


Research Article

# The Criticism of Human Rights Violations in Indonesia: Philosophical Analysis through *Summa Theologiae* of Thomas Aquinas and *Ethica* of Baruch de Spinoza

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**Abstract:** This study aims to analyze the concept of human rights violations in Indonesia by identifying human rights violation provisions in Indonesia and human rights violations in Indonesia based on the Philosophy of Ethics. This study uses a qualitative approach with a type of library research. The data analysis technique uses the flow charts model. The theoretical analysis technique uses the *Summa Theologiae* by Thomas Aquinas and the *Ethica* by Baruch de Spinoza. The 1998 tragedy is included in the gross human rights violations in Indonesia. Especially *Summa Theologiae* and *Ethica*, the statement of the state administrator, in this case, is that the MENKO-POLHUKAM is far from the existence of moral values and ethical virtues. This is based on the absence of moral values that should lead to action as a decision-making agenda through ethics and intellectual traditions. In this regard, the MENKO-POLHUKAM cannot construct a rational nature in the context of basic choices being dominated by “*lust*” through “*affectus*”. So, it tends to lead to the “*libertum atribium*” being free. Ethically, the MENKO-POLHUKAM, as a state administrator, is required to do good deeds and be able to respect victims of human rights violations.

**Keywords:** Human rights violations; Philosophy; *Summa Theologiae*; *Ethica*; Indonesia

## 1. Introduction

Yusril Ihza Mahendra, as the Coordinating Minister for Law, Human Rights, Immigration, and Corrections or MENKO-POLHUKAM in the red and white government cabinet under Prabowo’s leadership, said that the case that occurred in 1998 related to the refinement and murder of activists was not a gross human rights violation. In this case, Yusril Ihza Mahendra identified gross human rights violations as genocide crimes and ethnic cleansing; Yusril also stated that there is a pagan regarding something that is referred to as a gross human rights violation by Law Number 26 of 2000 concerning Human Rights Courts (Evandio, 2024). Yusril’s statement then became a public spotlight considering his position as the Coordinating Minister for Politics and Legal Affairs and also the problem of the 1998 tragedy in the years before it was inspired as a case of gross human rights violations. This also became a new problem related to the quality of the Indonesian Coordinating Minister for Political Affairs and Security, especially the red and white cabinet under the leadership of Prabowo.

The Human Rights perspective was initiated by a philosopher named John Locke, who referred to his theory of Natural rights (Locke, 1964). The fundamental aspects of the concept of Human Rights are classified into 3 parts: the first generation, the second generation, the third generation, relatedness, and interdependence. In the first generation, human rights tended to be dominant in discussing the freedom of civil society rights, which were then identified as civil and political rights which were also included in the ICCPR (International Covenant on Civil and Political Rights), the first human rights were referred to as human rights that had a negative, negative nature in the sense that the state could only provide protection and should not intervene in the rights of citizens. The second generation of human rights is based on the economic context; this is relevant to the initial idea of human rights initiated by Eastern countries by demanding the fulfilment of the financial status of citizens

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as a fundamental human right, which is also included in ICESCR (International Covenant on Economic, Social, and Cultural Rights) (Smith et al., 2023). The third generation fulfils rights based on ownership, identified as a right to own rights in material positions.

Fulfilling human rights has become a vital urgency in the international scope. However, in the conditions experienced by countries that are statistically considered developing countries, Human Rights are a guideline for developing countries to ensure that they actively contribute to the global political order. A person who tends to support the actions of his citizens to commit human rights violations or fail to implement the essence of human rights will be a concern and even blasphemy by the international community. However, factually speaking, this can also be used as a delicacy for other countries in implementing consolidation by conducting bilateral or multilateral treaties or international agreements, which will then be overshadowed by international sanctions on the political and economic status, which will later be detrimental to the country. The concept of human rights emphasizes a critical point in human nature that must not be deprived by others or even the state. In this case, human rights must be protected and respected by all human beings based on the universal nature of human rights. So, humans must be treated fairly, equally or equally. It covers several aspects, including social, political, cultural, economic, gender, etc.

Human beings must respect the dignity of human rights owned by others. They are required to respect the rights of others as a form of 'causal' reciprocal relationship. On the other hand, to defend human rights, the state has a role and contribution to protect the rights that humans naturally own. This can be done by committing responsibility to the social, political, legal, and economic sectors. The conditions for the formation of a country are critical to identifying the territorial boundary factor and the existence of its population in governance to be built. The international legal order indeed binds a country. The state is also one of the parties to international agreements required to fulfil the protection of human rights that must be implemented in the country. In this case, the state must protect human rights based on international law, which is then regulated by national law, which has the values of equality, freedom, and justice. Based on this background, this study seeks to analyze the application of human rights violations in Indonesia. Some of the previous studies are.

This research differs from previous studies; it is based on research questions conducted by identifying 1) human rights violation provisions in Indonesia and 2) human rights violations based on the Philosophy of Ethics. Analysis of theories using *Summa Theologiae* and *Ethica*, which Thomas Aquinas and Baruch de Spinoza initiated, respectively, this theory is oriented as an effort to prove and strengthen the essence of human rights, which John Locke emphasized on the concept of Natural Rights, which is implemented as an indicator in identifying human rights violations in Indonesia.

## 2. Materials and Methods

This research uses a qualitative approach to library research. The data collection technique uses the bibliographic method or through documents. The data in this study consists of secondary data sourced from the results of state studies (laws), research results from books and journals, and various literature studies relevant to answering the formulation of research problems. Data analysis techniques use the flow chart model, which includes (data collection, data reduction, data presentation, and conclusion drawn). The theoretical analysis technique uses two analytical tools: the *Summa Theologiae* from Thomas Aquinas and the *Ethica* from Baruch de Spinoza – conclusion-drawing techniques using inductive patterns or generalizations. In the first stage, the researcher will collect data on gross human rights violations in Indonesia and the provisions of international and national human rights law in Indonesia. Second, the researcher will reduce the data on gross human rights violations in Indonesia by analyzing *Summa Theologiae* and *Ethica*. Third, the researcher will present the data from the theory analysis. Fourth, the researcher will conclude using an inductive pattern or generalization.

## 3. Results and Discussion

Based on John Locke's views, especially related to Human Rights, he defines that Human Rights are a right that human beings have since birth. Meanwhile, the implementation of human rights violations is based on the view that human rights are violations committed by someone or state apparatus intentionally or unintentionally against civil society. Thus, the 1998 tragedy is included in Indonesia's gross human rights violations. Through ethical

philosophy, especially *Summa Theologiae* and *Ethica*, the statement of the state administrator in this case is that the Coordinating Minister for Political Affairs and Legal Affairs is far from the existence of moral values and ethical virtues. This is based on the absence of moral values that should lead to action as a decision-making agenda through ethics and intellectual traditions. In this regard, the Co-ordinating Minister for Political Affairs and Legal Affairs cannot construct a rational nature in essential choices dominated by “*lust*” through “*affectus*”. So, it tends to lead to “*libertum atribium*” of free will. Ethically, the Coordinating Minister for Political Affairs and Legal Affairs, as a state administrator, is required to do good deeds and be able to respect victims of human rights violations.

### 3.1. Human Rights Violations Provisions in Indonesia

Based on John Locke’s perspective, Human Rights are natural rights bestowed directly by God on humans. Natural rights cannot be taken away or deprived because they are inviolable and inherent (Pureklolon, 2020). Human rights involve a privilege to protect and defend oneself against freedom, violence and even death. The right to liberty, in this case, can be interpreted as a right inherent in each individual, referring to their will to do something in the provision of not violating the rights of others. This instrument includes the right to religion, assembly, and expressing opinions in public spaces. There is also the right of human beings to have and or impose ownership, which is a legal right, such as property, work, and business (Locke, 1968).

According to John Locke, human existence is a natural condition that occurs to humans in situations where there is freedom, equality, and justice. So that humans can have the right to the self that is inherent in them (Kishardian et al., 2023). This natural condition is interpreted as a condition that can create peace and harmony in human life. Still, it must be underlined that human actions must not violate or contradict natural laws (Locke, 1968).

John Locke’s idea was then the background for the International regulations of ICCPR (International Covenant on Civil and Political Rights) and IESCR (International Economy, Social and Cultural Rights). Article 6, paragraph (1) of the ICCPR also excludes Human Rights as a natural right that no one, even the state, can take away. Referring to some of these concepts, it is concluded that human rights are natural rights humans naturally have as gifts from God. So, if a country commits an act of human rights violation, then the country concerned will deal with the International Court of Justice.

This is due to the universal nature of human rights, which is why countries are bound by international law. At the ASEAN level, a commission focused on fulfilling human rights in the ASEAN region is AICHR (Asean Intergovernmental Commission on Human Rights). The Commission was established in 2009 in Thailand, specifically at the 15th ASEAN Summit using the Cha-Am Hua Hin Declaration. Establishing the AICHR committee reflects the commitment given by 949 countries in the ASEAN organization to fulfil the rule of law, democratic rights, and good governance to civil society. The orientation for forming the AICHR, as stipulated in Article 1 paragraph (1), is to create solidity and fulfilment of human rights in the ASEAN organization. Furthermore, Article 1 paragraph (3) explains that the orientation ratified in the ASEAN Charter is intended to escalate economic sector stability, cooperation, and harmonization between ASEAN countries (ASEAN, 2017).

The concept of human rights, a representation of natural law, also needs to go hand in hand with enforcing human rights law. Definitively, human rights law enforcement is a legal mechanism that must be upheld. Indonesia is a legal country that recognizes the existence of human rights; this is evidenced by the 1945 constitution, which first appeared before the UDHR (Universal Declaration of Human Rights) (Aswandi & Roisah, 2019). In Indonesia, the fulfilment of human rights law enforcement is carried out through ad hoc courts. The government must take steps when there are human rights violations to ensure the public’s openness in handling them. The principle that prevails in this case is “*equality before the law*”, or all are equal in the eyes of the law. This is oriented as an effort to eliminate impunity. Human rights law enforcement also needs to create an institution that investigates cases of human rights violations.

The implementation of handling human rights law violations in Indonesia tends to experience many irregularities. In cases of human rights violations, Indonesia has a unique institution, namely KOMNAS HAM (National Commission on Human Rights). However, despite this, the public’s role is needed to ensure transparency and accountability in handling human rights law enforcement in Indonesia, by the 1945 Constitution and Law No. 39 of 1999 concerning Human Rights, as well as Article 1 paragraph 1 of Law No. 26 of 2000 concerning the Human Rights Court, which explains that human rights can be interpreted as

a right owned by human beings given by God which is obliged to be respected and upheld by citizens, law, as well as the government, as an effort to improve human dignity and dignity (HAM, 1999).

However, despite the implementation of human rights in the global political order, human rights violations still often occur, especially in Indonesia. Although it has ratified the ICCPR, ICESCR is incorporated into the national legal order, namely the constitution and human rights law. Human rights violations in Indonesia have always experienced a condition as prolonged. Based on historical data, there are several cases of human rights violations in Indonesia. Some of these cases are summarized in the table below.

**Table 1.** Historical data on various incidents of gross human rights violations that occurred in several provinces in Indonesia.

No	Case	Year	Territorial/Province	Death Toll
1	Trisakti, Semanggi I and II Incident	1998	DKI Jakarta	17
2	May 1998 Riots	1998	Cross Province	Disappear
3	Wasior and Wamena Incident	2001 dan 2003	Papua-West Papua	4
4	Enforced Disappearances	1997-1998	Cross Province	Disappear
5	Talangsari Incident	1996	Lampung	130
6	1965-1966 Incident	1965-1966	Cross Province	≥ 2.000.000
7	Mysterious Shooting	1982-1985	Cross Province	± 10.000
8	KKA Junction Incident	1999	Aceh	21
9	Jambu Keupok Incident	2003	Aceh	16
10	Murder of Shaman Santet	1998	West Java/East Java	± 200
11	House of Geudong Incident	1989	Aceh	10.000-30.000
12	Paniai Incident	2014	Papua	4
13	Kuda Tuli Incident	1996	DKI Jakarta	5
14	Tanjung Priok Riots	1984	DKI Jakarta	24

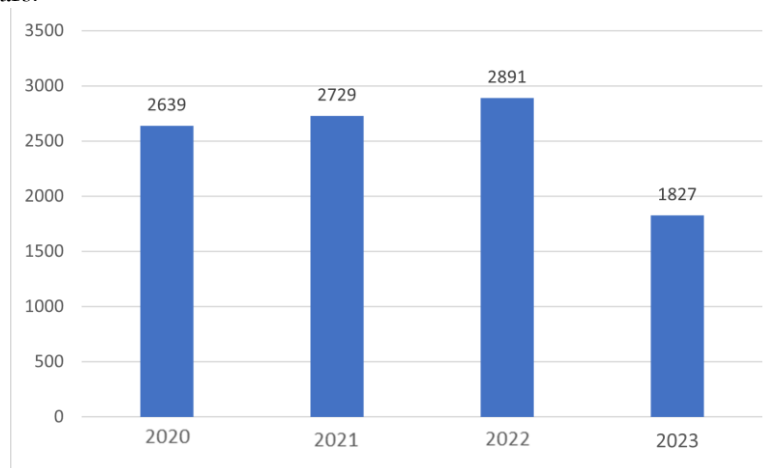
In Table 1, based on data from the Indonesian National Human Rights Commission, there are several cases of gross human rights violations in several provinces in Indonesia. Some of these cases are, first, the Semanggi I and II incidents in 1998 that killed 17 civilians and injured 456. Second, the May 1998 riots left 149 people wounded and 23 missing. Third, the Wasior and Wamena incidents in 2001 and 2003 resulted in 4 deaths, 1 sexual violence, 5 missing, and 39 torture. Fourth, the incident of enforced disappearances in 1997-1998 in the Cross Province recorded 23 student activists who disappeared by force. The five events of Talangsari in 1989 killed more than 130 people. 77 people were forcibly moved, 53 people were deprived of their rights, and 46 people were tortured. Sixth, the 1965-1966 incident in which the Indonesian state tried to eradicate suspected members of the PKI (Indonesian Communist Party) cost an estimated 78,000-1,000,000 lives (Armed Forces), 500,000-1,000,000 (Ben Anderson), and 2,000,000 PKI. Seventh, the mysterious shooting (Peter) that occurred in 1982-1985 is estimated to have reached 10,000 people.

The Simpang KKA incident that occurred in 1999 in Aceh killed at least 21 people and injured 146 people. Ninth, the Jambu Keupok incident that occurred in 2003 in Aceh killed at least 16 people who were identified as members of the GAM (Free Aceh Movement). Tenth, the murder of witch doctors in Banyuwangi in 1998 killed approximately 200 witch



doctors and religious leaders. Eleventh, the Rumah Geudong incident in 1989 in Aceh, according to Amnesty International, recorded between 10,000-30,000 people identified as GAM members. Twelfth, the Paniai incident in Papua in 2014, which killed 4 people and injured 21. Thirteenth, the Deaf Horse incident that occurred in 1996 by attacking the DPP-PDIP killed 5 people, injured 149 people, and 23 were missing. Fourteenth, the Tanjung Priok riot which killed 24 people. Based on this data, cases of gross human rights violations in Indonesia tended to occur more during the leadership of Suharto as President and former TNI (Indonesian National Army), who ruled authoritatively for 32 years, starting from 1967 to 1998 until it was successfully handed down during the Reform era in 1998.

The problem of human rights violations in Indonesia has become an ongoing problem; below are some reports of human rights violations that have occurred in Indonesia in the last 4 years.



**Figure 1.** Data on reports on alleged cases of human rights violations in Indonesia in 2020-2023.

Based on Figure 1, the data on reports of alleged cases of human rights violations in Indonesia over the last 4 years reached (2639) in 2020, (2729) in 2021, (2891) in 2022, and (1827) in 2023. It increased by an average of 0.91%. The most reports were experienced in 2022.

**Table 2.** Reporting data on alleged human rights violations in 2020-2023 in Indonesia

Years	Report	Most Complained	Most Violated Rights
2020	2639	Police	Right to Welfare
2021	2729	Police	Right to Welfare
2022	2891	Police	Right to Welfare
2023	1827	Police	Right to Welfare
<b>Total</b>	<b>10086</b>	<b>Police</b>	<b>Right to Welfare</b>

Based on Table 2, the data on reports of alleged human rights violations in Indonesia in 2020-2023 reached 10,086 reports. Most reports show the direction towards the Police consistently in 4 years. Most reports of human rights violations refer to violations of welfare rights. To be more specific, below is the data on the number of complainants and the number of complaints against rights violated in 2020-2023.

**Table 3.** Data on the number of complaints and the most violated rights in 2020-2023.

Years	Complainer	Number of Complaints	Welfare Rights Complaints	Police Percentage	Percentage of Rights Welfare
2020	Police	758	1025	24,31%	25,05%





2021	Police	728	1009	23,35%	24,66%
2022	Police	861	993	27,61%	24,27%
2023	Police	771	1065	24,73%	26,03%
<b>Total</b>	Police	3118	4092	100,00%	100,00%

Based on Table 3, the number of complaints against the complainant (Police) reached 3,118; the highest percentage occurred in 2022, which reached 27.61%. Then complaints about welfare rights reached 4,092 per cent; the highest percentage occurred in 2023, which reached 26.03%. A violation of human rights is definitively a violation committed by a person, including the state apparatus, intentionally or unintentionally, with an effort to obstruct or limit human natural rights regulated in the provisions of the applicable law (Article 1 paragraph (6) Human Rights Law). Furthermore, gross human rights violations are classified into two, namely genocide crimes and crimes against humanity (Article 7 Law No. 26/2000). In this case, crimes against humanity, as referred to in Article 7 letter b, are acts that are referred to as directly planned, systematic, massive attacks directed directly at civil society; these contain references, namely murder, extermination, slavery, expulsion, deprivation of liberty, torture, sexual violence, enforced disappearances, persecution of ethnic minorities, and apartheid crimes (Article 9 Law No. 26/2000).

### 3.2. Human Rights Violations Based on Philosophy of Ethics

Referring to Immanuel Kant's view, soft argument forms are classified, namely "aposterior" and "a priori". In this case, posterior is an ideal form of argumentation; this justification is based on the existence of God's position identified and fictitious based on evidence. However, factually speaking, the arguments always found are a priori, which negates the existence of God and pre-existing entities by imparting it to the universe (Kant, 1998). Related to this, ethics based on philosophy tends to assume that the verification of the value of equality is universal or comprehensive for humans. This happened in the previous few centuries, which gave meaning to identifying the term gender, not making it a supporting aspect to provide distinction and privilege to one group. This concept describes idealism, although it does not give empirical empiricism. However, the idea offers a constant negation, meaning that it is clear that every human being has the right to get his rights, which contain several aspects related to dignity, dignity, and freedom based on the empirical method, namely happiness and pleasure (Kant, 1998).

However, the element that has become a long-term problem in ethical philosophy is the low relationship between moral philosophy and the economic and political order; this seems to define that philosophy is an assumption that can create naïve sentiments and even worse. In this case, an ethical philosophy that deliberately avoids social and economic aspects needs to be identified as a relevant action. However, this assumption does not seem to be able to have an exciting impact on the initial assumptions of philosophy. Philosophy makes an argument deliberately; in other words, philosophy begins with the quality of the human being identically correlated with a human being through biological identification by Aristotle, followed by intellectuals by Immanuel Kant, and psychologically by John Stuart Mills. This can be the basis for refuting the statement practically that philosophy should be to create a design to realize the orientation expected to grow the potential of the ideal society's life. However, this needs to be done by separating it into different sub-fields of philosophy, the field of philosophy being political philosophy (Spike, 2020).

#### 3.2.1. *Summa Theologiae* of Thomas Aquinas

The natural law habit regarding his view of morality and jurisprudence refers to the ideas of Greek and Roman philosophy Kuni, which was developed comprehensively by Scholastic thinkers, one of them being Thoma Aquinas. The theory of natural law contributes to and plays a vital role in its influence on capital theory and modern politics, especially the ideas of Pufendorf, Hobbes, Grotius, and John Locke. The construction of some thinkers related to natural law shows that the initial ideas were radical in the tradition of Thomas Aquinas's moral and political perspective (Moschella & George, 2015).

The theological goal of Thomas Aquinas is to explain to man that the world is not the single and final dimension of man. Criticism of liberation theology involving the Christian desire for heaven as collateral as a form of indifference to the actual situation of people's lives is reasonable and necessary. Some liberation theologians say not to ignore all aspects of

Christian eschatology or man's relationship with God (Gutiérrez, 2003). However, the desire of the present time, especially the theology of some alterations, has always shaped the conditions under which eschatology is used to obscure human indifference to critical social issues (Sobrinho, 2015).

In this case, Thomas Aquinas cannot be identified as a political theologian, but his theological and theocentric ideas cannot exclude his focus on human relations with society (Williams, 1997). *Summa Theologiae* provides knowledge about the epistemological and ethical conditions related to the limitations of “*qua means fertur in Deum*” and indirectly maintains the substance of imperfection about self-consciousness “*omnium aliorum men's obliviscatur*”. Thus, it is negated that Aquinas is contrary to the absolute value of the essence of “*reditio complete*” based on the “*proclian*” model. This avoidance has a formal element in the instrument of *Summa Theologiae*, which deals with the imperfection of human self-awareness. Then, identify the findings in the initial presentation related to the middle of “*synderesis*” to a comprehensive and systematic presentation that lies in the review of prayer (Baumgarten, 2013).

The idea of “*conscientia*” or “*reditio complete*” has implications and has contributed to the sanctification of human individuality towards prayer in the medieval ages. It was initiated by Greek and Latin patristic and identified the fundamental phenomenon of “*parallelism*” between epistemology and the theory of the state of consciousness in the act of “*contemplation*”. Based on reflection that is carried out rationally, providing im-application to human beings can classify the essence of actions identified as truth. This can then provide instructions for integrally organizing the human will (Baumgarten, 2013).

This essence functions in general in all aspects; it is based on the provisions of basic human welfare motivated by human nature, which is fundamentally static. However, the factual implementation of this essence can vary by referring to conditions. So, natural law contains the concept of the value and substantive explanatory explanation related to human welfare, including all its instruments, and it is related to the theory of action as truth—moral provisions and essences direct actions in making ethical decisions (Aquinas, 2023). The essence of this concept needs to be related to the explanatory value of Virtue constructed as an intellectual tradition and the characteristics that can be relied upon in directing humans to take actions relevant to norms and morals so that it automatically makes it an essential aspect of human development.

Thomas Aquinas stated that natural law contains alterations of prepositions because natural law instructs man to lead to thoughts that inspire intrinsic value, something capable of being chosen by himself so that he does not base choice only as a mode to achieve further orientation. This is relevant to the alteration of human traits, where humans are creatures who need to fulfil welfare and various other dimensions. So, the fulfilment of the need to use theoretical and practical knowledge, including the truth about God (McGinn, 2019).

Some thinkers of contemporary natural law seek to provide a more detailed explanation of the nature of the essential goods; they consider that Thomas Aquinas only briefly reviews what they identify as a kind of example and does not explicitly give a more systematic and comprehensive explanation of the concept. Therefore, Finnis (2011) explains the form of Virtue as formative excellence that has aspects of integrity, including (desire, reasoning inner harmony), originality (relevance between human judgment and the actions of other human beings), and harmonious policies that occur with God, which are then verified as a transcendent source of existence and interpretation.

### 3.2.2. *Ethica* of Baruch de Spinoza

Some philosophers in the 19th century identified that the philosophy of Descartes influenced Spinoza's philosophy. This is identified through the statement that the philosophy of Descartes inspired Spinoza to change its concepts and doctrines. Spinoza's hypothesis evolved as an attempt to synthesize Cartesian metaphysical problems; this needs to be done by providing a solution to the dualism of mind and expansion. A similar statement was made by Harry A. Wolfson, who said that Descartes influenced Spinoza's doctrines. It is based on technical Latin terms and tends to lead to Hebrew Scholastic in the Middle Ages and the 16th century (Wolfson, 1958).

In this case, what is inspired by the concept of ethics, according to Spinoza, is something that correlates with the metaphysical problem called a beginning? In ethics, Spinoza discusses the doctrine of divine value, which contains instruments relevant to the side of God and the human mind. Based on Spinoza's view, the elements motivated by God will bring humans to the basis of knowledge about the mind and the highest happiness (Nadler, 2006).

In his thinking, Spinoza was influenced by the philosophy of Rene Descartes and

Aristotle and the Neoplatonic and Stoic views. Spinoza internalizes this in authentic and manifested forms, referring to the evolution of conditions observed during the Renaissance. In his view, Spinoza emphasized that human beings who have Virtue are required to eliminate pain and enjoy the plea of life not to make mistakes. In his pan-and-imagined views, Spinoza also has Machiavelli content, especially in writings related to politics, which also implicitly contain elements of tika, Where Spinoza gives the idea that humans act with an emphasis that action is a bad thing when in the norms and values that live in a society in which there is sadness. According to him, a verified ethical composition must be based on metaphysical and physical aspects. As an instrument of inquiry, ethical principles philosophically take explicit action behind something initiated by God. In this case, Spinoza seeks to direct human knowledge of the human mind as the “*self*” and the highest happiness (Chibuike Ezebuilo, 2020).

The ethics expressed by Spinoza are related to the concept of ethics by Aristotle. In ethics, Aristotle, especially in the book “*Nicomachean Ethics*”, states that all dogmas about ethics are verified. However, unlike mathematics, all have assumptions that are far from valid. However, the various approaches have methods that, in quotation marks, “*may*” be inaccurate; this refers to the importance and the lessons. Geometric methods with the properties of the structural framework of theorems, axioms, demonstrations, appendices, collocates, and scholia require a systematic and strict interpretation to understand Baruch de Spinoza’s ethical concept. Descartes slightly influenced this. The geometric method seeks to scientificize the concept of ethics, so implementing this method requires several ethical, physical, and metaphysical approaches. Thus, everything relevant to natural substances, God and humans requires a ratio between human actions and desires (Spinoza, 2018).

The fundamental aspect of Spinoza’s philosophical doctrine, especially related to ethics, is related to the Divine value, which contains its instruments, namely (view, ek-system, and Modi, which are considered to be a reflection manifested by human beings who have memorized Divine values. At the same time, the Divine itself is inspired by something eternal and infinite (Nadler, 2006). This is different from the Aristotelian concept, which tends to focus on physical substance. The relationship between the Divine values, including instruments and Modi, is identified as an accident. Everything is always trying to survive in its existence. The essence of this tends to dominate in all aspects that follow it. In this case, Spinoza gave it the term “*affectus*”, which is a description of universal emotions which he then also classified into passive influences, “*passions*”, and active influences, “*actions*” that exist in the human mind (LeBuffe, 2010).

Spinoza then affirmed the classification of “*affectus*” as the passive influence of “*passion*” that can not only be caused by the mind but also by other aspects. Thus, eliminating lust through reason is the climax of a passion motivated by “*passive*” thoughts caused by intuition, not thoughts (Mattern, 2013). This concept refers to the idea of stoicism, which also contains a description and is classified explicitly as “*lust*”. Spinoza redesigned the stoic concept, although there were some original concepts. It is classified into three elemental human passions, which are “*Laetitia*” or joy, “*tristitia*” or sadness, and “*cupiditas*” or desire. In these three primary clusters of passion, Spinoza degrades the “*tristitia*”; this is based on Spinoza’s belief that active influences will only have an impact on specific forms in the aspects of “*Laetitia*” and “*cupiditas*” (Kristeller, 1982).

Spinoza differed from the Aristotelian concept, which emphasized “*libertum ar-tribium*”, or free will, and “*voluntas*”, the ability of will. Spinoza conscientiously rejected the view of “*libertum artribium*” or “*voluntas*” willpower. Spinoza considered freedom an illusion, even though God was identified as “*free*” only by interpreting that God was not determined from the outside but in his essence and nature (Joachim, 2008).

Man does not have free will “*libertum atribium*” in his actions. However, man is free to create a rational nature in deciding on basic choices dominated by lust and to create “*Laetitia*” through the “*affectus*” approach, an active influence in his thinking. Thus, fulfilling this basic human decision without the “*libertum atribium*” does not make sense. There is an alteration between the dominance of lust and the intellect in the “*libertum atribium*” of human life. So, there are two forms of radical classification in human life: the will to live limited by lust and the free will over the intellect. Thus, humans have two choices between two forms of life (Joachim, 2008).

#### 4. Conclusions

Based on the results of the above analysis, the researcher concludes that through the



analysis of ethical philosophy, in *Summa Theologiae*, moral provisions and essences that direct actions in making decisions based on ethics need to be related to the explanatory value of Virtue that is constructed as an intellectual tradition and characteristics that can be applied in directing humans to take actions that are relevant to norms and morals. In *Ethica*, man does not have free will, “*libertum atribium*” in his actions. However, man is free to create a rational nature in deciding on basic choices dominated by lust and creating “Laetitia” through the “*affectus*” approach, an active influence in his thinking. Thus, fulfilling this essential human decision without the “*libertum atribium*” does not make sense. The provisions for human rights violations in Indonesia are based on Article 1 paragraph (6) of Law Number 39 of 1999 concerning Human Rights, which then the classification of gross human rights violations is identified into two as referred to in Article 7, namely the crime of genocide and the crime of murder. The crime of murder, in this case, is also classified into several types by Article 9 of Law Number 26 of 2000 concerning Human Rights Courts, especially in Article 9 letter I, namely the enforced disappearance of persons.

The limitation of this study is that the researcher realizes that this research is still not as good as it needs to be perfected by other researchers. The researcher suggested that other researchers should conduct research, especially on the follow-up of police reports and demands for welfare rights in Indonesia.

## References

- Aquinas, T. (2023). *Summa Theologiae: Complete Set*. Grapevine India.
- ASEAN. (2017). AICHR: Apa yang perlu Anda ketahui – Edisi Ulang Tahun ASEAN ke-50, Sebuah Ikhtisar.
- Aswandi, B., & Roisah, K. (2019). Negara Hukum Dan Demokrasi Pancasila Dalam Kaitannya Dengan Hak Asasi Manusia (Ham). *Jurnal Pembangunan Hukum Indonesia*, 1(1), 128. <https://doi.org/10.14710/jphi.v1i1.128-145>
- Baumgarten, A. (2013). Theory of Prayer and Medieval Epistemology: The Case of Thomas Aquinas. *Procedia - Social and Behavioral Sciences*, 71, 101–105. <https://doi.org/10.1016/j.sbspro.2013.01.014>
- Chibuike Ezebuilo, H. (2020). Descartes, Leibniz and Spinoza: A Brief Survey of Rationalism. *AMAMIHE: Journal of Applied Philosophy*, 18(6), 95–118. <https://www.acjool.org/index.php/ajap/article/view/579/581>
- Evandio, A. (2024). Yusril Sebut Peristiwa 98 Bukan Pelanggaran HAM Berat, Ini Alasannya. <https://kabar24.bisnis.com/read/20241021/15/1809487/yusril-sebut-peristiwa-98-bukan-pelanggaran-ham-berat-ini-alasannya>
- Finnis, J. (2011). *Natural Law and Natural Rights*, second ed. Oxford University Press.
- Gutiérrez, G. (2003). *We Drink from Our Own Wells: The Spiritual Journey of a People*. Orbis Books.
- Joachim, H. H. (2008). *A Study of the Ethics of Spinoza: Ethica Ordine Geometrico Demonstrata*. Clarendon Press.
- Kant, I. (1998). *Critique of Pure Reason*. Cambridge University Press.
- Kishardian, M. I., Arfiandi, M. A., & Aldiansyah, M. R. (2023). Teori Alamiah dalam Pandangan John Locke. *Nusantara: Jurnal Pendidikan, Seni, Sains Dan Sosial Humaniora*, 1(01). <https://journal.forikami.com/index.php/nusantara/article/view/167>
- Kristeller, P. O. (1982). Stoic and Neoplatonic Sources of Spinoza's Ethics. *History of European Ideas*, 5(1), 1–15.
- LeBuffe, M. (2010). Theories about Consciousness in Spinoza's Ethics. *Philosophical Review*, 119(4), 531–563. <https://doi.org/10.1215/00318108-2010-013>
- Locke, J. (1964). *The Second Treatise of Civil Government and a Letter Concerning Toleration*. Blackwell Publisher.
- Locke, J. (1968). Two treatises of government. In *Two Treatises of Government*. McMaster University Archive of the History of Economic Thought.
- Mattern, R. (2013). Spinoza and Ethical Subjectivism. *Canadian Journal of Philosophy*, 8(sup1), 59–82. <https://doi.org/10.1080/00455091.1978.10717081>
- McGinn, B. (2019). *Thomas Aquinas's Summa Theologiae A Biography*. Princeton University.
- Moschella, M., & George, R. (2015). Natural Law. *International Encyclopedia of the Social & Behavioral Sciences: Second Edition*, 15, 320–324. <https://doi.org/10.1016/B978-0-08-097086-8.86084-5>
- Nadler, S. (2006). *Spinoza's "Ethics" An Introduction*. Cambridge University Press.
- Pureklolon, T. T. (2020). *Negara Hukum dalam Pemikiran Politik*. PT Kanisius.
- Smith, R. K. M., Hostmaelingen, N., Ranheim, C., Arinanto, S., Falaakh, F., Soeprapto, E., ... Riyadi, E. (2023). *Hukum Hak Asasi Manusia* (K. D. Asplund, S. Marzuki, & E. Riyadi, Eds.). Sada Kurnia Pustaka.
- Sobrinho, J. (2015). *Spirituality of Liberation: Toward Political Holiness*. Orbis Books.
- Spike, J. P. (2020). Is There a Right and Left When the Question is About Right and Wrong? – The Irreducible Difference Between Ethics and Politics, Religion, and Morality. *Ethics, Medicine and Public Health*, 14, 100411. <https://doi.org/10.1016/j.jemep.2019.100411>
- Spinoza, B. de. (2018). *Spinoza: Ethics Proved in Geometrical Order*. Cambridge University Press.
- Undang-Undang Nomor 26 Tahun 2000 tentang Pengadilan Hak Asasi Manusia, Lembaran Negara Nomor 208 Tahun 2000, Tambahan Lembaran Negara Nomor 4026.
- Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia, Lembaran Negara Nomor 165 Tahun 1999, Tambahan Lembaran Negara Nomor 3886.
- Williams, A. N. (1997). Mystical Theology Redux: The Pattern of Aquinas' *Summa Theologiae*. *Modern Theology*, 13(1), 53–74.
- Wolfson, H. A. (1958). *The Philosophy of Spinoza*. Meridian Books.