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The Relationship Between the Constitution and Sharia in Digital Politics: A Constitutional Law Analysis of Democracy and Constitutional Justice

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Abstract

The evolution of digital technology has transformed patterns of political communication and expanded the space for articulating religious values within the life of the state. This situation poses challenges to the relationship between the constitution and Sharia, particularly when religious narratives are employed as instruments of political legitimation that may impact the quality of democracy and constitutional justice. This study aims to analyze the constitutional response to digital political developments involving religious values, examine the position of Sharia in the formulation of national legal policy, and formulate a model for a harmonious relationship between the constitution and Sharia within the framework of the Pancasila state based on the rule of law. The research employs a normative legal method, utilizing both statutory and conceptual approaches. Data were gathered through a literature review comprising primary legal materials such as legislation and secondary materials, including books, scholarly journals, and relevant research findings. Analysis was conducted qualitatively through legal interpretation and a theoretical examination of concepts such as constitutionalism, digital democracy, and maqāṣid al-syarī'ah. The findings indicate that digital politics enhances public participation while simultaneously creating opportunities for the politicization of religious identity, which risks displacing constitutional rationality. Sharia serves as a source of public values and ethics capable of enriching legal substance, provided it is integrated through democratic and constitutional

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mechanisms. This study proposes an integrative-constitutional relationship model that positions the constitution as the supreme norm and Sharia as a material source of law oriented toward justice, the public good, and respect for diversity. This model contributes to strengthening constitutional democracy and fostering inclusive legal-political development in the digital era.

Keywords: Constitution, Sharia, Digital Politics, Constitutional Democracy, Pancasila State Based On The Rule Of Law.

INTRODUCTION

Indonesia constitutionally affirms itself as a state of law (rechtsstaat) based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Within this framework, the implementation of state power is ideally carried out based on the principles of constitutional supremacy, limitation of power, respect for human rights, and checks and balances mechanisms . (Wibowo Fani, R., Rinaldi, F., & Nenggolan, S. E, 2024) At the same time, Indonesia's social reality shows that sharia values play an important part in the formation of political ethics, public morals, and policy orientation, considering the religious and pluralistic character of Indonesian society. (Rohim, 2024) Ideally, the relationship between the constitution and sharia is not positioned as an opposite, but within a dialectical and complementary framework. The constitution functions as the highest legal norm that regulates the governance of state power, while sharia values act as a source of public ethics and morals that enrich the substance of justice, welfare, and protection of public interests (maslahah ammah). (Bakry Apriyanto, A., & Mangaluk, E, 2025) From the perspective of Constitutional Law, this ideality demands normative harmonization between constitutional principles and sharia values without sacrificing the principles of democracy, pluralism, and equality of citizens.

However, this ideal faces serious challenges in the dynamics of politics in the digital era. The development of information technology and social media has fundamentally changed the way politics is conducted, communicated, and perceived by the public. The political arena is no longer limited to formal governmental spaces, but has shifted to a digital space filled with instant narratives, polarization, and the mobilization of public opinion. (Setyarahajoe, 2025) In practice, sharia values are often reduced to political symbols or instruments of legitimacy, particularly in electoral political contests. Religious narratives are often packaged in simplistic and emotional ways to shape public opinion, without a thorough understanding of the country's constitutional framework. This situation creates tension between constitutional rationality and political

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pressures based on religious sentiments that circulate widely in the digital space. The reality of digital politics also shows a tendency towards a weakening of the constitutional deliberation process. Public policymaking and the exercise of state power are often influenced by the virality of issues, pressure from digital majorities, or algorithmically shaped public opinion. In such a situation, the principles of Constitutional Law, such as legal certainty, due process of law in public policy, and the neutrality of state institutions, have the potential to be marginalized by short-term political interests. (Tarigan, 2024) The tension between the constitution and sharia in this context is no longer theoretical, but rather appears in everyday state practice, especially when the state is faced with public demands framed by religious legitimacy, but not always in line with constitutional principles and the equal protection of citizens' rights.

These dynamics have a significant impact on the quality of state administration and the consistency of the principles of the rule of law. First, there is the risk of instrumentalization. Sharia in politics, which not only obscures the substantive meaning of the values of justice and welfare, but also has the potential to create exclusion for certain groups in national life. (Effendi Triarda, R., & Hidayat, P, 2025) Second, the reactive and emotional dominance of digital public opinion can encourage the state to adopt policies that are less based on constitutional rationality. This has the effect of weakening legal legitimacy, normative uncertainty, and declining public trust in state institutions. (Fatimah, 2025) In the long term, this condition can lead to the erosion of the principle of constitutional supremacy and a shift from the rule of law to populist practices of power. Third, the unmanaged dialectic between the constitution and sharia has the potential to give rise to ideological fragmentation in national political life. Instead of being a source of ethical values that strengthen constitutional democracy, sharia can be perceived as a political tool that conflicts with the constitution. (Munandar Susanti, E., & Faiqoh, F, 2025) This impact is not only detrimental to the state system but also hinders efforts to build an inclusive and civilized democracy. Therefore, a comprehensive study of Constitutional Law is needed to understand and reformulate the dialectical model of the constitution and sharia that is relevant to political dynamics in the digital era. This study is important to ensure that sharia values can contribute constructively within the framework of a democratic state of law, without shifting the principles of constitutionality, pluralism, and justice for all citizens.

Several studies have been conducted previously. Research by Rasji Rasji et al. (Rasji Avianti, G., & Edward, K, 2023) shows that the Constitution in the digital era needs to adapt to technological developments through privacy protection, proportional regulation of freedom of expression, and guarantees of fair and responsible use of technology. Adjustments to

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constitutional law must also anticipate new technologies, such as artificial intelligence, by emphasizing the principles of ethics, accountability, transparency, and public participation to minimize the social impact of digital innovation. A study by Ainun Najib (Najib, 2021) states that Islamic law has long developed in Indonesia and serves as one of the material sources of national law within the framework of a religious state that is not based on a particular religion. The integration of these values into the legal system is influenced by political dynamics and regime changes, so that changes in political configuration have direct implications for the character of the resulting legal products. Furthermore, research by Laila Khansa Muzaimah and Aditya Abimayu. (Muzaimah & Abimanyu, A, 2025) Affirms that the constitution still plays a vital role in protecting citizens' rights in the digital space, although adjustments to legal principles and interpretations are necessary to be responsive to social and technological changes. Constitutional adaptation is a prerequisite for the sustainability of democracy, the protection of human rights, and future legal development. Teddy Khumaedy's study. (Khumaedi, 2024) This study shows that political change is inseparable from the dynamics of Muslim thought and social movements, so that thought products are always influenced by certain values. Islam offers a holistic framework of values in regulating various aspects of human life, and therefore every religious interpretation contributes to shaping legal preferences in society. Research conducted by Miftahul Jannah, et al. (Jannah Kurniati, K., & Ilyas, M, 2025) The results of the study indicate that differences in the application of Islamic law, such as in Bugis customary inheritance practices that are not fully in line with faraidh, reflect the complex interaction between religious, customary, and state norms. This condition has an impact on legal uncertainty and the potential for social disharmony, even though instruments such as the Compilation of Islamic Law (KHI) and the MUI fatwa have been normatively recognized. Therefore, a welfare approach, regulatory harmonization, and active involvement of religious and community actors are needed to build an integration of Islamic law that is in harmony with local wisdom within the framework of Pancasila.

Various previous studies have made important contributions to understanding the constitution in the digital era and the position of Islamic law within the national legal system. Research by Rasji et al. and Muzaimah & Abimanyu emphasizes the urgency of constitutional adaptation in response to developments in digital technology, particularly regarding the protection of human rights, democracy, and technology governance. Meanwhile, research by Ainun Najib and Teddy Khumaedy focuses more on the historical and political dynamics of the integration of Islamic law into national law and the influence of religious values on societal legal preferences. Research by Jannah et al. focuses on the concrete practice of Islamic law in customary

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and socio-cultural contexts. However, these studies are still partial and tend to separate the study of digital constitutionalism from the study of Islamic law. There has been no study that comprehensively integrates the Relationship between the Constitution and Sharia in Digital Politics: A Study of Constitutional Law on Democracy and Constitutional Justice. Furthermore, the aspect of digital politics as a new arena for the struggle between constitutional and normative Sharia values has not been analyzed in depth, especially in the context of its influence on the formation of public policy and the direction of national legal politics. This gap underlies the need for this research.

The novelty of this research lies in its attempt to formulate an analytical framework for the Relationship between the Constitution and Sharia in Digital Politics: A Study of Constitutional Law on Democracy and Constitutional Justice. This research does not only view the constitution and sharia as two separate normative systems, but rather as entities that interact with each other in the political process, law formation, and public policy making in the digital space. In addition, this research presents a new perspective by placing digital politics as an important variable that influences the relationship between the constitution and sharia, particularly through the mechanisms of public opinion, mobilization of religious identity, and social media-based political pressure. Thus, this research expands the discourse of digital constitutionalism by incorporating the dimensions of sharia values and Islamic legal politics within the framework of the Pancasila rule of law.

Therefore, this study aims to analyze in depth the Reconstruction of the Relationship between the Constitution and Sharia in Digital Politics: A Study of Constitutional Law on Democracy and Constitutional Justice. Specifically, this study aims to first, examine how the constitution responds to the development of digital politics that involves religious values in the public sphere. Second, analyze the position and role of sharia as a source of values in the formation of legal politics amidst the pressures of digital democracy. Third, formulate a harmonious, inclusive, and constitutional model of the relationship between the constitution and sharia within the framework of the Pancasila rule of law to strengthen the protection of citizens' rights and the quality of democracy in the digital era.

METHOD

This research employs a normative legal research method (doctrinal research). This method was chosen because the research focuses on analyzing legal norms, principles, and principles governing the relationship between the constitution and sharia within the context of

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political dynamics in the digital era. Normative legal research allows researchers to systematically examine the constitution's position as the supreme law and the position of sharia values as a material source in the formation of state laws and policies.

The approaches used in this research include: a statutory approach , which examines constitutional provisions and laws relevant to state administration, human rights, and political governance and digital technology. A conceptual approach , which analyzes key concepts such as constitutionalism, legal politics, sharia, the Pancasila rule of law, and digital democracy.

The data sources in this study are primary and secondary sources: legal materials, Primary sources include: the 1945 Constitution of the Republic of Indonesia, related laws and regulations, and decisions of state institutions relevant to constitutional and legal political issues. Secondary sources, in the form of constitutional law textbooks, scientific journals, previous research results, and scientific works discussing constitutionalism, Islamic law, and the dynamics of digital politics. Legal dictionaries, encyclopedias, and other supporting sources that help clarify legal concepts and terminology.

Data analysis was conducted qualitatively and normatively using analytical descriptive methods. The collected legal materials were analyzed by identifying legal norms, principles, and concepts, then linking them to political dynamics in the digital era. Next, a systematic and conceptual legal interpretation was conducted to formulate a dialectical pattern between the constitution and sharia and its implications for state administration and the formation of national legal policy.

DISCUSSION

Digital Constitutionalism and the Challenges of Religious Values in Contemporary Politics

Digital constitutionalism is a conceptual development in constitutional law that positions the constitution as the primary instrument in regulating the relationship between state power, citizen rights, and information technology. (Simanjuntak & Silalahi, W, 2025) In this context, the constitution not only functions as the highest legal norm in the physical space of the state, but also serves as a normative framework that must be able to guarantee the protection of human rights, freedom of expression, equality, and political participation in the digital space. (Octavianingsih & Abdillah, R, 2025) The development of communication technology has changed the structure of social and political relations, so that the digital space has become a new arena for the formation of public opinion, political mobilization, and the legitimacy of power. (Rohmah, 2025) This condition demands an adaptive constitutional interpretation, so that the principles of

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the rule of law remain relevant and effective in facing the rapid and massive social transformation. In contemporary political dynamics, the digital space has also become the primary medium for the articulation of religious values. Religious values are not only present as individual spiritual expressions, but also as social identities and political symbols that have strong mobilizing power.

In a religious and pluralistic society like Indonesia, religious values sociologically possess high moral legitimacy, making them easy references for constructing political narratives in the digital public sphere. (Hermawan & Murjoko, A, 2025) However, the instant, emotional, and algorithmic nature of digital space often encourages the simplification of religious values into symbols, slogans, and political identities that lose their profound normative meaning. As a result, religion has the potential to be reduced to an instrument of legitimacy of power, rather than a source of public ethics that guides political practice substantively and civilized. This condition gives rise to tension between constitutional principles and religious narratives in digital politics. Constitutional principles demand legal rationality, protection of minority rights, respect for diversity, and limitation of state power through objective legal mechanisms. (Nugraha et al., 2025) Conversely, politically mobilized religious narratives are often constructed within an emotional and identity framework, potentially encouraging exclusivism, social polarization, and majority pressure on other groups. (Ibnu, 2025) In this situation, digital public opinion can become a political force influencing state policymaking, even potentially shifting policy orientation from constitutional rationality to populist responsiveness. This tension demonstrates that digital politics presents not only technological issues but also normative and ethical ones that directly impact the quality of democracy and the rule of law.

Within the framework of digital constitutionalism, the state has a responsibility to maintain a balance between freedom of expression, respect for religious values, and protection of constitutional principles. The state cannot cancel or eliminate religious expression in the digital public sphere because it is part of citizens' constitutional rights. (Husni, 2021) However, the state must also not allow religious values to be used as a tool to legitimize discrimination, social exclusion, or justify policies that conflict with the principles of justice and equality. (Mendrofa, 2024) Therefore, digital constitutionalism demands the state's role as a manager of norms that guarantee order, justice, and the common good in the digital political sphere, through proportional regulations, fair law enforcement, and public policies based on the public interest.

The implications of this situation for constitutional law are significant. It requires strengthening constitutional interpretation, not merely legalistic, but also contextual and responsive to digital social change. Constitutional law must be able to define a clear boundary

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between freedom of religious expression and the protection of other constitutional rights of citizens, to prevent the dominance of certain values that undermine the principles of pluralism and democracy. Thus, digital constitutionalism is not simply interpreted as a technological adaptation, but as a normative effort to ensure that the development of digital politics and the expression of religious values align with the principles of the rule of law, constitutional democracy, and the ideals of social justice within the framework of the Pancasila state based on law.

The Relationship between the Constitution and Sharia in the Formation of Legal Politics in the Digital Era

In the context of the Indonesian rule of law, Sharia is not positioned as a formal legal system that stands autonomously and binds all citizens, but rather as a source of values, ethics, and social norms that influence the legal orientation of society and the direction of the formation of national legal policy. This position aligns with Indonesia's character as a Pancasila state that recognizes religious values without making any particular religion the foundation of the state. (Septian, 2020) Thus, Sharia functions as a material source of law that contributes to the legislative process and public policy through constitutional mechanisms, rather than as positive law that applies directly and comprehensively. In the political dynamics of the digital era, the relationship between the constitution and Sharia has increased significantly. (Yasser, 2025) The development of information technology and social media has expanded the space for the articulation of religious interests in public discourse and electoral politics. (Tasrif, 2025) Sharia values are often used as a basis for policy legitimacy, political moral narratives, and instruments for mobilizing mass support in the digital space.

This phenomenon demonstrates that sharia operates not only within the normative-religious realm but also enters the constitutional political sphere through the formation of public opinion, pressure on policymakers, and the framing of legal and moral issues in digital media. However, the dialectic between the constitution and sharia does not always proceed harmoniously. The interaction between the two is often influenced by practical political interests, identity polarization, and the fragmentation of religious understanding within society. (Leniawati & Haq, M. Z, 2024) In the digital space, differences in religious interpretation are easily capitalized on into exclusive and antagonistic political narratives. This situation has the potential to create tension between constitutional principles such as constitutional supremacy, pluralism, and equality of citizens and normative demands that are claimed to be based on sharia but do not always represent the diverse views of Muslims themselves. (Vidi Merviana, D., Alfarizi, S., Yasser,

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R., & Mahipal, M, 2025)

From the perspective of modern constitutionalism theory, the constitution is not merely understood as a written legal document, but rather as a normative framework that limits power, guarantees human rights, and regulates the relationship between the state and citizens in a pluralistic society. (Junaedi & SH, M, 2025) Constitutionalism demands the supremacy of the constitution, the division of powers, and effective accountability mechanisms, including in responding to social and technological change. In the Indonesian context, constitutionalism operates within the framework of Pancasila, which recognizes religious values as a source of public ethics, without placing a particular religion as the exclusive basis for state administration. (Sukirno, 2021) Thus, every normative value, including those derived from sharia, must be tested and integrated through constitutional principles to avoid exclusion or violations of citizen equality.

Meanwhile, contemporary Islamic law is experiencing a paradigm shift from a formal-legal approach to a substantive and contextual approach. The development of the maqasid al-syari'ah (the protection of religion, life, intellect, descendants, and property) thinking places the basic objectives of sharia, such as the protection of religion, life, intellect, descendants, and property, as the foundation for responding to ever-changing social realities. (Pahutar Ritonga, M., & Hanafi, A. H, 2024) Within this framework, sharia is not understood as a collection of static norms, but rather as a dynamic value system open to ijtihad, considerations of public interest, and the national context. This perspective allows sharia to function as a material source of law compatible with the principles of a democratic rule of law, as long as its orientation is directed toward protecting human dignity and social justice. In the dynamics of digital politics, the interaction between constitutionalism and contemporary Islamic law faces new challenges. The digital space accelerates the production and circulation of religious discourse, while weakening the authority of established interpretations. The fragmentation of sharia interpretation on social media is often linked to the logic of populism and identity politics, reducing religious values to simple political symbols. From a constitutional perspective, this phenomenon has the potential to shift legal rationality and undermine the principle of democratic deliberation, as public policy is driven more by digital opinion pressures than by constitutional considerations and long-term public interest. (Pebriansah, 2023)

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Tabel 1. The relationship between the constitution and Sharia within the dynamics of digital politics.

Analysis Aspects	Constitution	Sharia
Legal standing	The highest law and binding on all citizens	Sources of religious values and norms
Main function	Ensuring democracy, human rights, and pluralism	Provides legal moral and ethical orientation
Mechanism of influence	Legislation, court decisions, public policy	Public opinion, moral legitimacy, legal preferences
Challenges in the digital era	Constitutional interpretation of technology and identity issues	Fragmentation of interpretation and politicization of religious values
Ideal relationship	Becoming the main normative framework	Complete as a source of legal material

The table shows that the constitution and sharia have distinct but interacting positions and functions. The constitution serves as the supreme normative framework governing national life, while sharia contributes to shaping societal legal preferences through moral and ethical values. Tensions arise when the influence of sharia is articulated politically without proper constitutional mechanisms, potentially undermining the principles of equality and human rights protection.

Therefore, a constitutional law approach is needed that can position sharia proportionally within the national legal system. This approach emphasizes not only normative aspects but also takes into account the sociological and political context, particularly within the digital democracy ecosystem. Sharia must be understood as a source of inspiring values that enrich the substance of law, not as a tool for political justification that denies diversity and the supremacy of the constitution. Within this framework, the constitution remains the primary reference, while sharia serves as a material source integrated through democratic and constitutional processes.

Through dialectical analysis, this study seeks to explain how the constitution and sharia mutually influence the formation of legal politics in Indonesia, particularly amidst the strengthening of digital democracy and identity politics. This dialectic demonstrates that the sustainability of a democratic rule of law does not lie in the dominance of one value system, but rather in the state's ability to manage the interaction between the two in a balanced, inclusive, and constitutionally just manner.

The Model of Constitutional and Sharia Relations within the Framework of the Pancasila

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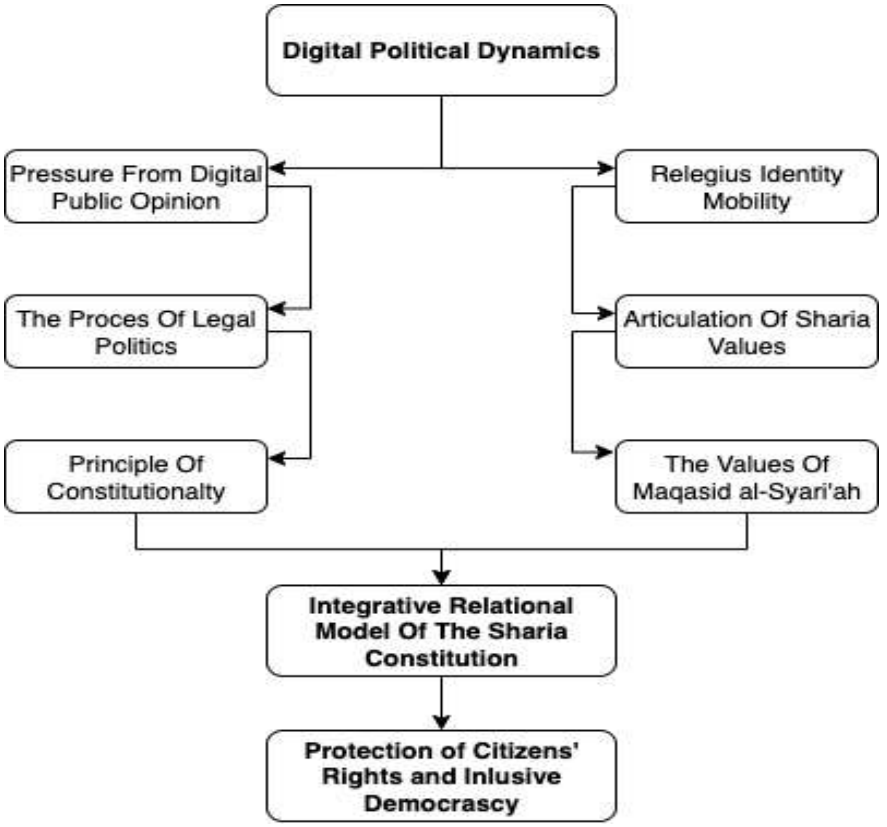
Legal State in the Digital Era

As a state based on the rule of law (Pancasila), Indonesia possesses a unique constitutional character in managing the relationship between constitutional norms and religious values. This character is reflected in the recognition of the One and Only God as the ethical foundation of national life, as well as the affirmation of the principles of democracy, pluralism, and equality of citizens. (Pristiyanto, 2024) In this context, the constitution is not positioned in a secular position that negates religion, but also does not adopt a religious state model that makes one religious system the formal law of the state. (Sadzali, 2020) This in-between position demands careful, proportional, and contextual management of the relationship between the constitution and sharia, especially amidst the complex political dynamics of the digital era. The development of digital politics presents new challenges to this relationship. The digital space has become a primary arena for the formation of public opinion, political mobilization, and the articulation of religious identity. Sharia values are often presented in digital public discourse as a source of moral legitimacy for policies and as a symbol of identity politics.

This situation demands a model of constitutional and sharia relations that is not dichotomous, strictly separating state law from religious law, but rather integrative, that is, one that positions sharia as a source of values that contribute constructively within the framework of Pancasila constitutionalism. (Purwanto & Silalahi, FH M, 2025) This integrative model of relations must be based on the principle that the constitution remains the highest norm, while sharia serves as a source of material and public ethics. Thus, sharia values are not applied formally, but are selected and internalized through democratic, rational, and inclusive legal political mechanisms. This approach aligns with contemporary Islamic legal thought that emphasizes maqasid al-shari'ah as a substantive orientation, so that the goals of public welfare can be realized without sacrificing the principles of constitutionality and diversity. (Wartono, 2025)

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Diagram 1. Amidst these dynamics, the conceptual framework of the relationship between the constitution and sharia can be described through the following flow



The flowchart shows that the dynamics of digital politics serve as a starting point influencing the legal political process through two main channels: digital public opinion pressure and the mobilization of religious identities. These two channels then converge in the process of value articulation and policy formulation, which must be tested through the principles of constitutionality and the orientation of maqasid al-sharia . The result of this dialectical process is an integrative model of the relationship between the constitution and sharia, aimed at strengthening the protection of citizens' rights and the quality of democracy. Within this framework, the relationship between the constitution and sharia needs to be guided by the principles of public welfare, substantive justice, and respect for diversity. Public welfare serves as the meeting point between the constitutional objectives of the rule of law and the ethical orientation of sharia, while substantive justice ensures that public policy does not stop at procedural compliance but also produces equitable social impacts. Respect for diversity is a

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primary prerequisite for the integration of religious values to prevent normative exclusivity that could potentially discriminate against minority groups.

Thus, national legal policy is required to ensure that sharia values contribute to strengthening public ethics, civilized governance, and the formation of policies responsive to the needs of a digital society. Sharia should not be reduced to a tool for legitimizing power or an instrument of normative conflict, but rather positioned as a source of moral inspiration that enriches the practice of Pancasila constitutionalism. Through this approach, the relationship between the constitution and sharia can be formulated in a harmonious, constitutional manner, and relevant to the challenges of the digital era, while simultaneously strengthening the foundation of Indonesia's democratic and inclusive rule of law.

The Role of the State and Constitutional Institutions in Managing Sharia-Based Digital Politics

In the dynamics of digital politics, the state and constitutional institutions are no longer adequately understood as normative actors operating solely within formal institutional spaces, but rather as managers of the complex relationship between freedom of expression, religious values, and constitutional principles. The development of digital technology has created a new public space that is fluid, decentralized, and rife with discursive contestations. (Törnberg & Uitermark, J, 2020) In this space, religious narratives, including sharia values and symbols, often appear not only as expressions of faith but also as instruments of political legitimacy and mass mobilization. This situation poses a serious challenge for the rule of law, as freedom of expression guaranteed by the constitution can overlap, or even conflict, with the principles of pluralism, citizen equality, and the protection of human rights. From the perspective of constitutionalism theory , the constitution is understood not simply as a supreme legal document, but as a normative framework that limits power, protects citizens' rights, and regulates the relationship between the state and society. (Alfidyah, 2025)

Modern constitutional thought emphasizes that freedom of expression is not an absolute right, but rather one that can be proportionately limited to protect the public interest, social order, and the rights of others. (Husni, 2021) In the context of digital politics, this principle becomes increasingly relevant because poorly managed religious expression has the potential to trigger hate speech, intolerance, and identity-based social polarization. Accordingly, the state's approach as a norm manager gaining relevance. The state is not positioned as a repressive actor silencing religious expression, but as an institution that manages the interaction between constitutional norms, religious values, and social practices in the digital space. This concept aligns

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with governance theory, which views the state as a facilitator and balancer of interests, not merely as a monopoly holder of power. (Novita AP, S., & AP, M, 2025) Within this framework, digital political regulations must be designed adaptively, based on the principles of accountability, transparency, and substantive justice, to be able to respond to social dynamics without sacrificing civil liberties.

From the perspective of contemporary Islamic law , the use of sharia values in the public sphere and digital politics needs to be placed within the framework of maqasid al-syari'ah . The maqasid approach emphasizes that the primary objective of sharia is to safeguard human welfare, including the protection of life, mind, property, honor, and religious freedom. (Pertiwi & Herianingrum, S, 2024) Therefore, religious expressions that have the potential to undermine social cohesion or violate the rights of other groups contradict the substantive objectives of sharia itself. In the context of a Pancasila rule of law, sharia values presented in digital politics ideally function as a source of public ethics that strengthen justice and humanity, not as a tool of normative exclusivity.

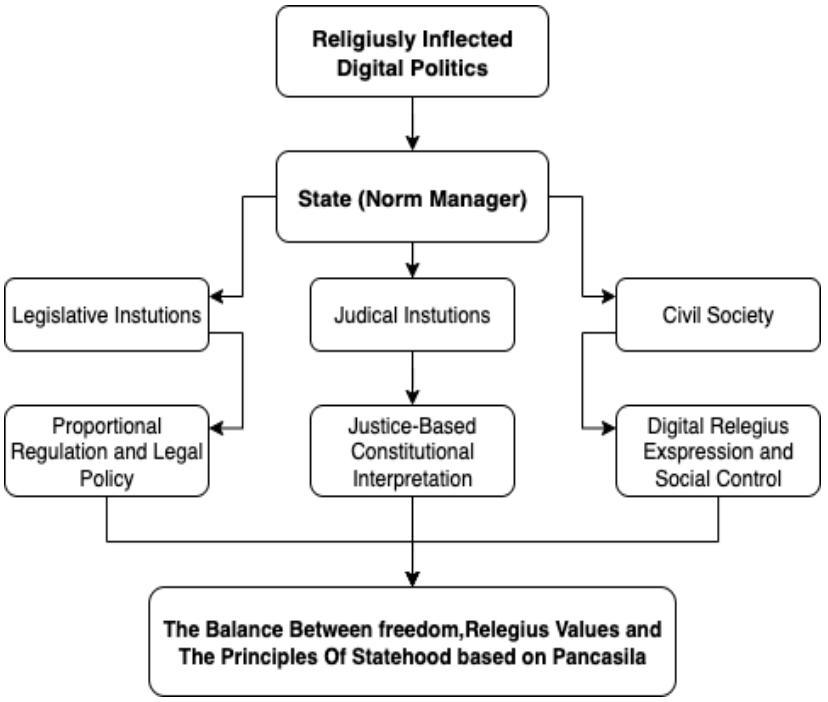
The role of legislative institutions in this context is highly strategic. Legislation governing the digital space must be able to bridge freedom of expression with the protection of diversity and public order. Political legal theory emphasizes that legal products are always the result of a specific political configuration. (Nurasiah & Ananda, F, 2025) Therefore, lawmakers are required to possess constitutional sensitivity so that the resulting regulations are not biased by majoritarianism or pressures of digital populism. Meaningful public involvement in the legislative process is a crucial instrument to ensure that religious values accommodated in the law remain in line with the principles of democracy and the rule of law. Meanwhile, **judicial institutions** , particularly the Constitutional Court and the judiciary in general, play a central role in maintaining the balance between constitutional norms and religious expression in the digital space. (Reniarti Asma Inayah Fifi Rezkiani, Supriyanto, A. Mulia Rahmadinah Adnan, & Samiadji, 2024) In the theory of judicial review, the court functions as a guardian of the constitution, ensuring that any restrictions on freedom of expression have a legitimate legal basis, a legitimate purpose, and measurable proportionality. (Saragih Nasution, M., & Sihombing, ENA M, 2024) Constitutional interpretation that is sensitive to the social context and religious values is important so that court decisions are not only legally correct, but also substantively fair and acceptable to society.

The increasing social polarization caused by digital identity politics demands that the state and constitutional institutions play an active role in building an inclusive national narrative. The theory of deliberative democracy emphasizes the importance of a rational dialogue space that

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allows diverse perspectives, including religious ones, to meet on equal footing and with mutual respect. (Erfain, 2025) In this context, the state is not only tasked with enforcing the law but also with encouraging the creation of a healthy digital ecosystem through digital literacy, strengthening public ethics, and protecting vulnerable groups. Therefore, the role of the state and constitutional institutions in religiously tinged digital politics must be understood as an effort to maintain a dynamic balance between freedom, values, and power. Through an inclusive constitutional approach and a welfare-oriented understanding of sharia, the state can ensure that digital politics does not become an arena for normative conflict that undermines democracy. (Abdul Azis, 2024) Instead, the digital space can be directed as a medium for strengthening the rule of law of Pancasila, which is democratic, just, and respectful of diversity within the constitutional framework. Within the framework of religiously tinged digital politics, the relationship between the state, constitutional institutions, and society is not linear, but rather forms a network of interacting roles. The state does not act as a sole actor, but rather works alongside legislative bodies, the judiciary, and civil society to manage religious expression in the digital space to ensure it remains within the boundaries of Pancasila constitutionalism.

Diagram 2. The role relationships can be illustrated by the following flowchart



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The flowchart shows that digital politics is the starting point influencing various constitutional actors. The state acts as a norm manager , coordinating and balancing the roles of the legislature, the judiciary, and civil society. The legislature formulates regulations and public policies that adapt to digital dynamics, while the judiciary maintains the constitutional mandate through legal interpretations that guarantee substantive justice and protect citizens' rights. Civil society, on the other hand, serves as the primary arena for digital religious expression and acts as a social oversight of the exercise of power. The interaction between these three actors leads to a common goal: to create a balance between freedom of expression, internalization of religious values, and upholding the principles of the Pancasila state based on law. This balance is not interpreted as a uniformity of values, but rather as a dialectical process that allows sharia values to contribute ethically and constructively to the public sphere without negating the principles of pluralism and citizen equality.

From a constitutional law perspective, this diagram emphasizes that successful digital political governance depends not only on regulatory strength but also on the quality of constitutional interpretation and healthy public participation. Thus, the role of the state and constitutional institutions is not dominant, but rather integrative and responsive to social dynamics. This approach aligns with the ideas of modern constitutionalism and contemporary Islamic law, which both emphasize the importance of justice, public welfare, and respect for human dignity in national life in the digital era.

CONCLUSION

The relationship between the constitution and sharia in digital politics essentially demonstrates a dialectical and complementary relationship within the framework of the Pancasila rule of law. The constitution remains the supreme legal norm guaranteeing democracy, protection of human rights, pluralism, and equality of citizens, while sharia serves as a source of ethical and moral values that enrich the substance of justice and the welfare of the nation. The development of digital politics has expanded the space for the expression and articulation of religious values, but also presents challenges in the form of politicization of religion, identity polarization, and the dominance of public opinion that have the potential to shift constitutional rationality in policymaking. In this context, sharia is not positioned as a formal law that applies directly, but rather as a material source of law that provides a moral orientation for the formation of national legal policy through democratic and constitutional mechanisms. The maqāṣid al-shari'ah approach demonstrates that the values of justice, welfare, protection of human dignity, and the public

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interest are compatible with the principles of modern constitutionalism, so they can be substantively integrated without neglecting diversity and the rights of citizens. Therefore, the relevant relationship model in the digital era is an integrative-constitutional model that positions the constitution as the primary normative framework and sharia as the source of public ethics that strengthens the quality of democracy, constitutional justice, and civilized state governance. Through a responsive, inclusive, and welfare-oriented role of the state and constitutional institutions, digital politics can be directed as a means of strengthening a democratic Pancasila state based on law, respecting diversity, and achieving prosperity and justice for all citizens.

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