

# THE PHILOSOPHY OF HUMANISM AND THE CAUSES OF INDONESIA ACCEPTING ROHINGYA REFUGEES

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**Abstract:** The principles of humanism philosophy can be applied in the context of accepting Rohingya refugees in Indonesia. The philosophy of humanism emphasizes on human values, empathy, and respect for individual dignity. However, in practice, refugee admissions are often faced with various challenges, such as social, economic, and political problems. It also highlights the importance of collaboration between governments, communities, and international organizations to create an inclusive and supportive environment for Rohingya refugees, in accordance with the principles of humanism. Humanist law is a law that is based on moral, ethical, and humanitarian values that are rooted in society. This is not a theory that does not depend on existing cultures.

**Keywords:** Humanist, Philosophy, Rohingya Refugees

## Introduction

Humanism is a philosophical tradition that defends human principles and positions. The term is often used in intellectual history in the fields of philosophy, education, and literature, and always emphasizes humanitarian issues. The main focus of humanism is human nature, its limits, and its tendencies.<sup>1</sup>

Human nature encourages people to do good. As a result of this mental impulse, kindness is not only a direct action, but a law that everyone must follow, even universally. Everyone wants to be respected and appreciated, so before someone's soul wants to be respected or valued, they must morally respect the soul of others. As written in the theory of deontological ethics, that is the core of Kant's moral teachings, which extend the obligation as a substitute for God as well as a moral commandment.<sup>2</sup>

Understanding this philosophy is reminiscent of legal philosophy from various perspectives. Everyday life is the source of legal philosophy. However, there are differences of opinion in the philosophy of law. There are many factors and elements that influence how society perceives the law. In addition, in today's all-digital era, people increasingly do not understand the law because they believe that everyone has freedom.<sup>3</sup> In general, philosophy is the study of all aspects of human life and thought by focusing on fundamental concepts. The study of philosophy is not done by conducting experiments or experiments; Instead, they are learned by discussing the problem explicitly, finding solutions to the problem, and

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<sup>1</sup> Sumasno Hadi, (2012, August), The Concept of Ancient Greek Humanism and Its Development in the History of Philosophical Thought, Journal of Philosophy, 22 (2)

<sup>2</sup> Immanuel Kant, 1986, Critique de Reinen Vernunft, Translation of Norman K. Smith, New York: St. Martin Press, p. 55

<sup>3</sup> Theresia Anita Christiani, 2008. Legal studies are based on the development of the legal thought paradigm towards a holistic method. Journal of Pro Justitia, 26 (4).

providing strong arguments and reasons for the decision. A dialectical process combines the ends of each process.<sup>4</sup>

The main goal of humanism is to humanize human beings and glorify them according to their dignity, nature, and value as human beings. Any interpretation of human beings must be seen as independent individuals.<sup>5</sup>

Humanism is often described as a way for humans to understand their relationship with life, including seeking an understanding of human values and even religious-spiritual values.<sup>6</sup> Humanism can generally be understood as a teaching that does not depend on doctrines that do not give freedom to individuals. On the other hand, religious humanism says that the human rights and basic values of others must be defended, and everyone should have the freedom to choose their own life path.<sup>7</sup>

In a book on spiritual humanism, Avery stated that the term "humanist" refers to the awareness of how to maximize the potential and values of humanity that exist in humans so that they can produce moral humans.<sup>8</sup>

Indonesia's acceptance of Rohingya refugees adopts a constructivist paradigm that pays attention to non-material factors, or philosophical factors, such as concepts, values, norms, and culture, these factors are not accommodated by the approach of liberalism and realism. The Indonesian state is expressly stated in the constitution as a state of law (*rechtstaat*) and not a state of power (*maachtstaat*)<sup>9</sup> Constructivists pay more attention to social interactions that are influenced by shared understandings and ideas. The paper also uses comments from constructivists, including Alexander Wendt, who refer to constructivism as "*structural idealism*".

## Literature Review

There are several points that will be discussed in this Literature Review :

**Philosophy** : Philosophy is a science that is extensive, meaning that it is closely related to our daily lives, it can be said that philosophy is the driving force of our daily lives as individuals and as collective human beings in the form of a society or nation.<sup>10</sup>

**Philosophy of Humanism** : A thought that recognizes that humans have the ability to determine what is right, good, and beautiful in life. In addition, humanism emphasizes the value and standing of man and establishes it as the standard for all things.

**Rohingya refugees** : Rohingya ethnic citizens who fled Myanmar because of discrimination and genocide committed by the military government.

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<sup>4</sup> Muhammad Anwar, (2015). *Philosophy of Education*. Jakarta : Rineka Cipta, page 4

<sup>5</sup> Miftahul Munir, (2005), *The Philosophy of Kahlil Gibran Theistic Humanism*. Yogyakarta : Paradigm, page 2

<sup>6</sup> Sumasno Hadi, Op.Cit, page 109

<sup>7</sup> Husna Amin, (2015, April). Actualization of Religious Humanism towards Spiritual Humanism in the Framework of Religious Philosophy, *Substantive Journal*, 15 (1)

<sup>8</sup> Jon Avery and Hasan Askari. (1995). *Towards Spiritual Humanism: Contributions from the Perspective of Humanist Muslims*, Surabaya: Risalah Gusti, page 10

<sup>9</sup> Harisman, H. (2019, March). Legal Settings For Use Of The Right To Select As Human Rights In Indonesia. In *Multi-Disciplinary International Conference University of Asahan* (No. 1).

<sup>10</sup> Siti Mariah, et al, (2021), *Philosophy and History of the Development of Science*, Indonesian Philosophy Journal, 4 (3).

## Method

This paper uses a library research method, by collecting information and data with the help of various kinds of library materials, such as books, papers, articles, and journals. And also use Primary legal materials, that are the materials that bind and make people obey the law<sup>11</sup>, the library research process is discussed in the library studies section with the aim of finding out more about the title of the paper that is currently the focus.

## Results and Discussion

Philosophy of law is the study of law based on philosophy. Anthoni de Amato defines the philosophy of law as the basic research and understanding of law. In simple terms, legal philosophy is a branch of philosophy, specifically the philosophy of behavior or ethics, which studies the essence of law. In other words, legal philosophy is a field of science that studies law philosophically. Therefore, the subject of study of legal philosophy is law, and this subject is studied thoroughly to the core, which is the essence.<sup>12</sup>

The human-centric paradigm began with humanism in ancient Greece. It follows a cosmocentric evolution or a paradigm shift from cosmocentric to anthropocentric in the ancient Greek school of thought. Socrates was the first person in Greek philosophy to develop humanist thought, an approach that considers humans as the object of research.<sup>13</sup>

Paul Oscar Kristeller said that humanism first emerged in the late 15th century and became popular in the 16th century. The term "humanista" was first used in Latin, and similar terms are used in Italian, French, English, and other languages to refer to students, teachers, or professors working in the humanities.<sup>14</sup> The rise of humanism during the Renaissance was marked by the emergence of works of art and literature, which were then followed by empirical research that led to the creation of science. A French historian named Jules Michelet was the first to consider the Renaissance as a period of discovery of man and the world, not just the rise of civilization at the beginning of the rise of the modern world.<sup>15</sup>

In the Middle Ages, humans were seen as less appreciated as humans, on the contrary, humanism considered humans as a measure of truth.<sup>16</sup> Humanism although influenced by a particular culture, it is understood as a school that deals with humans and broadly wants to place humans at the center of existence. From the concept of humanism that places humans as the center, the term anthropocentrism emerges, which means humans as the center of everything. The term "humanism" has been used in the field, philosophy, education, and literature throughout intellectual history.<sup>17</sup>

Humanism is based on a paradigm of thought that fights for the appreciation of human dignity and dignity. In addition, humanism places humans at the center of the struggle for empowerment and civilization. Humanism must also be associated with the evolution of

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<sup>11</sup>Asliani, A., & Nurhilmayah, N. (2024, March). Legal Protection Of Wives Victims Of Domestic Violence Perspective Of Maqosyd Syariah. In *Proceedings International Seminar of Islamic Studies* (No. 1, pp. 1774-1782).

<sup>12</sup>Darji Darmodiharjo and Shidarta. (2006). *The Main Points of Legal Philosophy*. Jakarta : Gramedia Pustaka Utama, page, page 21

<sup>13</sup>Mohammad Hatta. (2006). *The Nature of the Greek Mind*. Jakarta : UI Press, page 73

<sup>14</sup>Ahmad Tafsir. (1990). *Philosophy of Law: Reason and Heart from Thales to James*, Bandung: Remaja Rosdakarya, page 115

<sup>15</sup>*Ibid*, p. 110.

<sup>16</sup>Titis Roso Wulan (2015, December). Humanist Aspects of Hamka's Religious Thought, *Hikmatuna Journal*, 1 (2), page 17

<sup>17</sup>Thomas Hidya Tjaya. (2008). *Humanism and Scholasticism: A Debate*. Yogyakarta : Kanisius, page 17

thought in the history of civilization.<sup>18</sup> Humanism is considered a doctrine that does not depend on certain beliefs and does not give freedom to humans.<sup>19</sup> From a philosophical point of view, humanism is defined as an understanding that upholds human dignity and value in all its aspects. This makes human beings have a very high, central, and important position both in theoretical thinking and in daily life.<sup>20</sup>

According to Lorens Bagus in his dictionary of philosophy, humanism is defined as a philosophy that views the rational individual as the highest being, views the individual as the highest value, and seeks to encourage the creative and moral development of the individual rationally, without referring to supernatural concepts.<sup>21</sup> According to Franz Magnis-Suseno, there is no difference between men and women in terms of the value of humanity because they are both human. Therefore, rewards are based solely on humanity rather than one's qualities or abilities.<sup>22</sup>

Three countries around the Strait of Malacca, Malaysia, Thailand, and Indonesia, rejected refugee ships. The TNI immediately strengthened its forces in the waters near Aceh and tried hard to prevent ships carrying refugees from entering Indonesia's sovereign territory. In addition, the TNI also prohibits fishermen in Aceh from picking up and bringing refugees who are adrift in the sea to land. On the other hand, fishermen and Acehnese residents who do not care about the TNI have helped hundreds of Rohingya refugees and Rohingya Muslims. This wave of refugees is not the first; Previously, nearly 600 people were stranded in Lhoksukon, and now they are gathering at evacuation sites in North Aceh.<sup>23</sup>

The Indonesian government has come under local and international criticism for their refusal. Furthermore, Indonesia, Malaysia, and Thailand held a consultation meeting in Putrajaya, Malaysia. In the negotiations, Indonesia and Malaysia finally agreed to provide humanitarian assistance to 7000 illegal immigrants who are still lost around the Strait of Malacca; They will be given temporary residence for one year.<sup>24</sup> The paper aims to look at the perspectives of constructivists such as Alexander Wendt, Martha Finnemore, and Kathryn Sikkink on how international human rights norms (structures) affect Indonesia, making Indonesia, which previously rejected refugees, willing to accept them. An engine boat carrying Rohingya refugees was damaged and finally ran aground in waters near North Aceh in mid-May 2015, after weeks of being lost on the high seas without direction. The TNI is increasing its strength and trying to prevent ships carrying Rohingya and Bangladeshi refugees into the middle of the sea from entering Indonesia's sovereign territory.<sup>25</sup> In

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<sup>18</sup> *Ibid*, p. 18.

<sup>19</sup> Husna Amin, *Op.cit*, page 68

<sup>20</sup> Zainal Abidin. (2001). *Human Philosophy*. Bandung : Rosadakarya, page 19

<sup>21</sup> Lorens is good. (1996), *Dictionary of Philosophy*. Jakarta : Gramedia Pustaka Utama, page 140

<sup>22</sup> Franz Magnis Suseno. (2003). *Islam and Humanism: Actualization of Islamic Humanism in the midst of the crisis of Spiritual Humanism*. Yogyakarta : Student Library, page 211

<sup>23</sup> Linda Trianita, 2015, *Government Will Repatriate Rohingya Refugees*, accessed from <http://nasional.tempo.co/read/news/2015/05/19/058667533/pemerintah-akan-pulangkan-pengungsi-rohingya>, accessed on June 17, 2024.

<sup>24</sup> Hendra Pasuhuk, 2015, *Malaysia and Indonesia Agree to Accommodate Rohingya Refugees*, accessed from <http://www.dw.com/id/malaysia-and-indonesia-agree-accommodating-refugees-rohingya/a-18462889/>, accessed on 17 June 2024

<sup>25</sup> Lay Yang Moy, Ardli Johan Kusuma, 2016, *Background of Indonesia Accepting Rohingya Refugees in 2015 (Constructivist Analysis)*, *Global Insight Journal*, Vol 01 No. 01, April-September 2016

addition, the TNI strictly prohibits local residents from bringing refugees to the mainland.<sup>26</sup> After seeing the miserable condition of the refugees, consisting of men, women, and children, whose bodies are weak due to lack of water because they have been in a condition of lack of logistics for a long time and exposed to the heat of the sun, the fishermen and residents of North Aceh and local community leaders feel compassion and touched by their sense of humanity. Then, the fishermen worked together to pull the refugee boats to dock. Regardless of the TNI's crackdown, the community along with humanitarian agencies worked hand in hand to build public kitchens, feed, collect used clothes suitable for use, and raise funds to help Rohingya refugees. After that, they were placed in evacuation centers in four areas: North Aceh Regency, Aceh Tamiang Regency, Langsa City, and East Aceh Regency.<sup>27</sup>

This is not the first time Rohingya refugees have arrived in Indonesia. Currently, many Rohingya from Myanmar live in Immigration Detention Homes (Rudenim), so the status of Rohingya refugees is increasingly unclear.<sup>28</sup>

Indonesia has come under fire at home and abroad for its rejection of Rohingya refugees. According to him, the suffering of Rohingya refugees is clearly visible, and as a humanitarian country, Indonesia must help them. The House of Representatives also asked the President to make interim laws that would help officials act, such as the presidential decree on dealing with asylum seekers and migrants.<sup>29</sup>

Influenced by the human rights norms held by the local community and Indonesian identity, Indonesia finally decided to accept refugees who have the same identity, namely as victims of human rights violations committed in their home countries, because human rights norms encourage Indonesia to ignore the social problems that will arise as a result of the large number of refugees arriving in the country. Indonesia must provide shelter, food, medicine, and a decent life for refugees as a recipient country. However, since Indonesia did not ratify the 1951 UN Convention on Refugees and the 1967 Protocol, Indonesia is not responsible for accepting refugees in its territory. However, the UN General Assembly acknowledged the refugee problem and called on all member states to provide international protection to refugees and find a permanent solution to the refugee problem. As such, the government is working together to implement the decision in cases where a person claiming to be a refugee or asylum seeker arrives in Indonesia, by notifying UNHCR, the international body of the United Nations high commissioner for refugees, which is tasked with protecting and providing assistance to refugees at the request of the government or the United Nations, International Humanitarian Law also know as the laws of war and armed conflict.<sup>30</sup> UNHCR then assists the refugees in the process of moving to their new homes.<sup>31</sup>

According to Presidential Decree No. 125 of 2016, "Refugees from abroad, hereinafter referred to as refugees are foreigners who are in the territory of the Unitary State of the

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<sup>26</sup> Adiba Hasan, 2015, *TNI still rejects Rohingya ships, Aceh Commander calls for rescue*, accessed from <http://www.Arrahmah.com/news/2015/05/18/tni-masih-tolak-kapal-rohingya-panglima-aceh-serukan-penyelamatan.html>, accessed on June 17, 2024

<sup>27</sup> *Ibid.*

<sup>28</sup> Lay Yang Moy, Ardli Johan Kusuma, Op.cit.

<sup>29</sup> Ahmad Hatim Benarfa, 2015, DPR: For the sake of humanity, save the Rohingya nation!, accessed from <http://www.teropong-senayan.com/10223-dpr-demi-human-savekan-bangsa-rohingya>, accessed on June 17, 2024.

<sup>30</sup> Mirsa Astuti, (2022). Provision Of Asylum For Refugee Victims Of Conflict With Armed According To International Law And Islamic Law. In *Proceedings International Seminar Of Islamic Studies* (Vol. 3, No. 1, pp. 716-723).

<sup>31</sup> *UNHCR in Indonesia*, accessed from <http://www.unhcr.or.id/id/tentang-unhcr>, on June 17, 2024

Republic of Indonesia because of a well-founded fear of persecution on the grounds of race, ethnicity, religion, nationality, membership of certain social groups, and different political opinions and do not want protection from their home country." Political security threats to Rohingya refugees pose other security threats, such as economic, health, food, individual, and community threats. As a result of being at sea for months, the Rohingya not only have an undecent life, but also face many health problems. These are the things that attract Indonesia's attention.<sup>32</sup>

The philosophy of humanism is a view that places human dignity as the highest value, and emphasizes respect for life, freedom, and human rights. Its relationship with Indonesia accepting Rohingya refugees can be seen from several perspectives:

1. **Universal Humanitarian Values:** Humanism teaches universal human values, including empathy for human suffering wherever they are. In this context, the acceptance of Rohingya refugees reflects Indonesia's commitment to respecting and protecting human rights, as well as showing solidarity with people experiencing conflict and persecution in Myanmar.

2. **Moral and Ethical Obligations:** Humanism emphasizes the moral obligation to help fellow human beings who are suffering. In this regard, Indonesia's decision to open its doors to Rohingya refugees reflects a moral responsibility to provide protection to those in need, although this may pose internal challenges.

3. **Response to the Humanitarian Crisis:** The acceptance of Rohingya refugees can also be seen as a response to the global humanitarian crisis. Indonesia, as a country committed to the principle of international solidarity, seeks to provide assistance and protection to those facing great danger in their home country.

4. **Strengthening Diplomacy and International Reputation:** In this context, Indonesia's actions can also be understood as part of efforts to strengthen humanitarian diplomacy and the country's international reputation. By providing assistance to Rohingya refugees, Indonesia can play an important role in international efforts to respond to humanitarian crises in Southeast Asia.

Thus, the link between the philosophy of humanism and Indonesia's decision to accept Rohingya refugees is in an effort to implement universal human values, protect human rights, and respond to global humanitarian crises.

It can be concluded that there are several factors why Indonesia accepts Rohingya refugees:

1. Human dignity is the highest value in the philosophy of humanism. Rohingya refugees are accepted by Indonesia as a form of appreciation for the dignity of those who are abused in Myanmar. This demonstrates Indonesia's commitment to protecting and respecting human rights regardless of one's religion, ethnicity, or race.

2. Humanism teaches how important it is to share the suffering of fellow human beings and empathize with them. By accepting Rohingya refugees, Indonesia shows its sympathy for the situation of those experiencing conflict and persecution. This example of action demonstrates our human values, which require us to help those less fortunate.

3. Humanism also emphasizes that we all have a moral obligation to help those who experience difficulties or injustices. In this situation, Indonesia feels morally responsible to protect Rohingya refugees who face a major threat in their home countries.

It is possible that accepting Rohingya refugees is part of Indonesia's commitment to social justice and humanity around the world. In accordance with the principles of the

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<sup>32</sup> Tirza Listiarani, (2020, August), Analysis of Indonesia's Foreign Policy in Accepting Rohingya Refugees in Indonesia, PIR Journal, Vol 5 No. 1

United Nations, Indonesia seeks to help address humanitarian crises in Southeast Asia and around the world by applying humanistic values.

### **Conclusion**

The philosophy of law is still responsible for creating real legal conditions because its task is to explain the values and foundations of law philosophically and be able to formulate the ideals of justice and order in life that are relevant to the applicable legal reality. This does not eliminate the possibility that the law may have changed to meet the needs of legal developments at a certain point in history.

In terms of humanism, there are two parts: humanism that flows well and humanism that must be instilled if it is already a concept. To be able to further humanize people, everyone still has a vision crisis of humanism, and a philosophy of law is needed to help everyone become more empathetic. Human habits still have a lot to improve, and philosophy is the tool to do so.

Indonesia accepts Rohingya refugees because they are both from countries that defend human rights, and they are victims of human rights violations in their home country, Myanmar. Indonesia has shown a caring attitude and is willing to accommodate Rohingya refugees as part of the international community. Although this country is not one of the countries that signed and ratified the 1951 UN Convention on refugees, it may not want to accept refugees in its territory and will not be subject to legal sanctions.

Solving the Rohingya problem can only be done if all parties have a strong commitment to side with moral values and humanity by taking concrete steps in solving the root of the problem. Indonesia's decision to accept Rohingya refugees is the result of humanistic principles that prioritize respect for human dignity, solidarity, empathy, moral obligations, and commitment to humanity around the world. This step demonstrates Indonesia's moral role at the international level and supports peace and justice efforts in Southeast Asia and around the world.

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