# The Role of Islamic Law, Constitution, and Culture in Democracy in the UAE and Indonesia

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## 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 employs juridical legal research with historical, comparative, and Islamic legal approaches 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 through public policies and laws that accommodate the wider community's interests. With its sharia law and authoritarian constitution, the UAE shows a democracy different from 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.

## Abstrak

Penelitian ini mengeksplorasi bagaimana hukum Islam dan budaya lokal mempengaruhi demokrasi di Uni Emirat Arab (UEA) dan Indonesia serta bagaimana konstitusi masing-masing negara memfasilitasi penerapan demokrasi berdasarkan prinsip-prinsip Islam. Dalam konteks UEA, hukum Islam (syariah) merupakan sumber hukum utama sedangkan di Indonesia, Pancasila dan UUD 1945 membentuk kerangka hukum yang lebih inklusif dan pluralis. Hal ini memungkinkan penerapan hukum Islam dalam konteks yang menghormati kebebasan beragama. Penelitian ini menggunakan penelitian hukum yuridis dengan pendekatan sejarah, komparatif, dan hukum Islam yang dianalisis dengan metode deskriptif-analitis. Temuan penelitian menunjukkan peran hukum Islam, konstitusi, dan budaya dalam membentuk demokrasi di UEA dan Indonesia melalui kebijakan publik dan undang-undang yang mengakomodasi kepentingan masyarakat luas. UEA dengan hukum syariah dan konstitusi otoriternya menunjukkan demokrasi yang berbeda dengan Indonesia yang menerapkan demokrasi inklusif berdasarkan Pancasila dan UUD 1945. Faktor budaya juga berperan, UEA dipengaruhi oleh monarki dan kesetiaan keluarga penguasa sedangkan Indonesia dipengaruhi oleh keragaman etnis dan budaya. Penerapan demokrasi Islam memerlukan transformasi kekuasaan, dialog inklusif, dan keseimbangan nilai-nilai Islam dan demokrasi universal.

**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). The choice of democracy in a country will avoid the full authoritarian power of the supreme leader because, actually, using the choice of a democratic country, the people are the holders of the highest power. Thus, the people together will disallow actions and policies that lead to arbitrariness and discredit the people.

However, this abstract definition does not clearly indicate how the subject is intended to rule (Slater, 2023). 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). 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. The study of democracy is applied to every agenda of state choice tailored to each country's characteristics, both in every policy in general and in the regulations established in writing and carried out democratically.

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 "*shūrá*," which is a system of consultation and participation in decision-making (Esposito & Voll, 1996). Some scholars assert that *shūrá* in Islam aligns with democratic principles such as inclusivity, collectivism, and representation (Baderin, 2007). Democracy in Islamic law can also be seen through several models that contemporary Muslim scholars propose. Some models that have been debated include constitutional democracy, deliberative democracy, and inclusive democracy (Na & Na'īm, 2008).

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), while others argue that many intersections exist (Ramadan, 2003). In this context, it is essential 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 speculations. The phenomenon can signal several 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: 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). On the other hand, some scholars consider that democracy in Islam is more about substance than procedure (Khodaverdian, 2022). meaning that 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 is also applied in countries that have a strong Islamic character, such as the United Arab Emirates (UAE) and Indonesia. If the UAE apply Islamic law as the basis of state decision-making, then in Indonesia, although based on Pancasila democracy, Pancasila is a fusion of Islamic values. This is evidenced by the first precept of Pancasila, which is a sentence quoted from The Jakarta Charter that removes the phrase 'the obligation to carry out Islamic law for its adherents'. This shows that the Pancasila democratic system implemented in Indonesia cannot be separated from the main base of Islamic values while affirming the position of tolerance and inclusiveness.

Cultural factors in the application of democracy in the UAE and Indonesia influence the implementation of democracy in both countries. In the UAE, Arab culture and tribal traditions strongly influence political and social structures, creating a more hierarchical and authoritarian system (Alteneiji, 2015). 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 (Basit, 2023).

The constitution is vital 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 primary 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: first, 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, while in Indonesia, political participation is broader through elections and a system of popular representation.

The second is related to human rights protection. In Indonesia, the constitution guarantees the protection of human rights and freedom of religion. In contrast, in the UAE, human rights protection is limited, and freedom of religion is regulated by Islamic law. The third is concerned with the role of women in politics. In Indonesia, women have greater political participation, with quotas for women's representation in parliament and elections.

Meanwhile, 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. The fourth is the 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 primary source of legislation. 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.

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 primary 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,

cultural influences, and the role of the constitution are the main factors influencing the characteristics of democracy in the United Arab Emirates and Indonesia.

Philosophically and in the history of the state, both the UAE and Indonesia have significant differences in the form of acceptance of the implementation of democracy. If the UAE is categorized as a complex democracy in the democracy matrix and ranked 153rd, then Indonesia is implementing the Pancasila democratic system. However, both countries have a strong religious culture in the form of Islam. The UAE is based on Islamic law because, historically, the country has been based on Islamic law. Meanwhile, Indonesia is a democratic country with the largest Muslim population in the world. Therefore, democracy and Islamic law in these two countries are about applying Islamic legal values into the state culture, which are then interrelated. This will be the focus of this paper.

More specifically, the UAE has been leading towards the practice of democratization, especially after the arab spring. In the UAE, the Arab Spring led pro-democracy activists to petition the Emir of Abu Dhabi. The petition, signed by 130 academics, demands that all members of Parliament be elected directly by the people. In addition, the petition urged the UAE to guarantee and protect human rights (Azhardiati et al., 2023).

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 do factors such as history, politics, and culture shape the characteristics of democracy in both countries?

**Method**

This research is normative legal research, focusing 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, comparative, and Islamic legal approaches. It will be analyzed using descriptive-analytical methods, describing applicable laws and regulations related to legal theory and positive law enforcement practices related to the problem (Marzuki, 2014).

Secondary legal material obtained by using library research techniques is a way of collecting legal materials by searching and studying library materials in the form of literature, research results, scientific magazines, bulletins, scientific journals, and others. The data obtained were then analyzed using data analysis techniques with deductive logic by processing legal material in a deductive way, explaining general matters and then drawing them into a more specific conclusion.

**Islamic Democracy and its Implementation in the Legal System**

The study of Islamic democracy and its implementation in the legal system is essential to understanding how Islamic values are applied in a democratic political system. Religion can be a motivation in an individual's life. For Muslims, Islam is more of a moral philosophy, belief system, or spiritual injunction: it is a complete and all-encompassing guideline for its adherents. In the Middle East, Islam occupies a privileged position as a synthetic between individuals, groups, religion and politics, as well as the holistic life of a human. Religious practices and social interactions are virtually indistinguishable. Under the conditions of an ideal Islamic State, political

authority must be based on God's law, not in the form of a theocracy or autocracy that gives sovereignty to the ruling elite (Yasmine, 2015).

In principle, Islam and democracy are not impossible to juxtapose as long as they meet the necessary basic principles, namely by placing Islam as the basis of national law and religion but not creating laws that are contradictory to democratic principles. In the Qur'an, several verses are related to the main principles of democracy, among others QS. Ali Imran: 159 and al-Shūrá: 38 (which speaks of deliberation); al-Maidah: 8; as-Syura: 15 (about justice); al-Hujurat: 13 (about equality); an-Nisa': 58 (about trust); Ali Imran: 104 (about freedom to criticize); al-Nisa': 59, 83 and al-Shūrá: 38 (about freedom of speech)

Among the countries that closely intersect between Islam and democracy are Indonesia and the UAE. One of the characteristics of Indonesia is how Islamic law affects Indonesia's legislative and political system. This study highlights how Islamic law is applied in the context of a more pluralistic and tolerant Indonesia, which is in line with an inclusive and participatory democratic system (Butt, 2007).

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 Indonesia's more pluralistic and tolerant context, 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 shape the democratic system in the United Arab Emirates and Indonesia. Therefore, it is essential to look at how these factors interact and affect the characteristics of democracy in both countries.

Moreover, this analysis may not be sufficient to explore the more profound 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, as quoted by Salim, 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).

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 more significant opportunities to be involved in political

processes and policy-making. 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 crucial to consider the interaction between cultural and other factors in analyzing the application of Islamic democracy in the UAE and Indonesia.

Salim studied the role of the constitution in upholding democracy based on Islamic principles in Indonesia. 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).

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. However, Salim's research focuses 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 primary 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.

**Islamic Law in Democracy in the United Arab Emirates and Indonesia**

The study of democratic transition and consolidation identifies two distinct analytical concerns. One 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). 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).

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. A critical 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). 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). 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).

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). 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 *sharia*" (Lombardi, 2006).

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 significant differences. The description lists either Islamic law (Sharia law) as "the main source of legislation", in Arabic referred to as "*maṣdar ra'īsiy li al-Tashrī*", or as "the main source of legislation", which in Arabic is called "*maṣdar ra'īsiy li al-Tashrī*". The word "*ra'īsiy*", which can be translated as "head" or "principal", has a preference as something related to the meaning of the leader or the most crucial aspect (Rahman, 2008).

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 primary source of law.

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). 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 deeper 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 | Republic | Both constitutions recognize human rights and create a legal basis for the State. | Monarchy in the UAE, direct democracy in Indonesia | 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 | The application of Islamic law is wider in the | Implementation of Islamic law is more | Implementation of Islamic law is | The role of Islamic law in the legal |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | of Sharia law | in their legal systems | UAE than in Indonesia | consistent in the UAE than in Indonesia | limited in Indonesia | | system 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 | 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 essential in applying Islamic law in both countries. |
| Political Participation | Limited; The decisive role of the ruling family | More open and pluralist (Herdiansah, 2022, pp. 3–4) | In both countries, political participation is governed by the constitution. | 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 | The existence of regional autonomy | Both have a decentralized system of power | The level of decentralization is higher in Indonesia than in the UAE | More efficient resource management in UAE | Decentralization in Indonesia causes inequality between regions | Regional autonomy affects implementers |

The table shows that some aspects of the principles of democracy in Indonesia and the UAE are as follows: First, the system of government run by the two countries actually affects the application of Islamic law in every existing problem. Second, Islamic law exerts considerable influence in determining policy and regulation in both the UAE and Indonesia, both of which have Muslim-majority populations. Third, the rights of minorities in the two constitutions in the country open space for the practice of the role and protection of minority rights in both countries, although the number of minorities in the UAE is less than in Indonesia.

Meanwhile, political participation, both in the UAE and in Indonesia, has differences in practice, where political participation in the UAE is more limited than in Indonesia. Thus, it affects the massive application of Islamic legal values in the form of democracy. Finally, the implementation of regional autonomy, although familiar with the principle of decentralization, the practice of decentralization within the framework of regional autonomy in Indonesia is more visible. It affects the implementation of the system of government in the region.

**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 adheres to more conservative norms and traditions, while Indonesia is more dynamic and diverse |
| Education & Information | Access to political information increases, challenges press freedom | Political education, freedom of the press, and information | More limited in the UAE; Indonesia is more open and participatory |

The table above outlines several essential things. First, In the UAE, political culture is strongly influenced by the federal monarchy system implemented in 1971 (Mathias, 2017). 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 Alvariño & 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).

Second, Islam is the official state religion in the UAE, 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 a vital role in politics and democracy. However, Indonesia is not an Islamic country 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 democratic practice, including 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 trust and respect the government and become more passive in taking a role in politics (Reichenbach & Ibrahim, 2019). 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* (mutual assistance or cooperation) and kinship, are the foundation of democratic practice in Indonesia (Fatimah et al., 2023). This is reflected in more active community participation in political and decision-making roles.

Fourth, education and information in the UAE are essential 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). Despite this, freedom of the press and information remains a significant challenge in fostering a more open and participatory democracy in the UAE. Meanwhile, in Indonesia, political education and information are essential 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 emphasis on differences in democratic values in the UAE is seen more clearly when the democratic system, commonly known as the party system and liberal democracy, is not entirely accepted because it does not fit with the culture and history as conveyed by Anwar Gargash who is a former minister of State for Federal National Deewan Affairs. This is based on the tendency toward Western style. Democratic Finance is considered to cause divisions between tribes and the existence of Islamic factions to become radical (Katzman, 2016).

On the other hand, in Indonesia, the existing democracy is evident from the electoral system adopted with the aim of ensuring that it adequately represents the diversity of ethnic groups and balances the necessity of inclusive political representation with effective governance (IDEA, 2000).

**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 | 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 more robust democracy and broader political participation among the people. 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. |
| Law | Based on Sharia law and national law | Based on Pancasila and national law | 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, |

| | UAE Constitution (1971) | Constitution of 1945 (1945 Constitution) | Indonesia's legal system is based on Pancasila and national law stipulated in the 1945 Constitution (UUD 1945).<br>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.<br>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. |
|---|---|---|---|
| Culture | Sunni Muslim majority<br><br>Official language: Arabic | Sunni Muslim majority<br><br>Official language: Indonesian | 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.<br>However, there are differences in the official languages spoken in the two countries, with the UAE using Arabic and Indonesia using Bahasa Indonesia. These linguistic differences reflect the diversity of cultures, histories, and foreign influences that have shaped each country's identity. |
| Democracy | Limited democracy (no elections)<br><br>National Advisory Council, which has a consultative role | Parliamentary democracy (elections)<br><br>Three branches of government: executive, legislative, and judicial | 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 than Indonesia. The National Advisory Council in the UAE has a consultative role, but the real political power lies with the emirs of the seven emirates.<br>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.<br>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. |
| 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 | Applying Islamic law in the United Arab Emirates and Indonesia also shows considerable differences. In the UAE, Sharia law is implemented in various aspects, reflecting the solid 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.<br>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. |
| Constitution and Law | Article 7 of the UAE Constitution declares Islam as the official religion and Sharia law as the primary 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. | Article 7 of the Constitution of the United Arab Emirates states that Islam is the official religion and Sharia law is the primary 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.<br>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 primary 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. |

The table shows 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, creating a unique national identity for each country.

The characteristics of democratic values in the UAE are then reaffirmed by tracing Islamic law in the UAE. Historically, philosophical Islamic law is part of the Islamic religion and tradition in the UAE, so Islamic law has become the source of every rule of law and policy. In this case, Islamic law is a source of material law based on historical and religious factors (Vranova, 2017).

Unlike in Indonesia, applying Islamic law with a cultural approach becomes more meaningful if the legislation formulation contains Islamic teachings' values. These normative-cultural religious teachings are reflected in Indonesian Muslim communities' attitudes. The scope of Islamic law to be applied in the national legal system becomes more expansive, as it is not only limited to private aspects. However, if regulated in legislation, issues that concern the individuals' interests can certainly curb individual freedom and burden society (Muhammadun and Murjazin, 2018).

**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). 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 existence of an absolute monarchy. 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-Muslims, 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). 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, and many non-Muslim workers are 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). 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 democracy (Marks, 2015).

However, Tunisia and the UAE have different political, economic, and social backgrounds. Therefore, the UAE can 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. The practice in Tunisia opens space for the UAE, as a fellow country with solid Islamic foundations, to practice democratic values with characteristics of the UAE itself. The first phase that must be done is to acculturate the values of Islamic law into democratic practices that will be applied. Acculturation is then strengthened by the basis of legal legitimacy in the form of regulations that accommodate democratic values that do not conflict with Islamic law. Through this, the application of the values of Islamic law in a democratic form will not open the distance between tribes and give birth to radical perceptions that will prohibit the practice of democracy from the internal community of the UAE.

On the other hand, democracy has long been part of Indonesia's political system. Indonesia is the third-largest democracy in the world and also has the largest Muslim population (Mujani & Liddle, 2004). In this context, Islamic democracy means further integrating Islamic values and principles within existing legal and governmental structures (Fealy & White, 2008). 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). 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).

One example of the integration of Islamic values and principles into law is the existence of Sharia Regional Regulations (Perda) enforced in several regions of Indonesia. These bylaws cover various aspects, ranging from family law to criminal law (Muhtar & Kasim, 2023). 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).

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). 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 essential to remember that Islamic democracy must align with democratic principles, including policy-making in the economic field. It must be concerned with common interests while not violating the values of

Islamic law. In this case, for example, the establishment of *zakat* and *waqf* regulations cannot be imposed on non-muslim communities or even the collection of taxes accompanied by enforcement or pressure. Such practice does not reflect Islamic law's value or indicate a democratic state.

The critical aspect is that the implementation of Islamic democracy 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 fundamental concept in democracy and a challenge in implementing Islamic democracy (Kymlicka, 1995). In the UAE and Indonesia, balancing Islamic values and principles with the needs and rights of individuals and groups with different beliefs or views is vital. 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 primary 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).

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). However, the Constitutional Court has restricted the implementation of several Sharia bylaws deemed to violate Pancasila's constitution and principles. 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. This challenge then began to open up with a policy of respect for culture for minorities and non-Muslims by allowing them to live with male and female partners and not as a legitimate husband and wife according to religion. In fact, the international expatriate community living in the UAE can divorce under UAE law.

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: first is building broader dialogue and consensus. In both countries, it is essential 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. The second is building solid democratic institutions. The third is the increase in 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 essential role in this.

Next is respecting pluralism. In both countries, it is imperative to respect and accept pluralism. This means recognizing and respecting differences of opinion and belief and ensuring that all citizens, including non-Muslims, have equal rights and legal protection. Finally, monitor and evaluate the implementation. Once Islamic democracy is implemented, it is vital 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 United Arab Emirates and Indonesia have different democratic characteristics influenced by Islamic legal and cultural factors. The UAE has a more authoritarian political system that is strongly influenced by 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 primary 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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