

Democracy, Law, and Divinity: Prof. Dr. Taufiqurrohman Syahuri's Vision for Indonesian Law

Friday, 14 February 2025 19:51 WIB

Public Relations of UPNVJ - Universitas Pembangunan Nasional "Veteran" Jakarta (UPNVJ) witnessed one of the important moments in the academic world, namely the inauguration of Professor Prof. Dr. Taufiqurrohman Syahuri, SH, MH at the Bhinneka Tunggal Ika Auditorium, Pondok Labu Campus UPNVJ, Friday, February 14, 2025.

In his scientific oration entitled "Harmonization of the Principles of Democracy, Nomocracy, and Theocracy for a Just Indonesian State Law Based on the Constitution," he emphasized the importance of balance between the three fundamental principles in the Indonesian legal system.

In his speech, Prof. Taufiqurrohman emphasized that the Indonesian state system cannot be separated from three main principles: democracy (people's sovereignty), nomocracy (legal sovereignty), and theocracy (God's sovereignty). These three principles, according to him, must be implemented harmoniously so that the Indonesian legal system can create true justice.

Reviewing the History of the Indonesian Constitution

Prof. Taufiqurrohman explained that since the Youth Pledge of 1928 until now, Indonesia has experienced six constitutional changes, with each change reflecting the influence of various foreign legal systems.

However, he highlighted that the People's Consultative Assembly (MPR) system is the only state institution unique to Indonesia.

"At the beginning of the reform, the authority of the MPR was reduced, making it equal to other state institutions. In fact, this system was designed to realize democracy based on deliberation and wisdom," said Prof. Taufiqurrohman.

The Importance of Harmonizing the Three Sovereignties

Furthermore, he explained that the three principles each have their own role in maintaining the balance of the state:

1. **Democracy (People's Sovereignty)** guarantees people's involvement in the political process, but risks becoming a tyranny of the majority if it is not balanced with ethics and law.
2. **Nomocracy (Sovereignty of Law)** makes the law the commander, but has the potential to produce unfair legal products if it only follows the political interests of the majority.
3. **Theocracy (God's Sovereignty)** emphasizes that the values of justice that originate from God's teachings must be the basis for the formation of state laws and policies.

"An unjust law is not a law, but an act of violence," he said, quoting philosopher Thomas Aquinas.

Democracy and Ethical Law

According to Prof. Taufiqurrohman, the implementation of democracy must still refer to the constitution and legal norms based on justice. If democracy is implemented without ethical and moral considerations, it will result in unfair legal policies and can end up harming the people.

He also highlighted that many legal products were democratically formed by parliament but were eventually annulled by the Constitutional Court because they were contrary to the constitution. Therefore, he proposed that laws should not only be decided based on majority votes, but also tested with the principles of justice and moral ethics.

Realizing a Just State

In the closing of his scientific oration, Prof. Taufiqurrohman emphasized that the harmony between democracy, nomocracy, and theocracy must be realized in a balanced way in the Indonesian legal system.

"A just state is not only based on the most votes or mere compliance with the law, but must also be in line with the principles of justice and divine values recognized in the constitution," he concluded.

The inauguration ceremony was attended by various academics, state officials, and colleagues. Through this scientific oration, Prof. Taufiqurrohman not only strengthens his contribution in the academic world, but also offers a new perspective in building a more just and ethical legal system in Indonesia.

Export tanggal : Saturday, 06 December 2025 Pukul 01:58:28 WIB.

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