

## Identity Politics and Social Cohesion in the Dynamics of Democratic Society

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### Abstract

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This study aims to analyze the relationship between identity politics and social cohesion within the framework of Indonesia's democratic system, focusing on the implementation of Law Number 40 of 2008 on the Elimination of Racial and Ethnic Discrimination. Employing a literature review method, this research explores various scholarly works published within the last five years that discuss identity politics, anti-discrimination legislation, and their implications for social cohesion. The findings reveal that identity politics demonstrates a dual character: it functions as a means of group recognition while simultaneously representing a potential threat to national unity when politically exploited. The primary challenges in implementing Law No. 40 of 2008 include weak legal enforcement, insufficient public awareness, and the inadequate internalization of equality values at both institutional and community levels. Consequently, this study emphasizes the urgency of reconstructing anti-discrimination policies through preventive, educational, and participatory approaches to strengthen social cohesion and uphold the principles of justice and inclusiveness within Indonesia's multicultural democracy.



## 1. Introduction

In the dynamics of modern democracy, identity politics has become a prominent and unavoidable phenomenon. Identity politics arises from social groups' efforts to fight for recognition and equality but often develops into a tool for political mobilization fraught with power interests.<sup>1</sup> When a specific identity is leveraged for electoral or ideological purposes, the potential for exclusivism emerges, threatening social cohesion and inclusive democratic values. This is where regulation becomes crucial in maintaining a balance between the recognition of diversity and the prevention of discrimination. In the Indonesian context, Law Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination serves as the legal foundation to ensure that every citizen has equal rights regardless of their tribal, religious, racial, or ethnic background.

Social cohesion is a fundamental aspect of maintaining the sustainability of a democratic system. It does not only function as an indicator of political stability but also as a reflection of the extent to which society is capable of building cross-identity solidarity. According to Dulmanan,<sup>2</sup> social cohesion is formed through the practice of social justice, political equality, and the recognition of identity plurality in public life. When social cohesion weakens due to discrimination, democracy loses its moral substance as a system that guarantees participation and equality for all citizens. Therefore, anti-discrimination policies such as those regulated in Law No. 40 of 2008

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<sup>1</sup> Purwo Santoso. "Proliferation of Local Governments in Indonesia: Identity Politics within a Troubled Nation State." *PCD Journal* 3, no. 1-2 (2017): 1-32.

<sup>2</sup> Amsar A Dulmanan. "Multikulturalisme dan Politik Identitas: Catatan Reflektif atas Gagasan Politik Will Kymlicka." *Mugoddima: Jurnal Pemikiran dan Riset Sosiologi* 1, no. 1 (2020): 31-42.

do not only have a legal function but also a social function as a tool for reconciliation between different groups.

In political practice, identity issues are often utilized instrumentally. Adiwilaga et al.<sup>3</sup> explains that identity politics in Indonesia is not merely a cultural expression but also an arena for the contestation of power hegemony that can divide society if not managed with the principle of justice. In this view, Law No. 40 of 2008 becomes an essential instrument that regulates identity expression so that it does not develop into a form of racial discrimination or open social conflict. The law strengthens the state's commitment to ensuring equal rights while asserting that diversity is part of democratic strength, not a threat to it.

However, the existence of regulation does not automatically guarantee stable social cohesion. Bhakti et al.<sup>4</sup> asserts that in the context of electoral politics, anti-discrimination policy is often confronted with weak institutional awareness and low law enforcement capacity. When the law does not operate consistently, a paradox emerges between the idealism of democracy and the social reality still marked by discriminatory practices. This is reinforced by Arief et al.<sup>5</sup> who argues that efforts to build national consciousness must involve moral, religious, and cultural dimensions, not just formal legal aspects. In this context, identity politics must be directed toward

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<sup>3</sup> Rendy Adiwilaga, M. Ridha, and U. M. Mustofa. "Pemilu dan Keniscayaan Politik Identitas Etnis di Indonesia: Sebuah Tinjauan Teoritis." *Jurnal Bawaslu* 3, no. 2 (2017): 269-284.

<sup>4</sup> Ikrar Nusa Bhakti, Indria Samego, Sri Yanuarti, Sarah Nuraini Siregar, Muhamad Haripin, and Diandra Megaputri Mengko. *Intelejen dalam Pusaran Demokrasi di Indonesia Pasca Orde Baru*. Yogyakarta: Penerbit Andi, 2017.

<sup>5</sup> Ruslan Arief, Lukman Yudho Prakoso, and Helda Risman. "Understanding national identity to create love and proud of being a part of the indonesian nation." *Jurnal Inovasi Penelitian* 1, no. 11 (2021): 2549-2556.

strengthening humanitarian values and togetherness, instead of becoming a trigger for segregation.

Furthermore, Wingarta et al.<sup>6</sup> shows that identity politics not balanced by inclusive policies can weaken social integration and deepen the gap between groups. When ethnic, religious, or racial differences are used as tools to achieve political interests, society loses the space for dialogue and social trust. Therefore, the enforcement of Law No. 40 of 2008 is key to ensuring that democracy is not trapped in identity polarization. Drupadi et al.<sup>7</sup> adds that to minimize the negative impact of identity politics, the state needs to build citizenship education that instills the values of equality, social empathy, and respect for diversity as part of public morality.

In this context, it is important to examine in depth how identity politics affects social cohesion in the midst of a pluralistic democratic system, and to what extent the Law on the Elimination of Racial and Ethnic Discrimination can address these social challenges. The phenomenon suggests a gap between legal ideals and social practices on the ground. The question then arises: how does identity politics play a role in shaping the dynamics of social cohesion in society, and what are the challenges and urgency faced in the implementation of the law to prevent discrimination and strengthen social justice in an increasingly complex democratic era? These two issues are the main focus of this research.

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<sup>6</sup> I. Putu Sastra Wingarta, Berlian Helmy, Dwi Hartono, I. Wayan Mertadana, and Reda Wicaksono. "Pengaruh politik identitas terhadap demokrasi di Indonesia." *Jurnal Lembannas RI* 9, no. 4 (2021): 117-124.

<sup>7</sup> Rizki Drupadi, Obby Taufik Hidayat, and Hermi Yanzi. "Global citizen preparation: Enhancing early childhood education through Indonesian local wisdom." *Universal Journal of Educational Research* 8, no. 10 (2020): 4545-4554.

## 2. Methods

This research uses a qualitative approach with the library research method as the main foundation for analysis.<sup>8</sup> This approach was chosen because the issue of identity politics and social cohesion is a complex and conceptual socio-political phenomenon, making it more appropriately analyzed through theoretical review and the tracing of scientific literature. Library research allows the researcher to critically examine various academic sources that have discussed the relationship between identity, democracy, and anti-discrimination policies, to build a comprehensive understanding of the effectiveness and challenges in implementing Law Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination in the Indonesian socio-political context.

The primary sources for this research consist of scientific journal articles, academic books, and research reports indexed in Google Scholar or Research Gate. The selection of this time frame was made to ensure the data's relevance to contemporary democratic conditions and the increasingly intense dynamics of identity politics during that period. Each piece of literature used was evaluated based on academic credibility, depth of analysis, and relevance to the two main focuses of the study: first, how identity politics influences social cohesion in a democratic system; and second, how the effectiveness of anti-discrimination regulation implementation can prevent social fragmentation due to identity issues.

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<sup>8</sup> Julie Thompson Burdine, Sally Thorne, and Gurjit Sandhu. "Interpretive description: A flexible qualitative methodology for medical education research." *Medical education* 55, no. 3 (2021): 336-343.

The data collection process was carried out through three main stages. The first stage was literature tracing with keywords such as identity politics, social cohesion, Indonesian democracy, and UU No. 40 of 2008 (Law No. 40 of 2008), using academic databases such as Google Scholar or Research Gate. The second stage was source selection, where the researcher filtered articles that met the methodological and substantive criteria namely, discussing the relationship between social identity, legal policy, and democratic stability. The third stage was content analysis of the selected literature to identify conceptual patterns, main findings, and existing research gaps in the study of identity politics and social cohesion.

The analysis was performed with a descriptive-analytical approach, which involves describing the phenomenon of identity politics as explained in the literature, then interpreting its implications for democratic practices and the enforcement of anti-discrimination law in Indonesia. This approach allows the researcher to link identity politics theories from various perspectives with the positive legal context of Indonesia, thereby gaining a deeper understanding of the challenges and urgency of implementing Law No. 40 of 2008. All data obtained were not statistically processed but reviewed qualitatively to produce an integrated conceptual analysis.

Furthermore, this research uses a normative-sociological approach, where the study of statutory regulations is combined with the social reality developing in society. The normative approach is used to examine the content, principles, and objectives of Law No. 40 of 2008, while the sociological approach is used to understand how the legal norms are implemented in daily social and political life.

Thus, this library research method functions not only as a means of information gathering but also as a tool for theoretical reflection to develop critical thinking.

### **3. Results and Discussion**

#### **3.1. The Phenomenon of Identity Politics and Social Cohesion within the Framework of Law No. 40 of 2008**

The phenomenon of identity politics in Indonesia shows increasingly complex dynamics along with the development of the post-reform democratic system. Democracy, which should be an inclusive space for participation for all citizens, is often utilized to strengthen specific group identities for political gain. In this context, identity politics emerges not only as a cultural expression and social representation but also as a mobilization strategy that has the potential to fracture social cohesion. According to Dulmanan,<sup>9</sup> social cohesion in a democratic society is determined by how strongly relationships between citizens are built on the principles of equality and social justice, not based on identity homogeneity. When certain groups monopolize political space based on race, ethnicity, or religion, social solidarity becomes fragile, and trust in the democratic system also declines.

Identity politics, in the context of legal policy, poses a serious test for the implementation of Law No. 40 of 2008. This law contains a moral and legal mandate to protect every citizen from discrimination based on race and ethnicity. However, social reality shows that this regulation often faces challenges in its implementation.

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<sup>9</sup> Amsar A Dulmanan. "Multikulturalisme dan Politik Identitas: Catatan Reflektif atas Gagasan Politik Will Kymlicka." *Mugoddima: Jurnal Pemikiran dan Riset Sosiologi* 1, no. 1 (2020): 31-42.

Adiwilaga et al.<sup>10</sup> argues that in electoral political practice, identity issues are often used as a tool of legitimacy that justifies the separation between social groups. Meanwhile, normatively, the law mandates the elimination of all forms of differential treatment of citizens based on primordial background. This mismatch between legal norms and political practice creates a social gap and weakens cohesion among citizens.

Furthermore, Hedetoff,<sup>11</sup> highlights how identity politics can narrow the space for nationalism through exclusive moral and religious rhetoric. In the context of democracy, the expression of identity should be a means of enriching political plurality, not a tool for ideological domination. However, in many cases, ethnic and religious differences are used as the basis for forming political alliances that exclude other groups from the representation process. This condition directly impacts the decline in social trust among community groups, which in turn hinders the creation of solid social cohesion. Law No. 40 of 2008, with its anti-discriminatory spirit, is essentially intended to be an ethical guide in democracy so that differences do not develop into sources of conflict.

Additionally, Bhakti et al.<sup>12</sup> explains that the weak internalization of anti-discrimination values within political and bureaucratic institutions causes the implementation of Law No. 40 of 2008 to be suboptimal. There is still a gap between

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<sup>10</sup> Rendy Adiwilaga, M. Ridha, and U. M. Mustofa. "Pemilu dan Keniscayaan Politik Identitas Etnis di Indonesia: Sebuah Tinjauan Teoritis." *Jurnal Bawaslu* 3, no. 2 (2017): 269-284.

<sup>11</sup> Ulf Hedetoff. "Nationalism and the Political Theology of Populism. Affect and Rationality in Contemporary Identity Politics." *Religion and neo-nationalism in Europe. Baden-Baden, Nomos* (2020): 99-114.

<sup>12</sup> Ikrar Nusa Bhakti, Indria Samego, Sri Yanuarti, Sarah Nuraini Siregar, Muhamad Haripin, and Diandra Megaputri Mengko. *Intelejen dalam Pusaran Demokrasi di Indonesia Pasa Orde Baru*. Yogyakarta: Penerbit Andi, 2017.

the legal norm guaranteeing equality and the social reality that shows discriminatory practices in various forms be it in political access, public services, or social media discourse. This shows that the main challenge lies not in the legal substance but in the collective awareness and institutional capacity to implement anti-discrimination principles. The desired social cohesion is impossible to achieve without a consistent political commitment to enforce the regulation in every sector of community life.

Moreover, Drupadi et al.<sup>13</sup> emphasizes that strengthening social cohesion through legal policy requires synergy between the state and civil society. Law No. 40 of 2008 will be meaningless if it is only understood as a juridical instrument but must be internalized in education, culture, and daily social practices. Efforts to build social cohesion must be rooted in the collective moral awareness that identity difference is not a threat but social capital to enrich democracy. Therefore, the process of public education is crucial so that the values of equality and respect for diversity can grow as a shared ethos. Citizenship education and mass media need to play an active role in spreading values that align with the spirit of the law.

From the literature review results, it is apparent that identity politics has two faces. On one hand, it provides space for the recognition and participation of minority groups; but on the other hand, when used excessively, it can give rise to exclusivism that damages social integration. In this context, Law No. 40 of 2008 becomes the moral and legal benchmark for the sustainability of multicultural democracy in Indonesia. Uncontrolled identity politics must be understood not

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<sup>13</sup> Drupadi, Rizky, Obby Taufik Hidayat, and Hermi Yanzi. "Global citizen preparation: Enhancing early childhood education through Indonesian local wisdom." *Universal Journal of Educational Research* 8, no. 10 (2020): 4545-4554.

merely as a social problem but also as a challenge to democratic consolidation. Therefore, strengthening law enforcement and social awareness of anti-discrimination values are strategic steps to ensure that social cohesion can be maintained amidst the diversity that is characteristic of the Indonesian nation.

### **3.2. Policy Reconstruction and Challenges in the Implementation of Law No. 40 of 2008 as an Anti-Discrimination Instrument in Multicultural Society**

The implementation of Law Number 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination faces complex challenges amidst constantly changing socio-political dynamics. Although the legal norm explicitly guarantees the principle of equality before the law, social reality shows that discriminatory practices still persist in more subtle forms both in political representation, access to public resources, and the construction of social narratives in digital spaces.<sup>14</sup> The strengthening of identity politics makes the application of this law not merely a juridical issue but also a moral, cultural, and collective awareness issue among citizens. In line with Wingarta et al.<sup>15</sup> view, democracy fraught with identity-based contestation demands responsive and participatory legal mechanisms so that anti-discrimination policies do not stop at the normative level alone.

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<sup>14</sup> Barrie Sander. "Democratic disruption in the age of social media: Between marketized and structural conceptions of human rights law." *European Journal of International Law* 32, no. 1 (2021): 159-193.

<sup>15</sup> I. Putu Sastra Wingarta, Berlian Helmy, Dwi Hartono, I. Wayan Mertadana, and Reda Wicaksono. "Pengaruh politik identitas terhadap demokrasi di Indonesia." *Jurnal Lembannas RI* 9, no. 4 (2021): 117-124.

The main challenge in implementing this law lies in the low effectiveness of law enforcement against cases of racial and ethnic discrimination in daily life. Various social events show the prevalence of hate speech, negative stereotypes, and exclusion against certain groups in public spaces and social media, but they are often not legally responded to proportionally. Hedetof,<sup>16</sup> asserts that weak coordination among law enforcement agencies and limited understanding of the substance of this norm by officials cause the handling of discrimination cases to tend to be reactive and partial. In many situations, resolution is carried out through social or political channels rather than strict legal procedures, thus reducing the deterrent effect and blurring the function of law as a means of substantive justice.

In addition to the institutional aspect, another problem arises from the socio-cultural dimension of society. Some citizens still regard racial, ethnic, and religious differences as the basis for social hierarchy, not equal diversity. Dulmanan,<sup>17</sup> explains that this kind of construction of thought is rooted in a historical legacy that places certain identities as the center of cultural and power dominance. Consequently, even though legal regulation prohibits discriminatory practices, forms of social exclusion remain present through community ostracism, identity-based bullying, and limited representation of minority groups in public spaces. This condition confirms that the success of implementing Law No. 40 of 2008 greatly depends on the level of social awareness and education of inclusive and reflective national values.

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<sup>16</sup> Ulf Hedetof. "Nationalism and the Political Theology of Populism. Affect and Rationality in Contemporary Identity Politics." *Religion and neo-nationalism in Europe. Baden-Baden, Nomos* (2020): 99-114.

<sup>17</sup> Amsar A Dulmanan. "Multikulturalisme dan Politik Identitas: Catatan Reflektif atas Gagasan Politik Will Kymlicka." *Mugoddima: Jurnal Pemikiran dan Riset Sosiologi* 1, no. 1 (2020): 31-42.

In the context of legal implementation, Bhakti et al.<sup>18</sup> proposes the importance of policy reconstruction through a multi-level approach, by strengthening synergy between the government, civil society, and educational institutions. The government is obligated to ensure that every public policy, especially concerning recruitment, services, and political representation, is free from identity bias. Civil society must play a role as a social supervisor against hidden discriminatory practices.<sup>19</sup> Meanwhile, educational institutions have a moral role to instill anti-discrimination values from an early age through curriculum and character education. The synergy of these three actors will expand the function of Law No. 40 of 2008 from merely a legal norm to a transformative instrument in building collective awareness.

Empirically, there are still various real cases that reflect the weak internalization of anti-discrimination principles, such as negative labeling of certain ethnic groups in digital media, unequal treatment in public services, and social exclusion practices in the workplace. Although they do not develop into open conflicts, these forms of discrimination indicate a cultural lag a lagging social awareness compared to formal legal development. Arief et al.<sup>20</sup> asserts that identity politics growing amidst weak legal awareness and humanitarian values can give birth

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<sup>18</sup> Ikrar Nusa Bhakti, Indria Samego, Sri Yanuarti, Sarah Nuraini Siregar, Muhamad Haripin, and Diandra Megaputri Mengko. *Intelejen dalam Pusaran Demokrasi di Indonesia Pasca Orde Baru*. Yogyakarta: Penerbit Andi, 2017.

<sup>19</sup> Iyan Septiyana. "The involvement of Indonesian civil society organizations in the policy-making process of migrant workers protection in ASEAN." *Journal of Indonesian Social Sciences and Humanities* 9, no. 1 (2019): 1-19.

<sup>20</sup> Ruslan Arief, Lukman Yudho Prakoso, and Helda Risman. "Understanding national identity to create love and proud of being a part of the indonesian nation." *Jurnal Inovasi Penelitian* 1, no. 11 (2021): 2549-2556.

to “soft segregation,” a social separation that is invisible but has long-term implications for the nation’s social cohesion.

Within the framework of reconstruction urgency, Adiwilaga et al.<sup>21</sup> assesses that the implementation of Law No. 40 of 2008 needs to be supplemented by derivative policies that are preventive and educative, not only focusing on a repressive approach. Effective law enforcement must be balanced with public communication strategies and multicultural education so that the public understands that respect for difference is not merely a legal obligation but the ethical foundation of the nation.<sup>22</sup> Therefore, strengthening institutional capacity, increasing the competence of law enforcement officials, and public involvement in anti-discrimination advocacy are essential steps.

Based on the literature review and empirical reflection, it can be concluded that the main obstacle to the implementation of Law No. 40 of 2008 stems from the gap between legal norms and social reality. A strong regulation will not be effective without the support of social values that are alive and internalized in society. Therefore, policy reconstruction must be directed not only at strengthening the legal aspect but also at building collective awareness through education, media, and public participation. Thus, this law serves not merely as a formal legal instrument but as a medium for social transformation toward a democratic system that is just and oriented towards social cohesion.

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<sup>21</sup> Rendy Adiwilaga, M. Ridha, and U. M. Mustofa. “Pemilu dan Keniscayaan Politik Identitas Etnis di Indonesia: Sebuah Tinjauan Teoritis.” *Jurnal Bawaslu* 3, no. 2 (2017): 269-284.

<sup>22</sup> Bee Piang Tan, Noor Banu Mahadir Naidu, and Zuraini Jamil Osman. “Moral values and good citizens in a multi-ethnic society: A content analysis of moral education textbooks in Malaysia.” *The Journal of Social Studies Research* 42, no. 2 (2018): 119-134.

## **4. Conclusion**

Identity politics is an inherent and unavoidable phenomenon in the dynamics of democracy in a pluralistic society. On the one hand, it provides space for the expression of diversity and the recognition of the rights of minority groups; but on the other hand, if not managed properly, it can lead to social fragmentation that weakens national cohesion. In this context, Law No. 40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination has a strategic role as a legal instrument to maintain the balance between freedom of expression and the protection of citizens' equality.

The results of the study indicate that the main challenge in the implementation of this law lies not in its legal substance but in the gap between the norms and social practices in society. Obstacles still exist in the form of weak law enforcement, low public awareness, and the lack of integration of anti-discrimination values in social policy and education. For this reason, policy reconstruction is needed that emphasizes a preventive, educative, and collaborative approach between the state and civil society. By strengthening the implementation of Law No. 40 of 2008 consistently and comprehensively, it is hoped that Indonesian democracy can develop into an inclusive, fair system oriented towards strengthening social cohesion amid the nation's diverse identities.

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