



# The Jilbab Ban in PASKIBRAKA (The Holy Flag Raiser) Ibu Kota Nusantara 2024: A Critical Analysis of Gender Equality, Religious Freedom, and Public Policy

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**Abstract.** Issues of gender equality and religious freedom are highlighted in the con-text of the jilbab ban for PASKIBRAKA (The Holy Flag Raiser) 2024 troops in Ibu Kota Nusantara (IKN), which reflects the conflict between public pol-icy, cultural norms, and human rights. The purpose of this research is to ex-lore the impact of the ban on Muslim women's rights and how representa-tions of this policy affect public understandings of gender equality and reli-gious freedom. The statement raised emphasizes the importance of consider-ing cultural and religious contexts in making fair and inclusive public poli-cies. The theories and concepts used in this research include the Critique of Cultural Representation and the Problem of Cultural Relativism, as outlined by Lila Abu-Lughod in the article "Do Muslim Women Really Need Sav-ing?". This research uses a critical paradigm with the approach of Islam, Feminism, and Media to reveal injustice in public policy and media represen-tation related to the ban on jilbab for The Holy Flag Raiser troops in IKN. The method used is qualitative research with discourse analysis, which fo-cuses on how media, policy, and literature represent these issues and how the discourse influences public perception and policy. The analysis shows that this ban not only restricts religious freedom, but also reinforces negative stereotypes of Muslim women in society. The conclusion of this study emphasizes the need for policies that respect cultural plurality and support gen-der equality within the framework of sustainable development..

**Keywords:** Gender Equality, Religious Freedom, Public Policy, Jilbab, PASKIBRAKA IKN, Lila Abu-Lughod.

## 1 Introduction

The tension between religious expression and public policy manifests strongly in the discourse around the jilbab ban in PASKIBRAKA troops in Ibu Kota Nusantara 2024, reflecting a broader historical and global struggle over gender, religion, and state policy. This conflict intersects with issues of gender equality and religious freedom, which have been contentious topics both within and outside Islamic con-texts. The decision to restrict religious attire such as the jilbab underlines ongoing debates about the role of religious symbols in public and political life, as well as the state's role in regulating

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W. Widayarsi et al. (eds.), *Proceedings of the 2nd Ibn Khaldun International Conference on Applied and Social Sciences (IICASS 2024)*, Advances in Social Science, Education and Humanities Research 871,

[https://doi.org/10.2991/978-2-38476-299-6\\_2](https://doi.org/10.2991/978-2-38476-299-6_2)

religious expressions [1]. Historically, similar controversies have erupted in diverse geographical and cultural settings, revealing a pattern where state policies often clash with personal religious practices, leading to debates on the limits of religious freedom and the state's role in safeguarding or restricting such freedoms.

In the Islamic context, gender issues have been long-standing, with substantial discourse on the rights and roles of women under Islamic teachings, which advocate for the dignity and independence of women, a principle established during the prophetic era of Islam [2]. These religious and cultural underpinnings are critical in understanding the responses to and implications of the jilbab ban, as they highlight the intrinsic conflict between maintaining religious traditions and adapting to contemporary societal norms, which often demand greater gender equality and secularism in public spaces.

Furthermore, the historical and ongoing global discourse around gender equality and religious expression reveals a complex landscape where legal, social, and ethical dimensions intersect. Legal precedents from various jurisdictions demonstrate the challenges in balancing individual rights against collective social goals, where the judiciary often navigates between upholding religious freedoms and endorsing secular, inclusive public policies [3]. This balance is crucial in multicultural societies where diverse religious practices coexist with secular laws, often leading to conflicts that necessitate nuanced and context-sensitive resolutions.

The jilbab ban in Ibu Kota Nusantara, therefore, is not an isolated incident but part of a broader, global conversation about the intersection of religion, gender, and law. It exemplifies the ongoing struggle to define the boundaries of religious freedom and gender equality in a rapidly changing world, where issues of identity, tradition, and modernity are in constant dialogue and contention [4]. This case serves as a focal point for examining how Islamic and secular values can be reconciled in policies that impact the public sphere, particularly concerning women's roles and rights in Islamic communities.

The jilbab ban for PASKIBRAKA troops in Ibu Kota Nusantara 2024 has ignited significant discourse on the intersection of religious practices and gender policies within contemporary Islamic society. The enforcement of such a ban reflects a deeper theological and cultural conflict that resonates across various Muslim-majority countries, where traditional gender roles and modern interpretations of Islamic jurisprudence clash. Historically, Islamic jurisprudence has provided nuanced views on gender roles, often influenced by patriarchal interpretations that may restrict women's visibility in public and religious life. However, recent feminist theological readings aim to reevaluate these traditional interpretations to highlight Islam's foundational principles of equality and justice [5].

In societies where Islam is intertwined with legal and cultural norms, the jilbab has transcended its religious symbolism to become a focal point of gender discourse. Debates surrounding the jilbab often bring to light the broader issues of women's rights within Islamic contexts, as exemplified by discussions on women's autonomy and the visibility of Muslim women in public sectors. These debates are influenced by differing interpretations of Islamic texts and the application of Sharia in contemporary settings, where scholars and activists argue for a more contextual understanding of texts like Surah An-Nur, which discusses modesty and public behavior [6].

The specific context of Ibu Kota Nusantara, as a new administrative capital, brings additional layers of political and social dynamics into the discussion. The decision to implement a jilbab ban in this context can be viewed through the lens of national identity formation and the secularization policies that often accompany such processes. This situation mirrors the historical experiences of countries like Turkey and Iran, where dress codes have been central to broader political agendas concerning secularism and religious expression in public life [7].

Furthermore, the theological implications of the jilbab ban extend into discussions on the liberation theology within Islam, which advocates for a reinterpretation of religious texts to better align with contemporary understandings of human rights and gender equality. This approach challenges the patriarchal norms that have traditionally dominated Islamic societies and offers a pathway towards a more egalitarian interpretation of Islam that aligns with the principles of *maslaha* (public interest) and justice for all, including women [8].

By examining the theological, legal, and cultural facets of the jilbab ban within the specific socio-political context of Ibu Kota Nusantara, this research contributes to a broader understanding of how contemporary Muslim societies negotiate the complexities of religious identity, gender equality, and public policy. Such an examination is crucial for developing policies that respect religious diversity while promoting gender equality.

While the existing media coverage provides insights into the immediate reactions and implications of the jilbab ban for PASKIBRAKA troops in Ibu Kota Nusantara, there is a distinct lack of in-depth scholarly analysis that comprehensively explores the broader socio-political and cultural ramifications of this policy. Current reports primarily focus on the descriptive aspects of the ban, capturing public and official responses without delving into the underlying ideological, theological, and feminist perspectives that shape these responses [9–13].

Significantly, there is a gap in understanding how such bans influence the perception of Muslim women's roles in modern Indonesian society beyond the ceremonial context. The discussions rarely integrate the religious freedom aspect with the wider global discourse on gender equality and secular versus religious tensions in public policy. Furthermore, the scholarly literature has yet to address the intersectionality of these issues within the unique socio-political landscape of Ibu Kota Nusantara, which is poised to become a symbol of Indonesia's future administrative and cultural direction.

The media narratives, while informative, do not provide a critical analysis of how such policies are formulated, justified, or contested within the frameworks of international human rights law, Islamic jurisprudence, or feminist theory. This research aims to fill these gaps by critically analyzing how the jilbab ban affects not only the rights of Muslim women but also the broader discourse of religious and gender identity in a rapidly changing socio-political environment.

In this research, we critically analyze the impact of the jilbab ban on gender equality and religious freedom within the specific context of the PASKIBRAKA (The Holy Flag Raiser) 2024 in Ibu Kota Nusantara (IKN). Utilizing a qualitative research approach with discourse analysis, we delve into the complex interplay of cultural representations,

media narratives, and public policy to uncover how these elements influence and shape public perceptions of Muslim women under the constraints of the jilbab ban.

Abu-Lughod's seminal work on the representation of Muslim women in Western discourses provides a theoretical framework for this analysis. By challenging the prevalent stereotypes and misconceptions about Muslim women, her insights guide our investigation into how cultural prejudices are embedded within public policies and media portrayals in IKN [14,15]. Similarly, Qomar's methodological perspectives on religious research offer a structured approach to examining the religious dimensions of the jilbab ban, allowing us to explore how religious freedom is negotiated and contested within the legal and social fabric of IKN [16].

Additionally, Prayetno's discussion on religious freedom in Indonesia provides a broader legislative and human rights context, highlighting the tensions between state policies and personal religious rights. This comparison helps to situate the jilbab ban within ongoing national debates about religious expression and state intervention [17].

Through detailed discourse analysis of media reports, policy documents, and academic literature, this research aims to reveal the underlying narratives that support or challenge the jilbab ban. By scrutinizing how these narratives either perpetuate or contest the marginalization of Muslim women, we aim to contribute to a more nuanced understanding of the intersection between religious freedom and gender equality in IKN.

## 2 Methods

This study adopts a qualitative research methodology with a focus on discourse analysis to explore the impact of the jilbab ban in PASKIBRAKA (The Holy Flag Raiser) 2024 within Ibu Kota Nusantara (IKN). This method is particularly suited to examine the complex interactions between gender, religion, and public policy. The theoretical framework guiding this research includes the critique of cultural representation and the problem of cultural relativism, as discussed by Lila Abu-Lughod in her influential work "Do Muslim Women Really Need Saving?" [14].

A critical paradigm is employed, utilizing an interdisciplinary approach that integrates Islamic perspectives, feminist theories, and media studies to critically assess how the jilbab ban influences societal views on gender equality and religious freedom. This approach is informed by the feminist qualitative research methods which seek to uncover the subjective experiences of women and analyze the structures of power that affect these experiences [18].

The discourse analysis will be conducted on a variety of texts, including media articles, policy documents, and public responses to the jilbab ban. This analysis will help in understanding how different narratives either challenge or perpetuate the marginalization and stereotypes of Muslim women. It will also examine how these discourses influence and are influenced by cultural, religious, and political ideologies.

Data will be collected from both primary and secondary sources, ensuring a comprehensive understanding of the context and implications of the jilbab ban. The re-

search will also incorporate perspectives from key informants who have direct knowledge of or experience with the policy implementation and its societal impacts, providing deeper insight into the interplay of law, religion, and gender rights in Indonesia.

### 3 Result & Discussions

#### 3.1 Discourse Analysis from Documents and Media

The discourse surrounding the jilbab ban for PASKIBRAKA troops in Ibu Kota Nusantara 2024 highlights significant tensions between religious freedom and state policy, which have been prominently featured in various media outlets. The analysis of media portrayals and public documents reveals a complex narrative that inter-twines legal, social, and religious threads in the fabric of Indonesian society.

According to Liputan6, the controversy regarding the jilbab ban at the PASKIBRAKA inauguration event underscores a broader societal debate on the imposition of secularism in public spaces, particularly when it conflicts with Islamic dress codes that many consider a fundamental expression of their faith [11]. This instance is reflective of a recurring theme in global debates where the visibility of religious symbols in secular or state-controlled settings sparks widespread dis-course.

Republika highlighted the reactions from community leaders and government officials, emphasizing that the jilbab ban not only raises questions about religious freedom but also about the government's role in balancing cultural sensitivity with national identity aspirations [12]. The ban is portrayed not just as a policy issue but as a significant cultural and religious inflection point, affecting public perceptions of inclusivity and diversity within the new administrative capital.

Further exploration by Tempo provides insight into the broader implications of the ban, noting that despite official positions, many individuals continue to wear the jilbab during public ceremonies, signaling a form of silent protest or resistance against the ban [19]. This act of defiance highlights the complex interplay between individual rights and state policies, suggesting a groundswell of grassroots support for more inclusive government regulations that respect religious practices.

This analysis underscores the multifaceted impact of the jilbab ban, which extends beyond immediate legal ramifications to affect societal norms, individual identities, and the collective national conscience. By examining how different media outlets and public documents frame the issue, this study illuminates the diverse perspectives that shape the public discourse on gender, religion, and legality in Indonesia.

The results of the discourse analysis of the jilbab ban policy in PASKIBRAKA in Ibu Kota Nusantara (IKN) reveal significant tensions between religious freedom and public policies that seek to promote uniformity in public spaces. The ban does not only concern formal aspects such as uniforms, but also reflects a deeper conflict over the rights of Muslim women to express their religious identity in public life. This perspective is reinforced by Lila Abu-Lughod's Critique of cultural representation and the problem of cultural relativism, which argues that policy interventions that try to "save"

Muslim women are often based on biased views and assert the superiority of certain cultures over others.

Abu-Lughod in the article “Do Muslim Women Really Need Saving?” criticizes the use of cultural symbols such as the jilbab by outsiders as a means of justifying interventions that often do not understand the local context. This view is particularly relevant in the context of the jilbab ban in PASKIBRAKA IKN, where the decision to ban the use of the jilbab in public spaces actually perpetuates negative stereotypes of Muslim women and ignores the personal and spiritual meaning of the symbol [14].

In addition, referring to the Qur'anic verse surah Al-Ahzab (33:59):

يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزْوَاجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلَابِيبِهِنَّ ذَلِكَ أَدْنَىٰ أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ  
وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

*“O Prophet, tell your wives and your daughters and the women of the believers to bring down over themselves [part] of their outer garments. That is more suitable that they will be known and not be abused. And ever is Allāh Forgiving and Merciful.”* [20].

The above verse emphasizes the importance of modesty in dress and the protection of women in a public context. It is not just a dress code, but gives Muslim women the right to practice their religion by expressing their faith through modest dress, including the jilbab. By prohibiting PASKIBRAKA troops who are Muslim women from wearing the jilbab, religious freedom as guaranteed by religion is jeopardized, and public policies such as this do not take into consideration the spiritual complexities associated with wearing the jilbab in Muslim societies.

### 3.2 Impact on Muslim Women and Public Reaction

The jilbab ban for PASKIBRAKA troops in Ibu Kota Nusantara 2024 has sparked significant public discourse and has had notable impacts on Muslim women, who are at the intersection of this policy. This ban not only touches on issues of religious freedom but also directly affects the day-to-day experiences and public perceptions of Muslim women within Indonesian society.

The public reaction to the ban has been mixed, with some viewing it as a necessary step towards secularism and uniformity in public roles, while others see it as a direct infringement on religious rights and an act of discrimination against Muslim women. For instance, as reported by Kompas, the jilbab ban has been criticized by local leaders who argue that it represents a violation of human rights, highlighting the tension between national policies and local sentiments [21]. CNN Indonesia documents instances where despite the ban, several Paskibraka members chose to wear the jilbab during official ceremonies, reflecting a form of resistance and highlighting the personal significance of the jilbab as more than just attire but a profound element of individual and cultural identity [10].

Moreover, Detik News discusses the resolution of this controversy, suggesting that the ongoing dialogue between various stakeholders led to a more nuanced understanding and, eventually, a reevaluation of the policy [13]. This indicates a dynamic interaction between public policy and community response, where public opinion and the reactions of affected individuals can influence and reshape governmental decisions.

The ban's impact on Muslim women extends beyond the immediate effects on PASKIBRAKA members, influencing broader societal debates about gender, religion, and the state's role in regulating religious expressions. This incident has catalyzed discussions on women's visibility in public spaces and their right to manifest religious beliefs, contributing to a larger discourse on gender equality and religious freedom within Indonesia.

This analysis shows that while the jilbab ban was intended to standardize uniforms and perhaps promote a secular identity within the PASKIBRAKA, it inadvertently reinforced the societal debate on the balance between state policies and individual religious rights. The strong reactions from various segments of society illustrate the complex layering of gender, religion, and national identity in contemporary Indonesian politics and highlight the critical role of public discourse in shaping policy and perceptions.

### 3.3 Application of Critical Theories and Concepts

This research critically engages with the theories of cultural representation and cultural relativism, specifically through the lens provided by Lila Abu-Lughod in her pivotal work, "Do Muslim Women Really Need Saving?" [14]. Abu-Lughod critiques the Western portrayal of Muslim women as uniformly oppressed by their cultures and in need of rescue, a narrative she argues is simplistic and exploitative, often used to justify political or military interventions under the guise of liberating women [15].

In the context of the jilbab ban in PASKIBRAKA, these theories prompt a reexamination of how such policies are framed and understood both within and outside of Muslim communities. Abu-Lughod's framework encourages a deeper investigation into the layers of meaning and power at play, challenging the binary views of oppression and liberation. This analysis is extended by the contributions from other scholars like [5], who discusses the liberation theology within Islam that advocates for a contextual understanding of religious texts to empower women rather than confine them to traditional roles.

This research utilizes a critical paradigm to dissect the media discourse and public policies surrounding the jilbab ban, examining how these narratives either reinforce or challenge existing stereotypes about Muslim women. The intersection of Islam, feminism, and media provides a multidimensional perspective that highlights the complexities of negotiating identity, tradition, and modernity within Islamic contexts. By applying these critical theories, the study aims to uncover the nuanced ways in which Muslim women navigate their rights and representations in relation to the jilbab ban. The methodology of qualitative research with discourse analysis allows for a detailed examination of how various stakeholders—government officials, religious leaders, feminists, and the general public—articulate and contest the meanings and implications of the jilbab ban. This approach is crucial for understanding the broader socio-political and cultural dynamics that influence how policies are made and either resisted or embraced by the community.

### 3.4 Cultural Context and Norms

The jilbab ban in PASKIBRAKA 2024 within Ibu Kota Nusantara highlights a significant cultural clash between modern state policies and traditional Islamic practices. This ban is not merely a legal issue but also a profound cultural and normative conflict that challenges the underlying assumptions about gender roles and religious expressions in Indonesian society.

Islamic teachings have historically offered a complex perspective on gender roles, asserting both the spiritual equality of women and men while prescribing different social roles [2]. The cultural context in Indonesia, with its diverse interpretations of Islam, ranges from progressive views that seek greater gender parity to more conservative stances that advocate for traditional roles ascribed to women and men. This variation reflects broader global Islamic debates about gender, where cultural norms often shape the religious practices and daily lives of Muslims [6].

In examining the jilbab ban, it is crucial to understand the cultural dimensions that influence public policies. The ban can be seen as part of a broader attempt to secularize public spaces, a policy approach that resonates with certain segments of the Indonesian populace while conflicting with others who view the jilbab as a vital expression of their religious identity [7]. Such policies challenge deeply ingrained cultural norms where the jilbab is seen not just as a piece of clothing but as a symbol of religious commitment and personal identity.

Furthermore, the reaction to the jilbab ban reveals the tension between state-led modernization efforts and community-based responses that prioritize cultural and religious continuity. Media coverage and public debates often reflect these tensions, showing a society that is negotiating its path forward amidst diverse opinions on gender equality and religious freedom [3]. These discussions are not confined to legal or political arenas but are deeply embedded in the everyday cultural and social interactions of Indonesians. By exploring these cultural contexts and norms, this research highlights the complex interplay between gender, religion, and law in Indonesia. It reveals how cultural understandings of gender and religious attire like the jilbab are central to broader discussions about identity, modernity, and the rights of women in Muslim-majority societies.

## 4 Conclusion

To effectively address the complexities unveiled by the jilbab ban in PASKIBRAKA, a thorough reevaluation of the policy is crucial. Policymakers should involve a broad spectrum of stakeholders in this process, ensuring that the outcomes reflect a diverse range of perspectives and contribute to more inclusive policies. This reevaluation should critically examine the broader impacts of the ban on social cohesion and national identity, aiming to balance the need for secularism in public roles with respect for religious freedoms.

Open and inclusive public dialogues among different religious and social groups are recommended to foster greater understanding and tolerance. Such dialogues can serve as vital platforms for addressing and dispelling the misconceptions and stereotypes about Muslim women. These discussions will not only bridge gaps in understanding



but also help in shaping policies that are sensitive to the cultural and religious dynamics of Indonesian society.

Further research should be encouraged to explore the long-term effects of the jilbab ban on women's participation in public and political life, offering valuable insights into the broader implications of such policies. Additionally, the implementation of educational programs focusing on religious tolerance, gender equality, and human rights is crucial. These programs should target diverse audiences, including policymakers, educators, and the general public, to ensure a comprehensive reach and impact, ultimately fostering a more inclusive society.

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