

# The Educational Role of The Constitutional Court in Compliance of Indonesian Citizens

*by lidya uinsa*

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*Research Article***The Educational Role of The Constitutional Court in Compliance of Indonesian Citizens**

Siti Marwiyah<sup>1\*</sup>, M.Syahrul Boman<sup>2</sup>, Ruba'ie<sup>3</sup>, M.Chotib Ramadhani<sup>4</sup>, Retno Saraswati<sup>5</sup>, Non Naprathansuk<sup>6</sup>

<sup>1,2,3,4</sup>Department of Law, Universitas Dr. Soetomo, Indonesia

<sup>5</sup>Faculty of law, Universitas Diponegoro, Indonesia

<sup>6</sup>School of Administrative Studies, Maejo University, Thailand

\*siti.marwiyahsh@unitomo.ac.id

**ABSTRACT**

The Constitutional Court (MK) has a strategic position, authority, and obligation to determine the future of the Indonesian nation. This study aims to examine the educational role of the Constitutional Court in developing a constitutional understanding of Indonesian citizens constitutionally. This research used doctrinal legal research method, a process to find the rule of law, legal principles, and legal doctrines to answer the legal problems faced. The results showed the educative role of the Constitutional Court in fostering constitutional understanding of Indonesian citizens by creating programs to promote constitutional understanding of Indonesian citizens, i.e.: increasing the understanding of citizens' constitutional rights; disseminating information on the Constitutional Court, and development of constitutional awareness culture.; debate on student constitutions between universities throughout indonesia; telling the values of Pancasila on social media; and increasing understanding of the constitutional rights of civics with outstanding teachers; and educating people's attention. The Constitutional Court's products in the form of decisions contain public education on compliance with the Constitution correctly and rationally. The Constitutional Court's decision will always be linked to the 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.*

**A. INTRODUCTION**

The educational role of the Constitutional Court is in fostering a constitutional understanding of Indonesian citizens by building awareness of constitutional citizens, individually, in groups, and within the state (Laritmas et al., 2022; Ramahefarivo, 2022). Constitutional education is made to revitalize, internalize and implement the values of Pancasila (Bahriyah, & Afif, 2021). The main function and role of the Constitutional Court are to maintain the Constitution to uphold the

principle of legal constitutionality (Suharno, Junaidi, & Zaelani, 2021).

It also applies 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 and the proposal of the House of Representatives (DPR) regarding the dismissal of the President and Vice President (Nurwahyuni, Sumartini, & Kholek, 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, Junaidi, & Zaelani, 2021). People who learn constitutional law or the 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 (Saifulloh, 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, with the authority that has already existed as a guardian of the Constitution (Hanafi, & Ikhsan, 2019). Its arrangements and charges are further regulated by law, and the Constitutional Court as a court upholds law and democracy to maintain justice in

society, nation, and state and to achieve prosperity and welfare (Suryono et.al, 2021).

The constitutional theory requires the state to be formed based on 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, & Chen, 2018). The Constitution, also called ground wet, 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 and local government levels, but also 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 the Constitution as the highest law always contains ideal values as *das sollen*, which are not always identical with *das sein* or the actual situation in the field (Pramono, & Larasati, 2022). In this realm, the Constitutional Court must prove the constitutional mandate in the reality of implementation (Siregar, 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 of 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, Leonard, & Pakpahan, 2014). The Constitutional Court (MK) is one of the two executors of judicial power according to Article 24, paragraphs (1) and paragraph (2) of the 1945 Constitution of the Republic of Indonesia (Nugraha, 2021). In its development, although Article 24C paragraphs (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, & Angrayni, 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 is developing widely. The acceptance and practices 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. It 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, 2018). The research method used 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 (the Constitutional Court) 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, Warassih, & Herawati, 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. 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. When a country has a written constitution, there is also an unwritten constitution, *vice versa* (Sari, 2018).

A democratic state is an interpretation of the sovereignty of the people that the country, as much as possible, belongs to the people (Arliman S, 2019). The ruler and the people are inseparable because the conditions for establishing a state include recognized people, government, 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 who make laws based on their will, and 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 et.al, 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. Nevertheless, in reality, without a state constitution not being formed, 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 when it fulfils 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 a 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 because without initially understanding the purpose of the rule of law, it is difficult to describe what is meant by the rule of law and legal regulations (Marzuki, & Faridy, 2020). Providing 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 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 nation of the rule of law comes from the teachings of the rule of law, providing an understanding of the rule of law as a country where the state apparatus is subject to the rule of law. Providing 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.

This research is different from previous research that discusses the concept of constitutional complaints as a form of protection of citizens' constitutional rights (Asdhie, & Ista, 2019) and the possibility of establishing a constitutional question mechanism in Indonesia with its alternative implementations (Faiz, & Collins, 2018). The study of the role of the judiciary in its dialectical relationship with the institutions of civil society, in the formation and maintenance of the constitutional legal order, was used as the main approach for the research of the selected problems (Skuratov, Yastrebova, & Dzhavakhyan, 2022). The analysis on the main activities carried out by the Constitutional Court of

Azerbaijan for the legal protection of the national constitution oriented to the legal protection of the Constitution includes different functions, such as resolving conflicts and disputes between participants of social relations based on the constitution, other legislative acts and the jurisprudence of the European Court of Human Rights (Shukurov, 2023). Theunis Roux (2016), explored how the Court had come to hold the ruling African National Congress (ANC) to account by identifying two contrasting schools in the literature on the conditions for independent judicial decision-making: one that emphasizes the determining influence of contextual factors and the other one that stresses constitutional courts' capacity strategically to build their institutional power. This study focused on the roles of MK (the Constitutional Court) education in fostering a constitutional understanding of Indonesian citizens.

## B. RESEARCH METHODS

This research method used a type of doctrinal legal research to find a rule of law, legal principles, and legal doctrines to answer the legal problems faced (Marzuki, & Faridy, 2020). The focus and center of this research were various legal rules and literatures or the materials related to law (Chrysan, Rohi, & Apituley, 2020). The approach used in analyzing library materials in this study was permitted; this approach was carried out to examine and understand all laws and regulations relating to legal issues discussed

by the author. This research also used a conceptual approach (Aswandi, & Roisah, 2019).

This study focused on the roles 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 the analysis using descriptive-qualitative research methods (Hufron, & Hajjatulloh, 2020). The analysis phase used the Nvivo 12 plus data application, which is a qualitative document analysis tool with computer assistance (Sundari, & Suswanta, 2022). In this study, the unit of analysis was the role of MK education in fostering the constitutional understanding of Indonesian citizens

constitutional understanding of Indonesian citizens from 2019-2022. The data collection method was carried out by tracking journals and documents in the education sector in various formats such as .docx, .pdf, .txt, and others that had been published by government reports or online media in Indonesia.

In the second stage, the researchers selected data by minimizing the number of data obtained by selecting the role of MK education. For some data that were not selected and considered less relevant, it was set aside. In the third stage, the researchers displayed the results of data categorization in tabular form. Furthermore, the researcher analysed the data that had been displayed by providing an interpretation. The purpose of this analysis was for the researchers to be able to understand data patterns and tendencies.

In the fourth stage, the results of this data analysis were then used to interpret the data and compare it with the theory used. Data analysis was carried out to understand the relationship between the data obtained and the established literature review. On the other hand, data analysis was also used to understand new data that emerged and was not expected before. The research report presents the results of data analysis and research findings equipped with relevant tables so that it is easy to understand.

Figure 1. Research Flow



Figure 1 shows that the analysis process consists of four stages: data collection, selection and coding, data analysis, and display and reporting of results (Bengtsson, 2016). In the first stage, the researchers collected the data that had been implemented by all companies in the education and health sectors from 2019 to May 2023

In the first stage, the researchers collected the data on the role of MK education in fostering

**C. RESULTS AND DISCUSSION**

Courts around the world have become more and more influential, and Asian courts are

no exception (Madden, 2021). The effects of Asian constitutional courts span all political, social, and economic areas and fall into five main categories: (1) consolidating democracies, (2) exacerbating political chaos, (3) perpetuating authoritarianism, (4) facilitating economic development, and (5) spurring social change (Dressel, & Inoue, 2022; Lin, 2022). Politically, constitutional courts in many Asian countries have helped consolidate fledgling democracies by entrenching constitutional principles, facilitating the disbandment of unconstitutional parties, promoting a level of political playing field, permitting the impeachment of authoritarian heads of state, and minimizing religious clashes (Mokhtar, 2022; Muhidin, & Adhani, 2019).

Judicial intervention can hinder constitutional functioning and perpetuate authoritarian reign (Shaleh, & Nasution, 2020). An efficient and independent judiciary signals a government's commitment to property protection, crucial for economic development and foreign investment (Lin, 2022). Socially, judicial decisions can spearhead social change or plant future progress, but they can also be complementary, enabling economic growth and undergirding dictatorships (Dressel, & Inoue, 2022). Furthermore, these effects are a function of three interdependent factors: the scope of judicial powers, the degree of judicial activism, and the response of audiences. Other things being equal, the more powerful and active a court, the more likely its decisions will be able to generate

repercussions, thereby strengthening the judiciary (Satriawan et al., 2022).

To be sure, other things are not always equal in reality, and these factors are endogenous to a considerable extent. Interdependent factors and judicial effects are crucial in the dynamic relationships between constitutional courts and political environments. Asian courts, particularly those in democratizing states, must navigate political retaliation and obedience to avoid political reprisals (Madden, 2021; Muayyad, & Adhani, 2020). The growth of these courts has not always been a blessing but a necessary middle path for effective governance (Putri, & Arifin, 2019).

Therefore, the character of justices is contingent upon the competence and integrity of judges (Rissy, 2020). Consequently, finding effective checks and balances from judicial institutions on executive and legislative powers is challenging if the justices need more competence and morality (Natsif, 2019). The same is true in Malaysia where the executive organ also controls the selection of Supreme Court Justices. In 2009, Malaysia established the Judicial Appointments Commission to guarantee a fair selection of justices for consideration by the Prime Minister (Dressel, & Inoue, 2022; Satriawan et al., 2022). Malaysia has made this action to produce independent and impartial justices (Madden, 2021).

While appointing justices in Malaysia demonstrates the predominance of executive authority, the *Yang Dipertuan Agong* ultimately appoints the justices. Therefore, there is pressure



to increase the transparency of appointing justices to produce more credible and independent justices (Dressel, & Inoue, 2022). Malaysia established the Judicial Appointments Commission in 2009 to guarantee the impartial selection of judicial candidates for consideration by the Prime Minister (Satriawan et al., 2022).

Second, the requirements for selecting Supreme Court justices in Indonesia are more detailed and involve a longer process than those in Malaysia as the Judicial Commission and the House of Representatives are involved in selecting Supreme Court justices (Satriawan et al., 2022; Dahoklory, & Wisnaeni, 2020). The selection procedure affects the Supreme Court justices' independence, impartiality, and integrity. Despite the absence of judicially determined cases involving the Supreme Court justices' lack of integrity in Malaysia, there were misconduct allegations (Dressel, & Inoue, 2022).

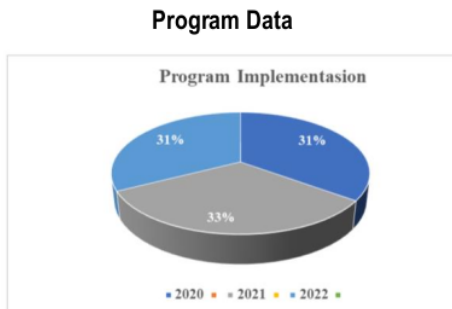
On the other hand, Indonesia has a different judicial system establishment of the Constitutional Court in its constitutional system (Siregar, 2017). The function of judicial review is unavoidable in the Indonesian constitution to defend the constitution because the 1945 Constitution emphasizes that the system model is no longer parliamentary supremacy but constitutional supremacy (Noor, 2021). As a result, it is critical to expand understanding and education, and this topic will be discussed in the following sections.

### 1. 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 the citizens who must be willing to obey them (Dressel, & Inoue, 2022).

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 can 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 (Seroy, 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**



Source: (Mahkamah Konstitusi Republik Indonesia, 2022)

Figure 2 explains the program data for the MK's educational role in fostering the constitutional understanding of Indonesian citizens by carrying out various activities, i.e.: (1) increasing the understanding of citizens' constitutional rights, (2) socializing the Constitutional Court and building a constitutional conscious culture, (3) debating 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 2020, 2021, and 2022, it can be seen that the data describing the program implemented in 2020 has an implementation value of around 31%. In 2021, it has an implementation value of about 31%, and in 2022 it has a higher implementation value than what was expected at about 33% (Purwanto, Supriadi, & Rahmani, 2019).

**Figure 3. Actor Collaboration**



Source: (Mahkamah Konstitusi Republik Indonesia, 2022)

**Table 1. Value of Actor Collaboration**

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

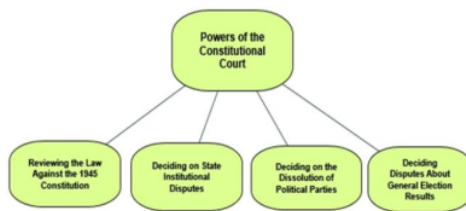
Source: (Mahkamah Konstitusi Republik Indonesia, 2022)

Figure 3 and Table 1 show the results of data processing and analysis that the researchers carried out based on the problem formulation (RQ2) in the study. The results show 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, & Mustafa, 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 (Santoso, & Liliana, 2021).

In this study, four indicators were used to assess the role and contribution of the network of actors. First. The response is the first effort made

by all actors to respond, provide first aid, and foster the constitutional understanding of Indonesian citizens (Seroy, 2021). Second, Innovation is an innovation to disseminate the information on 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, it was the resilience of the actors in carrying out educational applications to foster constitutional understanding of Indonesian citizens (Saifulloh, 2022).

**Figure 4. Powers of the Constitutional Court**



Source: (Manubulu, 2020)

Figure 4 explains the authority of the Constitutional Court, i.e.: (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 (Napitupulu, & Firdausy, 2018). In consideration of the Law of the Republic of Indonesia Number 7 of 2020 on the Third Amendment to Law Number 24 of 2003 on the Constitutional Court, it is stated that the Constitutional Court is an independent judicial institution and plays an important role in upholding the Constitution. Then, the principles of rule of law follows its authorities and obligations as regulated by the Constitution of the Republic of Indonesia (Bahriyah, & Afif, 2021).

## 2. Construction of the rule of law in modern society and Indonesia

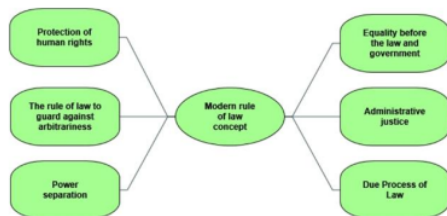
Modern legal state is often interpreted as a prosperous state or known as a welfare state and a prosperous state. These two terms represent the interests of the state as the interests of the people, not the interests of a handful of state elites (Adha, 2022). The people's interests are primary interests 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 (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, in socio-economic and other fields, shifts towards a new thought that the government must be responsible for the welfare of the people (Nurwahyuni, Sumartini, & Kholek, 2021). 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 (Dressel, & Inoue, 2022). 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, Mangku, & Yuliantini, 2021).

Figure 5. Rule of Law Concept



Source: (Adha, 2022)

Figure 5 explains the concept of a modern rule of law related to the role of MK education today. There are several parts, i.e.: (1) The presence of human rights protection, (2) The presence of the rule of law to maintain arbitrariness (3) The presence of separation of powers (4) The presence of equality before the law and government (5) The presence of administrative justice (6) The presence 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 of the Constitution as the highest law in 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, Pujiyono, & Sari, 2020; Wardhani, Noho, & Natalis, 2022). 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. Word Cloud of Constitutional Court



Source: modified with Nvivo 12 Plus

Figure 6 shows the results of the Word Cloud 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.

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 (Adha, 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 seemed to show the state, society, and anyone involved as a pillar of the judiciary that criticism and evaluation from justice seekers are the reality that must be followed up. Therefore, in addition to meeting the people's expectations, it is also the context of maintaining the dignity of the Constitution

(Suryono et.al, 2021). In addition, Mahfud MD can be identified using the inclusive paradigm. The institution he led was 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, 2018). 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 the justice seeker.

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 be 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 expected 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. 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 faced by a case, demands the existence of a quality legal professional to serve or help fight for their rights and not a professional organizer who forgets to play with them. 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, Ridho, & Nasef, 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, Supriadi, & Rahmani, 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). 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 its decision 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, in fact, this can be read and digested by the Constitutional Court when faced with challenges institutionally and especially substantially (Salam, & Mustafa,

2021). The Constitutional Court's decisions will always be linked by the 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).

#### D. 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 decisions contain education to the public on compliance with the Constitution fairly and rationally. Although it often surprises justice seekers, in general, the findings can be responded well with the presence of disappointment for the losers. The Constitutional Court's decision will always be linked by the 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 energy security rights of many people require the state to fulfill them seriously or not by making it a constitution on paper.

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