> (accessed on January 27, 2021).

- [156] *Tribun Padang*, Heboh Siswi Non-Muslim di SMKN 2 Padang Diminta Pakai Jilbab, Ini Kata Kadis Pendidikan Sumbar (Controversy of Christian Schoolgirls to Wear Hijabs, West Sumatra Education Office Head Speaks), January 23, 2021, video clip, <https://www.youtube.com/watch?v=vlbJ5z8IkiU> (accessed on January 29, 2021).
- [157] Nadiem Makarims Instagram page, January 24, 2021, video clip, <https://www.instagram.com/p/CKagsK1h86h/> (accessed on January 25, 2021).
- [158] The website of the Ministry of Education and Culture was set up immediately after Nadiem Makarims video statement on January 24, 2021: <http://ult.kemdikbud.go.id/> (accessed on January 29, 2021).
- [159] Yola Sastra, Siswa Non-Muslim di SMK Negeri 2 Padang Mulai Lepaskan Jilbab (Non-Muslim Students at SMKN2 Padang Begin to Take Off Jilbab), *Kompas*, January 26, 2021, <https://bebas.kompas.id/baca/nusantara/2021/01/26/siswa-nonmuslim-di-smk-2-padang-mulai-lepaskan-jilbab/> (accessed on January 28, 2021).
- [160] Metro TV News, Aturan Siswi Berjilbab di Padang Sudah Berlaku 15 Tahun (The Mandatory Jilbab Rule in Padang Is Already 15 Years), January 24, 2021, video clip, https://www.youtube.com/watch?v=hm672kv_RfE (accessed on January 29, 2021).
- [161] Eks Walkot Padang soal Aturan Jilbab untuk Siswi: Tak Ada Tempat Nyamuk Gigit (Padang Ex-Mayor on the Jilbab Regulation for Female Students: Clothing to Ward Off Mosquitoes), *Detik*, January 26, 2021, <https://news.detik.com/berita/d-5349276/eks-walkot-padang-soal-aturan-jilbab-untuk-siswi-tak-ada-tempat-nyamuk-gigit> (accessed on January 28, 2021).
- [162] Ibid.
- [163] Human Rights Watch interview with Fasli Jalal, Jakarta, August 10, 2018. Jalal was deputy minister of education from 2010-2011 in the Yudhoyono administration.
- [164] Statistics Indonesia, Jumlah Pegawai Negeri Sipil Menurut Jenis Kepegawaian dan Jenis Kelamin, Desember 2013 dan Desember 2016 (Number of Civil Servants based on their Gender and Geography, December 2013 and December 2016), November 20, 2017, <https://www.bps.go.id/statistictable/2015/09/08/1798/jumlah-pegawai-negeri-sipil-menurut-jenis-kepegawaian-dan-jenis-kelamin-desember-2013-dan-desember-2016.html> (accessed on September 24, 2020). Indonesia also had more than 956,000 workers at 118 state-owned companies, from banks and energy to construction and mining operations. Ardan Adhi Chandra, Aset BUMN RI Sentuh Rp 6.560 T (Total Assets of State Owned Companies Reach 6,560 Trillion Rupiah), *Detik Finance*, April 28, 2017, <https://finance.detik.com/berita-ekonomi-bisnis/d-3487130/aset-bumn-ri-sentuh-rp-6560-t> (accessed on September 24, 2020).
- [165] Most civil servants wear uniforms, depending on the ministry or state-owned enterprise they work for. A few ministries do not have a uniform, such as the foreign affairs ministry. But all civil servants belong to the national civil servant corps (Korps Pegawai Negeri), The corps requires a uniform called the blue batik for official ceremonies, such as Independence Day. See Kemendagri Terbitkan Aturan Penggunaan Jilbab untuk PNS (Ministry of Home Affairs Issued a Regulation on the Jilbab for Civil Servants), *CNN Indonesia*, December 14, 2018, <https://www.cnnindonesia.com/nasional/20181214120742-20-353646/kemendagri-terbitkan-aturan-penggunaan-jilbab-untuk-pns> (accessed on July 27, 2020).
- [166] Human Rights Watch interview with a female official [name withheld] at the Ministry of Health, Tasikmalaya, April 30, 2014.
- [167] Ibid.
- [168] Ibid.
- [169] See Regent of Cianjur Regency Regulation No. 15 of 2006 on Official Uniform for Employees of the Regency Government of Cianjur. Copy on file with Human Rights Watch.
- [170] Human Rights Watch interview with three female civil servants [names withheld] including a teacher, Cianjur, July 26, 2018.
- [171] Human Right Watch interview with a female civil servant [name withheld], Cipanas, Cianjur, July 26, 2018.
- [172] Human Rights Watch interview with a female civil servant [name withheld], Cianjur, July 26, 2018.
- [173] Human Rights Watch interview with a female Muslim scholar [name withheld], April 27, 2019 and September 10, 2020. The scholar showed Human Rights Watch the 2016 Jakarta university rectors decree on the code of conduct for lecturers, which mentioned decent clothing but did not require a hijab, in April 2019. She apparently was deciding to resign during the 2019 interview and submitted her resignation letter on March 1, 2020.
- [174] Human Rights Watch interview with an administrative staffer [name withheld] in a Jakarta state university, [location withheld], September 10, 2020.
- [175] Human Rights Watch interview with a civil servant at the Tangerang government [name withheld], Tangerang, September 14, 2020.
- [176] Human Rights Watch interview with a former kindergarten teacher [name withheld], Jakarta, September 15, 2020.
- [177] Ratu Atut gets 5.5 years for another graft conviction, *The Jakarta Post*, July 20, 2017, <https://www.thejakartapost.com/news/2017/07/20/ratu-atut-gets-5-5-years-for-another-graft-conviction.html> (accessed on October 21, 2020).
- [178] Human Rights Watch interview with a lecturer [name withheld] in a public university, Jakarta, September 18, 2020.

[179] Human Rights Watch interview with a piano teacher [name withheld] at a state school, Yogyakarta, September 24, 2020.

[180] Ibid.

[181] Human Rights Watch interview with a 28-year-old piano teacher [name withheld] at a state school, Yogyakarta, September 24, 2020.

[182] In 1950, after Indonesia gained independence, Yogyakarta was formally given provincial status and the Sultan of the Yogyakarta Palace, Hamengku Buwono IX, was declared the governor. The current governor-cum-sultan is his son, Hamengku Buwono X. The sultanate and the Pakualaman principality, a smaller power in Yogyakarta, are widely seen to be the guardians of the Javanese culture. Iem Brown (ed), *The Territories of Indonesia*, Oxfordshire: Routledge, 2004.

[183] Human Rights Watch interview with a 28-year-old piano teacher [name withheld] at a state school, Yogyakarta, September 24, 2020.

[184] Human Rights Watch interview with a dance teacher who wanted to be attributed as a teacher in a state school in East Kalimantan [name withheld], [location withheld], September 28, 2020.

[185] The Youth Pledge was declared on October 28, 1928, during the Dutch Indies era when then youth leaders were making a pledge to fight for Indonesias multiculturalism. It was a landmark event in Indonesias history and also is considered the founding moment of the Indonesian national language. See Britannica.com, Youth Pledge, Indonesian history, n.d., <https://www.britannica.com/topic/Youth-Pledge> (accessed on October 22, 2020).

[186] Ibid.

[187] Ibid.

[188] Human Rights Watch interview with a young journalist [name withheld], Gorontalo, Sulawesi Island, September 18, 2020.

[189] Human Rights Watch interview with Siti Ramadhania Azmi, Padang, September 22, 2020.

[190] Rights Watch interview with a Christian schoolgirl [name withheld], Solok, August 9, 2019.

[191] In Aceh it is almost impossible for a woman to walk freely in public without a hijab. Human Rights Watch, *Policing Morality: Abuses in the Application of Sharia in Aceh, Indonesia* (New York: Human Rights Watch, 2010) <https://www.hrw.org/report/2010/11/30/policing-morality/abuses-application-sharia-aceh-indonesia>.

[192] See 2005 Tangerang Ordinance No. 8 on the Banning of Prostitution, http://hukum.unsrat.ac.id/perda/perdatangerang2005_8.htm (accessed on August 7, 2019).

[193] Human Rights Watch interview with Michelle (pseudonym), Jakarta, August 2, 2018.

[194] Ibid.

[195] Di Balik Heboh 'Cadarisasi' ala Bupati Lombok Tengah (Behind the Controversy of Cadarisasi in Central Lombok), *Detiknews*, July 2, 2020, <https://news.detik.com/berita/d-5077785/di-balik-heboh-cadarisasi-ala-bupati-lombok-tengah> (accessed on July 21, 2020).

[196] Human Rights Watch interview with a journalist [name withheld] in Banyuwangi, September 21, 2020.

[197] Human Rights Watch interview with a psychiatrist [name withheld], Jakarta, September 6, 2018. Read also: Batirtze Artaraz, Leire Celaya, Eider Zuaitz, Dysmorphophobia: From Neuroticism to Psychoticism, in *Psychopathology in Women: Incorporating Gender Perspective into Descriptive Psychopathology*, Springer, September 9, 2014, https://link.springer.com/chapter/10.1007/978-3-319-05870-2_9 (accessed on November 18, 2020).

[198] Human Rights Watch interview with Ifa Hanifah Misbach, Jakarta, July 27, 2018.

[199] Ibid.

[200] Ibid.

[201] Human Rights Watch interview with Novi Poespita Chandra, Yogyakarta, July 25, 2020.

[202] Ibid.

[203] Office of the United Nations High Commissioner for Human Rights, Ratification Status for Indonesia, n.d., https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=80&Lang=EN (accessed on January 30, 2019).

[204] International Covenant on Civil and Political Rights (ICCPR) G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976, art. 18(2). Indonesia ratified the ICCPR in 2006.

[205] UN Human Rights Committee, General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion), July 30, 1993, CCPR/C/21/Rev.1/Add.4, available at: <https://www.refworld.org/docid/453883fb22.html> (accessed September 30, 2020).

[206] UN Human Rights Committee, General Comment No. 28, Equality of rights between men and women (article 3), CCPR/C/21/Rev.1/Add.10 (2000), para. 13.

[207] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir, Civil and Political Rights, Including the Question of Religious Intolerance, Commission on Human Rights, sixty-second session, E/CN.4/2006/5, January 9, 2006, para. 55.

[208] Convention on the Rights of the Child (CRC), G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force Sept. 2, 1990, art. 14(1). Indonesia ratified the CRC in 1990.

[209] ICCPR, art. 18(2).

[210] CRC, art. 14(2).

[211] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion and belief, A/HRC/37/49, para 85. The Human Rights Committee has also stated that religious freedom, naturally includes family life: UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, A/HRC/31/18, Human Rights Council, December 23, 2015, thirty-first session, para. 24.

[212] Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), G.A. res. 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force Sept. 3, 1981, art. 2.

[213] The CEDAW Committee has stated that the definition of discrimination in article 1 of the convention covers both direct and indirect discrimination by public and private actors. See, for example, CEDAW Committee Concluding Comments on the Belize initial report, cited in United Nations/Division for the Advancement of Women, *Assessing the Status of Women: A Guide to the Reporting Under the Convention on the Elimination of All Forms of Discrimination Against Women* (New York: United Nations, 2000), p. 102.

[214] ICCPR, art. 17; see also CRC, art. 16.

[215] Manfred Nowak, *U.N. Covenant on Civil and Political Rights: CCPR Commentary* (Kehl am Rhein, Germany: N.P. Engel, 1993), p. 294.

[216] See, for example, J. Marshall, A Right to Personal Autonomy at the European Court of Human Rights, *European Human Rights Law Review*, number 3, 2008, p. 337. The importance of the right to autonomy to the exercise of women's rights is illustrated by numerous rights established in CEDAW, notably the right of women to legal capacity identical to men in civil matters (article 15), the right to freedom of movement and free choice with respect to her residence (article 15(4)), as well as the same conditions of access and the right to non-discrimination in education and employment (articles 10 and 11, respectively).

[217] See, for example, UN Human Rights Committee, General Comment No. 16.

[218] CRC, arts. 2, 3, 19, 27, 32, 34, and 36. Article 2(1) of the CRC states that states shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

[219] CRC, art. 2.

[220] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, A/HRC/16/53, December 15, 2010, Human Rights Council, sixteenth session, para. 40.

[221] International Covenant on Economic, Social and Cultural Rights (ICESCR), G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force Jan. 3, 1976, art. 13; CEDAW, art. 10. Indonesia ratified the ICESCR in 2006.

[222] UN Committee on Economic, Social, and Cultural Rights, General Comment No. 13 on the right to education, E/C.12/1999/10, twenty-first session, December 8, 1999.

[223] Committee on the Rights of the Child, Concluding Observations on the Combined Third and Fourth Periodic Reports of Indonesia, Crc/C/Idn/Co/3-4, July 10, 2014, paras. 29-30.

[224] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, A/HRC/16/53, December 15, 2010, Human Rights Council, sixteenth session, para. 23. The previous special rapporteur, in considering restrictions and prohibitions on wearing religious symbols, also noted, [i]n general schoolchildren are generally considered vulnerable in view of their age, immaturity and the compulsory nature of education. Report of the Special Rapporteur on freedom of religion and belief, Asma Jahangir, E/CN.4/2006/5, January 9, 2006, Commission on Human Rights, sixty-second session, para. 56.

[225] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, A/HRC/16/53, December 15, 2010, Human Rights Council, sixteenth session, para. 45.

[226] UN Human Rights Council, Report of the Special Rapporteur on freedom of religion or belief, A/HRC/16/53, December 15, 2010, para. 46. See also.

[227] UN General Assembly, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, resolution 47/13, December 18, 1992, art. 1(1), <https://www.ohchr.org/en/professionalinterest/pages/minorities.aspx> (accessed on January 30, 2019).

[228] See *ibid.*, art. 3(2).

Schoolgirls, Female Civil Servants Suffer Under Abusive Regulations

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