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# **The Role of Islamic Law, Constitution, and Culture in Democracy in the United Arab Emirates and Indonesia (A Comparative Analysis)**

## **Abstract**

The study explores how Islamic law and local culture influence democracy in the United Arab Emirates (UAE) and Indonesia and how each country's constitution facilitates the implementation of democracy based on Islamic principles. In the context of the UAE, Islamic law (Sharia) is the primary source of law, while in Indonesia, Pancasila and the 1945 Constitution establish a more inclusive and pluralist legal framework, enabling the practice of Islamic law in a context that respects religious freedom. The research methods used are normative legal research with approaches carried out, among others, the Historical Approach, Comparative Approach, and Islamic legal approach. And will be analyzed with descriptive-analytical methods. The results showed the role of Islamic law, constitution, and culture in shaping democracy in the UAE and Indonesia. The UAE, with its Sharia law and authoritarian constitution, shows a different democracy than Indonesia which implements an inclusive democracy based on Pancasila and the 1945 Constitution. Cultural factors also play a role, with the UAE influenced by the monarchy and ruling family loyalties, while Indonesia is influenced by ethnic and cultural diversity. Implementing Islamic democracy requires transforming power, inclusive dialogue, and balancing Islamic values and universal democracy.

**Keywords:** Islamic Democracy; Islamic Law; Constitution; United Arab Emirates; Indonesia.

## **Introduction**

In democratic theory, most scholars agree with the definition that democracy means the formation and decision-making of inclusive, collective (or at least collectively accepted), leading to a political response in the sense of an effective transformation from citizens' preferences to policies and outcomes while ensuring political rights and freedoms through the constraints of the people's will (Müller-Rommel & Geißel, 2020, p. 226). However, this abstract definition does not clearly indicate how the subject is intended to rule (Slater, 2023, p. 95). Therefore, the normative notion of democracy must be linked to the concrete functioning of political institutions within a nation-state, as expressed in the rule of law. Juan Linz rightly stated, "There is no country (...) There is no democracy." (Sekerák, 2022, p. 1). What this statement means in practice has been examined in many different and sometimes overlapping conceptual definitions. By the end of the 1990s, the concept of whether democracy was, for example, liberal, transnational, associative, social, procedural, substantive, deliberative, global, emancipatory, electoral, or inclusive had been on the agenda of more than 500 different scholars worldwide. Areas of empirical research and normative theory.

In the context of democracy in Islamic law, several scholars have examined how democratic principles can be integrated with the values and principles of Islamic law. One of the main concepts in democracy, as it relates to Islamic law, is "shura," which is a system of consultation and participation in decision-making (Esposito & Voll, 1996, p. 33). Some scholars assert that shura in Islam aligns with democratic principles such as inclusivity, collectivity, and representation (Baderin, 2007, p. 9).

Democracy in Islamic law can also be seen through several models contemporary Muslim scholars propose. Some models that have been debated include constitutional democracy, deliberative democracy, and inclusive democracy (Na & Na'im, 2008, p. 72). On the other hand, some scholars consider that democracy in Islam is more about substance than procedure

(Sachedina, 2001, p. 28), meaning Islam prioritizes the principles of justice, equality, and freedom over a specific political structure.

However, it should be noted that Muslim scholars differ in opinion about the extent to which democratic principles can be integrated into Islamic law. Some argue that democracy and Islam are not fully compatible (Lewis, 2002, p. 181), while others argue that many intersections exist (Ramadan, 2003). In this context, it is important to understand that democracy and Islamic law are broad and complex concepts that include various approaches and thoughts. Therefore, the debate about democracy in Islamic law continues and develops along with social, political, and intellectual changes in the Muslim world.

This has led to some speculation. The phenomenon can signal several possible more critical situations: a healthy democracy, unethical political behavior that threatens the nation's future, the poor performance of political elements, or excessive political expectations among the public (Al-Raysuni, 2011, p. 11). Ideological distrust has become the focus of studies on the attitudes and behavior of citizens. The high distrust of state ideology requires further study to develop more mature concepts and theories around it.

Democracy in Islamic law can also be seen through several models contemporary Muslim scholars propose. Some models that have been debated include constitutional democracy, deliberative democracy, and inclusive democracy (Khan, 2014, p. 77). On the other hand, some scholars consider that democracy in Islam is more about substance than procedure (Khodaverdian, 2022, p. 77), meaning Islam prioritizes the principles of justice, equality, and freedom over a specific political structure. However, it should be noted that Muslim scholars differ in opinion about the extent to which democratic principles can be integrated into Islamic law.

Concerning the above, the democratic system itself has become a system known in several Islamic countries, both countries in the form of Islamic governments and countries with strong Islamic characteristics, for example, the United Arab Emirates and Indonesia, two countries that include these two characteristics. The Influence of Islamic Law on the Government System of the UAE and Indonesia The United Arab Emirates (UAE) and Indonesia are countries that apply Islamic law in their government systems but with different approaches. In the UAE, Islamic law is more dominant in the statutory system and forms the basis for political decision-making, following a more authoritarian and aristocratic political system. In contrast, in Indonesia, although Pancasila embraces Islamic values as the basis of the state, Islamic law is more limited and applied in a more pluralistic and tolerant context, reflecting a more inclusive and participatory democratic system.

Cultural Factors in the Application of Democracy in the UAE and Indonesia Cultural factors influence the implementation of democracy in the UAE and Indonesia. In the UAE, Arab culture and tribal traditions strongly influence political and social structures, creating a more hierarchical and authoritarian system. While in Indonesia, cultural, ethnic, and religious diversity creates a more pluralistic and tolerant environment, influencing how democracy reflects the values of inclusivity, representation, and justice appropriate to diverse cultural contexts.

The constitution is important in upholding democracy based on Islamic principles in the UAE and Indonesia. In the UAE, the constitution affirms Islam as the official state religion and Sharia as the main source of legislation, reflecting the strong influence of Islamic law in the country's political and legal system. In Indonesia, the constitution affirms Pancasila as the basis of the state, embraces the principle of the One and Only God, and applies Islamic values in a more inclusive and pluralistic context. Indonesia's constitution also affirms the protection of religious freedom and cultural diversity, reflecting the principles of inclusive and tolerant democracy.

Some of the implications of this difference include:

1) Political participation

In the UAE, political participation is limited by the existence of a Federal National Council whose members are partially appointed by the leaders of the emirates,<sup>1</sup> while in Indonesia, political participation is wider through elections and a system of popular representation.<sup>2</sup>

2) Human rights protection

In Indonesia, the constitution guarantees the protection of human rights and freedom of religion.<sup>3</sup> In contrast, in the UAE, human rights protection is more limited, and freedom of religion is more regulated by Islamic law.<sup>4</sup>

3) The role of women in politics

In Indonesia, women have greater political participation, with quotas for women's representation in parliament and elections.<sup>5</sup> While in the UAE, the role of women in politics is more limited, although some progress has been made in terms of women's representation in government positions.<sup>6</sup>

<sup>1</sup> In the United Arab Emirates (UAE), political participation is limited, and one example is the existence of the Federal National Council (DNF) or Majlis al-Ittihad al-Watani in Arabic. The legal basis governing the structure and functions of the DNF is the UAE Constitution adopted in 1971 at the founding of the federation. The UAE constitution creates a federal political system consisting of seven emirates, with the DNF as one of the main institutions in the federal government structure. The DNF has 40 members, and according to Article 88 of the UAE Constitution, 20 members are elected by the leaders of the emirates (Emirs) through a selection process. In comparison, the other 20 members are elected through an indirect electoral process involving voters appointed by the Emirs. This indirect electoral process was introduced in 2006 to increase the political participation of UAE citizens (*Women in the United Arab Emirates: A Portrait of Progress*, n.d., p. 1).

<sup>2</sup> In Indonesia it is more democratic by looking at Article 22E of the 1945 Constitution of the Republic of Indonesia, elections to elect the President and Vice President, Members of the House of Representatives, Members of the DPD, and members of the DPRD are held based on the principles of direct, public, free, secret, honest, and fair every five years.

<sup>3</sup> The Indonesian Constitution, namely UUD 1945, clearly affirms the guarantee of religious freedom in Article 28E paragraph (1). The protection of human rights in Indonesia is affirmed in the provisions of Article 28I paragraph (4) of the 1945 Constitution, which reads, "The protection, promotion, enforcement, and fulfillment of human rights is the responsibility of the state, especially the government." So the Indonesian state has a constitutional responsibility to participate in upholding the protection of human rights. It affirmed that "Everyone is free to profess his religion and worship according to his religion, to choose education and teaching, to choose employment, to choose citizenship, to choose a residence in the territory of the state and to leave it, and to have the right to return." Article 29 Paragraph (2) states the state's role in this: "The State guarantees the freedom of each of its inhabitants to profess religion".

<sup>4</sup> In the United Arab Emirates (UAE), the protection of human rights and freedom of religion is more limited compared to liberal democracies due to the influence of Islamic law. The UAE constitution affirms Islam as the official state religion and Islamic Sharia as the main source of legislation (Article 7). It guarantees equality before the law without discrimination of race, origin, religion, or social status (Article 25). However, the practice of religious freedom is more limited. Federal Law No. 2 of 2015 on the Prevention of Discrimination and Hatred prohibits discrimination based on religion, but it has restrictions and tends to prioritize Islamic views. In addition, Sharia Law applied in the UAE regulates various aspects of life, including family matters, inheritance, and marriage. The practice of non-Muslim religions is allowed but with restrictions such as a ban on changing places of worship visible from the outside, a ban on disseminating non-Muslim religions to Muslims, and a ban on conversion from Islam to other religions.

<sup>5</sup> At the level of the election process, affirmations are contained in Law Number 2 of 2008 concerning Political Parties and Law Number 10 of 2008 concerning Elections of the DPR, DPD, and DPRD. Law No. 2/2008 requires political parties to include a minimum of 30 percent female representation in the establishment and management at the central and regional levels (Article 2 and Article 20). While Law No. 10/2008 stipulates that political parties can participate in elections other than if they have implemented at least 30 percent of women's representation in their management at the central level, also the list of prospective legislative candidates must contain at least 30 percent of women's representation, both in the DPR and in provincial/district/city parliaments (Articles 8 and 53).

<sup>6</sup> Article 16, UAE Constitution: "The citizenship, rights, and freedoms of the people of the United Arab Emirates shall not be revoked. The United Arab Emirates guarantees these rights and freedoms to all its citizens regardless



#### 4) Relationship between religion and State

In the UAE, religion, and state are more closely linked, with Islam as the official religion and Sharia as the main source of legislation.<sup>7</sup> In Indonesia, the relationship between religion and state is more pluralistic and inclusive, with Pancasila as the basis of the state that embraces the values of various religions.<sup>8</sup>

The different characteristics of democracy in the United Arab Emirates and Indonesia are influenced by Islamic law in terms of political participation, human rights protection, the role of women in politics, and the relationship between religion and the state. Cultural factors also influence the implementation of democracy in both countries, with Arab culture and tribal traditions dominating the UAE and cultural, ethnic, and religious diversity in Indonesia. The constitution has an important role to play in upholding democracy based on Islamic principles in both countries, with the UAE affirming Islam as the official religion and Sharia as the main source of legislation, while Indonesia affirming Pancasila as the basis of the state, embracing the principle of the One and Only God, and applying Islamic values in a more inclusive and pluralistic context. Therefore, it should be noted that different approaches to the application of Islamic law and cultural influences, and the role of the constitution are the main factors influencing the characteristics of democracy in the United Arab Emirates and Indonesia.

Based on the description above, this article will focus on two formulations of the problem: First, how do Islamic law and cultural factors affect the different characteristics of democracy in the United Arab Emirates and Indonesia, and how is this reflected in the application of Islamic democracy in both countries? Second, How does the role of the constitution in upholding democracy based on Islamic principles in the United Arab Emirates and Indonesia, and how does interaction with other factors such as history, politics, and culture shape the characteristics of democracy in both countries?

#### Literature Review

The study of Islamic democracy and its implementation in the legal system is essential to understand how Islamic values are applied in a democratic political system. One of the main studies on democracy in Islam is the book "Islam and Democracy" by John L. Esposito and John O. Voll. In this book, the author discusses how democracy can be found in the Islamic political tradition and explains the concept of democracy following Islamic principles. Esposito and Voll argue that democracy in Islam focuses more on substance than procedure, prioritizing justice, equality, and freedom (Esposito & Voll, 1996, p. 21).

Esposito and Voll, in their book "Islam and Democracy," highlight how Islamic values can be integrated into democratic political systems. They state that Islamic democracy focuses more on substance than procedure, thus prioritizing the principles of justice, equality, and freedom. In this context, Islamic democracy tries to achieve key goals such as social justice, human rights protection, and inclusive political participation. However, Esposito oversimplified the concept

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of race, origin, religion, or social status." The UAE has a national development plan called Vision 2021, which includes strategic goals to achieve gender equality and women's empowerment. One of the main objectives of Vision 2021 is to increase women's participation in the political and economic sectors and ensure that women have the same opportunities as men to contribute to the country's development.

<sup>7</sup> Article 7, UAE Constitution: "Islam is the official state religion. Islamic Sharia is the main source of legislation in the United Arab Emirates."

<sup>8</sup> Article 29 of the 1945 Constitution states that the State is based on the One True God, and the State guarantees each citizen's freedom to profess his religion and worship according to his religion and belief. The provisions of Article 29 of the 1945 Constitution, which states the state is based on the One and Only God, mean that the state must make laws and regulations or carry out policies to implement a sense of faith in God Almighty. In addition, the state must make laws and regulations prohibiting anyone from committing blasphemy against religious teachings (Muhitar & Kasim, 2023, p. 1).

of Islamic democracy by emphasizing substance rather than procedure. While the substance is important, procedures also have a very important role in ensuring that democratic systems function properly and create a fair and inclusive environment. By ignoring the importance of procedure, this analysis can lead to an incomplete understanding of how Islamic democracy should work in practice. Moreover, this analysis may not adequately account for regional, cultural, and historical differences in applying Islamic democracy. As discussed earlier, the cultural and historical contexts of the United Arab Emirates and Indonesia are very different, so there may be variations in how Islamic principles are applied in the democratic political systems in both countries.

Several researchers have analyzed differences in democratic characteristics in the United Arab Emirates and Indonesia. One of them is the work by Hosen, N, which investigates how Islamic law affects Indonesia's legislative and political system. This study highlights how Islamic law is applied in Indonesia's more pluralistic and tolerant context, in line with an inclusive and participatory democratic system (Butt, 2007, p. 246).

Analysis conducted by Hosen in this study reveals differences in the characteristics of democracy in the United Arab Emirates and Indonesia, especially in the context of applying Islamic law. This research shows that Islamic law is applied in a more pluralistic and tolerant context in Indonesia, which aligns with an inclusive and participatory democratic system. This reflects how a country with a majority Muslim population, like Indonesia, can accommodate the differences and diversity in its society. However, this study may focus too much on the role of Islamic law in democratic systems and ignore other factors that also affect the characteristics of democracy in both countries. In addition to Islamic law, political, economic, and cultural factors play a role in shaping the democratic system in the United Arab Emirates and Indonesia. Therefore, it is important to look at how these factors interact and affect the characteristics of democracy in both countries.

Moreover, this analysis may not be enough to explore the deeper differences between the democratic systems in the United Arab Emirates and Indonesia. Although this research highlights differences in the application of Islamic law, more contexts and nuances must be explored to understand how democratic systems in the two countries operate. For example, how electoral mechanisms, government formation, and the role of democratic institutions work in both countries and how they are affected by Islamic law.

An-Na'im, A. I have analyzed cultural factors influencing the implementation of democracy in both countries. In his book "Islam and the Secular State", An-Na'im explains how cultural factors, such as tradition, ethnicity, and religion, influence how democracy is implemented in various Muslim countries. According to An-Na'im, Arab culture and tribal traditions in the UAE create a more hierarchical and authoritarian system. In contrast, cultural diversity in Indonesia creates a more pluralistic and tolerant environment (Salim, 2008, p. 57).

An-Na'im, in his book "Islam and the Secular State," highlights how cultural factors influence the implementation of democracy in the United Arab Emirates and Indonesia. In the context of the UAE, Arab culture and tribal traditions contribute to forming a more hierarchical and authoritarian system. This results in a more centralized and less participatory government, where power tends to be concentrated in the ruling family and the political elite. The application of democracy in this context tends to be limited to formal procedures and consultation mechanisms without providing sufficient space for broader and inclusive political participation.

Meanwhile, in Indonesia, cultural, ethnic, and religious diversity creates a more pluralistic and tolerant environment. This impacts the implementation of a more inclusive and participatory democracy, where citizens have greater opportunities to be involved in political processes and policymaking. In this context, Islamic democracy in Indonesia accommodates different views

and values and encourages dialogue between different groups and communities. It is related that An-Na'im oversimplifies the relationship between cultural factors and the application of democracy. Other factors, such as political history, economic conditions, and institutional structure, influence how democracy is implemented in various Muslim countries. Therefore, it is important to consider the interaction between cultural and other factors in analyzing the application of Islamic democracy in the UAE and Indonesia.

The role of the constitution in upholding democracy based on Islamic principles in the UAE and Indonesia has been studied by Salim. In his book "Challenging the Secular State: The Islamization of Law in Modern Indonesia", Salim evaluates how the Indonesian constitution affirms Pancasila as the basis of a state that embraces the principles of the Supreme God and applies Islamic values in a more inclusive and pluralistic context (Salim, 2008, p. 81).

Salim's analysis of the role of the constitution in upholding democracy based on Islamic principles in Indonesia highlights the importance of Pancasila as the basis of the state. Pancasila embraces the principle of One and Only God, which enables diverse societies, including Muslims, to practice their religious values in an inclusive and pluralistic context. In this context, Salim shows how Indonesia's constitution successfully accommodates Islamic values in a democratic political and legal system. But this research may focus too much on the role of Pancasila and the Indonesian constitution in implementing Islamic values.

It is important to remember that Indonesia's democratic system is influenced not only by the constitution and Pancasila but also by other factors such as history, culture, and political dynamics. Therefore, to understand how democracy is based on Islamic principles in Indonesia, it is also necessary to consider how these various factors interact and affect the democratic system. Moreover, this analysis may not include a comprehensive comparison between the role of the constitutions in the United Arab Emirates and Indonesia in upholding democracy based on Islamic principles. A deeper analysis is needed into how the UAE constitution, which affirms Islam as the official religion and Sharia as the main source of legislation, affects the country's democratic system and how this differs from the approach taken by Indonesia. Understanding the differences and similarities in implementing democracy based on Islamic principles in these two countries will provide better insight into how these principles are applied in various political and legal contexts.

Based on that, in analyzing the different characteristics of democracy in the United Arab Emirates and Indonesia, it is important to consider various factors that influence the implementation of Islamic democracy in these two countries. Factors such as Islamic law, constitution, culture, history, and political dynamics interact to form a unique democratic system in each country. Although Islamic democracy in both countries is based on the principles of justice, equality, and freedom, its application may vary due to the influence of these factors. In Indonesia, Islamic democracy tends to be more inclusive and pluralistic, supported by the concept of Pancasila and cultural diversity. In the UAE, Islamic democracy is more limited and authoritarian, influenced by Arab culture, tribal traditions, and the role of the constitution, which affirms Sharia as the main source of legislation. To understand Islamic democracy more comprehensively, it is necessary to consider how these factors interact with each other and influence the characteristics of democracy in both countries and how Islamic principles are applied in various political and legal contexts.

## Research Methods

This research is a type of normative legal research. Normative legal research focuses on positive legal norms such as legislation. In addition, this research is also principally sourced from



secondary legal materials. Some of the approaches taken include the Historical<sup>9</sup>, Comparative<sup>10</sup>, and Islamic legal approaches<sup>11</sup>. And will be analyzed with descriptive-analytical methods by describing applicable laws and regulations related to legal theory and positive law enforcement practices related to the problem (Marzuki, 2014, p. 22).

## Discussion

### The Influence of Islamic Law and Cultural Factors on the Characteristics of Democracy in the United Arab Emirates and Indonesia

#### 1. Islamic Law in Democracy in the United Arab Emirates and Indonesia

The study of democratic transition and consolidation identifies two distinct analytical concerns that must be considered. One concern involves political institutions and processes, while the other involves citizens' attitudes and values and how the law works, often referred to as political culture (Diamond et al., 2003, p. 1). Attention to institutional aspects and political processes emphasizes the need for mechanisms that hold political leaders accountable to their people, including free, fair, and regular elections. Attention to political culture emphasizes the orientation and values of ordinary people and the importance of developing civic and participatory norms at the level of individual citizens (Cevik, 2011, p. 123).

The importance of political culture has been proven through many empirical studies in new democracies. This can be illustrated by Mainwaring's conclusions about why democratic consolidation is more successful in Latin America than in many other democracies. An important factor "that has contributed to the survival of greater democracy in Latin America," he said, is a change in political attitudes that encourages increased respect for democracy (Schedler, 1997, p. 3). Inglehart added that "democracy is not only achieved through institutional change or Elite maneuvering but also depends on the values and beliefs of ordinary people." (Benavides, 2011, pp. 3–4). This conclusion can be applied to the Arab world. Harik noted, "Democratic governance requires a democratic political culture in the long run, and vice versa." (Zoelva, 2022, pp. 36–37).

Concerning democracy in middle eastern countries, almost seven decades ago, many Arab countries began implementing constitutions affirming that Islamic norms were the source of their legislation (Lombardi, 2013, p. 734). Although the format of the wording declaration varies from country to country, the distinction plays an important role. Islamic law refers to the Arabic for "Sharia", which means "the way", and in some constitutions, they refer to "fiqh", which can be translated as "deep understanding" or "full understanding". However, in most sources, the study found a picture of Islamic norms characterized as "principles of Shari'a" (Lombardi, 2006, pp. 35–36).

The role and principles of Islamic law also vary depending on the characteristics of the country's constitution and how Islamic norms are applied. In an academic context, professionals in Islamic law seek to reach and create a consensus on "sharia as the source of law" (abbreviated SSL), mainly influenced by the words used. An example of a description of the clauses of Islamic norms shows two minor but important differences. The description lists either Islamic law (Sharia law) as "the main source of legislation", in Arabic referred to as "masdar raisi li'l

<sup>9</sup> The purpose of the historical approach is to better understand the changes and developments in the philosophy that underlies the legal system under study.

<sup>10</sup> An approach is taken to compare one country's laws with those of other countries. William Ewald explained that comparative law is essentially a philosophical activity. Comparative law is a study of the intellectual conceptions behind the underlying legal institutions of one or several foreign legal systems (Ewald, 1995, p. 503).

<sup>11</sup> The Islamic studies approach is an interesting discourse in Islamic sciences. The formal legal approach (law) is one of the models of approach in Islamic studies that looks at various problems that arise in Islamic teachings and solves them from a formal legal perspective (law) (Aravik et al., 2023, p. 263).



tashri", or as "the main source of legislation", which in Arabic is called "al-masdar al-raise li'l-tashri". The word "raisi", which can be translated as "head" or "principal", has a preference as something related to the meaning of the leader or the most important thing (Rahman, 2008, pp. 335–358).

For example, in the United Arab Emirates (UAE), since 1971, the UAE constitution was continuously updated until 1996, when the federal National Council (legislative body) decided to make the constitution permanent after the final decision of the Supreme Council of Rulers (i.e., the rulers of the seven emirates of the UAE). This permanent constitution establishes the president and vice president as the authority of the federation and is an institution. In addition, there are two other main principles resulting from permanent constitutional provisions, one of which is that Islamic Law (Sharia law) is proposed as the main source of law (Research and Markets, 2011, p. 13).

Reality shows that democracy has always been a concern for humanity worldwide. It is a pillar of civilization. No group or nation rejects it insofar as democracy is defined as the effort to realize the full sovereignty of the people (Aziz, 1999, p. 63). Including in Indonesia, the idea of democracy and Islamic law continues to roll along with political dynamics. Article 29 of the 1945 Constitution in Indonesia affirms that the Indonesian state is based on the Supreme God and recognizes freedom of religion. This article creates space for the practice of Islamic law and affirms the principle of democracy, which guarantees freedom of religion to the people.

Related to that, understanding more deeply about Islamic law in democracy in the United Arab Emirates and Indonesia can be explained in the following table:

**Table 1.**  
**Democracy in the United Arab Emirates and Indonesia**

Aspects	United Arab Emirates	Indonesian	Equation	Difference	Excess	Deficiency	Analysis
Government System	Constitutional Monarchy <sup>12</sup>	Republic <sup>13</sup>	Both constitutions recognize human rights and create a legal basis for the State. <sup>14</sup>	Monarchy in the UAE, direct democracy in Indonesia <sup>15</sup>	UAE political stability (United Arab Emirates Economy, n.d.)	Compared to the UAE, democracy in Indonesia is more complex (Abouzeid, 2021)	The system of government influences the application of Islamic law in the country
The Role of Islamic Law	Application of Sharia law	Limited application	Both use Islamic law in their legal systems	The application of Islamic law is wider in the	Implementation of Islamic law is more	Implementation of Islamic law	The role of Islamic law in the legal system

<sup>12</sup> See the preamble to the United Arab Emirates Constitution of 1971

<sup>13</sup> The 1945 Constitution of the Unitary State of the Republic of Indonesia Article 1 Paragraph (1) states, "The State of Indonesia is a Unitary State, which is in the form of a Republic."

<sup>14</sup> The constitutions of the United Arab Emirates (UAE) and Indonesia recognize and protect human rights. In the UAE Constitution (1971), several articles affirming human rights include Article 25 (equality before the law), Article 26 (freedom of religion), Article 27 (freedom of speech), and Article 29 (right to education). Meanwhile, in the 1945 Indonesian Constitution, articles that affirm human rights include Article 27 Paragraph (1) (equality in law and government), Article 28E Paragraph (1) (freedom of religion, education, employment, citizenship, and residence), Article 28F (the right to communicate and obtain information), and Article 31 Paragraph (1) (the right to education).

<sup>15</sup> The UAE Constitution (1971) provides for a constitutional monarchy system of government with several main articles, such as Article 7 (federation of seven emirates), Article 8 (sovereignty of emirates), Article 50 (election of the President and Vice President of the Supreme House of the People), and Article 56 (Supreme People's Council as a legislative body). In comparison, the 1945 Constitution of Indonesia regulates the system of direct democratic government with main articles such as Article 1 Paragraph (2) (people's sovereignty), Article 6A Paragraph (1) (election of the President and Vice President by the people), and Article 22E Paragraph (1) (general elections to elect members of the legislature and executive).

		of Sharia law <sup>16</sup>		UAE than in Indonesia	consistent in UAE	is limited in Indonesia <sup>17</sup>	determines policy and regulation in both countries
Minority Rights	Safeguarded by the constitution	Safeguarded by the constitution	Minority rights are respected and protected in both countries <sup>18</sup>	The UAE has fewer minority groups than Indonesia (CIA, 2023)	Religious Tolerance in the UAE (UAE Embassy in Washington, DC, n.d.)	The Challenge of Tolerance in Indonesia (Kemenag, n.d.)	Tolerance and protection of minority rights are important in applying Islamic law in both countries.
Political Participation	Limited; The strong role of the ruling family <sup>19</sup>	More open and pluralist (Herdiansah, 2022, pp. 3–4)	In both countries, political participation is governed by the constitution <sup>20</sup>	Political participation is more limited in the UAE than in Indonesia	UAE political stability	Lack of transparency in the UAE	Political participation affects how much Islamic law is implemented in a democracy.
Regional Autonomy	None <sup>21</sup>	The existence of regional autonomy <sup>22</sup>	Both have a decentralized system of power	The level of decentralization is higher in	More efficient resource	Decentralization in Indonesia causes inequality	Regional autonomy affects

<sup>16</sup> The application of Sharia law in Indonesia is limited to certain areas and certain areas such as Islamic family and civil law. The legal basis includes Article 29 paragraph (2) of the 1945 Constitution, Law Number 1 of 1974 concerning Marriage, Law Number 7 of 1989 concerning Religious Courts, and Law Number 3 of 2006 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. Meanwhile, the application of Sharia law in the United Arab Emirates is broader and uses Sharia law as the main source of law throughout the country. Its legal basis includes the Constitution of the United Arab Emirates, Islamic law, Qanun, and Fatwas.

<sup>17</sup> Islamic law is very limited in areas with special autonomy, such as Aceh.

<sup>18</sup> Indonesia and the United Arab Emirates have legal bases and articles that respect and protect the rights of minorities. In Indonesia, article 28I paragraph (2) of the 1945 Constitution, Law Number 39 of 1999 concerning Human Rights, and Law Number 21 of 2001 concerning Special Autonomy for Papua Province are the legal basis for protecting minority rights. While in the United Arab Emirates, the legal basis includes the Constitution of the United Arab Emirates, Federal Law Number 2 of 2015 concerning the Elimination of Discrimination and Criminalization of Hate Acts, and the General Declaration of Human Rights, which the state has ratified.

<sup>19</sup> Political participation in the United Arab Emirates is limited. The role of the ruling family is quite strong, with related legal bases including the Constitution of the United Arab Emirates, which establishes the federal monarchy system and the arrangement of the royal family in the local emirate, Federal Electoral Law Number 1 of 2011, which stipulates that only a small number of people can elect members of the Federal Council who usually come from the ruling family. Ruling families and business elites dominate the United Arab Emirates' political system, and political participation is only permitted to citizens of high economic or social value.

<sup>20</sup> Their constitutions govern political participation in Indonesia and the United Arab Emirates (UAE). In Indonesia, the 1945 Constitution regulates political participation through Article 22E Paragraph (1) (general elections), Article 28C Paragraph (2) (the right of citizens to participate in government), and Article 28D Paragraph (3) (the right of citizens to maintain the integrity of the nation and state). In the UAE, the UAE Constitution (1971) provides for political participation through Article 7 (federated system of government), Article 50 (election of the President and Vice President of the Supreme Council of the People), and Article 56 (Supreme People's Council as a legislative body).

<sup>21</sup> Regional autonomy is not found in the government system of the United Arab Emirates. As mentioned earlier, the UAE is a federation of seven emirates, each headed by a ruler. The UAE constitution stipulates that each emirate is sovereign and free in internal and external affairs not covered by the competence of the federation (Article 8). However, regional autonomy in the sense that exists in some other systems of government (e.g., Indonesia) is not found in the UAE's governance structure. Instead, the UAE follows the constitutional monarchy model of the federation, in which the emirates' rulers work together in the Supreme People's Council to govern the country's affairs.

<sup>22</sup> Regional autonomy in Indonesia is regulated by several regulations, including: (1) The 1945 Constitution, Article 18: States that Indonesia is a unitary state consisting of autonomous regions stipulated in the law; (2) Law No. 23 of 2014: Regulates aspects of regional autonomy, including the division of authority between the central and regional governments, the establishment and merger of regions, and the administration of regional governments;

	Indonesia than in the UAE	management in UAE <sup>23</sup>	between regions <sup>24</sup>	implementer s
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## 2. Cultural Factors Influencing Democracy in the United Arab Emirates and Indonesia

Democracy is a government system that gives people power through elections. Although democracy has been a system of government embraced by many countries in the world, this system is not always applied in the same way in every country. Cultural factors in a country often influence how democracy is implemented and developed. This comparison can be seen in the following table:

Table 2

### Comparison of the Democratic Culture of Indonesia and the United Arab Emirates

Cultural Factors	United Arab Emirates	Indonesian	Comparative Analysis
Political System	Federal monarchy, consensus between leaders and the ruling family	Democracy, consensus deliberation, ethnic, religious, and linguistic diversity	UAE is more closed, Indonesia more open and participatory
The Role of Religion	Official Islamic religion, Sharia law, Islamic values	Religious diversity, Pancasila, different religious influences	UAE is based on religion, while Indonesia is more inclusive and tolerant
Norms and Traditions	Bedouin tribe, loyalty to the ruling family	Mutual aid, kinship, ethnic, cultural, and religious pluralism	UAE is more conservative, Indonesia is more dynamic and diverse
Education & Information	Access to political information increases, challenges press freedom	Political education, freedom of the press, and information	UAE is more limited, Indonesia is more open and participatory

Based on the table above can be outlined several important things. First, In the UAE, political culture is strongly influenced by the federal monarchy system implemented in 1971 (Mathias, 2017, p. 163). The system incorporates seven emirates, each ruled by an emir. Each emir had considerable power in regulating internal affairs, while foreign affairs and defense were the federal government's responsibility. For this reason, in the UAE, the political system adopted prioritizes consensus between leaders and ruling families (Álvarez-Ossorio Alvarino & Rodríguez García, 2021, p. 98). Meanwhile, in Indonesia, democratic political culture is more influenced by ethnic, religious, and linguistic diversity. As a state ideology, Pancasila has the principle of consensus deliberation, which is the basis for the political decision-making process (Sugito et al., 2021, pp. 179–180).

Second, in the UAE, Islam is the official state religion, and Sharia law is the foundation for the legal and statutory system. Islamic values greatly influence people's lives, including political and governmental affairs. UAE leaders are expected to follow the principles of leadership in Islam (Noor et al., n.d.). Meanwhile, in Indonesia, religion also has an important role in politics and democracy. However, Indonesia is not Islamic but a country with a majority Muslim population. In its constitution, Indonesia recognizes a diversity of religions and beliefs (U.S. Embassy & Consulates in Indonesia, 2021). Religions in Indonesia have different influences on

(3) Law No. 33 of 2004: Regulates the financial balance between central and local governments, including fund transfers and resource sharing.

<sup>23</sup> Resource management in the UAE is considered more efficient than in Indonesia due to its centralized government structure, smaller size and population, availability of oil and gas resources, and better infrastructure and investment.

<sup>24</sup> Decentralization in Indonesia causes inequality between regions due to several factors: differences in resources and economic potential, different regional resource management capacities, variations in a local government capacity, and imbalances in fund transfers from the central government. This results in areas rich in resources and efficient governments experiencing faster growth, while less developed regions face difficulties boosting economic growth and welfare.



democratic practice, including in terms of political participation and the role of religion in public policy formation.

Third, in the UAE, traditions and social norms are strongly influenced by the Bedouin tribal leadership system prioritizing loyalty to the ruling family. This makes people tend to trust and respect the government and be more passive in taking a role in politics (Reichenbach & Ibrahim, 2019, p. 131). While in Indonesia, norms and traditions that affect democracy are very diverse due to plural ethnic, cultural, and religious backgrounds. Nevertheless, some traditional values, such as gotong royong and kinship, are the foundation of democratic practice in Indonesia (Fatimah et al., 2023, pp. 13–14). This is reflected in more active community participation in political and decision-making roles.

Fourth, in the UAE, education and information are important tools for creating more inclusive political engagement (DemoEssays, 2022). Along with the development of information and communication technology, UAE people have better access to political and government information (Darwish, 2017, p. 11). Despite this, freedom of the press and information remains a major challenge in fostering a more open and participatory democracy in the UAE. Meanwhile, in Indonesia, political education and information are important factors influencing democracy. Since the reform era, Indonesia has achieved significant progress in freedom of the press and information, allowing the public to participate in the political process more actively.

Based on this comparative study, we can see that cultural factors significantly influence democracy in the UAE and Indonesia. Political systems, the role of religion, traditions, social norms, and education and information are key factors influencing democracy in both countries. Cultural differences between the UAE and Indonesia create different democratic practices, with different political participation and inclusivity levels.

### **The Role of the Constitution and Interaction with Other Factors in Upholding Democracy Based on Islamic Principles in the United Arab Emirates and Indonesia**

#### **1. Comparison of Historical, Political, and Cultural Interactions and Characteristics of Democracy in the United Arab Emirates and Indonesia in the Framework Principles of Islamic Law**

The United Arab Emirates (UAE) and Indonesia are countries located in different regions, namely the Middle East and Southeast Asia. Still, both are Muslim-majority countries and apply Islamic law principles in their systems. This comparative study will reflect how the interplay of history, politics, and culture, as well as the characteristics of democracy in these two countries, function within the framework of the principles of Islamic law described in the following table:

**Table 3**

#### **Comparison of Historical, Political, and Cultural Interactions and Characteristics of Democracy in the United Arab Emirates and Indonesia**

Aspects	United Arab Emirates	Indonesian	Analysis
History	As a confederation of seven emirates in 1971	Independence from the Netherlands in 1945	These historical differences reflect how the two countries grew and developed in different political, social, and cultural contexts, which affected the structure of government, legal systems, and the relationship between state and religion.
	History dominated by local tribal leadership	Various periods of government ranging from empire, and colonialism, to republic	
Politics	Federal monarchy headed by the emirs of the seven emirates	Presidential republic system of government	Regarding politics, the United Arab Emirates and Indonesia have different government systems. The UAE is a federal monarchy headed by the emirs of the seven emirates, while Indonesia adopts a presidential republic system of government.

	There are no elections for government elections	General elections for president and parliament	<p>The UAE does not have elections for government elections, reflecting the characteristics of a more authoritarian monarchy. The leaders of each emirate have great power, and there is no democratic mechanism to replace them. On the other hand, Indonesia has elections to elect the president and members of parliament, reflecting the characteristics of a stronger democracy and wider political participation among the people.</p> <p>These differences in political systems show how democratic values, political freedom, and civic participation are embodied in the governance structures of the two countries, as well as their influence on the application of Islamic law and public policy.</p>
Law	Based on Sharia law and national law UAE Constitution (1971)	Based on Pancasila and national law Constitution of 1945 (1945 Constitution)	<p>The legal systems in the United Arab Emirates and Indonesia also differ significantly. The UAE has a legal system based on Sharia law and national law. The UAE Constitution (1971) sets out the country's legal basis. Meanwhile, Indonesia's legal system is based on Pancasila and national law stipulated in the 1945 Constitution (UUD 1945).</p> <p>The UAE places more emphasis on Sharia law in its legal system, reflecting a strong Islamic identity and religious influence within the state structure. On the other hand, Indonesia adopted Pancasila as the basis of the state, which includes the principles of democracy, social justice, and religious diversity. This shows that Indonesia has a more inclusive and pluralist approach to regulating the relationship between the state and religion.</p> <p>These differences in legal systems reflect how the two countries view the role of Islamic law in society and governance, as well as its influence on public policy, civil liberties, and human rights.</p>
Culture	Sunni majority Official language: Arabic	Muslim majority Official language: Indonesian	<p>In the cultural context, the United Arab Emirates and Indonesia have similarities and differences. Both countries have majority Sunni Muslim populations, which creates similarities in religious beliefs and some religious practices. It can facilitate cooperation and cultural understanding between the two countries.</p> <p>However, there are differences in the official languages spoken in the two countries, with the UAE using Arabic and Indonesia using Indonesian. These linguistic differences reflect the diversity of cultures, histories, and foreign influences that have shaped each country's identity.</p>
Democracy	Limited democracy (no elections) National Advisory Council, which has a consultative role	Parliamentary democracy (elections) Three branches of government: executive, legislative, and judicial	<p>Regarding democracy, the United Arab Emirates and Indonesia have significant differences. The UAE has a limited democracy, with no elections, and the government is more authoritarian. The National Advisory Council in the UAE has a consultative role, but the real political power lies with the emirs of the seven emirates.</p> <p>Meanwhile, Indonesia adopted a more inclusive parliamentary democracy, where elections were held to elect the president and members of parliament. The Indonesian government is divided into three branches: executive, legislative, and judicial, reflecting a system of checks and balances and separation of powers.</p> <p>These differences reflect how democratic values, political freedom, and civic participation are embodied in the governance structures of both countries. It also impacts public policy, human rights protection, and civil liberties in force in each country.</p>
Islamic Law	Implementation of Sharia law in various aspects of law	Islamic law is applied in some provinces, such as Aceh, in certain aspects of law	<p>Applying Islamic law in the United Arab Emirates and Indonesia also shows considerable differences. In the UAE, Sharia law is implemented in various aspects of law, reflecting the strong Islamic identity and influence of religion within the state structure. Sharia law in the UAE includes regulations regarding marriage, divorce, inheritance, and some criminal offenses.</p> <p>Meanwhile, in Indonesia, Islamic law is applied on a limited basis and only in a few provinces, such as Aceh, in certain aspects of the law. Implementing Islamic law in Aceh includes regulations regarding worship, marriage, and several criminal offenses. However, national laws throughout Indonesia are based more on Pancasila and the 1945 Constitution, which reflect the principles of democracy, social justice, and religious diversity.</p>
Constitution and Law	Article 7 of the UAE Constitution declares Islam as the official religion and Sharia law as the main source of legislation.	Article 29 of the 1945 Constitution states that the state is based on the Supreme God and recognizes the existence of religious law	<p>Article 7 of the Constitution of the United Arab Emirates states that Islam is the official religion and Sharia law is the main source of legislation, reflecting the UAE's commitment to Islamic identity and the implementation of Sharia law in the country's legal system. This shows that the UAE adheres to Islamic public policy principles and certain governance aspects.</p> <p>On the other hand, Article 29 of the 1945 Indonesian Constitution states that the state is based on the Supreme God and recognizes the existence of religious law, including Islamic law. However, this principle does not explicitly make Sharia law the main source of legislation. Indonesia has a more inclusive and pluralist approach, respects the diversity of religions and beliefs in society, and applies the principles of democracy and social justice in the legal system and government.</p>

Based on the table above, it can be said that in the political context, the UAE has a more authoritarian system of government and limited political participation. At the same time, Indonesia has adopted a democratic system that is more inclusive and provides wider opportunities for people's political participation. It reflects the different values of democracy, political freedom, and public participation in both countries.

In addition to the legal system, the UAE emphasizes Sharia law, which reflects a strong Islamic identity and religious influence within the state structure. On the other hand, Indonesia has a more inclusive and pluralist approach, respecting the diversity of religions and beliefs that exist in society and applying the principles of democracy and social justice in the legal system and government. Regarding cultural context, the two countries share similarities in religious beliefs and some religious practices. Still, differences in official languages reflect the diversity of different cultures, histories, and foreign influences that have shaped each country's identity.

These differences reflect how democratic values, political freedom, and civic participation are embodied in the governance structures of both countries, as well as their influence on the application of Islamic law and public policy. The implementation of Islamic law in the UAE is broader compared to Indonesia, where its application is more limited and inclusive. It shows how both countries view the role of Islamic law in society and government, as well as its influence on public policy, civil liberties, and human rights. Overall, the differences between the United Arab Emirates and Indonesia show how history, politics, and culture can influence government structures, legal systems, and the relationship between state and religion in society and create a unique national identity for each country.

## 2. Implications for the Implementation of Islamic Democracy in the United Arab Emirates and Indonesia

When discussing the application of Islamic democracy, it is necessary to understand that this concept is not static and monolithic. In the context of the United Arab Emirates (UAE) and Indonesia, we must consider their different political, cultural, and historical contexts. Islamic democracy in these two countries can significantly vary in interpretation and practical implementation.

In applying Islamic democracy, each country will have a different approach and experience influenced by its history, culture, and politics (Herb, 2014, p. 69). Islamic democracy is a concept that attempts to combine democratic principles, such as human rights, civil liberties, and governance based on the people's voice, with the principles of the Islamic religion.

In the United Arab Emirates, the implementation of Islamic democracy requires an understanding of the absolute monarchy that exists. The UAE is a federation of seven emirates with an absolute monarchy in power. Although the country had a Federal National Council, its main political power was in the hands of the emirs and their kingdoms (Brown, 2012, p. 46). Therefore, implementing Islamic democracy in the UAE means changing the existing power structure. The constitution should be reconsidered, and democratic institutions such as elections and political parties should be established. Implementing Islamic democracy also requires dialogue with minority groups, including non-Muslim ones, so that their rights are guaranteed and respected.

Transforming the power structure in the United Arab Emirates (UAE) from absolute monarchy to Islamic democracy will not be easy and may take a long time. This was partly due to the existing political structure, in which the emir had almost unlimited power within his territory (Crystal, 1995, pp. 78–80). The Federal National Council, as a legislative body, has a limited role in the decision-making process. The UAE must undertake significant constitutional reforms to move power from the monarchy to more democratic institutions (Davidson, 2011).



Amending this constitution will require a broad political dialogue. It should involve all elements of society, including minority groups and those who are not Muslims. For example, the UAE has a significant expatriate population, many non-Muslim workers from South Asia (Kapiszewski, 2015). The new constitution and laws must consider this group's rights and needs. In addition, the UAE must also consider the potential impact of these reforms on its relations with other countries, especially Western countries that have long been its allies (Ulrichsen, 2017, p. 164).

The example of Tunisia is a concrete example of how the UAE can see this. Tunisia, post-2011 revolution, has undergone a democratic transition and a rewriting of its constitution to include stronger democratic principles and human rights. Despite the challenges, Tunisia shows that a Muslim-majority country can successfully run a democracy (Marks, 2015, p. 12).

However, Tunisia and the UAE have different political, economic, and social backgrounds. Therefore, the UAE must consider adapting the Tunisian experience to its context. In addition, Tunisia's experience also shows that a transition to democracy can potentially create political and economic instability in the short term.

On the other hand, in Indonesia, democracy has long been part of its political system. Indonesia is the third largest democracy in the world and also has the largest Muslim population (Mujani & Liddle, 2004, p. 33). In this context, Islamic democracy means further integrating Islamic values and principles within existing legal and governmental structures (Fealy & White, 2008, p. 22). This could mean changes in family law, education, criminal law, and the application of concepts such as social and economic justice in public policy.

In Indonesia, democracy has been deeply rooted in the country's political system. However, as the country with the largest Muslim population in the world, the integration of Islamic values and principles in legal and governmental structures also has important relevance (Fealy & White, 2008, p. 23). Islamic democracy in Indonesia is not the same as a theocracy or fundamentalist Islamic state, but rather how Islamic principles and values can be translated into a pluralist and inclusive democracy (Hefner, 2011, p. 213).

One example of the integration of Islamic values and principles in law is the existence of Sharia Regional Regulations (Perda) enforced in several regions in Indonesia. These bylaws cover various aspects, ranging from family law to criminal law (Muhtar & Kasim, 2023, pp. 7–8). Although Sharia bylaws are controversial and raise questions about human rights and social justice, they are examples of how Islamic democracy can be implemented (Salim, 2008, p. 94).

On the other hand, Islamic democracy can also be seen in its approach to social and economic justice. For example, the concepts of zakat and waqf in Islam can be used to promote a more equitable distribution of wealth and support social programs (Tripp, 2006, pp. 4–5). In recent years, the Indonesian government has encouraged the development of the Islamic finance industry as a way to apply the principles of Islamic economics. However, it is important to remember that Islamic democracy must align with democratic principles, including civil liberties, human rights, and the rule of law. This means that any changes in laws and policies must be made through a democratic process and must respect the rights of all citizens, including those who are not Muslims.

The important thing to do is that the implementation of Islamic democracy, both in the UAE and Indonesia, must be viewed through the lens of pluralism. Pluralism means respecting and respecting differences of opinion and belief. In the context of Islamic democracy, this means balancing the demands for more Islamic values and principles in law and politics with the rights and needs of individuals and groups who may hold different views.

Pluralism is a very important concept in democracy and a challenge in implementing Islamic democracy (Kymlicka, 1995, p. 239). In the UAE and Indonesia, it is important to balance Islamic values and principles with the needs and rights of individuals and groups with different beliefs or views.

In the UAE, there must be a consideration in dealing with relations between the Muslim majority and the non-Muslim minority. In the UAE constitution, Islam is the official state religion, and Sharia is the main source of legislation. Nevertheless, religious freedom is guaranteed, and these protections must be respected in the transition to Islamic democracy.

As a case in point, in 2015, the UAE released the "Religious Freedom Act", which prohibits discrimination based on religion and ethnicity. The law also establishes penalties for hate crimes and discrimination. This law shows that the UAE has taken steps to protect the rights of minorities (Davidson, 2013, p. 42).

Meanwhile, in Indonesia, the challenge of pluralism arises by integrating Islamic principles with the country's commitment to Pancasila and Bhinneka Tunggal Ika. For example, Sharia Regional Regulations have been controversial as there are concerns that they could be used to restrict the rights of women and minority groups (Muhtar & Kasim, 2023, pp. 8–9). However, the Constitutional Court has restricted the implementation of several Sharia bylaws deemed to violate Pancasila's constitution and principles.<sup>25</sup>

In both contexts, states must maintain a balance between applying Islamic principles and the protection of the rights and freedoms of all citizens, regardless of their faith or identity. Implementing Islamic democracy in the United Arab Emirates and Indonesia brings challenges and opportunities and has unique implications for each country. The two countries have different political, cultural, and historical backgrounds and different interpretations and approaches to democracy and Islam.

In the United Arab Emirates, the challenge lies in transforming from an absolute monarchy to a more inclusive and participatory democracy, reflecting Islamic values and principles. In this process, there needs to be a broad political dialogue, and the rights of all groups, including minorities and non-Muslims, must be respected. In Indonesia, the challenge is integrating Islamic principles and values into an established democratic system without interfering with democratic principles and Pancasila. This requires dialogue and a better understanding of how Islamic principles and values can be applied in a pluralist and inclusive democracy.

Based on that, solutions or innovative steps that may be taken are as follows:

- 1) Building broader dialogue and consensus

In both countries, it is important to establish dialogue and reach a consensus on what constitutes Islamic democracy and how these principles can be applied in practice. This dialogue must involve all parties, including minority groups and non-Muslims.

- 2) Building strong democratic institutions

In the United Arab Emirates, this could mean the establishment of democratic institutions such as political parties and elections. In Indonesia, this could mean ensuring that local regulations and other laws based on Islamic principles are adopted and implemented through a democratic and fair process.

<sup>25</sup> Some of these decisions include: Constitutional Court Decision No 35/PUU-VIII/2010 June 17, 2010, December 30, 2010; Constitutional Court Decision No 96/PUU-XII/2014 September 30, 2014, November 6, 2014; Constitutional Court Decision No 7/PUU-XIV/2016 February 16, 2016, August 23, 2016, Constitutional Court Decision No 51/PUU-XIV/2016 June 23, 2016, August 23, 2016, Constitutional Court Decision No 83/PUU-XIV/2016 September 23, 2016, January 25, 2017, Constitutional Court Decision No 20/PUU-XV/2017 May 5, 2017, July 10, 2017 (Adhani, 2019, p. 624).

3) Increase understanding of democracy and Islam

In both countries, there is a need to improve the understanding of democracy and Islam and how these two concepts can complement each other. Education and training can play an important role in this.

4) Respecting pluralism

In both countries, it is very important to respect and accept pluralism. This means recognizing and respecting differences of opinion and belief and ensuring that all citizens, including those who are not Muslims, have equal rights and legal protection.

5) Monitor and evaluate the implementation

Once Islamic democracy is implemented, it is important to monitor and evaluate its implementation to ensure that democratic and Islamic principles are adhered to and that human rights and civil liberties are protected.

Ultimately, Islamic democracy should reflect the core principles of democracy, such as the rule of law, human rights, and civil liberties, as well as Islamic principles. This process may be difficult and time-consuming, but with dialogue, education, and a commitment to pluralism and inclusivity, Islamic democracy can become a reality in countries with significant Muslim populations. It underlines that democracy does not have to conflict with Islam but, on the contrary, can be a platform that allows Islamic values and principles to be applied in a context that respects individual freedom and human rights. Although the challenges facing the UAE and Indonesia are different, both demonstrate that with a commitment to dialogue, education, and pluralism, Islamic democracy can become a mutually beneficial and inclusive reality.

## Conclusion

The UAE and Indonesia have different democratic characteristics influenced by Islamic legal and cultural factors. The UAE has a more authoritarian political system with a strong influence from Sharia law. At the same time, Indonesia implements a more inclusive democracy by recognizing religious and cultural diversity and democratic principles guaranteed in its constitution. The role of the constitution in upholding Islamic democracy is also different, with the UAE recognizing Sharia law as the main source of legislation. In contrast, Indonesia recognizes religious diversity and democratic principles as the country's political foundation. Cultural factors also influence the characteristics of democracy, where the UAE is influenced by the federal monarchy system and social norms that prioritize loyalty to the ruling family, while in Indonesia, it is influenced by ethnic, religious, and cultural diversity as well as traditional values such as gotong royong. Implementing Islamic democracy requires transforming power structures, inclusive political dialogue, protection of minority rights, and awareness to balance Islamic values and universal democratic principles. However, it should be noted that implementing democracy that conforms to Islamic principles and simultaneously supports the rule of law, human rights, and civil liberties is a challenge facing both countries. In the context of their constitutions and legal systems, these two countries need to continue to dialogue, educate, and commit to pluralism and inclusivity to realize an inclusive democracy and respect Islamic values.



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