

Thomas Hobbes on Human Rights and Its Relevance to The Populist Movement in Indonesia

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Received: 22 November 2020

Revised: 7 Agustus 2021

Published: 29 Oktober 2021

Abstrak:

This study deals with the political theory of Thomas Hobbes and its implications to the political dynamism in Indonesia. The aim of this research is to analyze the philosophical concept of Hobbes on human rights and the theory of liberalism, and its relevance to the current situation in Indonesia, which has recently been exposed to the politics of populism. The presence of the populist movement is not new in Indonesia; but the rise of the politics of identity, it could threaten the protection of human rights and liberal democracy. We utilize the methodology of text analysis based on Hobbes's original writing, *Leviathan*, and his other political treatises to explore his account on human rights and liberalism, and then employ Hobbes's thoughts to investigate the phenomenon of populism. We divide the study into two sections, the first deals with the philosophy of human rights which Hobbes elucidates in the perspective of his hypothetical notion of the state of nature, the concept of authority, and his theory of liberalism; the second discusses populism in Indonesia today. The study found that the concept of human rights and liberalism would lead to awareness of mutual respect in society, while the populist movement becomes a real challenge to the implementation of human rights and the development of liberal democracy. The philosophy of human rights is in accordance with the political dynamism of Indonesian society. On the contrary, the populist movement could possibly plunge the country into a conflictual precipice of religious, racial-regional, and socio-political identities.

Keywords:

human rights; state of nature; political authority; liberalism; populist movement; religious populism

Introduction

Discussion on human rights has persistently continued in the public discourse. Although globalization has now become the context of these discussions, the issues at stake are still the same, namely the issues related to the contents of human rights and about the degree to which the sovereign, or a nation state, is supposed to be involved in protecting them (Cf. Strauss, 1965; Forsyth, 1981; Riyanto, 1999; Moss 2010; Afonso, 2019; Ward, 2020). The advent of the

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globalization, however, has broadened the perspective of discourse in some ways, especially when the issue of human rights is connected with contemporary phenomena, such as the expansion of transnational capital and economic liberalization. With the collapse of the traditional national borders in the global movements of capital, developed countries continue to perpetuate their domination, by problematizing the implementation of the human rights in the developing nation state and claiming that economic investment requires the protection of the human rights (Cf. Ward, 2020). Their concern is not the promotion of human rights as such, as these developed countries have demonstrated inconsistencies in that regard. Rather the human rights discourse become an instrument to wrestle authority in developing countries in order to perpetuate their control upon political discourse, which eventually leads to economic and political domination. What is at stake is how and where the sovereign or nation state stands in response to the implementation of human rights (Strauss 1965: 56).

Thomas Hobbes's Philosophy of Human Rights is relevant to Indonesia's current political situation. The hallmark of politics today is populism, especially the populist movement that is associated with religion and culture. The concept of human rights has great challenges related to the politics of religious populism. Because, these movements tend to depreciate the existence of the human rights, especially the rights of minorities (Wahid Foundation, 2017; Setara Institute, 2018); Cf. Sweinstani, 2019; Sirait, 2019). In a social research conducted by S. Ode (2016), ethnic and racial conflicts in a couple of regions of Indonesia (Maluku Province) occurred due to politics of identity linked with populism movements due to religious sentiment among the people (Cf. Muhtadi, 2019). More recent and poignant example of the religious populist movement was exhibited by the FPI (Islamic Defender Front) and his alliances and supporters, particularly during the governor election in Jakarta 2017 (and Presidential election in 2014 and 2019). Political expressions and mass mobilization of this movement have challenged also the legitimacy of the established political institutions (Lim, 2017). Moreover, in their report on the religious freedom and minority in Indonesia (2018), SETARA, the Institute for Democracy and Peace, still found out a big number of religious violence and mass mobilization that threatened minority in several regions in Indonesia (Setara Institute, 2018).

We utilize text analysis method to explore genuine insights of Thomas Hobbes on fundamental rights of human beings. Hobbes's philosophical concept of human rights is found in his idea of the state of nature in *Leviathan*, Chapter XIII. This method involves scrutinizing and interpreting excerpts of his texts assuming that terminologies deployed in dealing with human rights suggest certain meanings related properly to genuinely Hobbesian philosophical ideas (Cf. Alfonso, 2019; Strauss, 1999;

Riyanto, 1999; Lamprecht, 1993). Text analysis thus leads us to be able to distinguish Hobbes's philosophy from "Hobbism" that have been attributed to his ideas due to the rude concept of human beings in the state of nature, such as man is *homo homini lupus* (a man is wolf to another man). This could be easily related to false idea of the fact as if God had made man such a beast that he inclined to be violent and ruthless to other fellows. Hobbism is not Hobbes's theory as meant genuinely in his writings (Cf. Christophilus, 1657; Lamprecht, 1993). The difference between Hobbism and Hobbes's genuine theory can best be exemplified by considering Hobbes's view on the state of nature. The contemporary readers of Hobbes's time seldom noticed that the picture of "man in the state of nature" is not necessarily meant by him as an historical picture of human beings. Hobbes does not regard the state of nature as an early historical period from which men later departed. He rather regards it as a concrete factor within society, that is, what man would be in the absence of all the normal associations of political life. Thus, the state of nature is somehow a hypothetical, not a real condition of human beings in the early time of the society (Cf. Alfonso, 2019; Abosch, 2006; Lamprecht, 1993; Strauss 1987; Forsyth, 1981; Roesch, 1963).

Why Thomas Hobbes? Doesn't he promote the authoritarian political system? How does he really prescribe the notion and understanding of human rights? How does Hobbes address the challenge of Liberal democracy? We explore Hobbes' political thoughts because we believe that in his philosophical themes, human rights and the authority are interconnected (Cf. Abosch, 2006). Moreover, his philosophical thoughts of societal life and the sovereign can embrace the new concept of nation state as on that is not limited by spatial or juridical borders, but as what one of the post-colonial theorists, Hommi K. Bhabha (1994: 246), claims as an "internal liminal space" (Cf. Worsham, 1999: 28; Cf. Boucher, 1987). In order to achieve those objectives, we will utilize a philosophical text study in reading and investigating Hobbes' three important books: *Human Nature and De Corpore Politico*, *Leviathan*, and *On the Citizen* (Hobbes, 1994, 2002, 2003).

The problem of the Indonesian Populism and Democracy has actually become an object of study in the last ten years. We shall mention two profound studies as the example, since they explicitly addressed the issue of populism and Indonesian democracy. Edward Aspinall (2015), a professor in the department of political and social change from Australian National University, in his article *Oligarchic Populism: Prabowo Subianto's Challenge To Indonesian Democracy*, investigates how Prabowo represented a classical authoritarian-populist challenge the pervasive patronage politics, weak institutions, and highly decentralized governance (Aspinall). In this study Aspinall spelled out that oligarchic populism has become a threat for Indonesian democracy. Since the emphasis of Aspinall's study is about the challenge that Prabowo

and his supporter vocalized, which located largely inside the established political system, the focus of this political study is mainly on the analysis of how the established political institutions function. Marcus Mietzner (2018), a professor from the same department with Aspinall, published his study on *Fighting Illiberlism with Illiberalism: Islamist Populism and Democratic Deconsolidation in Indonesia*. In his study, Mietzner analyzes how the government of Indonesian President Jokowi has responded to unprecedented Islamist-Populist mobilization in Jakarta in the late 2016. According to Mietzner study, Jokowi's administration utilized a criminalization strategy against populist that violated established legal forms. Jokowi defends a threat against democracy by playing a strategy that can endanger democracy itself. Indonesia today, in Mietzner's view, is on the process of democratic deconsolidation. Those two recent studies certainly give their particular contribution in investigating the dynamic and populism and Democracy in Indonesia. Their studies, following their expertise, focus on the dynamic and operation of the established political system or institutions. They did not offer, however, a philosophical theory of liberal democracy as a foundation of their analysis. Moreover, they did not explicitly address the consequence of the threat of populism for the protection of human or civil rights. These are the tasks, we are convinced, which we are going to take in this study.

We will organize this study into two sections. First, we will illustrate Hobbes' thoughts on Human Rights in the perspective of his account on the state of nature, the role of political authority for the protection of human rights. And, second we will exhibit the relevance of Thomas Hobbes's thoughts for the protection of human rights today especially in the political context of the populism based on religious beliefs in Indonesia. Whereas the first is dealing with philosophically a political theory, the second is an attempt to put its relevance into political situation of Indonesia. The methodology utilized in this study is a philosophical text analysis of Hobbes' philosophical texts and then apply Hobbes' political theory as a framework to investigate the current political dynamic in Indonesia, which is recently fashioned by religious populism. The study would aim to offer a philosophical and political view and suggestion which could practically give contribution in promoting human rights and strengthening liberal democratic system, and educating the people to be more aware of their rights and obligation in our constitutional democratic state.

The Human Rights in the State of Nature

Thomas Hobbes' Political theory, or the theory of the system of the common life in the state, is founded on his anthropological Philosophy, or his theory about the human beings (Hobbes, 2002). Theory of the human beings, according to Hobbes, is a theory of the nature of the human beings. It is not merely about an anthropological

theory of the unity of body and soul or the nature of soul, as it was common in the era of the middle ages; rather it is connected to Hobbes' political theory or a theory of the system of the common life. For Hobbes the nature of the human beings needs to be reflected in the context of its condition "before" (prior to) political society. The nature of the human beings is the life of the human beings at time prior to the existence of the political life. In his most fundamental work of the philosophy of politics, *Leviathan*, Hobbes describes this theme (Hobbes, 2002). The human condition in the pre-political society is regarded as the state of nature. This state of nature is prior to the political society, when the peoples did not live with industry and within any political system or institutions. The human beings in the political society have already been civilized. They have already to obey the institutionalized law. To Hobbes, the reality of a political society is an artificial reality, which is why the question concerning the nature of the human beings cannot be considered from the political society. The existence of the state of nature for Hobbes, therefore, is to be presupposed. In order to comprehend the nature of this notion of the state of nature we need to spell out the context of this presupposition.

It is important to mention here that Hobbes suggests that the hypothetical condition of human existence, which he names the state of nature, is needed to build a profound philosophical theory of human beings as individual and social beings. This Philosophical theory can offer a foundation to construct a theory of politics. In regards with the notion of the state of nature, as Ian Shapiro, in his classic work *The Evolution of Rights in Liberal Theory* identifies that the social context that conditions Hobbes to hypothetical think of the state of nature was the situation in which the majority of the people do not obey the laws. The poor people, in the context of this broken system of law, were vulnerable and prone to the manipulation and can be easily turned into mass mobilization for serving the interest of those who have money. In his reading on Hobbes, Shapiro wrote:

In Hobbes's view, the masses were a powerful and potentially dangerous force, willing 'to serve under them that had the greatest plenty of money,' and it is in this context that his discussion of the state of nature should be comprehended." Pace Macpherson (1962:20), for Hobbes the state of nature was no theoretical construct: he thought it actually prevailed in much of the world and had prevailed in England, with the breakdown of legal order during the Civil War." (Shapiro, 1988: 26).

It is in the context of the unrest society caused by the continuous civil war, the fear of the poor mobilization, and the broken system of laws that Hobbes presupposes a hypothetical condition of the state of nature. And when Hobbes argues that in the state of nature the individuals own the equal rights, he places a foundation for the

liberal theory of human rights. The rights of human beings are not determined by a particular social or cultural group they belong, as how it was thought in the feudalistic society. Hobbes proposes a genius and promising solution, by articulating that every individual has rights and the subject of rights. It is for the sake of their own rights that they need to fight and struggle.

In the state of nature, the human beings do not recognize yet positive law imposed in political society. In the state of nature there are no notions of justice and injustice. Ethical principles, therefore, do not exist. The human beings are led by their reason and passion in order to comprehend the law of nature. The law of nature is the ethical foundation of the human beings in the state of nature, but since there is no authority that guards and guarantees its implementation, these ethical principles do not have their law enforcement (juridical apparatus). In the state of nature human beings are more guided by their passion rather and reason than the rational principles (Strauss, 1965; Cf. Riyanto 1999; Cooper, 2010). “No more are the Actions,” Hobbes states, “that proceed from those Passions, till they know a Law that forbids them: which till Laws be made they cannot know: nor can any Law be made, till they have agreed upon the Person that shall make it” (Hobbes, 2002: 89).

According to Hobbes ethics is not natural, as it does not exist from the beginning of human existence. Therefore, the human beings in its nature are considered as *homo homini lupus*. Since there is no natural ethics, the human beings in the state of nature cannot be judged as bad or evil. There is no space for the ethical judgment, such as good or bad, just or unjust. “The notions of Right and Wrong, Justice and Injustice,” Hobbes wrote, “have there no place. Where there is no common Power, there is no Law: where no Law, no injustice” (Hobbes, 2002: 90). In the state of nature, activity to become good, as it is considered in the ethical principles, is irrelevant. In the state of nature the human beings strive for self-preservation and struggle to protect themselves from the threat of death. Since every human being faces the same threat of death, Hobbes then proclaims that the human beings in the state of nature are equal. Unlike Aristotle, who claims that the human beings by nature are unequal (some were born as civilian, the others as slave), Hobbes suggests an equality of human nature.

For Hobbes, ethics presupposes politics. Insofar as the law is instituted, ethics exists. This means that Hobbesian ethics is extrinsic, in the sense that it is always connected with the introduced norms and principles. If the Politics is considered as the system of the common life, with all existing laws and rules, ethics, in Hobbesian philosophy, presupposes politics. For Hobbes ethics has a political dimension (Cf. Burchell, 1999; Dungey, 2008).

How do we then find the notion of the human rights in Hobbes’ political philosophy? It seems to me that the discussion of the human rights for Hobbes is the

discussion of the nature of the human beings. The nature of the human beings is found in his elaboration of the state of nature. The idea of the human rights therefore presupposes the hypothetical natural condition of the human beings. As we mentioned earlier the state of nature is the natural condition of the human beings. In the state of nature the human beings live without law. There is no principle of breaking or observing the laws. The human beings have rights to do anything to defend their life, to preserve their lives. As Shapiro argues, "For Hobbes there are no restrictions in the state of nature on what people have rights to (in the absence of some system of authority all have right to everything against all)..." (Shapiro, 1988: 29). The need for self-preservation "authorizes" the human beings to do anything to protect their lives. That is to say, the human beings in Hobbesian philosophy are the master of their own lives, which are responsible for the continuation of their lives. Everyone has right to do anything to defend their lives. Hobbes provides several important texts to illustrate his suggestions of the human rights:

The right of nature, which writer commonly call *Jus Naturale*, is the Liberty each man has, to use his own power, as he will himself, for the preservation of his own Nature; that is to say, of his own Life; and consequently, of doing anything, which is in his own Judgment, and Reason, he shall conceive to be the aptest means thereunto (Hobbes, 2002: 91).

In this text Hobbes argues that Right is Liberty. The right of nature is the freedom for the preservation of one's own life. Everyone has equally individual right to do his/her own will, guided by his/her reason and passion, regardless of their socio-cultural background. The need for preserving one's own life "authorizes" human being to do anything to take away external impediment which keeps them from continuous motion. Since the condition of man in the state of nature is a condition of war, the right of self-preservation gives every man a Right to everything, even to another human body. In *On the Citizen* Hobbes writes a very strong statement, underlining that nature has given all things to all men for their self-preservation: "Nature has given man a right to all things. That is, in the pure natural state, or before men bound themselves by any agreements with each other, every man was permitted to do anything to anybody, and to possess, use and enjoy whatever he wanted and could get. The argument is as follows: whatever anyone wants seems good to him precisely because he wants it, and it may either contribute to his preservation or at least seem to do so." (Hobbes, 2003: 28).

It is this right for self-preservation that, which Hobbes calls it as the summe of the Right of Nature, which can be considered as the fundamental human rights in Hobbes's account. Hobbes states: "It is, therefore, a right of nature: that every man may preserve his own life and limbs, with all the power he has" (Hobbes, 1994: 79). The

fundamental human right is the right for the self-preservation. This human right refers to the freedom, which by nature every man possesses. Freedom, hence, is the natural and fundamental right of human beings. Freedom or Liberty refers to the condition that the human beings are *free in actualizing or exercising their responsibility to preserve their lives*. The freedom for self-preservation is fundamental and inalienable since human life is a presupposed condition to derive or produce any other values. The human beings cannot be obstructed to freely defend their fundamental rights, insofar as it intended to preserve their lives. This right is inalienable because the human beings cannot be isolated from their right to live. It is inalienable because this right cannot be transferred, exchanged, or sacrificed for any reason. Even for Hobbes, the right of self-preservation legitimizes one to sacrifice other's life if the other's life causes impediment.

Furthermore, Hobbes extensively emphasizes that, in the state of nature, striving for self-preservation can never contradict or against right reason. Reason and passion are the instances that guide human beings to preserve their lives. In *Human Nature and De Corpore Politico* he writes, "it is not against reason that a man does all he can to preserve his own body and limbs, both from death and pain. And that, which is not against reason, men call RIGHT, or *jus*, or blameless liberty of using our own natural power and ability" (Hobbes, 1994: 79).

Hobbes' elucidation of the human rights implies some themes to be considered. First, Hobbes prescribes his account of the human rights as an integral part of his political thought. Hobbes seems to be aware, we believe, of the problem of the fundamental rights of human beings that need to be protected. Second, the reflection of Hobbes' thought of the human rights, which he illustrates in the context of his account of the state of nature, indicates the potential conflict among the human beings in defending their rights. Since everyone has the right to preserve one's own life, one can sacrifice other's life and the other way around. Third, Hobbes argues that in the state of nature the need for self-preservation is pursued under guidance of passion and reason. A reasonable interpretation of this stance would be that even if the juridical institution (presumably in the political society) collapses or absence the needs for the self-preservation is still be supported by passion and reason. Fourth, Hobbes' elaboration of the human rights offers only the fundamental and general right for the self-preservation. Hobbes does not give a detail prescription of what can be included as this fundamental and inalienable right. He instead only mentions a very general statement that "every man has a Right to everything" (Hobbes, 2002: 91).

Before exploring the authorization of the sovereign to rule the political society and hence to protect the human rights, we shall mention some important issues, related to the previous reflection, that need to be kept in mind and provide a direction

to the next discussion. First, every human being is equal and cannot be measured by their group affiliation whether social, cultural, or even economic background. Despite reflecting the equality of the human beings on the basis of the equality in bringing danger or defending their lives, Hobbes also articulates that from this equality of ability, arises equality of hope in the attaining of human ends. Since human beings are equal, they have various ends and need to preserve their lives. Therefore, if there is no common power that protects them, they will endanger each other. This leads to Hobbes' stance that in the state of nature, -when there is no a bond of the common power, human beings are always at war of every one against everyone. Therefore, the need for the institutionalization of the common power in the political society is indispensable. Second, since every human being is equal, every political institutionalization can only be possible through a social covenant, or a social contract. There is no given political government without a social contract. It is through the social contract that the common power is created, and the authority to guard Law is given. Law can never be created if human beings cannot agree who will create it. This view comes across as introducing a new embryo of the concept of democracy, which refers to the proclamation of the sovereignty of the peoples. The power of the sovereign, in this concept, is given by the peoples. Third, every political power, therefore, can never be regarded as given by God or a divine power. Political power is only an instrument to facilitate the common life. Every political power is not accountable to divine power but to the people they rule so that they can defend their fundamental right, which is self-preservation (Riyanto, 1999).

Political Authority and Protection of Human Rights

In the state of nature the human beings are guided by reason and passion in defending their lives. Since the human beings in the state of nature are equal, and that during that time the human beings live without a common power to keep them in awe, they are in that condition war. Regarding the equality of human beings Hobbes states:

Nature has made men so equal, in the faculties of body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind then another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same dangers with himself (Hobbes, 2002: 87).

For the state of nature is the state of war, there is always continual fear and danger of violent death. Since everyone has natural right to everything, there can be no security

to any man. The life of man is solitary, poor, nasty, brutish, and short. There is no culture, industry and navigation. Therefore in order to create the status in which everyone continues to be in motion there must be a common power that facilitates it. There must be a legitimate law that is institutionalized by a legitimate authority. That is to say, the agreement to create the power or authority that legitimately commands the law is indispensable. It is needed because everyone lives under the influence of double fears: invisible fear and reasonable fear; the fundamental fears that obligate human beings to make agreement or covenant.

The need for creating common power, according to Hobbes, requires everyone to renounce every one's right. Everyone needs to make a contract, which in Hobbes' account means a mutual transferring of Right. "The mutual transferring of Rights," Hobbes states, "is that which men call CONTRACT" (Hobbes, 2002: 94). Since man, as the moving body, cannot transfer his power to other man, which is the other moving body, what Hobbes means by mutual transferring of Right seems to be that man only gives his authority to the other so that the other can act and speak for him. Man authorizes the other to act and speak in his name. It is from this elaboration of the mutual transferring of right, and then combined with his reflection of the notion of *Actor* and *Author*, that Hobbes develops his reflection of the genesis of the authority or the sovereign. For Hobbes the person who owns the words and actions of an *Actor* is the *Author*. That is to say, the actor acts by Authority. And Authority, therefore, is the Right of doing any Action. "So that by Authority," Hobbes states, "is always understood a Right of doing any act: and done by Authority, done by commission, or Licence from him whose right it is" (Hobbes, 2002: 112).

Through a covenant, men authorize their representatives to articulate and attain their interests or needs. By giving authority they give also their consent and will to obey the authorized sovereign. In other words, by giving authority people surrender their power to the authorized sovereign, insofar as it is utilized to promote and create any instruments (laws and regulations), or means, and conditions which support their struggles for their preservation. This is to say, the Covenant by Authority binds the Author to act and produce any instruments (laws or regulations) merely for the benefit of the Authors in preserving their existence. Through the social contract, therefore, both the Authors and the actors are bound to the covenant they make (Strauss, 1965; Strauss 1987: 410; Ward, 2020). The authors surrender their rights to their representatives they authorize in order for them to protect their needs for their preservation. It is only by surrendering their rights to their authorized sovereign that, the authors in turn will be able to obtain what they need to preserve their life lives without harming the others that pursue the same need for preservation. With regards to this consequence for the "authors," Hobbes articulates:

From hence it follows, that when the Actor makes a Covenant by Authority, he binds thereby the Author, no less than if he had made it himself; and no less subjects him to all the consequences of the same. And therefore all that has been said formerly, (chap. 14.) of the nature of Covenants between man and man in their natural capacity, is true also when they are made by their Actors, Representers, or Procurators, that have authority from them, so far-forth as is in their Commission, but no farther (Hobbes, 2002: 112).

Hobbes' thoughts underline the idea that, committed by the covenant they make, Peoples (the authors), who already surrendered their rights and desires, have to follow the governance of their representatives (representers, or the actors). The only obligation that the actors need to fulfill is to make sure that peoples under their governance can preserve their existence. This implies, we argue, the system of the authorized sovereign seems to be authoritarian system of government. It is obvious that, in the course of history the political structure which is designed to actualize the basic form of social contract, due to the various contextual elements, could transform into many variation (Cf. Strauss, 1965; Forsyth, 1981). But the nature of social contract is still the same, which is people renounce their right, and, by means of mutual transferring of right, they create social contract in order to produce a common power. This common power then is represented (embodied) in the authority of the sovereign.

In relation to the nature of political authority and protection of human rights, several important points need to underline. First, no matter how strict or stern the authoritarian power can be, it can only be legitimate insofar as they promote and condition the possibility of the peoples they govern to achieve their basic needs for self-preservation. It is the responsibility of authority to create a stable, secure and peaceful social situation so that the peoples can pursue their basic needs. Second, the existence of the political authority and its political institutions cannot abolish some fundamental rights of the individuals, especially the rights which are not prescribed and regulated by the existing laws or public regulations. As Shapiro argues, "it is true that Hobbes allows the state unlimited power, but it is also clear that the "absolute and arbitrary" power of the sovereign should be exercised through published rules, that its function are seen fundamentally regulative of private interaction, and that a very wide area is envisaged where private rights of exclusive dominion (over objects and actions) prevail (Shapiro, 1988: 29). The authoritarian power, therefore, is limited by its own purpose, which is to protect the peoples in preserve their life. Moreover, Judd Owen, in his article *The Tolerant Leviathan: Hobbes and The Paradox of Liberalism*, argues that the authority and the institutions cannot regulate all aspect of human rights, there must be space for deliberation and discretion, especially in relation with the need of the

peoples to follow their consciousness and defend their opinions (Owen, 2005). This is the way to preserve the liberal character of the sovereign.

And third, Hobbes is clearly convinced that the existence of the political authority and institutions that intended to represent peoples' aspirations and protect rights of the peoples is constitutively needed. The existence of those political institutions and representative apparatus should be considered as *a conditio sine qua non* both for the authority to exercise their duty, and for individuals, who already give their authority to the sovereign, to defend their fundamental rights for self-preservation. It is for this reason also that Hobbes is named as a thinker of liberal democracy.

Populism in Indonesia

Indonesia is a nation-state that embraces a constitutional liberal democracy. Liberal democratic system, the same as Hobbes prescribes, has been operated in our constitutional political system. We have representative parliamentary institutions and other administrative and juridical institutions designed to represent and protect the individual rights of the citizens. We conduct also general elections at both central and local/provincial levels of the government. We have the multi-party system. In the course of time, some thinkers articulate critical views that we are increasingly trapped into procedural and formal liberal democracy (Hardiman, 2017: 8; Cf. Yusri, 2020; Jati, 2017). Political institutions and parties become increasingly alienated from aspirations, desires, and needs of the real peoples they represent. This phenomenon triggers, among others, the emergence of the Populist movement in Indonesia. It is this increasing political movement that the crucial issue that we are going to investigate. We will utilize Hobbes' philosophical thought then to address the phenomenon of Populist movement in Indonesia.

However, before drawing the implication of Thomas Hobbes's philosophical concept of human rights and political liberalism to the Indonesian politics, which follows a system of liberal democracy, let us first illustrate the understanding of the populist movement. We will latter pay a closer attention to the populist movement based on religion in the country. We will examine "the why" of this type of populism which, we are convinced, does not match the discourse of human rights and the concept of liberal democracy. We will begin with the general overview of populism.

David Molloy (2018) says that Populism is today on the rise especially among Europe's right, and in the US, where it helped crown Mr Trump some years ago. Italy's political party of the Five Star Movement and anti-immigrant League parties in France are the evidence of emergence of populism (Cf. Bonikowski 2016). In Asia, the Philippines with the presidential election of Duterte has been also welcoming

populism. On the theoretical level Cas Mudde and Cristobal Rovira Kaltwasser, in his *Populism: A Very Short Introduction*, calls populism as one of the main political buzzwords of the 21st century. He describes, “the term is used to describe left-wing president in Latin America, right-wing challenger parties in Europe, and both left-wing and right-wing presidential candidates in the United States.” (Mudde & Kaltwasser, 2017: 1). He contends that the most successful populists today are on the right, particularly the radical-right ones. Populism has become a global political movement, particularly in the countries where liberal democracy does not function well as prescribed and expected. According to Mudde & Kaltwasser, Populism arises when the political system of liberal democracy doesn’t function well. It emerges when the existing political institutions and parties are unable to identify and articulate the aspirations and interests of the common peoples (Mudde & Kaltwasser, 2017). Mudde & Kaltwasser identifies that there are several different approaches that define the phenomenon of populism. As Mudde & Kaltwasser identifies in Latin America and non-Western community populism is considered as “a political strategy employed by specific type of leader who seeks to govern based on direct and unmediated support from their followers.” (Mudde & Kaltwasser, 2017: 4). While in the American and European circles of study, populism is not conceived simply as a political strategy, but as a discourse, and ideology, or a worldview (Mudde & Kaltwasser, 2017: 5). Although they propose different accentuation of the defining attributes of populism, Mudde & Kaltwasser is convinced, they seems to agree that “all forms of populism include some kind of appeal to ‘the people’ and a denunciation of ‘the elite’.” This implies that populism always includes a critique of the establishment and an adulation of the common people. Having illustrated such a kind of general view, Mudde then defines populism as:

A thin-centered ideology that considers society to be ultimately separated into two homogeneous and antagonistic camps, ‘the pure people’ versus ‘the corrupt elite,’ and which argues that politics should be an expression of the *volonte generale* (general will) of the people (Mudde & Kaltwasser, 2017: 6).

Populism is a thin-centered ideology since it is not founded on a comprehensive theory of human beings, a systematic economic and social concept, and a concrete political system and program. Such a thin-centered ideology can become flexible and easily build a coalition with any existing ideology operated in particular context, such as Marxism-Communism, Liberalism, Nationalism, or even some kind of religious ideological affiliations.

Furthermore, Mudde & Kaltwasser (2017) writes that populism includes three core concepts: the People, the Elite, and General Will. Term “the people” is considered as a construction, referring to a specific interpretation of reality, or, more concisely, an

undifferentiated mass. This term, for Mudde & Kaltwasser, is used in a combination of three meanings: people as sovereign, as the common people, and as the nation. In modern political term, the people are considered as the ultimate source of political power and the rulers. This concept of the people as sovereign gives a powerful image that the most important source of the political power in a democracy comes from a collective body, which for particular reason can be lead to mobilization and revolt. The term of the people is also associated with the common people. This notion of common people usually refers to those who are neglected and marginalized in the existing socio-economic-political system. The term of nation is also connected with the nation, the national community both in terms of civic or/and ethnic. The second key concept is the elite. At first, the term “elite” relates with one homogeneous corrupt group that works against the “general will” of the people. They are the group of the established people who received benefit and privilege from the existing socio, economic, political, and cultural system. In mutual coalition with the lading positions within power, they utilize the institution and juridical system to secure their interests. For the populists, the elites are their enemy in a achieving their interest and even the enemy of the country in pursuing its dream to actualize the General will. And finally the third core concept is the General Will. This political concept, taken from Jean-Jacques Rousseau’s notion of *Volonte generale*, “refers to a capacity of the people to join together into a community and legislate to enforce their common interests.” (Mudde & Kaltwasser, 2017: 16). In relation to this concept, the Populists and its alliances believe that it is the task of ruling power to identify general will of the peoples and to convince the individual citizens to be committed into a cohesive community for pursuing general will. Since in the ruling liberal democratic systems or the representative institutions do not function well so that they cannot accommodate what the populist consider as a general will, the populist supporters criticize, attack, and disbelieve in the ruling institution and political parties. The establishment therefore becomes the target of the populist supporters.

How about populism in Indonesia then? Recent studies of populism in Indonesia are often associated with right-wing movements affiliated with religious ideology and cultural sentiments (Arifin, 2019; Hadiz, 2019). The populist movement carries these three elements, religion with all its symbols and ornaments, hatred of local culture and some efforts of religious indigenization, and protest to legitimate political power related to the democratic systems and the public policies that do not support the interests of the movement (Mietzner 2018; Muhtadi, 2019; Mietzner & Muhtadi, 2018, Cf.; Hara, 2017; Hadiz, 2016, 2018; Hefner, 2019; Amal, 2020). One of the strongest articulations of this kind of religious populism, to mention an example, is the mass movement and mobilization, orchestrated by the FPI (Islamic Defenders Front)

and its affiliated supporters, which for some period of time has occupied and endangered the public spaces and facilities. Through their charismatic leaders they repeatedly criticize the ruling government and representative institutions and political parties that they deemed not accommodating aspirations and interests of their groups. They also claimed that democracy is western political system and serve the interest of the secular society. In some regional areas the movements of this populist group also delegitimized the local ruling power and attacked the symbols of the power, such as the police stations and local government offices. Moreover, referring to Merlyna Lim's resent study, grounded in the 2017 Jakarta Gubernatorial election, it is obvious that sectarianism and cultural racism that offer enticing elements for populist movement has been complicated by the heavy use of social media (algorithmic system) in the political propaganda and discourse (Lim, 2017).

The bottom line of the populist movement in Indonesia since the post-New Order, is its link to religious identity. Religion in Indonesia – besides being the charm of daily life – is still seen as a kind of social capital, or even a political commodity. Religion is not only a personal and communal expression of relationship with God, but sociologically also a political entity. Since the law of the National Education System ratified in 2003 prioritizing religion as a preference for the education process, religion in Indonesia does not only penetrate significantly the world of education system but also occupies the highest place in the society (Cf. Hadiz, 2018; Amal, 2020).

Religion is not just anthropologically a totem and taboo at once, but also sometimes becomes the unwritten reference to dictatorial conduct towards others from different religious adherents. The interpretation of religion is like a sort of sky bet which only the prominent religious leaders could intellectually engaged in. Religious leaders occupy leading positions in the preferences of public services and life. Their life and business is unquestionable as long as it is related to religion. Their interpretation is undisputed and anyone who argues gets a disproportionate reward for adversity (Wijanarko, 2021). Religion seems to be at the very gate of dictatorship in the daily life. However, religion is also a traditional-cultural bond that could unify people in the region (Cf. Kusmayadi, Agung, & Andrias, 2017; Noorikhshan, 2017; Badruzzaman, 2017)

The movement of populism in Indonesia is widely associated with religious ideology. In political science, populism is often perceived in the context of democratic movements as well as efforts to grapple political power. Populism is critically the picture of social protest as well as a rebellion of cultural, political, and religious discourse. At this point, populism in Indonesia – as well as other countries – raises a gamble that can obscure Indonesia's charm as a country that promotes pluralism.

Populism may not be ideological, but it is camouflaged by ideological-religious discourses that tend to criticize the existing social order, and promote an obscure concept of political state (Cf. Muhtadi, 2019). Despite it is unclear whether ideological or cultural character, the populist movement in Indonesia – as far as it comes from and related to religion – gets quite a lot of supporters in terms of quantity and quality. Their supporters are often academicians and students who have rebellious schemes of rationality toward the existing political institutions. Members of the populist movement are not just ordinary people but also those intellectuals who handle some leading both private and governmental institutions. They are not necessarily members of political party, but can also be part of the public offices that perhaps has poor system of recruitment of the employees.

Even though the populist movement in Indonesia does not become a political movement affiliated specifically to a particular party, the infiltration of its members and sympathizers clearly enters areas of public services that are not easily sniffed out. Their good positions in the governmental institutions make them influence public discourses that challenge and criticize the common concepts of freedom, human rights, tolerance, diversity, and peaceful politics (Cf. Mietzner, 2018).

The speeches of the leaders of the populist movement echoed a new language that roughly puts religion in a region of the sky so that no one can criticize. His critics will be socially punished and will reap lasting adversity. Here, in Indonesian populism, there is a confusion that becomes a movement tactic. The populist movement has harsh language but is still widely accepted, because no one dares to be critics, not even from the security officers. Again, it is simply because Indonesian populism carries around "religion" as its absolute ammunition.

The concepts of human rights for minorities and equal standing before the law become jargon only, and there is no indication to defend the sense of fairness towards different communities. The officials and police staff often split over public policy with regard to their movement, again because of religion that becomes emblematic of the movement (Sirait, 2019; Wahid Foundation, 2017).

It seems that the religious-political populism has no clear program. However, this is not the important case, because its system of recruitment of the members has been aggressively carried out. Recruitment system is linked to religious organization, and therefore it gains lots of success, as the Indonesians have still an interest and dependence on religion (Cf. Hadiz 2016, 2018).

The politics of democracy of the post-New Order enacted in Indonesia have peculiarities related to the freedom of expression and of assembly as long as it is immune from communism. This free atmosphere becomes a great opportunity for the far-right groups that often manipulate religion and endorse political sentiment to the

existing government to propagate the populist movement with the aim of launching obscure order of living together based on religious values within their interpretation. If their political allies are not in power, they execute a strategy of shaking up the existing political order by perpetuating a state of crisis in the society and always being on the side of attacking the official government.

The populist movement in Indonesia always propagates three principles: 1) The faithfulness of the guarantee of the hereafter and the enjoyment of the world are related to religion. 2) The claim of truth is lived by the people on the one hand and the opposition to the legitimate power of the state on the other. 3) Despite there seems to have no political agenda, populist fights for sort of moral revolution or religious beliefs to improve the order of society. These three points underlie their populist movement and thus convince its supporters and sympathizers to have militant and radical attitudes of attacking the legitimate government (Cf. Hadiz, 2018; Amal, 2020).

Its Relevance to Indonesia of Today

After exploring Thomas Hobbes' notion of authority and human rights, elucidating the correlation between political authority and the responsibility to protect fundamental rights (rights to exist or to live), and illustrating phenomenon of religious populism in Indonesia, we would like to investigate several critical implications, as the concrete relevance of Hobbes' political account to social and political situation of Indonesia today, particularly in addressing the religious populism.

In our liberal democratic country, the emergence of the populism has its own context. These groups of populist supporters, coming from common people and coopted with the several marginalized religious groups, are actually the groups of the civilians, which discovered that their needs, aspirations, and interests ignored. They are mostly the common people, which are economically, socially, and culturally marginalized. Since they cannot find other forms of articulation and do not have access to power, in some cases they use violence to fight for their rights. Their real political potencies then are employed by some political and religious leaders, who carried their political agenda to challenge the established political system. In so doing, they sometimes undermine the legitimate political authority and disrespect the rights of other peoples for peace, security, and in preserving their lives. The use of religious symbols and rhetoric makes the problem become more complicated, and endangers the rights of other religious groups (minorities) in acquiring their rights also.

Referring to Hobbes' thoughts, given those strong articulations of the religious populism, the legitimate authority should perform their authoritative power, especially when the mass mobilization has endangered the lives of the other civilians, destroyed public facilities and space and threatened the public sphere. As we already

saw earlier, the authority is legitimate insofar as it acts and speaks for the benefits of the peoples who authorize them. Since the reason to call a social contract is the fear of the threat of death, or, in a more positive notion, the need for the self-preservation, the authority is legitimate insofar as it acts or speaks for the benefit of the peoples in preserving their lives. Since the preservation of people's lives is the fundamental rights of the human beings, and hence foundation of any political society, the negligence of the authority in pursuing this task (providing condition for the human beings to preserve their lives) will delegitimize its own existence. If the sovereign neglects this task it betrays and harmful for its own existence (*raison d'être*). That is the reason, no matter how complex the external condition or political constellation could be the sovereign has to protect the human rights, and considers this task as priority (Cf. Abosch 2006; Alonso, 2019). It is important also to note, however, that the authority cannot just extinguish the existence of those populist supporters and annihilate their movement, since these people are also struggling for their rights for self-preservation. As Hobbes' liberal thought implies, the liberal democratic power has to protect the rights of all individuals and of the groups under its jurisdiction, -including the populist supporters. The authority cannot defend one's life by sacrificing the others'. The Indonesian ruling power has to give room also for the populists to articulate their opinion so far as they do not threaten peace and security of other groups in preserving their lives (Owen, 2017). Furthermore, the ruling power cannot just enact rules or laws to suppress opinions or political articulation of the populists which are potentially deemed to threaten the peace and security of the civilians. The authoritative power of the sovereign is limited by its objective, namely to protect the people's rights and freedom. The process of legislation therefore requires also a series of public consultation with the people of all different groups.

As some theorists of populism indicate, the populist movements generally emerge in the liberal democratic countries, which give room for the political discourses in the public sphere and mass mobilization. As Muller writes populism is actually a permanent shadow of representative politics (Muller, 2016). Populist movement occurs when legitimate political institutions and legal-administrative system do not function well. It happens when the representative leaders, for any reason, become disconnected from the common people, with their aspirations and needs. In this kind of dysfunctional political system, the common people, under the leadership of the charismatic and respected figures, search for an alternative procedure to fight for their aspiration and interests. They will become critical to and rebellious against the legitimate political institutions and struggle outside the constitutional procedure. They are actually not against the principle of political representation as such. They just want to enforce their conviction that only their representative system is legitimate and

moral. These are the phenomena that precisely occur in Indonesia. As I indicated earlier, the emergence of the populist movement in Indonesia is stimulated by the formalistic and procedural practices of liberal democracy. In this dysfunctional system, political and economic interests of some real people remain marginalized. Political representative institutions and political parties are corrupt and serve more for the interest of the elites.

In the context of this public distrust to the legitimate political power and institutions, Hobbes would suggest that the ruling power cannot just become oppressive and repressive to the populists movement. The authority needs to listen to the voices of the populists, and strive to identify and respond the basic problem they are trying to articulate. The voice of the populist supporters should be taken as a serious critical articulation or a democratizing force that keeps the democratic system functions as expected. Moreover, Hobbes would argue as well that the existence of the political institutions of Indonesia has to be defended. The legitimate ruling power should not let the process of political contestations and negotiations operate outside the constitutional democratic system. If it had happened, every group of the peoples or the individuals would be threatened by fearful and unsecure feelings, and the civil war could possibly come about. To avoid those dangerous situations arise, the ruling authority, political institutions, and political parties have to continuously maintain and strengthen their connection with the common peoples. They have to preserve the bond of social contract by being attentive and responsive to their needs, interests and aspirations. This implies also that the authority has to promote the empowerment program for the legislators and support a well-prepared regeneration process in the political parties.

The strength of the populist movement in Indonesia depends, among others, on the rhetoric religious language spoken by charismatic (religious) leaders, and the extensive use of social media platforms (Wijanarko, 2021). Their strong messages they have voiced are: defending the people interests, fighting for majority aspirations, protecting marginalized Islamist group, securing common good of the country. Regardless of their different group interests, the use of religious symbols and language creates a cohesive communal identity. This populist movement succeeds in identifying themselves as “undifferentiated common people”, which in turn uproots them from their various traditional or local identities. Those populist leaders mystify the notion of the common people, which leads them more to be *populum*, not *demos* (the differentiated community of people). They denied multicultural character of our society. Political rhetoric and languages of the populist leaders are designed to disrupt this sense of plurality and historic bonds among various different groups that support the movement. This exhibits that very foundation of the democratic political system,

which is multicultural and differentiated community of the people (demos), is challenged by the populist jargon “the common people.”

How would Hobbes address this issue? Although in his theory of the state of nature, Hobbes underlines the important of the individuals as the subject of rights, in his theory of the common power of the political society, he shows in *Leviathan* that the common power of the Sovereign is not simply founded by the consent of the individuals, but also by the assembly of the peoples. Hobbes wrote, “The only way to erect such a Common Power....is, to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will” (Hobbes, 120). In his article *Power in The State of Nature, Power in Civil Society*, Read elaborates this concept quite extensively (Read, 1991). We believe that Hobbes’ concept of civil society and the power of the sovereign in his theory of liberalism require the existence of the pluralistic different assemblies of the people (demos). It would be absurd to think that Hobbes was unaware of the plurality of the society of his time when he was constructing his theory of the civil and political society. In our reading on Hobbes, he would suggest that the plurality of the communal identity needs to be preserved and protected. Hobbes would suggest that we need to preserve and strengthen the existence of the critical civil society (*masyarakat madani*). A strong plural civil society, as foundation of liberal democracy, will defend the people from the political maneuver, which inclines to turn them to undifferentiated mass. The authority needs also to promote a continuous political education for the people and protecting the critical public sphere, so that they become more aware of their individual and communal rights, the legitimate political system and procedure, the plurality of the communal identity, and rationally fight to defense their rights according to the constitutional and legitimate procedure. And learning from the emergence of unprecedented Islamist-Populist mobilization, which put our democracy in a serious risk, as a nation-state embracing liberal democratic politics, we need to always realize that the groups of peoples living in our country will constantly transform and evolve. There will always be new social grouping that causes new communal identities and carries with it various novel interests and aspirations.

Conclusion

Religious populism in Indonesia is a symptom of dysfunctional political liberalism. It signifies that the existing liberal political institutions of this nation state do not function well. They failed to identify and accommodate the interests of the marginalized groups of people, and inclined to serve the interests of the elites instead. These representative political institutions cannot protect some fundamental rights of the people they represented. The emergence of religious populism in Indonesia can be

identified as a sign that the marginalized common people and religious communities, which are still vulnerable and prone to manipulation, cannot find a legitimate political articulation and access to power in defending their rights and interests. Their populist political movement, however, just hides the poverty and vulnerability of the people, behind the rhetoric of the religious populist leaders, since they actually do not have a strong concern to their real condition. Their rights and interests of the common people hence remain ignored. Taking Hobbes' philosophical thoughts into consideration, we conclude that in order to defend the liberal political system and human rights, we need to empower both the existing liberal political institutions and civil society. We need to build a strong and democratic political system in order to create a socio-political stability and protect human (and minority) rights. And we need also to build a strong civil society, since it could become a democratizing force for the liberal political system. A strong civil society can also protect common people from the manipulation of the political demagogues, coming from the populists, and encourage them to protect and fight for their rights and interest by means of the constitutional procedure. And the existence of a strong civil society will always require the acceptance of plural communities.

Acknowledgment

We would like to express our gratitude to our colleagues at STFT Widya Sasana Malang for their enriching and supportive comments during our discussions so that this study could be completed. We would like to thank also to Professor Rita Padawangi, a senior researcher at Asian Research Institute -National University of Singapore, who generously spent her time to proofread the manuscripts of this article.

Funding

We are fortunate that Pusat Penelitian dan Pengabdian Masyarakat (LP3M) of STFT Widya Sasana has been supportive by granting a financial support for this research (SK 168/STFT.K/T/B/II/2021). We appreciate this kind and generous support.

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