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#53971 Summary

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Submission

Authors	Siti Marwiyah, M Syahrul Borman, Ruba'ie Ruba'ie, M Chotib Ramadhani, Retno Saraswati, Non Naprathansuk
Title	The Educational Role of The Constitutional Court in Compliance of Indonesian Citizens
Original file	53971-173666-1-SM.docx 28-04-2023
Supp. files	None
Submitter	Dr Siti Marwiyah
Date submitted	April 28, 2023 - 05:17 AM
Section	Research Article
Editor	Joko Setiyono
Author comments	Dear Editor, I wish to submit an original research article entitled <i>The Educational Role Of The Constitutional Court In Compliance With Constitutional Understanding Of Indonesian Citizens</i> for consideration by <i>Law Reform Journal</i> . I confirm that this work is original and has not been published elsewhere, nor is it currently under consideration for publication elsewhere. In this paper, I report on the Role of the Constitutional Court . This is significant because for consideration by your reputable Journal . I have also revised the manuscript based on our colleagues' comments and then sent it to a native proofreader. I am sure that this paper is much clearer and well-presented now.

This study aims to examine the educational role of the constitutional court in compliance with the understanding of the constitution of Indonesian citizens. This research method is included in the research category. doctrinal law to find the rule of law, legal principles, and legal doctrine to answer legal problems faced by exploring the focus

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#53971 Review

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Round 1

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THE EDUCATIONAL ROLE OF THE CONSTITUTIONAL COURT IN COMPLIANCE WITH CONSTITUTIONAL UNDERSTANDING OF INDONESIAN CITIZENS

Comment [LTALW1]: The title must shortly, concisely, clearly, and **not more than 14 words**.

ABSTRACT

This study aims to examine the educational role of the constitutional Court in developing a constitutional understanding of Indonesian citizens; constitutionally, the Constitutional Court (MK) has a strategic position, authority, and obligation to determine the future of the Indonesian nation. This research method uses doctrinal legal research, a process to find the rule of law, legal principles, and legal doctrines to answer the legal problems faced. The study examines various laws and regulations, literature, and materials related to law. The results showed that the educative role of the Constitutional Court in fostering constitutional understanding of Indonesian citizens by creating programs to promote constitutional understanding of Indonesian citizens, namely: (1) Increasing the Understanding of Citizens' Constitutional Rights, (2) Disseminating Information on the Constitutional Court and Development of Awareness Culture. Constitution (3) Debate on student constitutions between universities throughout Indonesia (4) Telling the values of Pancasila on social media, (5) Increasing understanding of the constitutional rights of civics with outstanding teachers. Educate people's attention. The Constitutional Court's product in the form of a decision contains public education about compliance with the Constitution correctly and rationally. The Constitutional Court's decision will always be linked to the public (public) with the Constitution and the interests of justice seekers because the Court examines the interests of justice seekers related to the Constitution.

Comment [LTALW2]: The abstract needs a succinct description of the research methodology: consist research method and or approach method, and list the specific acts of data collection carried out.

Comment [LTALW3]: Constitutional

The word "*constitutional*" should be capitalized in this context.

Keywords: Constitutional Court, Educational, Justice, State

Comment [LTALW4]: The keywords should be written in italic letter.

ABSTRAK

Penelitian ini bertujuan untuk mengkaji peran pendidikan Mahkamah Konstitusi dalam mengembangkan pemahaman konstitusional warga negara Indonesia; Secara konstitusional, Mahkamah Konstitusi (MK) memiliki kedudukan, wewenang, dan kewajiban strategis untuk menentukan masa depan bangsa Indonesia. Metode penelitian ini menggunakan penelitian hukum doktrinal, suatu proses untuk menemukan aturan hukum, prinsip-prinsip hukum, dan doktrin hukum untuk menjawab permasalahan hukum yang dihadapi. Kajian ini mengkaji berbagai peraturan perundang-undangan, literatur, dan materi yang berkaitan dengan hukum. Hasil penelitian menunjukkan bahwa peran edukatif Mahkamah Konstitusi dalam menumbuhkan pemahaman konstitusional warga negara Indonesia dengan membuat program-program untuk mempromosikan pemahaman konstitusional warga negara Indonesia, yaitu: (1) Meningkatkan pemahaman hak konstitusional warga negara, (2) menyebarluaskan informasi tentang Mahkamah Konstitusi dan pengembangan budaya kesadaran konstitusi (3) Debat konstitusi mahasiswa antar perguruan tinggi di seluruh Indonesia (4) Menceritakan nilai-nilai Pancasila di media sosial, (5) Meningkatkan pemahaman hak konstitusional IPK dengan guru berprestasi. Mendidik perhatian orang. Produk MK berupa putusan berisikan edukasi masyarakat tentang kepatuhan terhadap UUD secara benar dan rasional. Putusan MK akan selaludikaitkan dengan publik (publik) dengan Konstitusi dan kepentingan para pencari keadilan karena MK mengkaji kepentingan para pencari keadilan terkait UUD.

Kata kunci: MahkamahKonstitusi, Pendidikan, Keadilan, Negara

INTRODUCTION

The educational role of the Constitutional Court in fostering a constitutional understanding of Indonesian citizens, namely by building awareness of constitutional citizens, individually, in groups, and within the state (Laritmas, Gede Yusa, Gede Rudy, & Rosidi, 2022). Constitutional education is made to revitalize, internalize and implement the values of Pancasila (Bahriyah, 2021). The main function and role of the Constitutional Court are to maintain the Constitution to uphold the principle of legal constitutionality (Suharno, Junaidi, & Aziz Zaelani, 2021).

Likewise, in countries that accommodate the establishment of the Constitutional Court in their state administration system. To maintain the Constitution, the function of judicial review is unavoidable in the Indonesian Constitution because the 1945 Constitution affirms that the system model is no longer the supremacy of parliament but the supremacy of the Constitution (Umar & Akbal, 2019).

The Constitutional Court is the only interpreter of the debate on the interpretation of the Constitution, in addition to other authorities such as deciding disputes over

control between state institutions, the proposal of the House of Representatives (DPR) regarding the dismissal of the President, and Vice President (Sumartini et al., 2021). The dissolution of political parties and the resolution of disputes over the results of the General Election (Pemilu) are all related to their interpretation of the Constitution (Suharno et al., 2021). People who learn constitutional law or Constitution certainly understand that the Constitution is the basic law of a country which is used as a milestone for establishing a government (Umar & Akbal, 2019).

In this realm, the Constitution is the highest law of the state and the law that has the most elevated position in a country (Perdana, Saifulloh, Hukum, Bengkulu, & Limun, 2022). Therefore, the people of the nation and state must acknowledge its existence because the Constitution is a product built from the highest agreement of the people (Abebe, 2019). In addition, to implement the Constitution, the 1945 Constitution of the Republic of Indonesia contains one of its articles, as referred to in Article 24 C of the Constitutional Court, whose authority already exists as a guardian of the Constitution (Hanafi & Ikhsan, 2019). Its

Comment [LTALW5]: There is a good theoretical framework in the introduction.

It is better to confine the introduction to the introduction of the issue, its backgrounds and the aims and objectives by referring to philosophical, sociological, and juridical descriptions.

'State of art' description needs to be emphasized in the introduction so that the differences with previous research are clear.

arrangements and charges are further regulated by law, that the Constitutional Court as a court to uphold law and democracy to maintain justice in society, nation, and state and to achieve prosperity and welfare (Suryono, 2021).

The constitutional theory requires the state to be formed based on basic laws (basic norms) that are democratic, which are the instincts of the people of a nation, so the Constitution created is a democratic constitution that requires the rule of law (Lin & Kuo, 2018). The Constitution, also called *grund wet* or in the Oxford legal dictionary, is defined as: "rules and practices that determine the composition and function of the organs of central and local government in a country and regulate the relationship between individuals and the state. This means: (1) what is called a constitution is not only a written rule but also one practiced in state administration activities, and (2) what is regulated does not only concern state organs and their composition and functions, both at the central level. Level. At a local government level, the relationship between the state or state organs and citizens (Loughlin, 2018).

According to Karl Loewenstein, in every Constitution, there are always two important aspects: its ideal nature as a theory and its actual nature as practice (Sihombing,

Leonard, & Pakpahan, 2014). This means that as the Constitution's highest law, it always contains ideal values as *das sollen*, which are not always identical with *das sein* or the actual situation in the field (Pramono et al., 2022). In this realm, the Constitutional Court must prove the constitutional mandate in the reality of implementation (Faizi et al., 2017). The authority of the Constitutional Court as a state institution was born based on the amendments to the 1945 Constitution as stated in the third amendment to the 1945 Constitution, Article 24C of the 1945 Constitution, which generally describes the authority in the form of reviewing the 1945 Constitution, resolving disputes between state institutions, deciding the dissolution of political parties, and deciding disputes about the general election results (Helmi, 2019).

The presence of the Constitutional Court (MK) as the sole interpreter of the Constitution and guardian of the Constitution has contributed greatly to the democratization process and upholding of the Constitution's supremacy in Indonesia. One of the powers of the Constitutional Court that have contributed to this is the authority to examine laws against the 1945 Constitution of the Republic of Indonesia (Sihombing et al., 2014). The Constitutional Court (MK) is one of the two executors of judicial power according to

Comment [LTALW6]: upholds

Article 24, paragraph (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia (Nugraha, 2021). In its development, although Article 24C paragraph (1) and paragraph (2) have provided limits on the authority and obligations of the Constitutional Court, the idea of expanding the authority of the Constitutional Court continues to emerge and has become a public debate (Handayani et al., 2019).

The existence of the Constitutional Court is understood as part of efforts to realize a check and balance mechanism between branches of state power based on democratic principles (Noor, 2021). This is related to two powers commonly held by the Constitutional Court in various countries. In the world, the idea of constitutional review that is developing so widely, acceptance and practice in each country certainly differ from one country to another, which is a continuation of the development of the idea of constitutional review in theory. And course cannot be separated from the ebb and flow of history (Naefi, 2021). These stages of development can be seen in a period that ranges from traditional ideas to the most modern ones (Hasibuan et al., 2018). The research method uses the Mixed Method, a combination of quantitative and qualitative approaches. Based on the description above,

why do researchers think it is necessary to conduct studies and research on the role of MK education in fostering a constitutional understanding of Indonesian citizens.

The establishment of the Constitutional Court in the Indonesian context was motivated by at least three reasons: (1) Philosophical reasons. The Constitutional Court was presented to assert that there is no longer parliamentary or executive supremacy without legal control. (2) Political reasons. The development of political reality has caused many problems some of which cannot be resolved through the arrangements and mechanisms contained in the 1945 Constitution of the Republic of Indonesia, (3) Socio-historical reasons (Rosyada et al., 2018). The Constitution is one part of the Constitution and not an equalization of understanding according to the previous assumptions. Equating performance is a wrong opinion, and if there is a common understanding, this is the result of the influence of modern schools (Kartika, 2022). In the contemporary world, the notion that distinguishes a written or unwritten constitution is almost non-existent. However, the picture of this Constitution is blurred or cannot be proven with certainty, and vice versa if it is said that a country has a written

constitution where there is also an unwritten constitution. (Sari, 2018).

A democratic state is an interpretation of sovereignty the people that the country, as much as possible, belongs to the people (Arliman, 2019). The ruler and the people are inseparable because the conditions for establishing a state include a recognized people, government, and territory and establishing relations with other countries (Airlangga, 2019). The theory of the rule of law cannot accept the power of a person or group of rulers, make laws based on their will, then the laws they make are conceptualized as the will of the state. (Widiatama, Mahmud, & Suparwi, 2020). Declaring the Sovereignty of the Krabbe Law is the legal position above the state; therefore, the state must be subject to the law (Suryono, 2021). The state's submission to the law is said to be "de door ring van de status met hat Recht" meaning that the law has the highest position in the state. Whereas in reality, without a state constitution not being formed, then perhaps the Constitution occupies a very crucial part in the constitutional life of a country (Rissy, 2020).

On the other hand, the existence of an implied "state" is only real if it fulfills four elements: (1) fulfilling the element of a sovereign government, (2) a certain area, (3)

an orderly society, as a nation, and (4) recognition from other countries. In a modern state, state power is implemented based on the law (Droit constitutional) (Putri & Arifin, 2019). The Constitution or Verfassung by Carl Schmit is considered the supreme decision. The Constitution has a position or degree of supremacy in a country. Constitutional power means that the Constitution has the highest place in the legal order of a country (Zaini, 2020).

To understand what is meant by the rule of law in its true sense, it must first be understood the meaning of the rule of law itself because without first understanding the purpose of the rule of law, it is difficult to describe what is meant by the rule of law. legal regulations (Marzuki et al., 2020). Provide an account of the rule of law in a country where the rulers or the government as state administrators are bound by the applicable laws and regulations (Shaleh & Nasution, 2020). What is meant by a legal state is a state that runs a government that is not following the will of the people who hold power but according to written rules made by people's representative bodies, which are legally formed following the principle of "law and not men shall Reign" (Chrysan, Rohi, & Apituley, 2020).

Comment [LTALW7]: The 'dot' before the word "as" may be incorrect here. Consider removing it.

Comment [LTALW8]: It seems the preposition use may be incorrect here. Consider removing it.

While the notion of the rule of law comes from the teachings the rule of law, providing an understanding the rule of law as a country where state apparatus is subject to the rule of law. Provide a definition or performance of the rule of law as a country where the actions of the ruler must be limited by applicable law (Natsif, 2019). While defining the rule of law as a country where the fate and freedom of its people are guaranteed by law, the rule of law is often referred to as the Rechtsstaat concept which states that there is recognition and protection of human rights. rights based on the principles of freedom and equality (Situngkir, 2018). The theory of civil society states citizens or citizenship, civil society, civilized society and cultured society, and civil society. The legitimacy of power and ruler-people relations are common phenomena in every government (Apriliana et al., 2020).

materials in this study is permitted; this approach is carried out to examine and understand all laws and regulations relating to legal issues the author discusses. This research also uses a conceptual approach (Aswandi et al., 2019).

This study focuses on the role of MK education in fostering a constitutional understanding of Indonesian citizens. The research was conducted from March to June 2022 using primary, secondary, and tertiary legal materials (Nazifah, Mangku, & Yuliantini, 2021). Collecting legal materials is a literature study with analysis using descriptive-qualitative research methods (Hufron et al., 2020). Coupled with the analysis phase using the Nvivo 12 plus data application, a qualitative document analysis tool with computer assistance (Sundari, 2022). In this study, the unit of analysis is the role of MK education in fostering the constitutional understanding of Indonesian citizens

RESEARCH METHODS

This research method uses a type of doctrinal legal research to find a rule of law, legal principles, and legal doctrines to answer the legal problems faced (Marzuki et al., 2020). The focus and center of this research are various legal rules and literature or materials related to law (Chrysan et al., 2020). The approach used in analyzing library

Figure 1. Research Flow



Comment [LTALW9]: Research methodology needs to be optimized. It is only a theoretical discussion of what doctrinal legal research is. That is not what is needed.
It is better to explain exactly step-by-step what was done to collect and to process (analyzing) data. Moreover, you have created a flowchart in Figure 1. It needs to be described.

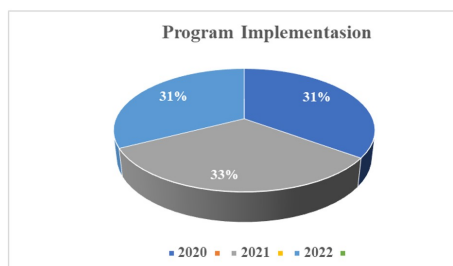
RESULTS AND DISCUSSION
The Educational Role of the Constitutional Court in a Modern Rule of Law

The state established the role of a state institution called the Constitutional Court to realize education and law enforcement (Constitution) in society (Manubulu, 2020). The public will not understand the law or the Constitution if it is not changed, at least by the Constitutional Court. The public will realize and understand the purpose of establishing the state and the law if there is a process of educational transformation that it goes through (Kelemen & Pech, 2019). The role of the Constitutional Court is educatively read through its decisions because it is from this realm that people are educated to become citizens who must be willing to obey them (Diya, 2019).

In the content of the considerations of the Constitutional Court Law, at least it can be understood that there is an educational role for the Constitutional Court in ensuring awareness or obedience to the Constitution in the community (Verdugo, 2019). Suppose the public understands and **is able to** carry out what the Constitutional Court does, at least comply with the decisions it imposes. In that case, the ideals of Indonesia as a modern legal state can be realized. (Kalalo, 2021). The issue of legal objectives is still a debate among academics, professions, experts, and society in general, both from the elite and small (lower club), solely for legal certainty of

justice and to realize the principle of expediency (Aksenova & Marchuk, 2018).

Figure 2.
Indonesian Constitutional Court Education Program Data



Source: <https://linktr.ee/mahkamahkonstitusi>

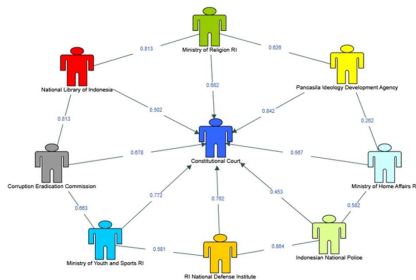
Figure 2. Explaining the program data for the MK's educational role in fostering the constitutional understanding of Indonesian citizens by carrying out various activities, namely: (1) Increasing the Understanding of Citizens' Constitutional Rights, (2) Socializing the Constitutional Court, and Building a Constitutional Conscious Culture (3) Debate constitution of inter-university students in Indonesia (Lestari et al., 2020). (4) Talking about Pancasila values on social media, (5) Increasing understanding of constitutional rights for outstanding Civics teachers. In the last three years, namely: in 2020, 2021, and 2022 it can be seen that the data describing the program implemented in 2020 has an implementation value of around 31%, and in 2021 it has an implementation value of about 31% and 2022 has a higher implementation

Comment [LTALW10]: "... and **can** carry out ..."

The phrase "**is able to**" may be wordy. Consider changing the wording.

value than what is expected. another about 33% (Purwanto, 2019).

Figure 3. Actor Collaboration



Source: <https://linktr.ee/mahkamahkonstitusi>

Table 1. Value of Actor Collaboration

Actor Collaboration	The Value of Actor Collaboration			
Response	0.81	0.62	0.81	0.26
Innovation	0.66	0.58	0.86	0.58
Sustainable	0.68	0.50	0.77	0.76
Resilience	0.45	0.56	0.84	0.67

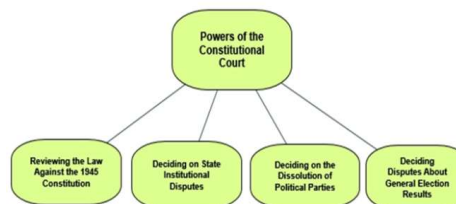
Source: <https://linktr.ee/mahkamahkonstitusi>

Figure 3 and Table 1. Showing the results of data processing and data analysis that the researchers carried out based on the problem formulation (RQ2) in the study, the results showed the network collaboration model carried out by each network of actors in carrying out an educative role in fostering the constitutional understanding of Indonesian citizens (Salam et al., 2021). Each actor has its value and is different for each indicator; this is determined based on the researchers' analysis of Response, Innovation, Sustainable, and Resilience (Zamrodah, 2021).

In this study, four indicators are used to assess the role and contribution of the network of actors, namely, first. The response is the first effort made by all actors to respond, provide first aid, and foster the constitutional understanding of Indonesian citizens (Kalalo, 2021). Second, Innovation is an innovation to disseminate Information about the Constitutional Court and the Development of Constitutional Awareness Culture on Social media; Third, Sustainable is a program carried out by the actors annually. Fourth the resilience of actors in carrying out educational applications to foster constitutional understanding of Indonesian citizens (Perdana et al., 2022).

Comment [LTALW11]: The table should not contain vertical lines, while the horizontal lines are allowed in terms of importance only.

Figure 4. Powers of the Constitutional Court



Source: (Manubulu, 2020)

Figure 4. Explaining the authority of the Constitutional Court, namely: (1) Reviewing the 1945 Constitution, (2) Deciding on State Institutional Disputes, (3) Deciding on the Dissolution of Political Parties, and (4) Deciding on Disputes on General Election

Results. In addition to this authority, the Constitutional Court is obliged to decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer meet the requirements of the President. (Noor, 2021).

Justice seekers are educated directly or indirectly to understand juridically, sociologically and philosophically what they show about the nature of the purpose of law and justice in society as students (Firdausy et al., 2018). In consideration of the Law of the Republic of Indonesia Number 7 of 2020 concerning the Third Amendment to Law Number 24 of 2003 concerning the Constitutional Court, it is stated that the Constitutional Court is an independent judicial institution and has an important role in upholding the Constitution. And the principles rule of law follows its authorities and obligations as regulated by the Constitution of the Republic of Indonesia (Bahriyah, 2021).

Construction of the rule of law in modern society and Indonesia

The modern legal state is often interpreted as a prosperous state or known as a welfare state and a prosperous state. These two terms represent the interests of the state as the interests of the people, not the interests

of a handful of state elites (Hendra, 2022). The people's interests are primary interests in the Constitution that determine the construction and future of the state regarding the feasibility of becoming a modern legal state. The concept of the rule of law experienced growth towards the twentieth century, which was marked by the birth of the idea of a modern legal state (welfare state) where the state's duties as night guards and security began to change (S. E. Lestari, 2018).

The state must not be passive but must also play an active role in community activities to guarantee the community's welfare. The existence of a prohibition for the government to intervene in the affairs of citizens, both the socio-economic and other fields, shifts towards a new thought that the government must be responsible for the welfare the people (Sumartini, 2021). That the change in the conception of the rule of law occurred partly because of the many criticisms of access to industrialization and the capitalist system, the spread of socialism that wanted equal distribution of power, and the victory of several European socialist parties. (Roejito & Hamka, 2019).

Democracy in the new idea should be expanded to include an economic dimension, with a system that controls financial terms and

Comment [LTALW12]: "... sociologically, and ..."

It seems that this sentence contains a series of three or more words, phrases, or clauses. Consider inserting a **comma** to separate the elements.

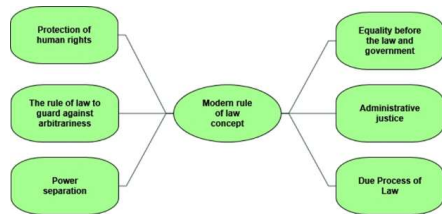
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seeks to minimize differences arising from the unequal distribution of wealth. Such a country is a welfare state (Diya et al., 2021). The conception of the modern legal state is a combination of the concepts of the rule of law and the welfare state (Blokker, 2019). In this concept, the state or government is not merely a guardian of security or public order but also responsible for realizing social justice, general welfare, and the greatest prosperity of the people. Thus, a state of law based on a democratic system can be called a democratic state of law (democratic rechtstate) (Nazifah et al., 2021).

Figure 5. Rule of Law Concept



Source: (Hendra, 2022)

Figure 5. Explaining the concept of a modern rule of law related to the role of MK education today, there are several parts, namely: (1) The existence of protection of human rights, (2) The existence of the rule of law to maintain arbitrariness (3) The existence of separation of powers (4) The existence of

equality before the law and government (5) The existence of administrative justice (6) The existence of Due Process of Law (Saifulloh, 2021). For this reason, the legal system needs to be built (law-making) and enforced (law enforcement) as it should be, starting from the Constitution as the law with the highest position. To ensure the upholding the Constitution as the highest law the state a Constitutional Court was also formed, which functions as a "guard" and at the same time as the "main interpreter of the constitution" (Handayani et al., 2020). The idea of a state of law construction cannot be separated from the authenticity of the applicable Constitution. Generally, the Constitution as a basic rule consists of two parts, the formal and the material parts (Laritmas et al., 2022).

Figure 6. WordCloud Constitutional Cour



Source: modified with Nvivo 12 Plus

Comment [LTALW16]: of the

Comment [LTALW17]: "... a state-of-law construction ..."

It seems that *state of law* is missing a hyphen. Consider adding the hyphen(s).

Figure 6. The results of the WordCloud that the researcher produced based on an analysis conducted using the Nvivo 12 Plus software, the results from the word cloud illustrate that the Constitutional Court is one of the sectors that have a significant influence on the Constitutional Court and must also decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer qualify as President (Faiz, 2020). Legal certainty is a product of law or, more precisely, legislation. Once the law comes, then there is a certainty." In this context, it is stated that the law is based on the basic values of thoroughness, justice, and practicality that law enforcers guard a judicial institution. Officials can show that they can provide value to the community (justice seekers), such as the usefulness of the law being enforced and decisions that give certainty (Hendra, 2022). For example, when he became the Constitutional Court Chief Justice, Mahfud MD gave a concrete example. Ideally, the judiciary could function as a servant or "educative worker" of the people handling or resolving cases (Naefi, 2021).

As a public servant seeking justice or an applicant for justice, Mahfud MD seems to

show the state, society, and anyone involved as a pillar of the judiciary that criticism and evaluation from justice seekers is a reality that must be followed up. So, in addition to meeting the people's expectations, it is also the context of maintaining the dignity of the Constitution (Suryono, 2021). In addition, Mahfud MD can be identified using the inclusive paradigm. The institution he leads is built on the principles of openness and egalitarianism. Anyone has the right to conduct an assessment and investigation, including finding and mentioning what types of ulcers may infect MK (Sari, 2014). The seeker of justice manifests Indonesia's identity as a state of law. The judiciary only deserves to be called the spirit of the rule of law if the role shown reflects the aspirations of justice seekers (Naima, 2020).

Suppose the role that is displayed is contrary to the interests of justice seekers or is involved in the decay of the law. In that case, its title as a judicial institution should be shifted to an institution of thugs, bullies, and destroyers of justice. This condition, of course, can become a social tragedy because the community or justice seekers are identical in losing the educative pillars in the judiciary, which should be expected to provide many valuable lessons. (Sangwan & Thakre, 2018). A civilized nation must aspire to have good

law enforcers or legal professionals, one of which is capable of standards in the realm of educative ethics. Because, through law enforcement, it is hoped that juridical problems that befall the community or justice seekers can be resolved (Sulistyowati, Ridho, & Nasef, 2021).

A good law enforcer is not limited to being good at mastering and able to develop theories but also being able to apply and ground or educate legal norms (das Sein) in society. The organizer the legal profession is the center of the dependence and hope the community or the seeker of justice (Naima, 2020). As a party that is the center of the orientation of the people's struggle, it requires conditions that can become its prophetic completeness. Meanwhile, the community, as the party struck (faced) by a case, demands the existence of a qualified (quality) legal professional to serve or help fight for their rights and not a professional organizer who forgets to play with him. The organizers or stakeholders of the legal profession involved in the law are the main actors in tarnishing the Constitution and the judiciary's authority in realizing justice. (Sulistyowati et al., 2021).

In democracies, laws are adopted and are the answer to the aspirations of the people. The law must reflect the principles of the people, by the people, and for the people.

Laws that fail to be "shown" (implemented) by the judiciary are laws that are detrimental to the people (Lestari, 2018). The existence of the Constitutional Court includes being challenged to realize a constitutional order or juridical norm, that justice must be one of the priorities to be enforced. The enforcement of justice by the Constitutional Court is identical to upholding a very basic order in the Constitution. Enforcement which, of course, reflects performance by prioritizing the principles of ethical respect and constitutionality in the judicial process that it builds, makes the Constitutional Court worthy of being called a modern judicial institution (Purwanto, 2019).

This idealism shows that judicial institutions such as the Constitutional Court have a noble task of fulfilling and realizing the community's wishes. The public's desire is not only limited to how the application or case can be handled carefully and effectively by an institution that has a constitutional mandate, such as the Constitutional Court, but also in its handling ideally, it can prove that this institution can provide "the best" to justice seekers (Lee, 2018). That professionalism without ethics makes it "free of wings" in the sense of being without control and direction. On the other hand, ethics without professionalism paralyzes him in the sense of

Comment [LTALW18]: of the

Comment [LTALW19]: of the

Comment [LTALW20]: The comma before the conjunction "but also" appears to be unnecessary. Consider removing it.

not progressing or even standing up straight. Winata's opinion indirectly reminds professional stakeholders such as the Constitutional Court judges that in realizing Indonesia as a legal state categorized as modern, professionalism must be relied on as capital, and moral strength must also continue to oversee every performance. It shows (Pradana, 2018).

Without considering this ethical power, the Constitutional Court will not be a state representative institution capable of translating the Constitution and, on the contrary, can destroy many basic interests of the people. In this realm, it is natural for the public, especially justice seekers, to judge the Constitutional Court's decision because the decision it is a reflection of the Court's performance as an executor of the idealism of a modern legal state or not. If the Constitutional Court's decision is positioned as an object to be studied and assessed, then, in fact, this can be read and digested by the Constitutional Court if faced with challenges institutionally and especially substantially (Salam et al., 2021). The Constitutional Court's decisions will always be linked by the public (public) to the Constitution and the interests of justice seekers because what the Constitutional Court examines is the interests of justice seekers associated with

the orders outlined by the Constitution (Adha, 2022).

CONCLUSION

The Constitutional Court is still classified as a new institution in the judicial environment in Indonesia, but its educational role in society has attracted public attention. The Constitutional Court's product in the form of a decision contains education to the public about compliance with the Constitution fairly and rationally. Although it often surprises justice seekers, in general, the findings can be responded to well, although there is still a disappointment for the losers. The Constitutional Court's decision will always be linked by the public (public) to the Constitution and the interests of justice seekers because the Constitutional Court examines the interests of justice seekers associated with the Constitution. Indonesia's Constitution reflects the Constitution in a modern legal state because this country provides special guarantees for the community's primary interests, especially those relating to contracts of a prosperous, dignified, and good life. Safety, health, right to life, and security. Energy and the rights of many people require

Comment [LTALW21]: In the conclusion, containing the concluded article and answering the article's problem accordance with the 'Results and Discussion' page are needed.

Do not return to making new arguments that were not previously in the 'Results and Discussion' page.

It is better to also explain an appropriate advice or recommendation to be used as a basis for the next research.

the state to fulfill it seriously or not by making it a constitution on paper.

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THE EDUCATIONAL ROLE OF THE CONSTITUTIONAL COURT IN COMPLIANCE WITH CONSTITUTIONAL UNDERSTANDING OF INDONESIAN CITIZENS

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ABSTRACT

This study aims to examine the educational role of the constitutional Court in developing a constitutional understanding of Indonesian citizens; constitutionally, the Constitutional Court (MK) has a strategic position, authority, and obligation to determine the future of the Indonesian nation. This research method uses doctrinal legal research, a process to find the rule of law, legal principles, and legal doctrines to answer the legal problems faced. The study examines various laws and regulations, literature, and materials related to law. The results showed that the educative role of the Constitutional Court in fostering constitutional understanding of Indonesian citizens by creating programs to promote constitutional understanding of Indonesian citizens, namely: (1) Increasing the Understanding of Citizens' Constitutional Rights, (2) Disseminating Information on the Constitutional Court and Development of Awareness Culture. Constitution (3) Debate on student constitutions between universities throughout Indonesia (4) Telling the values of Pancasila on social media, (5) Increasing understanding of the constitutional rights of civics with outstanding teachers. Educate people's attention. The Constitutional Court's product in the form of a decision contains public education about compliance with the Constitution correctly and rationally. The Constitutional Court's decision will always be linked to the public (public) with the Constitution and the interests of justice seekers because the Court examines the interests of justice seekers related to the Constitution.

Keywords: Constitutional Court, Educational, Justice, State

ABSTRAK

Penelitian ini bertujuan untuk mengkaji peran pendidikan Mahkamah Konstitusi dalam mengembangkan pemahaman konstitusional warga negara Indonesia; Secara konstitusional, Mahkamah Konstitusi (MK) memiliki kedudukan, wewenang, dan kewajiban strategis untuk menentukan masa depan bangsa Indonesia. Metode penelitian ini menggunakan penelitian hukum doktrinal, suatu proses untuk menemukan aturan hukum, prinsip-prinsip hukum, dan doktrin hukum untuk menjawab permasalahan hukum yang dihadapi. Kajian ini mengkaji berbagai peraturan perundang-undangan, literatur, dan materi yang berkaitan dengan hukum. Hasil penelitian menunjukkan bahwa peran edukatif Mahkamah Konstitusi dalam menumbuhkan pemahaman

Comment [Anonymous1]: Abstract writing is good; this section broadly represents the content presented below.

konstitusional warga negara Indonesia dengan membuat program-program untuk mempromosikan pemahaman konstitusional warga negara Indonesia, yaitu:(1) Meningkatkan pemahaman hak konstitusional warga negara, (2) menyebarluaskan informasi tentang Mahkamah Konstitusi dan pengembangan budaya kesadaran. Konstitusi (3) Debat konstitusi mahasiswa antar perguruan tinggi di seluruh Indonesia (4) Menceritakan nilai-nilai Pancasila di media sosial, (5) Meningkatkan pemahaman hak konstitusional PKn dengan guru berprestasi. Mendidik perhatian orang. Produk MK berupa putusan berisi edukasi masyarakat tentang kepatuhan terhadap UUD secara benar dan rasional. Putusan MK akan selalu dikaitkan dengan publik (publik) dengan Konstitusi dan kepentingan para pencari keadilan karena MK mengkaji kepentingan para pencari keadilan terkait UUD.

Kata kunci: Mahkamah Konstitusi, Pendidikan, Keadilan, Negara

INTRODUCTION

The educational role of the Constitutional Court in fostering a constitutional understanding of Indonesian citizens, namely by building awareness of constitutional citizens, individually, in groups, and within the state (Laritmas, Gede Yusa, Gede Rudy, & Rosidi, 2022). Constitutional education is made to revitalize, internalize and implement the values of Pancasila (Bahriyah, 2021). The main function and role of the Constitutional Court are to maintain the Constitution to uphold the principle of legal constitutionality (Suharno, Junaidi, & Aziz Zaelani, 2021).

Likewise, in countries that accommodate the establishment of the Constitutional Court in their state administration system. To maintain the Constitution, the function of judicial review is unavoidable in the Indonesian Constitution because the 1945 Constitution affirms that the

system model is no longer the supremacy of parliament but the supremacy of the Constitution (Umar & Akbal, 2019).

The Constitutional Court is the only interpreter of the debate on the interpretation of the Constitution, in addition to other authorities such as deciding disputes over control between state institutions, the proposal of the House of Representatives (DPR) regarding the dismissal of the President, and Vice President (Sumartini et al., 2021). The dissolution of political parties and the resolution of disputes over the results of the General Election (Pemilu) are all related to their interpretation of the Constitution (Suharno et al., 2021). People who learn constitutional law or Constitution certainly understand that the Constitution is the basic law of a country which is used as a milestone for establishing a government (Umar & Akbal, 2019).

In this realm, the Constitution is the highest law of the state and the law that has the most elevated position in a country (Perdana, Saifulloh, Hukum, Bengkulu, & Limun, 2022). Therefore, the people of the nation and state must acknowledge its existence because the Constitution is a product built from the highest agreement of the people (Abebe, 2019). In addition, to implement the Constitution, the 1945 Constitution of the Republic of Indonesia contains one of its articles, as referred to in Article 24 C of the Constitutional Court, whose authority already exists as a guardian of the Constitution (Hanafi & Ikhsan, 2019). Its arrangements and charges are further regulated by law, that the Constitutional Court as a court to uphold law and democracy to maintain justice in society, nation, and state and to achieve prosperity and welfare (Suryono, 2021).

The constitutional theory requires the state to be formed based on basic laws (basic norms) that are democratic, which are the instincts of the people of a nation, so the Constitution created is a democratic constitution that requires the rule of law (Lin & Kuo, 2018). The Constitution, also called *grund wet* or in the Oxford legal dictionary, is defined as: "rules and practices that determine the composition and function of the

organs of central and local government in a country and regulate the relationship between individuals and the state. This means: (1) what is called a constitution is not only a written rule but also one practiced in state administration activities, and (2) what is regulated does not only concern state organs and their composition and functions, both at the central level. Level. At a local government level, the relationship between the state or state organs and citizens (Loughlin, 2018).

According to Karl Loewenstein, in every Constitution, there are always two important aspects: its ideal nature as a theory and its actual nature as practice (Sihombing, Leonard, & Pakpahan, 2014). This means that as the Constitution's highest law, it always contains ideal values as *das sollen*, which are not always identical with *das sein* or the actual situation in the field (Pramono et al., 2022). In this realm, the Constitutional Court must prove the constitutional mandate in the reality of implementation (Faizi et al., 2017). The authority of the Constitutional Court as a state institution was born based on the amendments to the 1945 Constitution as stated in the third amendment to the 1945 Constitution, Article 24C of the 1945 Constitution, which generally describes the authority in the form of reviewing the 1945 Constitution, resolving disputes between state

institutions, deciding the dissolution of political parties, and deciding disputes about the general election results (Helmi, 2019).

The presence of the Constitutional Court (MK) as the sole interpreter of the Constitution and guardian of the Constitution has contributed greatly to the democratization process and upholding of the Constitution's supremacy in Indonesia. One of the powers of the Constitutional Court that have contributed to this is the authority to examine laws against the 1945 Constitution of the Republic of Indonesia (Sihombing et al., 2014). The Constitutional Court (MK) is one of the two executors of judicial power according to Article 24, paragraph (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia (Nugraha, 2021). In its development, although Article 24C paragraph (1) and paragraph (2) have provided limits on the authority and obligations of the Constitutional Court, the idea of expanding the authority of the Constitutional Court continues to emerge and has become a public debate (Handayani et al., 2019).

The existence of the Constitutional Court is understood as part of efforts to realize a check and balance mechanism between branches of state power based on democratic principles (Noor, 2021). This is related to two powers commonly held by the

Constitutional Court in various countries. In the world, the idea of constitutional review that is developing so widely, acceptance and practice in each country certainly differ from one country to another, which is a continuation of the development of the idea of constitutional review in theory. And course cannot be separated from the ebb and flow of history (Naefi, 2021). These stages of development can be seen in a period that ranges from traditional ideas to the most modern ones (Hasibuan et al., 2018). The research method uses the Mixed Method, a combination of quantitative and qualitative approaches. Based on the description above, why do researchers think it is necessary to conduct studies and research on the role of MK education in fostering a constitutional understanding of Indonesian citizens.

The establishment of the Constitutional Court in the Indonesian context was motivated by at least three reasons: (1) Philosophical reasons. The Constitutional Court was presented to assert that there is no longer parliamentary or executive supremacy without legal control. (2) Political reasons. The development of political reality has caused many problems some of which cannot be resolved through the arrangements and mechanisms contained in the 1945 Constitution of the Republic of Indonesia, (3)

Comment [Anonymous2]: The exposure of this theory should be shorter. It is recommended to write the essence of the sentence. This section can be shortened to 2 paragraphs only.

Socio-historical reasons (Rosyada et al., 2018). The Constitution is one part of the Constitution and not an equalization of understanding according to the previous assumptions. Equating performance is a wrong opinion, and if there is a common understanding, this is the result of the influence of modern schools (Kartika, 2022). In the contemporary world, the notion that distinguishes a written or unwritten constitution is almost non-existent. However, the picture of this Constitution is blurred or cannot be proven with certainty, and vice versa if it is said that a country has a written constitution where there is also an unwritten constitution. (Sari, 2018).

A democratic state is an interpretation of sovereignty the people that the country, as much as possible, belongs to the people (Arliman, 2019). The ruler and the people are inseparable because the conditions for establishing a state include a recognized people, government, and territory and establishing relations with other countries (Airlangga, 2019). The theory of the rule of law cannot accept the power of a person or group of rulers, make laws based on their will, then the laws they make are conceptualized as the will of the state. (Widiatama, Mahmud, & Suparwi, 2020). Declaring the Sovereignty of the Krabbe Law is the legal position above the

state; therefore, the state must be subject to the law (Suryono, 2021). The state's submission to the law is said to be "de door ring van de status met hat Recht" meaning that the law has the highest position in the state. Whereas in reality, without a state constitution not being formed, then perhaps the Constitution occupies a very crucial part in the constitutional life of a country (Rissy, 2020).

On the other hand, the existence of an implied "state" is only real if it fulfills four elements: (1) fulfilling the element of a sovereign government, (2) a certain area, (3) an orderly society. as a nation, and (4) recognition from other countries. In a modern state, state power is implemented based on the law (Droit constitutional) (Putri & Arifin, 2019). The Constitution or Verfassung by Carl Schmit is considered the supreme decision. The Constitution has a position or degree of supremacy in a country. Constitutional power means that the Constitution has the highest place in the legal order of a country (Zaini, 2020).

To understand what is meant by the rule of law in its true sense, it must first be understood the meaning of the rule of law itself because without first understanding the purpose of the rule of law, it is difficult to describe what is meant by the rule of law.

legal regulations (Marzuki et al., 2020). Provide an account of the rule of law in a country where the rulers or the government as state administrators are bound by the applicable laws and regulations (Shaleh & Nasution, 2020). What is meant by a legal state is a state that runs a government that is not following the will of the people who hold power but according to written rules made by people's representative bodies, which are legally formed following the principle of "law and not men shall Reign" (Chrysan, Rohi, & Apituley, 2020).

While the notion of the rule of law comes from the teachings the rule of law, providing an understanding the rule of law as a country where state apparatus is subject to the rule of law. Provide a definition or performance of the rule of law as a country where the actions of the ruler must be limited by applicable law (Natsif, 2019). While defining the rule of law as a country where the fate and freedom of its people are guaranteed by law, the rule of law is often referred to as the Rechtsstaat concept which states that there is recognition and protection of human rights. rights based on the principles of freedom and equality (Situngkir, 2018). The theory of civil society states citizens or citizenship, civil society, civilized society and cultured society, and civil society. The

legitimacy of power and ruler-people relations are common phenomena in every government (Apriliana et al., 2020).

RESEARCH METHODS

This research method uses a type of doctrinal legal research to find a rule of law, legal principles, and legal doctrines to answer the legal problems faced (Marzuki et al., 2020). The focus and center of this research are various legal rules and literature or materials related to law (Chrysan et al., 2020). The approach used in analyzing library materials in this study is permitted; this approach is carried out to examine and understand all laws and regulations relating to legal issues the author discusses. This research also uses a conceptual approach (Aswandi et al., 2019).

This study focuses on the role of MK education in fostering a constitutional understanding of Indonesian citizens. The research was conducted from March to June 2022 using primary, secondary, and tertiary legal materials (Nazifah, Mangku, & Yuliantini, 2021). Collecting legal materials is a literature study with analysis using descriptive-qualitative research methods (Hufon et al., 2020). Coupled with the analysis phase using the Nvivo 12 plus data application, a qualitative document analysis tool with

computer assistance (Sundari, 2022). In this study, the unit of analysis is the role of MK education in fostering the constitutional understanding of Indonesian citizens

Figure 1. Research Flow



Source. ????

RESULTS AND DISCUSSION

The Educational Role of the Constitutional Court in a Modern Rule of Law

The state established the role of a state institution called the Constitutional Court to realize education and law enforcement (Constitution) in society (Manubulu, 2020). The public will not understand the law or the Constitution if it is not changed, at least by the Constitutional Court. The public will realize and understand the purpose of establishing the state and the law if there is a process of educational transformation that it goes through (Kelemen & Pech, 2019). The role of the Constitutional Court is educatively read through its decisions because it is from this realm that people are educated to become citizens who must be willing to obey them (Diya, 2019).

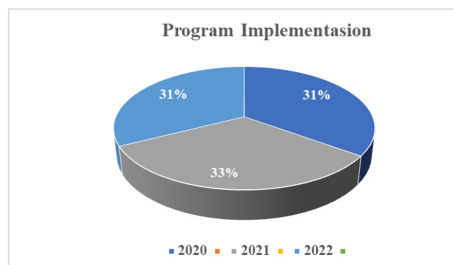
In the content of the considerations of the Constitutional Court Law, at least it can be

understood that there is an educational role for the Constitutional Court in ensuring awareness or obedience to the Constitution in the community (Verdugo, 2019). Suppose the public understands and is able to carry out what the Constitutional Court does, at least comply with the decisions it imposes. In that case, the ideals of Indonesia as a modern legal state can be realized. (Kalalo, 2021). The issue of legal objectives is still a debate among academics, professions, experts, and society in general, both from the elite and small (lower club), solely for legal certainty of justice and to realize the principle of expediency (Aksenova & Marchuk, 2018).

Figure 2.

Indonesian Constitutional Court Education

Program Data



Source:

<https://linktr.ee/mahkamahkonstitusi>

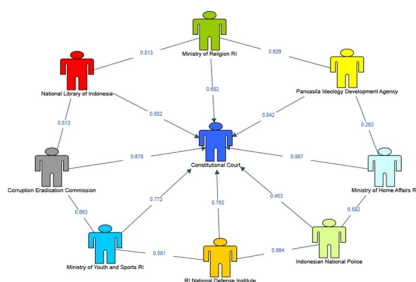
Figure 2. Explaining the program data for the MK's educational role in fostering the constitutional understanding of Indonesian citizens by carrying out various activities, namely: (1) Increasing the Understanding of

Comment [Anonymous3]: The writing of this research method is quite good, but it is worth mentioning the source of the data obtained, from where and in what amount?

Comment [Anonymous4]: Use the reference manager properly and correctly as a source writing tool.

Citizens' Constitutional Rights, (2) Socializing the Constitutional Court, and Building a Constitutional Conscious Culture (3) Debate constitution of inter-university students in Indonesia (Lestari et al., 2020). (4) Talking about Pancasila values on social media, (5) Increasing understanding of constitutional rights for outstanding Civics teachers. In the last three years, namely: in 2020, 2021, and 2022 it can be seen that the data describing the program implemented in 2020 has an implementation value of around 31%, and in 2021 it has an implementation value of about 31% and 2022 has a higher implementation value than what is expected. another about 33% (Purwanto, 2019).

Figure 3. Actor Collaboration



Source: <https://linktr.ee/mahkamahkonstitusi>

si

Table 1. Value of Actor Collaboration

Actor Collaboration	The Value of Actor Collaboration			
Response	0.81	0.62	0.81	0.26
Innovation	0.66	0.58	0.86	0.58
Sustainable	0.68	0.50	0.77	0.76
Resilience	0.45	0.56	0.84	0.67

Source:

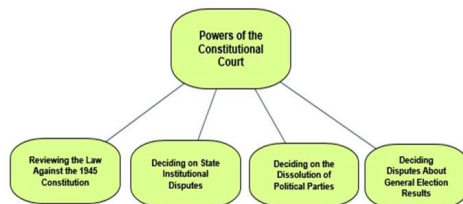
<https://linktr.ee/mahkamahkonstitusi>

Figure 3 and Table 1. Showing the results of data processing and data analysis that the researchers carried out based on the problem formulation (RQ2) in the study, the results showed the network collaboration model carried out by each network of actors in carrying out an educative role in fostering the constitutional understanding of Indonesian citizens (Salam et al., 2021). Each actor has its value and is different for each indicator; this is determined based on the researchers' analysis of Response, Innovation, Sustainable, and Resilience (Zamrodah, 2021).

In this study, four indicators are used to assess the role and contribution of the network of actors, namely, first. The response is the first effort made by all actors to respond, provide first aid, and foster the constitutional understanding of Indonesian citizens (Kalalo, 2021). Second, Innovation is an innovation to disseminate Information about the Constitutional Court and the Development of Constitutional Awareness Culture on Social media; Third, Sustainable is a program carried out by the actors annually. Fourth the resilience of actors in carrying out educational applications to foster constitutional

understanding of Indonesian citizens (Perdana et al., 2022).

Figure 4. Powers of the Constitutional Court



Source: (Manubulu, 2020)

Figure 4 explaining the authority of the Constitutional Court, namely: (1) Reviewing the 1945 Constitution, (2) Deciding on State Institutional Disputes, (3) Deciding on the Dissolution of Political Parties, and (4) Deciding on Disputes on General Election Results. In addition to this authority, the Constitutional Court is obliged to decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer meet the requirements of the President. (Noor, 2021).

Justice seekers are educated directly or indirectly to understand juridically, sociologically and philosophically what they show about the nature of the purpose of law and justice in society as students (Firdausy et al., 2018). In consideration of the Law of the Republic of Indonesia Number 7 of 2020

concerning the Third Amendment to Law Number 24 of 2003 concerning the Constitutional Court, it is stated that the Constitutional Court is an independent judicial institution and has an important role in upholding the Constitution. And the principles rule of law follows its authorities and obligations as regulated by the Constitution of the Republic of Indonesia (Bahriyah, 2021).

Construction of the rule of law in modern society and Indonesia

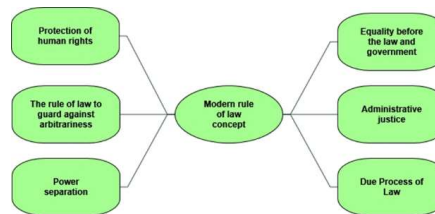
The modern legal state is often interpreted as a prosperous state or known as a welfare state and a prosperous state. These two terms represent the interests of the state as the interests of the people, not the interests of a handful of state elites (Hendra, 2022). The people's interests are primary interests in the Constitution that determine the construction and future of the state regarding the feasibility of becoming a modern legal state. The concept of the rule of law experienced growth towards the twentieth century, which was marked by the birth of the idea of a modern legal state (welfare state) where the state's duties as night guards and security began to change (S. E. Lestari, 2018).

The state must not be passive but must also play an active role in community activities

to guarantee the community's welfare. The existence of a prohibition for the government to intervene in the affairs of citizens, both the socio-economic and other fields, shifts towards a new thought that the government must be responsible for the welfare the people (Sumartini, 2021). That the change in the conception of the rule of law occurred partly because of the many criticisms of access to industrialization and the capitalist system, the spread of socialism that wanted equal distribution of power, and the victory of several European socialist parties. (Roejito & Hamka, 2019).

Democracy in the new idea should be expanded to include an economic dimension, with a system that controls financial terms and seeks to minimize differences arising from the unequal distribution of wealth. Such a country is a welfare state (Diya et al., 2021). The conception of the modern legal state is a combination of the concepts of the rule of law and the welfare state (Blokker, 2019). In this concept, the state or government is not merely a guardian of security or public order but also responsible for realizing social justice, general welfare, and the greatest prosperity of the people. Thus, a state of law based on a democratic system can be called a democratic state of law (democratic rechtstate) (Nazifah et al., 2021).

Figure 5. Rule of Law Concept



Source: (Hendra, 2022)

Figure 5. Explaining the concept of a modern rule of law related to the role of MK education today, there are several parts, namely: (1) The existence of protection of human rights, (2) The existence of the rule of law to maintain arbitrariness (3) The existence of separation of powers (4) The existence of equality before the law and government (5) The existence of administrative justice (6) The existence of Due Process of Law (Saifulloh, 2021). For this reason, the legal system needs to be built (law-making) and enforced (law enforcement) as it should be, starting from the Constitution as the law with the highest position. To ensure the upholding the Constitution as the highest law the state a Constitutional Court was also formed, which functions as a "guard" and at the same time as the "main interpreter of the constitution" (Handayani et al., 2020). The idea of a state of law construction cannot be separated from the authenticity of the applicable Constitution.

Generally, the Constitution as a basic rule consists of two parts, the formal and the material parts (Laritmas et al., 2022).

Figure 6. WordCloud Constitutional Cour



Source: modified with Nvivo 12 Plus

Figure 6. The results of the WordCloud that the researcher produced based on an analysis conducted using the Nvivo 12 Plus software, the results from the word cloud illustrate that the Constitutional Court is one of the sectors that have a significant influence on the Constitutional Court and must also decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer qualify as President (Faiz, 2020). Legal certainty is a product of law or, more precisely, legislation. Once the law comes, then there is a certainty." In this context, it is stated that the law is based on

the basic values of thoroughness, justice, and practicality that law enforcers guard a judicial institution. Officials can show that they can provide value to the community (justice seekers), such as the usefulness of the law being enforced and decisions that give certainty (Hendra, 2022). For example, when he became the Constitutional Court Chief Justice, Mahfud MD gave a concrete example. Ideally, the judiciary could function as a servant or "educative worker" of the people handling or resolving cases (Naefi, 2021).

As a public servant seeking justice or an applicant for justice, Mahfud MD seems to show the state, society, and anyone involved as a pillar of the judiciary that criticism and evaluation from justice seekers is a reality that must be followed up. So, in addition to meeting the people's expectations, it is also the context of maintaining the dignity of the Constitution (Suryono, 2021). In addition, Mahfud MD can be identified using the inclusive paradigm. The institution he leads is built on the principles of openness and egalitarianism. Anyone has the right to conduct an assessment and investigation, including finding and mentioning what types of ulcers may infect MK (Sari, 2014). The seeker of justice manifests Indonesia's identity as a state of law. The judiciary only deserves to be

Comment [Anonymous5]: Paragraphs are too long, and it is recommended to be split into two paragraphs.

Comment [Anonymous6]: Paragraphs are too long, and it is recommended to be split into two paragraphs.

called the spirit of the rule of law if the role shown reflects the aspirations of justice seekers (Naima, 2020).

Suppose the role that is displayed is contrary to the interests of justice seekers or is involved in the decay of the law. In that case, its title as a judicial institution should be shifted to an institution of thugs, bullies, and destroyers of justice. This condition, of course, can become a social tragedy because the community or justice seekers are identical in losing the educative pillars in the judiciary, which should be expected to provide many valuable lessons. (Sangwan & Thakre, 2018). A civilized nation must aspire to have good law enforcers or legal professionals, one of which is capable of standards in the realm of educative ethics. Because, through law enforcement, it is hoped that juridical problems that befall the community or justice seekers can be resolved (Sulistiyowati, Ridho, & Nasef, 2021).

A good law enforcer is not limited to being good at mastering and able to develop theories but also being able to apply and ground or educate legal norms (das Sein) in society. The organizer the legal profession is the center of the dependence and hope the community or the seeker of justice (Naima, 2020). As a party that is the center of the orientation of the people's struggle, it requires

conditions that can become its prophetic completeness. Meanwhile, the community, as the party struck (faced) by a case, demands the existence of a qualified (quality) legal professional to serve or help fight for their rights and not a professional organizer who forgets to play with him. The organizers or stakeholders of the legal profession involved in the law are the main actors in tarnishing the Constitution and the judiciary's authority in realizing justice. (Sulistiyowati et al., 2021).

In democracies, laws are adopted and are the answer to the aspirations of the people. The law must reflect the principles of the people, by the people, and for the people. Laws that fail to be "shown" (implemented) by the judiciary are laws that are detrimental to the people (Lestari, 2018). The existence of the Constitutional Court includes being challenged to realize a constitutional order or juridical norm, that justice must be one of the priorities to be enforced. The enforcement of justice by the Constitutional Court is identical to upholding a very basic order in the Constitution. Enforcement which, of course, reflects performance by prioritizing the principles of ethical respect and constitutionality in the judicial process that it builds, makes the Constitutional Court worthy of being called a modern judicial institution (Purwanto, 2019).

This idealism shows that judicial institutions such as the Constitutional Court have a noble task of fulfilling and realizing the community's wishes. The public's desire is not only limited to how the application or case can be handled carefully and effectively by an institution that has a constitutional mandate, such as the Constitutional Court, but also in its handling ideally, it can prove that this institution can provide "the best" to justice seekers (Lee, 2018). That professionalism without ethics makes it "free of wings" in the sense of being without control and direction. On the other hand, ethics without professionalism paralyzes him in the sense of not progressing or even standing up straight. Winata's opinion indirectly reminds professional stakeholders such as the Constitutional Court judges that in realizing Indonesia as a legal state categorized as modern, professionalism must be relied on as capital, and moral strength must also continue to oversee every performance. It shows (Pradana, 2018).

Without considering this ethical power, the Constitutional Court will not be a state representative institution capable of translating the Constitution and, on the contrary, can destroy many basic interests of the people. In this realm, it is natural for the public, especially justice seekers, to judge the

Constitutional Court's decision because the decision it is a reflection of the Court's performance as an executor of the idealism of a modern legal state or not. If the Constitutional Court's decision is positioned as an object to be studied and assessed, then, in fact, this can be read and digested by the Constitutional Court if faced with challenges institutionally and especially substantially (Salam et al., 2021). The Constitutional Court's decisions will always be linked by the public (public) to the Constitution and the interests of justice seekers because what the Constitutional Court examines is the interests of justice seekers associated with the orders outlined by the Constitution (Adha, 2022).

CONCLUSION

The Constitutional Court is still classified as a new institution in the judicial environment in Indonesia, but its educational role in society has attracted public attention. The Constitutional Court's product in the form of a decision contains education to the public about compliance with the Constitution fairly and rationally. Although it often surprises justice seekers, in general, the findings can be responded to well, although there is still a disappointment for the losers. The Constitutional Court's decision will always be

linked by the public (public) to the Constitution and the interests of justice seekers because the Constitutional Court examines the interests of justice seekers associated with the Constitution. Indonesia's Constitution reflects the Constitution in a modern legal state because this country provides special guarantees for the community's primary interests, especially those relating to contracts of a prosperous, dignified, and good life. Safety, health, right to life, and security. Energy and the rights of many people require the state to fulfill it seriously or not by making it a constitution on paper.

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Comment [Anonymous7]: Fix undetected and untidy references.

Comment [Anonymous8]: This article actually very interesting. However there is small typos and can be improved during the production process. Therefore this article is accepted, but the author should revised some minor comments from us.

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**LAW REFORM
LETTER OF PAPER ACCEPTANCE**

Dear Authors,

I would like to confirm that your paper entitled “**The Educational Role of The Constitutional Court in Compliance With Constitutional Understanding of Indonesian Citizens**” Authored by Siti Marwiyah, M Syahrul Borman, Ruba'ie, M Chotib Ramadhani, Retno Saraswati, Non Naprathansuk, has been blind reviewed and accepted for publishing in the LAW REFORM, will be published on Vol.19, No.2, 2023

On behalf of Editorial Board and Publisher, thank you very much for your submission to our journal.

Sincerely,


Prof. Dr. Kholis Roisah, S.H., M.Hum.
Editor in Chief

The image shows a circular stamp from the 'PROGRAM STUDI MAGISTER ILMU HUKUM' at 'UNIVERSITAS DIPONEGORO'. Inside the stamp, it says 'LAW REFORM Journal'. A handwritten signature in black ink is written over the stamp.

THE EDUCATIONAL ROLE OF THE CONSTITUTIONAL COURT IN COMPLIANCE WITH CONSTITUTIONAL UNDERSTANDING OF INDONESIAN CITIZENS

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ABSTRACT

This study aims to examine the educational role of the Constitutional Court in developing a constitutional understanding of Indonesian citizens; constitutionally, the Constitutional Court (MK) has a strategic position, authority, and obligation to determine the future of the Indonesian nation. This research method uses doctrinal legal research, a process to find the rule of law, legal principles, and legal doctrines to answer the legal problems faced. The study examines various laws and regulations, literature, and materials related to law. The results showed that the educational role of the Constitutional Court in fostering constitutional understanding of Indonesian citizens by creating programs to promote constitutional understanding of Indonesian citizens, namely: (1) Increasing the Understanding of Citizens' Constitutional Rights, (2) Disseminating Information on the Constitutional Court and Development of Awareness Culture. Constitution (3) Debate on student constitutions between universities throughout Indonesia (4) Telling the values of Pancasila on social media, (5) Increasing understanding of the constitutional rights of citizens with outstanding teachers. Educate people's attention. The Constitutional Court's product in the form of a decision contains public education about compliance with the Constitution correctly and rationally. The Constitutional Court's decision will always be linked to the public (public) with the Constitution and the interests of justice seekers because the Court examines the interests of justice seekers related to the Constitution.

Keywords: Constitutional Court, Educational, Justice, State

ABSTRAK

Penelitian ini bertujuan untuk mengkaji peran pendidikan Mahkamah Konstitusi dalam mengembangkan pemahaman konstitusional warga negara Indonesia; Secara konstitusional, Mahkamah Konstitusi (MK) memiliki kedudukan, wewenang, dan kewajiban strategis untuk menentukan masa depan bangsa Indonesia. Metode penelitian ini menggunakan penelitian hukum doktrinal, suatu proses untuk menemukan aturan hukum, prinsip-prinsip hukum, dan doktrin hukum untuk menjawab permasalahan hukum yang dihadapi. Kajian ini mengkaji berbagai peraturan perundang-undangan, literatur, dan materi yang berkaitan dengan hukum. Hasil

penelitian menunjukkan bahwa peran edukatif Mahkamah Konstitusi dalam menumbuhkan pemahaman konstitusional warga negara Indonesia dengan membuat program-program untuk mempromosikan pemahaman konstitusional warga negara Indonesia, yaitu: (1) Meningkatkan pemahaman hak konstitusional warga negara, (2) menyebarkan informasi tentang Mahkamah Konstitusi dan pengembangan budaya kesadaran. Konstitusi (3) Debat konstitusi mahasiswa antar perguruan tinggi di seluruh Indonesia (4) Menceritakan nilai-nilai Pancasila di media sosial, (5) Meningkatkan pemahaman hak konstitusional PK dengan guru berprestasi. Mendidik perhatian orang. Produk MK berupa putusan berbasis edukasi masyarakat tentang kepatuhan terhadap UUD secara benar dan rasional. Putusan MK akan selalu diikhtisarkan dengan publik (publik) dengan Konstitusi dan kepentingan para pencari keadilan karena MK mengkaji kepentingan para pencari keadilan terkait UUD.

Kata kunci: Mahkamah Konstitusi, Pendidikan, Keadilan, Negara

INTRODUCTION

The educational role of the Constitutional Court in fostering a constitutional understanding of Indonesian citizens, namely by building awareness of constitutional citizens, individually, in groups, and within the state (Laritmas, Gede Yusa, Gede Rudy, & Rosidi, 2022). Constitutional education is made to revitalize, internalize and implement the values of Pancasila (Bahriyah, 2021). The main function and role of the Constitutional Court are to maintain the Constitution to uphold the principle of legal constitutionality (Suharno, Junaidi, & Aziz Zaelani, 2021).

Likewise, in countries that accommodate the establishment of the Constitutional Court in their state administration system. To maintain the Constitution, the function of judicial review is unavoidable in the Indonesian Constitution because the 1945

Constitution affirms that the system model is no longer the supremacy of parliament but the supremacy of the Constitution (Umar & Akbal, 2019).

The Constitutional Court is the only interpreter of the debate on the interpretation of the Constitution, in addition to other authorities such as deciding disputes over control between state institutions, the proposal of the House of Representatives (DPR) regarding the dismissal of the President, and Vice President (Sumartini et al., 2021). The dissolution of political parties and the resolution of disputes over the results of the General Election (Pemilu) are all related to their interpretation of the Constitution (Suharno et al., 2021). People who learn constitutional law or Constitution certainly understand that the Constitution is the basic law of a country which is used as a milestone for establishing a government (Umar & Akbal, 2019).

In this realm, the Constitution is the highest law of the state and the law that has the most elevated position in a country (Perdana, Saifulloh, Hukum, Bengkulu, & Limun, 2022). Therefore, the people of the nation and state must acknowledge its existence because the Constitution is a product built from the highest agreement of the people (Abebe, 2019). In addition, to implement the Constitution, the 1945 Constitution of the Republic of Indonesia contains one of its articles, as referred to in Article 24 C of the Constitutional Court, whose authority already exists as a guardian of the Constitution (Hanafi & Ikhsan, 2019). Its arrangements and charges are further regulated by law, that the Constitutional Court as a court to uphold law and democracy to maintain justice in society, nation, and state and to achieve prosperity and welfare (Suryono, 2021).

The constitutional theory requires the state to be formed based on basic laws (basic norms) that are democratic, which are the instincts of the people of a nation, so the Constitution created is a democratic constitution that requires the rule of law (Lin & Kuo, 2018). The Constitution, also called *grundwet* or in the Oxford legal dictionary, is defined as: "rules and practices that determine the composition and function of the organs of central and local government in

a country and regulate the relationship between individuals and the state. This means: (1) what is called a constitution is not only a written rule but also one practiced in state administration activities, and (2) what is regulated does not only concern state organs and their composition and functions, both at the central level. Level. At a local government level, the relationship between the state or state organs and citizens (Loughlin, 2018).

According to Karl Loewenstein, in every Constitution, there are always two important aspects: its ideal nature as a theory and its actual nature as practice (Sihombing, Leonard, & Pakpahan, 2014). This means that as the Constitution's highest law, it always contains ideal values as *das sollen*, which are not always identical with *das sein* or the actual situation in the field (Pramono et al., 2022). In this realm, the Constitutional Court must prove the constitutional mandate in the reality of implementation (Faizi et al., 2017). The authority of the Constitutional Court as a state institution was born based on the amendments to the 1945 Constitution as stated in the third amendment to the 1945 Constitution, Article 24C of the 1945 Constitution, which generally describes the authority in the form of reviewing the 1945 Constitution, resolving disputes between state institutions, deciding the dissolution of political

parties, and deciding disputes about the general election results (Helmi, 2019).

The presence of the Constitutional Court (MK) as the sole interpreter of the Constitution and guardian of the Constitution has contributed greatly to the democratization process and upholding of the Constitution's supremacy in Indonesia. One of the powers of the Constitutional Court that have contributed to this is the authority to examine laws against the 1945 Constitution of the Republic of Indonesia (Sihombing et al., 2014). The Constitutional Court (MK) is one of the two executors of judicial power according to Article 24, paragraph (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia (Nugraha, 2021). In its development, although Article 24C paragraph (1) and paragraph (2) have provided limits on the authority and obligations of the Constitutional Court, the idea of expanding the authority of the Constitutional Court continues to emerge and has become a public debate (Handayani et al., 2019).

The existence of the Constitutional Court is understood as part of efforts to realize a check and balance mechanism between branches of state power based on democratic principles (Noor, 2021). This is related to two powers commonly held by the Constitutional Court in various countries. In

the world, the idea of constitutional review that is developing so widely, acceptance and practice in each country certainly differ from one country to another, which is a continuation of the development of the idea of constitutional review in theory. And course cannot be separated from the ebb and flow of history (Naefi, 2021). These stages of development can be seen in a period that ranges from traditional ideas to the most modern ones (Hasibuan et al., 2018). The research method uses the Mixed Method, a combination of quantitative and qualitative approaches. Based on the description above, why do researchers think it is necessary to conduct studies and research on the role of MK education in fostering a constitutional understanding of Indonesian citizens.

The establishment of the Constitutional Court in the Indonesian context was motivated by at least three reasons: (1) Philosophical reasons. The Constitutional Court was presented to assert that there is no longer parliamentary or executive supremacy without legal control. (2) Political reasons. The development of political reality has caused many problems some of which cannot be resolved through the arrangements and mechanisms contained in the 1945 Constitution of the Republic of Indonesia, (3) Socio-historical reasons (Rosyada et al.,

2018). The Constitution is one part of the Constitution and not an equalization of understanding according to the previous assumptions. Equating performance is a wrong opinion, and if there is a common understanding, this is the result of the influence of modern schools (Kartika, 2022). In the contemporary world, the notion that distinguishes a written or unwritten constitution is almost non-existent. However, the picture of this Constitution is blurred or cannot be proven with certainty, and vice versa if it is said that a country has a written constitution where there is also an unwritten constitution. (Sari, 2018).

A democratic state is an interpretation of sovereignty the people that the country, as much as possible, belongs to the people (Arliman, 2019). The ruler and the people are inseparable because the conditions for establishing a state include a recognized people, government, and territory and establishing relations with other countries (Airlangga, 2019). The theory of the rule of law cannot accept the power of a person or group of rulers, make laws based on their will, then the laws they make are conceptualized as the will of the state. (Widiatama, Mahmud, & Suparwi, 2020). Declaring the Sovereignty of the Krabbe Law is the legal position above the state; therefore, the state must be subject to

the law (Suryono, 2021). The state's submission to the law is said to be "de door ring van de status met hat Recht" meaning that the law has the highest position in the state. Whereas in reality, without a state constitution not being formed, then perhaps the Constitution occupies a very crucial part in the constitutional life of a country (Rissy, 2020).

On the other hand, the existence of an implied "state" is only real if it fulfills four elements: (1) fulfilling the element of a sovereign government, (2) a certain area, (3) an orderly society. as a nation, and (4) recognition from other countries. In a modern state, state power is implemented based on the law (Droit constitutional) (Putri & Arifin, 2019). The Constitution or *Verfassung* by Carl Schmit is considered the supreme decision. The Constitution has a position or degree of supremacy in a country. Constitutional power means that the Constitution has the highest place in the legal order of a country (Zaini, 2020).

To understand what is meant by the rule of law in its true sense, it must first be understood the meaning of the rule of law itself because without first understanding the purpose of the rule of law, it is difficult to describe what is meant by the rule of law. legal regulations (Marzuki et al., 2020).

Provide an account of the rule of law in a country where the rulers or the government as state administrators are bound by the applicable laws and regulations (Shaleh & Nasution, 2020). What is meant by a legal state is a state that runs a government that is not following the will of the people who hold power but according to written rules made by people's representative bodies, which are legally formed following the principle of "law and not men shall Reign" (Chrysan, Rohi, & Apituley, 2020).

While the notion of the rule of law comes from the teachings the rule of law, providing an understanding the rule of law as a country where state apparatus is subject to the rule of law. Provide a definition or performance of the rule of law as a country where the actions of the ruler must be limited by applicable law (Natsif, 2019). While defining the rule of law as a country where the fate and freedom of its people are guaranteed by law, the rule of law is often referred to as the Rechtsstaat concept which states that there is recognition and protection of human rights. rights based on the principles of freedom and equality (Situngkir, 2018). The theory of civil society states citizens or citizenship, civil society, civilized society and cultured society, and civil society. The legitimacy of power and ruler-people relations

are common phenomena in every government (Apriliana et al., 2020).

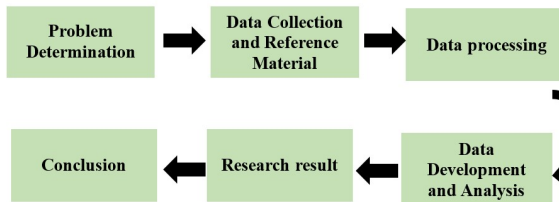
RESEARCH METHODS

This research method uses a type of doctrinal legal research to find a rule of law, legal principles, and legal doctrines to answer the legal problems faced (Marzuki et al., 2020). The focus and center of this research are various legal rules and literature or materials related to law (Chrysan et al., 2020). The approach used in analyzing library materials in this study is permitted; this approach is carried out to examine and understand all laws and regulations relating to legal issues the author discusses. This research also uses a conceptual approach (Aswandi et al., 2019).

This study focuses on the role of MK education in fostering a constitutional understanding of Indonesian citizens. The research was conducted from March to June 2022 using primary, secondary, and tertiary legal materials (Nazifah, Mangku, & Yuliantini, 2021). Collecting legal materials is a literature study with analysis using descriptive-qualitative research methods (Hufron et al., 2020). Coupled with the analysis phase using the Nvivo 12 plus data application, a qualitative document analysis tool with computer assistance (Sundari, 2022). In this

study, the unit of analysis is the role of MK education in fostering the constitutional understanding of Indonesian citizens

Figure 1. Research Flow



RESULTS AND DISCUSSION

The Educational Role of the Constitutional Court in a Modern Rule of Law

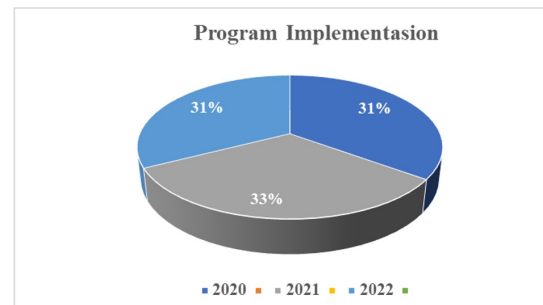
The state established the role of a state institution called the Constitutional Court to realize education and law enforcement (Constitution) in society (Manubulu, 2020). The public will not understand the law or the Constitution if it is not changed, at least by the Constitutional Court. The public will realize and understand the purpose of establishing the state and the law if there is a process of educational transformation that it goes through (Kelemen & Pech, 2019). The role of the Constitutional Court is educatively read through its decisions because it is from this realm that people are educated to become citizens who must be willing to obey them (Diya, 2019).

In the content of the considerations of the Constitutional Court Law, at least it can be understood that there is an educational role for

the Constitutional Court in ensuring awareness or obedience to the Constitution in the community (Verdugo, 2019). Suppose the public understands and is able to carry out what the Constitutional Court does, at least comply with the decisions it imposes. In that case, the ideals of Indonesia as a modern legal state can be realized. (Kalalo, 2021). The issue of legal objectives is still a debate among academics, professions, experts, and society in general, both from the elite and small (lower class), solely for legal certainty of justice and to realize the principle of expediency (Aksenova & Marchuk, 2018).

Figure 2.

Indonesian Constitutional Court Education Program Data

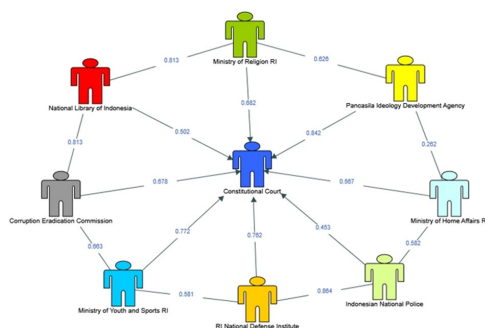


Source: <https://linktr.ee/mahkamahkonstitusi>

Figure 2. Explaining the program data for the MK's educational role in fostering the constitutional understanding of Indonesian citizens by carrying out various activities, namely: (1) Increasing the Understanding of Citizens' Constitutional Rights, (2) Socializing

the Constitutional Court, and Building a Constitutional Conscious Culture (3) Debate constitution of inter-university students in Indonesia (Lestari et al., 2020). (4) Talking about Pancasila values on social media, (5) Increasing understanding of constitutional rights for outstanding Civics teachers. In the last three years, namely: in 2020, 2021, and 2022 it can be seen that the data describing the program implemented in 2020 has an implementation value of around 31%, and in 2021 it has an implementation value of about 31% and 2022 has a higher implementation value than what is expected. another about 33% (Purwanto, 2019).

Figure 3. Actor Collaboration



Source: <https://linktr.ee/mahkamahkonstitusi>

Table 1. Value of Actor Collaboration

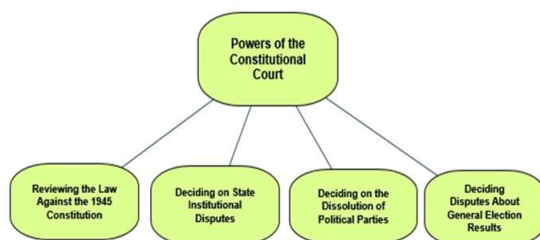
Actor Collaboration	The Value of Actor Collaboration			
Response	0.81	0.62	0.81	0.26
Innovation	0.66	0.58	0.86	0.58
Sustainable	0.68	0.50	0.77	0.76
Resilience	0.45	0.56	0.84	0.67

Source: <https://linktr.ee/mahkamahkonstitusi>

Figure 3 and Table 1. Showing the results of data processing and data analysis that the researchers carried out based on the problem formulation (RQ2) in the study, the results showed the network collaboration model carried out by each network of actors in carrying out an educative role in fostering the constitutional understanding of Indonesian citizens (Salam et al., 2021). Each actor has its value and is different for each indicator; this is determined based on the researchers' analysis of Response, Innovation, Sustainable, and Resilience (Zamrodah, 2021).

In this study, four indicators are used to assess the role and contribution of the network of actors, namely, first. The response is the first effort made by all actors to respond, provide first aid, and foster the constitutional understanding of Indonesian citizens (Kalalo, 2021). Second, Innovation is an innovation to disseminate information about the Constitutional Court and the Development of Constitutional Awareness Culture on Social media; Third, Sustainable is a program carried out by the actors annually. Fourth the resilience of actors in carrying out educational applications to foster constitutional understanding of Indonesian citizens (Perdana et al., 2022).

Figure 4. Powers of the Constitutional Court



Source: (Manubulu, 2020)

Figure 4. Explaining the authority of the Constitutional Court, namely: (1) Reviewing the 1945 Constitution, (2) Deciding on State Institutional Disputes, (3) Deciding on the Dissolution of Political Parties, and (4) Deciding on Disputes on General Election Results. In addition to this authority, the Constitutional Court is obliged to decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer meet the requirements of the President. (Noor, 2021).

Justiceseekersareeducateddirectly or indirectly to understand juridically, sociologically and philosophicallywhatthey show about the natureof the purposeoflaw and justice in society as students (Firdausy et al., 2018). In consideration of the Law of the Republic of Indonesia Number 7 of 2020 concerning the Third Amendment to Law Number 24 of 2003 concerning the Constitutional Court, it is stated that the

Constitutional Court is an independent judicial institution and has an important role in upholding the Constitution. And the principles rule of law follows its authorities and obligations as regulated by the Constitution of the Republic of Indonesia (Bahriyah, 2021).

Construction of the rule of law in modern society and Indonesia

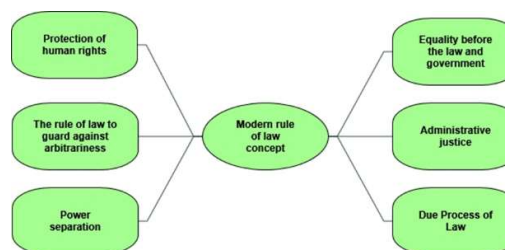
The modern legal state is often interpreted as a prosperous state or known as a welfare state and a prosperous state. These two terms represent the interests of the state as the interests of the people, not the interests of a handful of state elites (Hendra, 2022). The people's interests are primary interests in the Constitution that determine the construction and future of the state regarding the feasibility of becoming a modern legal state. The concept of the rule of law experienced growth towards the twentieth century, which was marked by the birth of the idea of a modern legal state (welfare state) where the state's duties as night guards and security began to change (S. E. Lestari, 2018).

The state must not be passive but must also play an active role in community activities to guarantee the community's welfare. The existence of a prohibition for the government to intervene in the affairs of citizens, both the

socio-economic and other fields, shifts towards a new thought that the government must be responsible for the welfare the people (Sumartini, 2021). That the change in the conception of the rule of law occurred partly because of the many criticisms of access to industrialization and the capitalist system, the spread of socialism that wanted equal distribution of power, and the victory of several European socialist parties. (Roejito & Hamka, 2019).

Democracy in the new idea should be expanded to include an economic dimension, with a system that controls financial terms and seeks to minimize differences arising from the unequal distribution of wealth. Such a country is a welfare state (Diya et al., 2021). The conception of the modern legal state is a combination of the concepts of the rule of law and the welfare state (Blokker, 2019). In this concept, the state or government is not merely a guardian of security or public order but also responsible for realizing social justice, general welfare, and the greatest prosperity of the people. Thus, a state of law based on a democratic system can be called a democratic state of law (democratic rechtstate) (Nazifah et al., 2021).

Figure 5. Rule of Law Concept



Source: (Hendra, 2022)

Figure 5. Explaining the concept of a modern rule of law related to the role of MK education today, there are several parts, namely: (1) The existence of protection of human rights, (2) The existence of the rule of law to maintain arbitrariness (3) The existence of separation of powers (4) The existence of equality before the law and government (5) The existence of administrative justice (6) The existence of Due Process of Law (Saifulloh, 2021). For this reason, the legal system needs to be built (law-making) and enforced (law enforcement) as it should be, starting from the Constitution as the law with the highest position. To ensure the upholding the Constitution as the highest law the state a Constitutional Court was also formed, which functions as a "guard" and at the same time as the "main interpreter of the constitution" (Handayani et al., 2020). The idea of a state of law construction cannot be separated from the authenticity of the applicable Constitution. Generally, the Constitution as a basic rule

consists of two parts, the formal and the material parts (Laritmas et al., 2022).

Figure 6. WordCloud Constitutional Cour



Source: modified with Nvivo 12 Plus

Figure 6. The results of the WordCloud that the researcher produced based on an analysis conducted using the Nvivo 12 Plus software, the results from the word cloud illustrate that the Constitutional Court is one of the sectors that have a significant influence on the Constitutional Court and must also decide on the opinion of the DPR or the vice president who commits certain violations. According to the Constitution, the President and the vice president no longer qualify as President (Faiz, 2020). Legal certainty is a product of law or, more precisely, legislation. Once the law comes, then there is a certainty." In this context, it is stated that the law is based on the basic values of thoroughness, justice, and

practicality that law enforcers guard a judicial institution. Officials can show that they can provide value to the community (justice seekers), such as the usefulness of the law being enforced and decisions that give certainty (Hendra, 2022). For example, when he became the Constitutional Court Chief Justice, Mahfud MD gave a concrete example. Ideally, the judiciary could function as a servant "educative worker" of the people handling or resolving cases (Naefi, 2021).

As a public servant seeking justice or an applicant for justice, Mahfud MD seems to show the state, society, and anyone involved as a pillar of the judiciary that criticism and evaluation from justice seekers is a reality that must be followed up. So, in addition to meeting the people's expectations, it is also the context of maintaining the dignity of the Constitution (Suryono, 2021). In addition, Mahfud MD can be identified using the inclusive paradigm. The institution he leads is built on the principles of openness and egalitarianism. Anyone has the right to conduct an assessment and investigation, including finding and mentioning what types of ulcers may infect MK (Sari, 2014). These seekers of justice manifest Indonesia's identity as a state

of law. The judiciary only deserves to be called the spirit of the rule of law if the roles shown reflect the aspirations of justice seekers (Naima, 2020).

Suppose the role that is displayed is contrary to the interests of justice seekers or is involved in the decay of the law. In that case, its title as a judicial institution should be shifted to an institution of thugs, bullies, and destroyers of justice. This condition, of course, can become a social tragedy because the community or justice seekers are identical in losing the educative pillars in the judiciary, which should be expected to provide many valuable lessons. (Sangwan & Thakre, 2018). A civilized nation must aspire to have good law enforcers or legal professionals, one of which is capable of standards in the realm of educative ethics. Because, through law enforcement, it is hoped that juridical problems that befall the community or justice seekers can be resolved (Sulistiyowati, Ridho, & Nasef, 2021).

A good law enforcer is not limited to being good at mastering and able to develop theories but also being able to apply and ground or educate legal norms (*das Sein*) in society. The organizer of the legal profession is the center of the dependence and hope of the community or the seeker of justice (Naima, 2020). As a party that is the center of the

orientation of the people's struggle, it requires a condition that can become its prophetic completeness. Meanwhile, the community, as the party struck (faced) by a case, demands the existence of a qualified (quality) legal professional to serve or help fight for their rights and not a professional organizer who forgets to play with him. The organizers or stakeholders of the legal profession involved in the law are the main actors in tarnishing the Constitution and the judiciary's authority in realizing justice. (Sulistiyowati et al., 2021).

In democracies, laws are adopted and are the answer to the aspirations of the people. The law must reflect the principles of the people, by the people, and for the people. Laws that fail to be "shown" (implemented) by the judiciary are laws that are detrimental to the people (Lestari, 2018). The existence of the Constitutional Court includes being challenged to realize a constitutional order or juridical norm, that justice must be one of the priorities to be enforced. The enforcement of justice by the Constitutional Court is identical to upholding a very basic order in the Constitution. Enforcement which, of course, reflects performance by prioritizing the principles of ethical respect and constitutionality in the judicial process that it builds, makes the

Constitutional Court worthy of being called a modern judicial institution (Purwanto, 2019).

This idealism shows that judicial institutions such as the Constitutional Court have a noble task of fulfilling and realizing the community's wishes. The public's desire is not only limited to how the application or case can be handled carefully and effectively by an institution that has a constitutional mandate, such as the Constitutional Court, but also in its handling ideally, it can prove that this institution can provide "the best" to justice seekers (Lee, 2018). That professionalism without ethics makes it "free of wings" in the sense of being without control and direction. On the other hand, ethics without professionalism paralyze him in the sense of not progressing or even standing up straight. Winata's opinion indirectly reminds professional stakeholders such as the Constitutional Court judge that in realizing Indonesia as a legal state categorized as modern, professionalism must be relied on as capital, and moral strength must also continue to oversee every performance. It shows (Pradana, 2018).

Without considering this ethical power, the Constitutional Court will not be a state representative institution capable of translating the Constitution and, on the contrary, can destroy many basic interests of the people. In this realm, it is natural for the public,

especially justice seekers, to judge the Constitutional Court's decision because the decision it is a reflection of the Court's performance as an executor of the idealism of a modern legal state or not. If the Constitutional Court's decision is positioned as an object to be studied and assessed, then, in fact, this can be read and digested by the Constitutional Court if faced with challenges institutionally and especially substantially (Salam et al., 2021). The Constitutional Court's decisions will always be linked by the public (public) to the Constitution and the interests of justice seekers because what the Constitutional Court examines is the interests of justice seekers associated with the orders outlined by the Constitution (Adha, 2022).

CONCLUSION

The Constitutional Court is still classified as a new institution in the judicial environment in Indonesia, but its educational role in society has attracted public attention. The Constitutional Court's product in the form of a decision contains education to the public about compliance with the Constitution fairly and rationally. Although it

often surprises justice seekers, in general, the findings can be responded to well, although there is still a disappointment for the losers. The Constitutional Court's decision will always be linked by the public (public) to the Constitution and the interests of justice seekers because the Constitutional Court examines the interests of justice seekers associated with the Constitution. Indonesia's Constitution reflects the Constitution in a modern legal state because this country provides special guarantees for the community's primary interests, especially those relating to contracts of a prosperous, dignified, and good life. Safety, health, right to life, and security. Energy and the rights of many people require the state to fulfill it seriously or not by making it a constitution on paper.

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