

Religion-Based Democracy in Indonesia

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Abstract

Democracy is a form of government that characterizes modern states. There is a sense of pride when a country makes democracy part of its ideology, part of its form of government, and part of the norms applied in its laws and regulations. In the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), there are several articles that provide an understanding of democracy, such as the process of dismissing the president and/or vice president, the implementation of general elections, and the prioritization of people's sovereignty. Article 37 discusses economic democracy, but the definition of economic democracy is not found, giving rise to interpretations according to the prevailing regime. This conclusion section provides the answer that religion and democratic government in Indonesia are commonplace. However, as a country based on the rule of law, religion must be neutral so as not to undermine the essence of the rule of law itself.

Keywords: democracy; law; religion

1. Introduction

Democracy is a form of government that characterizes modern states. There is a sense of pride when a country makes democracy part of its ideology, part of its form of government, and part of the norms applied in its laws and regulations. In the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), there are several articles that provide an understanding of democracy, such as the process of dismissing the president and/or vice president, the implementation of general elections, and the prioritization of people's sovereignty. Article 37 discusses economic democracy, but the definition of economic democracy is not found, giving rise to interpretations according to the prevailing regime.

Studies conducted by democracy experts show that defining or conceptualizing the term democracy is not monolithic, as there is no single, aggregate definition of what the term means. However, despite its non-monolithic nature, most of these experts agree that democracy can be well defined and operationalized as a type, form, or system of government in a country and society through which power and authority are in the hands of the people, either directly or indirectly through elected representatives. In terms of its characteristics, democracy is characterized by majority rule; guarantees the protection of the rights, freedoms, and property of citizens; respect for the rule of law, equality, and egalitarian representation; and political participation. Most democracies are also said to ensure the separation of powers between the three branches and other levels of government, tenurial and periodic elections, accountable leadership, and representation.[1]

The absence of the meaning of democracy ultimately means that its components do not have certainty in their implementation. For example, regarding the existence of religion, as stated in Article 28E of the 1945 Constitution of the Republic of Indonesia, everyone is free to

embrace a religion and worship according to their religion, choose education and teaching, choose a job, choose citizenship, choose a place of residence within the country and leave it, and have the right to return; everyone has the right to freedom of belief, to express their thoughts and attitudes according to their conscience; everyone has the right to freedom of association, assembly, and expression. In this article, there is freedom to embrace religion, but when this freedom is exercised, it raises legal issues. The legal research question that arises from this background is how should religion be treated in Indonesia based on democracy?

2. Method

To answer the research question "how should religion be treated in Indonesia based on democracy?", a method that provides concrete answers is needed. This study presents theoretical and normative arguments for understanding because the researcher also adjusts the articles in the 1945 Constitution of the Republic of Indonesia. In this study, normative research does not refer to research that tends to be based on laws and therefore rejects other things.

The influence of religion in an undefined democracy will be explored through a literature review related to law and religion.

3. Results and Discussion

Ancient direct democracy, in its classical Athenian version, involved the in-person participation of one part of the population—adult male citizens—in debate and decision-making, a much more demanding role than the now-standard limited engagement of voters in representative democracies, yet restricted to a narrower proportion of the population. Thinking about Athenian practice might challenge apathy and disillusionment from the electorate; it also offers a model where democracy was always perceived to be, and sometimes was, under threat of capture by a narrow elite or would-be autocratic ruler.[2] Democracy is not a form of government that can influence religion like tyranny or kingship. Religion is defined as a force that influences human life. Religion radiates values or religious spirit to its followers. Religion is a guide and light for all its followers. Religion is not something abstract, and it is relevant to everyday life.[3]

Naturally, religion is an integral part of democratic government. Democracy always emphasizes the fulfillment of the will of the people, which actually refers to the sovereignty of the people. Komaruddin Hidayat states that there are three models of the relationship between democracy and religion, namely a negative relationship, a neutral relationship, and a positive relationship. A negative relationship means that religion is a conservative force that constantly shackles human reasoning and independence, which is therefore contrary to democracy that supports human autonomy. A neutral relationship means that religious and political affairs run independently of each other. This theory is more popularly known as "political secularization." The main characteristic of this theory is that (secular) life emphasizes the principles of rationality and efficiency that are applied in the factual-empirical realm of life, so that religion is increasingly marginalized and becomes a private matter. Let religion and politics play their respective roles and dialectics. In the Indonesian context, political secularization was carried out under the theme of "political de-ideologization," particularly by making Pancasila the sole principle, which implied a ban on religious symbols in politics. Although a very strong process of political secularization occurred at that time, there was no significant secularization in society, because Muslims still had a religious orientation and socialized religious teachings culturally. There is a positive relationship in that religion greatly

supports the process of democratization, whether political, economic, or cultural. This theory is often referred to as theocracy, which is democracy that takes transcendental values into consideration. Theocracy assumes that, both theologically and sociologically, it greatly supports the process of political, economic, and cultural democracy. Therefore, even though religion does not systematically teach democratic practices, it provides an ethos, spirit, and doctrinal content that encourages the realization of democratic life. Although religion comes from God, its implementation still involves the role of humans. This is why it is necessary to continuously interpret "religious texts" in order to preserve God's creation.[4] Democratic governments have a very short time horizon. The essence of effective economic development is the allocation of resources for the long term in accordance with agreed criteria.[5] This influences how the state can affect the sustainability of religion. In other respects, religion in democracy also makes the relationship between society and the authorities sustainable. The recognition of human rights through religious courts will enable society to understand the power of the state.

4. Conclusion

This conclusion section provides the answer that religion and democratic government in Indonesia are commonplace. However, as a country based on the rule of law, religion must be neutral so as not to undermine the essence of the rule of law itself.

5. Acknowledgement

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6. References

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