

Political and Legal Reconstruction Based on Pancasila Education and the 1945 Constitution as the Foundation of Public Policy Morality.

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Abstract

This study is motivated by the decline of moral integrity in legal politics and public policy in Indonesia, characterized by the dominance of pragmatic interests and the insufficient implementation of Pancasila values and the 1945 Constitution of the Republic of Indonesia. Normatively, the strengthening of state ideology is mandated in Article 1(3) of the 1945 Constitution, which affirms Indonesia as a state governed by law, Article 31(3) concerning the development of a national education system based on faith, piety, and noble character, and Law No. 20 of 2003 on the National Education System emphasizing character building. However, in practice, the teaching of Pancasila and constitutional values remains suboptimal across educational levels, resulting in weak ideological and constitutional understanding among society, including academics, public officials, and legal practitioners. This research aims to analyze the condition of moral integrity in legal politics, examine the impact of weak ideological education, and formulate a reconstruction of national legal development based on Pancasila and constitutional values. The study employs a normative juridical method with statutory, conceptual, philosophical, and historical approaches. The findings indicate that moral degradation in legal politics is closely linked to the weak internalization of Pancasila values in education and legal practice. Therefore, strengthening Pancasila education, reforming legal policies, and reinforcing constitutional values across all aspects of national life are essential to achieving a just, moral, and sustainable legal system.

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1. INTRODUCTION

Background

Indonesia, as a state of law as affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, has an obligation to make law the main foundation in organizing national and state life. Law not only functions as a regulatory instrument, but also as a means to realize the goals of the state as stated in the Preamble to the 1945 Constitution, namely protecting the entire nation, advancing general welfare, improving the life of the nation, and realizing social justice. In this context, legal policy becomes a strategic instrument in determining the direction of national legal development that is oriented towards the values of Pancasila.

However, in practice, legal politics in Indonesia still face various challenges, particularly related to the weakening of morality in the formation and implementation of laws. The resulting public policies often do not fully reflect substantive values of justice, but are instead influenced by pragmatic interests and specific political forces. This situation

demonstrates a gap between the ideal norms embodied in Pancasila and the 1945 Constitution and the reality of legal practice on the ground.

One of the main factors causing this condition is the weak internalization of Pancasila and constitutional values in the national education system. Article 31, paragraph (3) of the 1945 Constitution stipulates that the government strives for and organizes a national education system that enhances faith, piety, and noble morals. This is emphasized in Law Number 20 of 2003 concerning the National Education System, which states that national education aims to shape people who are faithful, pious, and have noble morals. However, in its implementation, the learning of Pancasila and the 1945 Constitution at various levels of education is still not optimal and tends to be formalistic.

The lack of substantive education regarding Pancasila and the 1945 Constitution has resulted in a weak ideological and constitutional understanding among the public. This is not only true for the general public, but also among academics, public officials, and legal practitioners. Consequently, in practice, the law is often enforced formally without considering the moral values that underpin its formation.

In today's global developments, the direction of a country's legal policy cannot be separated from the influence of globalization, economic liberalization, and international geopolitical dynamics. Indonesia, as part of the global community, faces pressure to align its legal and public policies with market and investment interests. This situation often places the law in a dilemma, between upholding the ideological values of Pancasila and meeting pragmatic global demands. In many cases, the resulting policies tend to be more responsive to external pressures than to the aspirations of constitutional values (Bedner, 2018).

Furthermore, the moral crisis in legal politics is also closely related to a crisis in the academic world, particularly in the development of legal science in higher education. Legal studies in Indonesia are still dominated by a positivistic approach that emphasizes normative-formal aspects, without a balanced approach to morality and philosophy. As a result, legal graduates tend to possess strong technical skills but lack sensitivity to the values of justice and morality (Rahardjo, 2010).

Furthermore, a weak understanding of Pancasila and the 1945 Constitution also impacts the quality of national leadership. Many public officials, in carrying out their duties and authorities, fail to use the nation's fundamental values as their primary guideline, instead prioritizing political interests and power. This demonstrates that the moral crisis in legal politics is not only structural but also cultural.

From the perspective of the theory of the rule of law, this condition is contrary to the principle of the *rule of law*, which positions law as a means to protect human rights and realize social justice. A state based on the rule of law not only demands the supremacy of law but also requires morality in every action of state administrators (Asshiddiqie, 2019). Therefore, strengthening morality in legal politics is imperative to maintain legal legitimacy and public trust.

Thus, it can be emphasized that the moral crisis in legal politics is a multidimensional phenomenon influenced by various factors, including globalization, weak ideological education, the academic crisis, and the low integrity of public officials. Therefore, the solutions offered cannot be partial but must be implemented comprehensively through the simultaneous reconstruction of the national legal and education systems.

Problem Formulation

Based on the background description, the problem formulation in this research is formulated as follows:

- a. What is the condition of the existence of morality in the practice of legal politics in Indonesia from the perspective of Pancasila and the 1945 Constitution?
- b. What is the impact of weak learning and internalization of Pancasila values and the 1945 Constitution in the education system on legal practice and public policy?
- c. How can we reconstruct the direction of national legal development based on strengthening morality and state ideological education in order to create a just legal system?

Research purposes

This research aims to:

- a. Analyzing the condition of morality in legal politics in Indonesia.
- b. Examining the impact of weak Pancasila and UUD 1945 education on legal practice and public policy.
- c. Formulating a national legal political reconstruction model based on Pancasila and constitutional values.

2. LITERATURE REVIEW

Studies on legal politics show that law cannot be separated from the political power that influences it. Mahfud MD (2017) states that legal politics is the basic policy of the state in determining the direction of the law to be developed, and is therefore greatly influenced by the evolving configuration of power. In such conditions, morality becomes a crucial factor in ensuring that the law does not deviate from its ideal purpose. From the perspective of legal morality, Fuller (1964) proposed the concept of *inner morality of law*, which asserts that law must adhere to internal moral principles such as consistency, clarity, and justice to function effectively. Without these principles, the law will lose social legitimacy. Meanwhile, Rahardjo (2010), through the concept of progressive law, emphasizes that law must be able to deliver substantive justice and not become trapped in mere formalities.

In the Indonesian context, Pancasila holds the position of the source of all legal sources. Notonagoro (1983) emphasized that every legal product must reflect the values of Pancasila. However, the weakness of Pancasila education results in these values not being optimally internalized in society (Kaelan, 2018). Other research shows that civics education plays a strategic role in shaping legal awareness and public morality. Winataputra (2015) stated that effective civics education can enhance individuals' understanding of their rights and obligations as citizens. Furthermore, international studies also show that values-based education has a significant influence on the formation of individual character and integrity in public life (Prakoso et al., 2024).

Thus, it can be concluded that there is a close relationship between state ideology education, legal morality, and the quality of legal politics. Therefore, strengthening Pancasila and the 1945 Constitution education is a strategic step in building a just and moral legal system.

A. RESEARCH METHODS

1. Types and Nature of Research

This research is a normative legal study (normative juridical) that focuses on the study of legal norms, legal principles, and doctrines related to legal politics, morality, and state ideological education. Normative legal research is used because the primary objects of study are statutory regulations, legal concepts, and philosophical values that form the basis for the formation of national law.

However, this research is not merely normative in nature, but rather develops an interdisciplinary approach by integrating the educational dimension as a determining

factor in the formation of legal morality. Thus, this research positions the national education system—particularly the learning of Pancasila and the 1945 Constitution of the Republic of Indonesia—as an integral part of the analysis of legal politics.

The nature of this research includes:

- a. **Descriptive**, namely describing the factual conditions related to the weak internalization of Pancasila and constitutional values in the national education system and its implications for legal practice.
- b. **Analytical**, namely, examining the causal relationship between the crisis of ideological education and moral degradation in legal politics.
- c. **Prescriptive**, namely formulating solutions in the form of reconstructing the direction of national legal development based on strengthening the values of Pancasila and the constitution.

With these characteristics, this research not only explains the phenomenon but also provides direction for updating the national legal and education system.

2. Research Approach

This research uses a multidimensional approach consisting of several main approaches, namely:

a. Legislative Approach (*Statute Approach*)

This approach is carried out by examining various relevant laws and regulations, including:

- 1) The 1945 Constitution of the Republic of Indonesia, especially Article 1 paragraph (3) concerning the rule of law and Article 31 concerning national education
- 2) Law Number 20 of 2003 concerning the National Education System
- 3) Legislation related to the formation of laws and public policies

This approach aims to assess the extent to which legal norms have accommodated the strengthening of Pancasila and constitutional values in the legal education system and practice.

b. Conceptual Approach (*Conceptual Approach*)

This approach is used to examine theoretical concepts such as:

- 1) Legal politics
- 2) Legal morality
- 3) State based on law (*rechtsstaat*)
- 4) State ideology education

The conceptual approach serves to build a theoretical framework that explains the relationship between law, morality, and education.

c. Philosophical Approach (*Philosophical Approach*)

This approach is used to explore the fundamental values contained in Pancasila as the moral basis for legal formation. Philosophical analysis is conducted to assess whether legal and political practices reflect the values of justice, humanity, and social equity.

d. Historical Approach (*Historical Approach*)

This approach is used to trace the development of:

- 1) Pancasila education from time to time
- 2) Changes to the civics curriculum
- 3) Dynamics of national legal politics

This approach shows a shift from strengthening ideology to a more technocratic approach in the education system.

e. Socio-Legal Approach (*Limited Approach*)

Although this research is normative, a limited socio-legal approach is also used to understand the social impact of weak ideological education on the legal behavior of the community, academics, and public officials.

3. Focus and Object of Research

The focus of this research is the relationship between:

- a. Morality in legal politics
- b. The role of Pancasila and the 1945 Constitution in the national legal system
- c. The education system is a medium for internalizing ideological values
- d. The impact of weak ideological education on legal practice

Research objects include:

- a. Legal norms (constitution and laws)
- b. National education policy
- c. Pancasila education curriculum
- d. Academic and professional practice in the field of law

4. The Mechanism of Pancasila Education and the 1945 Constitution as Analytical Variables

This study positions the Pancasila and the 1945 Constitution education mechanisms as strategic variables in shaping legal morality. The analysis is conducted across several dimensions:

a. Curriculum Dimensions:

- 1) The position of Pancasila in the national education curriculum
- 2) Integration of constitutional values in learning
- 3) Depth of material substance

b. Dimensions of Learning Methodology

- 1) Value-based learning method (*value-based learning*)
- 2) Contextual and applied approach
- 3) Use of legal case studies

c. Institutional Dimension

- 1) The role of schools and colleges
- 2) The role of educators as agents of ideology
- 3) Integration in the Tri Dharma of Higher Education

d. Practical Implementation Dimension

- 1) Application of Pancasila values in social life
- 2) Relevance in legal practice and public policy
- 3) Integration in professional ethics

The analysis of this dimension aims to show that the weaknesses of the ideological education system contribute directly to moral degradation in legal politics.

5. Types and Sources of Legal Materials

a. Primary Legal Materials

- 1) 1945 Constitution
- 2) Law No. 20 of 2003 concerning the National Education System
- 3) Regulations related to the Pancasila ideology

b. Secondary Legal Materials

- 1) Scientific books on law and education
- 2) National and international journal articles
- 3) Previous research results

c. Tertiary Legal Materials

- 1) Legal dictionary

2) Encyclopedia of Law

6. Data Collection Techniques

Data collection is done through:

- a. Literature study (*library research*)
- b. Legal documentation
- c. Scientific journal search

7. Data Analysis Techniques

The analysis was carried out in a **normative qualitative manner** through stages:

- a. Inventory of legal materials
- b. Data classification
- c. Legal interpretation (grammatical, systematic, teleological)
- d. Analysis of the relationship between ideological education and legal morality
- e. Drafting legal arguments
- f. Deductive drawing of conclusions

8. Validity and Originality of Research

Research validity is maintained through:

- a. Use of up-to-date scientific sources
- b. Consistency of analysis methods
- c. Literature triangulation

B. RESEARCH RESULTS AND DISCUSSION

1. Research result

1.1. The Degradation of Morality in Legal Politics: From Justice Orientation to Power Pragmatism

The analysis shows that legal politics in Indonesia has undergone a paradigmatic shift from an orientation toward substantive justice to a pragmatic orientation dominated by power and economic interests. This shift is evident in the process of formulating laws and regulations, which often do not reflect the aspirations of the wider community but are instead influenced by the configuration of political power and the interests of particular elites.

From the perspective of a state based on the rule of law, as stated in Article 1 paragraph (3) of the 1945 Constitution, law should be the main instrument in realizing justice and legal certainty. However, in practice, law has actually experienced a reduction in function to become merely a tool for legitimizing power (*law as a tool of power*). This phenomenon shows that morality, as the main foundation of law, has experienced significant erosion.

Concrete indications of this degradation include:

- a. Minimal public participation in the legislative process, which results in low social legitimacy of the law.
- b. The dominance of economic interests and investment, which often ignores aspects of social justice.
- c. Regulatory inconsistencies, which reflect weak integrity in legal formation.

This situation aligns with criticisms of the modern legal system, which places too much emphasis on formalistic aspects without considering the moral dimension and substantive justice. In the Indonesian context, this situation is further complicated by the weak integration of Pancasila values into legal political practices.

1.2. The State Ideological Education Crisis: The Structural Roots of Moral Degradation

The analysis shows that the degradation of morality in legal politics cannot be separated from the structural crisis in the national education system, especially in the learning of Pancasila and the 1945 Constitution. Normatively, Article 31 paragraph (3) of the 1945 Constitution and Law Number 20 of 2003 have emphasized the importance of education in shaping the nation's character. However, in its implementation, there is a significant gap between norms and practice.

The crisis can be identified in several main dimensions:

a. Reduction of Ideological Curriculum

Pancasila education has been marginalized in the national curriculum. The material taught tends to be normative and neglects practical applications. As a result, students are unable to internalize Pancasila values as a guide to life, but instead only understand them theoretically.

b. Failure of Learning Methodology

The learning methods used are still dominated by the memorization approach (*rote learning*), rather than a reflective and critical approach. This results in Pancasila education failing to foster a deep ideological awareness.

c. Disorientation of Higher Education

At the university level, Pancasila is not integrated into academic disciplines. Legal education, for example, emphasizes technical and procedural aspects over values of justice and morality. As a result, legal graduates tend to possess formal competence but lack sensitivity to social justice.

d. The Weak Role of Educational Institutions

Educational institutions have not fully functioned as agents of internalization of the state's ideological values. The lack of reinforcement of values within the academic environment has resulted in education failing to shape the ideological character of students.

Thus, it can be concluded that the crisis of ideological education is a structural factor that directly contributes to the degradation of morality in legal politics.

1.3. The Impact of Weak Internalization of Pancasila and the 1945 Constitution on Legal Practice

The weak internalization of state ideological values has a systemic impact on legal practices and public policy, which can be analyzed in three main dimensions:

a. Dimension of Legal Substance

The resulting legal products tend not to reflect the values of social justice. Regulations are oriented more toward economic and political interests, thus neglecting the interests of the wider community.

b. Dimensions of Legal Structure

State institutions and law enforcement officials exhibit formalistic tendencies and are less responsive to the values of justice. This is evident in their rigid law enforcement and failure to consider humanitarian aspects.

c. Dimensions of Legal Culture

The legal culture of society and state officials has degraded. Values of integrity, honesty, and responsibility are not well-internalized, leading to various deviant practices, such as corruption and abuse of authority.

This condition shows that weak ideological education not only impacts individuals but also the legal system as a whole.

1.4. Academic Crisis and Legal Professionalism

One of the important findings in this study is the existence of an **academic crisis in the development of legal science**, which has resulted in a low level of legal

professionalism. Legal education in Indonesia is still dominated by a positivistic approach that emphasizes legal texts, without a balanced approach to morality and philosophy.

As a result:

- a. Academics are less likely to develop value-based legal studies
- b. Legal practitioners tend to be procedural in nature
- c. Public officials do not use the law as a means of justice

This condition strengthens the argument that ideological education has a strategic role in shaping the quality of human resources in the legal field.

1.5. Critical Analysis: Systemic Relationship between Ideological Education and Legal Politics

Based on the overall analysis, it can be confirmed that there is a **strong causal relationship between:**

- a. Weaknesses of Pancasila and the 1945 Constitution education
- b. Degradation of morality in legal politics

This relationship is systemic because it involves:

- a. The education system as input
- b. Human resources as a process
- c. Legal policy as output

Thus, the moral crisis in legal politics is not merely a legal issue, but is a reflection of the failure of the education system in shaping the nation's character.

2. Reconstruction of National Legal Politics Based on State Ideological Education

1.6. Reorientation of Legal Politics: Reaffirming Pancasila as the Moral Basis of Law

In response to the degradation of morality in legal politics, strategic steps are needed in the form of a fundamental reorientation of the direction of national legal development. This reorientation must re-position Pancasila as the *basic standard* and source of value in every process of law formation, implementation, and enforcement.

Constitutionally, this direction is in line with:

- a. The preamble to the 1945 Constitution, which emphasizes the goals of the state
- b. Article 1, paragraph (3) of the 1945 Constitution concerning the rule of law
- c. The principle of social justice as an ideological mandate

However, in practice, these values have not been optimally implemented.

Therefore, a reorientation of legal policy must be directed at:

- a. Strengthening substantive justice in legislation
- b. Placing humanitarian values as the basis for law enforcement
- c. Aligning public policies with Pancasila values

This reorientation is not merely normative, but must be realized in the form of concrete policies that bind all state administrators.

1.7. Ideological Education System Reform: The Main Pillar of Reconstruction

Legal political reconstruction will not be effective without reforming the national education system as the basis for moral formation. Therefore, comprehensive reform of Pancasila and the 1945 Constitution education is necessary, including:

- a. National Curriculum Reformulation

The curriculum must place Pancasila as the **core value system**, not just additional subjects. This includes:

- 1) Integration of Pancasila values in all subjects

- 2) Strengthening constitutional material in an applied manner
- 3) Adapting the curriculum to global challenges
- b. Transformation of Learning Methodology

Learning methods must shift from a rote approach to an approach:

 - 1) Reflective-critical
 - 2) Case-based contextual
 - 3) Problem-based learning in law and public policy

With this approach, students not only understand Pancasila theoretically, but are also able to apply it in real life.
- c. Revitalization of Higher Education

Universities must become centers for developing the nation's ideological values through:

 - 1) Integration of Pancasila in all disciplines
 - 2) Strengthening research based on national values
 - 3) Implementation of values in the Tri Dharma of Higher Education
- d. Strengthening the Role of Educators

Teachers and lecturers must be positioned as agents of internalization of state ideology

So it is needed:

 - 1) Value-based training
 - 2) Standardization of ideological competence
 - 3) Character-based evaluation

1.8. Internalization of Pancasila Values in the Legal Profession and Government

Apart from formal education, internalization of state ideological values must be carried out systematically in the professional world, in particular:

- a. Academy
 - 1) Developing a values-based legal paradigm
 - 2) Integrating Pancasila in research
- b. Public Official
 - 3) Making Pancasila the basis of policy
 - 4) Prioritizing public interest
- c. Legal Practitioner
 - 1) Enforcing the law with a substantive justice approach
 - 2) Avoid formalities that ignore human values

This step is important to ensure that the values of Pancasila do not just stop at the theoretical level, but become part of real practice.

1.9. Integrative Model of National Legal Political Reconstruction

Based on the results of the analysis, this study offers an integrative model of national legal political reconstruction, which includes three main aspects:

1. Reconstruction of Legal Substance
 - a. Integration of Pancasila values in every regulation
 - b. Strengthening social justice as the main orientation
2. Law of Structural Reconstruction
 - a. Strengthening the integrity of state institutions
 - b. Value-based bureaucratic reform
3. Reconstruction of Legal Culture
 - a. Formation of a legal culture based on morality
- b. Internalization of values in society

Research Results Analysis Table 1 and 2:

The Relationship between Moral Crisis, Ideological Education, and the Reconstruction of National Legal Politics

Dimensions of Analysis	Existing Condition (Problem)	Theoretical Analysis (Legal Morality & Constitutionalism)	Impact on the Legal System	Necessary Reconstruction
Legal Substance	Regulations tend to be pragmatic, elitist, and less participatory (example: Job Creation Law)	Lon L. Fuller's theory: law must satisfy internal moral principles; Ronald Dworkin's theory: law must reflect justice	The law loses social legitimacy and does not reflect substantive justice.	Integration of Pancasila values in legislation; strengthening public participation
Legal Structure	State institutions tend to be formalistic and less responsive to the values of justice.	H. L. A. Hart's theory: law requires a moral minimum; Constitutionalism: limitation of power	Law enforcement is unfair and tends to be procedural	Institutional reform based on integrity and constitutional values
Legal Culture	Low integrity and legal awareness of the community and authorities	Legal morality: the importance of internalizing values; education as a moral basis	Weak legal culture, emergence of deviant practices (corruption, abuse of power)	Internalization of Pancasila values through education and professional ethics
Ideological Education	Learning of Pancasila and the 1945 Constitution is minimal, formalistic, and not applicable.	Civic education theory: character building; constitutional awareness	Weak ideological understanding among academics and officials	Curriculum reform, critical learning methods, cross-disciplinary integration
Constitutionalism	The implementation of the constitution is formal, not yet substantive (example: Constitutional Court)	Constitutionalism theory: limitation of power and protection of human rights	Imbalance between power and people's rights	Strengthening substantive constitutionalism in legal policy and practice

Dimensions of Analysis	Existing Condition (Problem)	Theoretical Analysis (Legal Morality & Constitutionalism)	Impact on the Legal System	Necessary Reconstruction
	decisions as corrections)			
Legal Practice (Empirical)	Abuse of regulations (e.g., ITE Law) and weak public participation	Dworkin: law should be oriented towards justice, not formality	Criminalization, legal uncertainty	Interpretation of law based on the values of justice and human rights

B. Discussion: Strengthening International Perspectives: Legal Morality and Constitutionalism in Indonesian Legal Politics

1. Legal Morality Theory: Ethical Foundations in Modern Legal Systems

In modern legal studies, the concept of **legal morality** emphasizes that law cannot be separated from the moral values that underlie it. One of the main theories was put forward by Lon L. Fuller through the concept of *inner morality of law*, which states that good law must fulfill internal moral principles, such as consistency, clarity, non-contradiction, and enforceability.

In the Indonesian context, these principles are strongly relevant to the values of Pancasila. However, research shows that legal policy practices in Indonesia often ignore these moral principles, resulting in inconsistent regulations that lack a focus on substantive justice.

In addition, Ronald Dworkin, through theory of *law as integrity*, emphasized that law must be understood as a system containing moral principles and justice, not merely formal rules. According to Dworkin, judges and lawmakers must interpret the law by considering the moral values prevalent in society.

In relation to the Indonesian situation, the weak internalization of Pancasila values in education results in legal actors lacking a strong moral foundation for interpreting and applying the law. As a result, the law becomes formalistic and lacks the dimension of justice.

Furthermore, H. L. A. Hart, in the concept of *minimum content of natural law*, states that law must contain a minimum of moral values to survive as a social system. Without morality, law will lose legitimacy and be ineffective in regulating society.

a. Thus, the theory of legal morality strengthens the research findings that: Moral degradation in Indonesian legal politics is a result of the weak moral foundations in the legal system.

b. State ideology education is the key to rebuilding legal morality

2. Constitutionalism Theory: Limitation of Power and Supremacy of Values

Beyond morality, strengthening legal politics must also be viewed from the perspective of constitutionalism, a school of thought that emphasizes limiting state power through the constitution and protecting human rights. According to Carl J. Friedrich, constitutionalism encompasses more than just the existence of a constitution; it also encompasses the practice of effectively limiting power based

on values. This means that the constitution must be implemented substantively, not merely formally.

In the Indonesian context, although the 1945 Constitution establishes the principles of the rule of law and the protection of human rights, its implementation still faces various challenges. Many policies are formally constitutional but substantively fail to reflect social justice. This view is reinforced by Mark Tushnet, who states that modern constitutionalism must be oriented toward *substantive justice*, not just procedural. Thus, the success of a legal system is measured not only by adherence to procedures, but also by the extent to which the law is able to realize justice.

In relation to this research, the weak understanding of constitutional values (UUD 1945) among the public and state administrators shows that constitutionalism in Indonesia is still formalistic.

3. Integration of Legal Morality and Constitutionalism in the Indonesian Context

Based on theoretical analysis, it can be concluded that legal morality and constitutionalism are two main pillars in the development of modern law. In the Indonesian context, these two concepts must be integrated with the values of Pancasila, the foundation of the state.

This integration can be explained as follows:

1. Pancasila as a source of legal morality > Provides an ethical basis in the formation of law
2. The 1945 Constitution, as a constitutional framework (constitutionalism) > Regulates the limitation of power and protection of rights
3. Education as a medium for internalizing values > Forming legal actors with integrity
 - a. Thus, the reconstruction of national legal politics must be based on: Legal morality (ethical foundation)
 - b. Constitutionalism (structural limitation)
 - c. Ideological education (cultural reinforcement)

4. Critical Analysis: Failure of Theory Integration in National Practice

Although Indonesia theoretically has a strong foundation through Pancasila and the 1945 Constitution, in practice, there has been a failure to integrate moral and constitutional values into the legal system. This is due to:

- a. The dominant positivistic approach
- b. Weaknesses of state ideological education
- c. Lack of constitutional awareness

As a result, the law loses its moral and constitutional orientation, so that it is unable to function optimally as a means of justice.

5. Theoretical Implications for the Reconstruction of Legal Politics

This strengthening of international theory has important implications, namely:

- a. The reconstruction of legal politics must be based on legal morality (Fuller & Dworkin)
- b. Must strengthen substantive constitutionalism (Friedrich & Tushnet)
- c. Must be supported by ideological education as a cultural foundation

3. A Concrete Case Study: A Test of the Resilience of Morality and Constitutionalism in Indonesian Legal Politics

6.1. A Case Study of the Job Creation Law: Between Economic Interests and Substantive Justice

One concrete example reflecting the dynamics of legal politics in Indonesia is the enactment of Law Number 11 of 2020 concerning Job Creation (the Job Creation Law). This law was designed to accelerate investment and economic growth through regulatory simplification. However, during its creation, the law drew widespread criticism for being:

- a. Minimal public participation
- b. Lack of transparency
- c. Ignoring aspects of labor and environmental protection

From a legal morality perspective, this situation demonstrates a violation of basic legal principles as proposed by Lon L. Fuller, particularly regarding the principles of transparency and legal consistency. A non-participatory legislative process demonstrates that the law is not based on public morality.

From a constitutionalist perspective, this law also raises issues related to the balance between state power and the protection of public rights. This demonstrates that policy orientation leans more toward economic interests than toward the values of social justice, which are mandated by the constitution.

6.2. The Constitutional Court's Ruling on the Job Creation Law: A Constitutional Correction to Legal Politics

Criticism of the Job Creation Law led to a constitutional review at the Constitutional Court through Constitutional Court Decision Number 91/PUU-XVIII/2020. In this decision, the Constitutional Court declared the Job Creation Law conditionally unconstitutional (*conditionally unconstitutional*).

The Court considers that:

1. The process of forming laws does not comply with the principles of forming statutory regulations.
2. There are significant procedural flaws
3. Repairs are required within a certain time period

This decision is a concrete example of the application of the principle of **constitutionalism**, where the constitution functions as a tool of control over legislative and executive powers. The Constitutional Court acts as the guardian of the constitution (*guardian of the constitution*) which ensures that every legal product is in accordance with constitutional values and principles.

From a legal morality perspective, this decision also shows that legal morality still has room in the Indonesian legal system, even though it often appears as a correction after a deviation occurs.

6.3. ITE Law Case Study: Legal Formality vs. Substantive Justice

Another example is the implementation of Law Number 19 of 2016 concerning Electronic Information and Transactions, particularly regarding articles regarding defamation.

In practice, the ITE Law is often used for:

1. Criminalizing criticism of the government
2. Restricting freedom of expression
3. Causes legal uncertainty

From the perspective of *Dworkin (law as integrity)*, this condition indicates that the law is not interpreted based on the principle of justice, but rather is used in a formalistic manner. This contradicts the concept that law should reflect the moral values that exist in society.

In addition, in perspective *constitutionalism*, the excessive use of the ITE Law shows an imbalance between state power and the protection of human rights, especially freedom of expression, which is guaranteed in the constitution.

6.4. Comparative Analysis: Patterns of Systemic Weakness in Legal Politics

From these two case studies, a pattern of systemic weaknesses in Indonesian legal politics can be identified, namely:

- a. Dominance of the Pragmatic Approach
Legal policies are more oriented towards short-term economic and political interests than towards the values of justice.
- b. Weak Integration of Legal Morality
Moral principles in law are not the primary consideration in the legislative and law enforcement process.
- c. Constitutional Formalism
The constitution is often only used as a formal legitimacy, without substantive implementation of values.
- d. The Corrective Role of the Constitutional Court
The Constitutional Court acts as a corrective mechanism, but it is reactive, not preventive.

7. The Relationship with the Ideological Education Crisis

The findings from this case study strengthen the research's main argument that: Weaknesses in legal practice are not only caused by structural factors, but also by the poor quality of human resources due to the lack of state ideological education.

- a. Actors involved in the formation and enforcement of law:
 1. Legislator
 2. Public office
 3. Law enforcement officers
- b. Not having a strong ideological understanding of Pancasila and the 1945 Constitution, so that:
 1. Law is not value-based
 2. Non-justice-oriented policies
 3. Law enforcement is formalistic

8. Implications for Legal Political Reconstruction

Based on the case study, the reconstruction of legal politics should include:

- a. Strengthening morality in the legislative process
- b. Increasing constitutional awareness
- c. State ideology education reform
- d. Strengthening the role of the Constitutional Court in general *preventive*

4. CONCLUSION

This research confirms that legal politics in Indonesia is currently facing a moral degradation characterized by the dominance of pragmatic interests, legal formalism, and a weakening orientation towards substantive justice. This condition indicates a gap between legal practice and the basic values of the state as contained in the Preamble to the 1945 Constitution of the Republic of Indonesia, which emphasizes the state's goal of realizing social justice, as well as Article 1 paragraph (3) of the 1945 Constitution, which affirms Indonesia as a state based on law. From a theoretical perspective, this condition reflects the non-implementation of the principle of *legal morality* and *constitutionalism* substantively in the practice of legal politics.

The root of the problem lies in the weak internalization of state ideological values within the national education system. This contradicts Article 31 paragraph (3) of the 1945 Constitution, which requires the state to provide education to enhance faith, piety, and noble morals, as well as Article 3 of Law Number 20 of 2003 concerning the National Education System, which emphasizes that national education aims to shape individuals with character and personality. The ineffective implementation of these norms has resulted in a weak ideological understanding among the public, including academics, public officials, and legal practitioners.

Furthermore, in the practice of public policy and the formation of laws and regulations, there are often discrepancies with the principles of legal formation as stipulated in Article 5 and Article 6 of Law Number 12 of 2011 concerning the Formation of Laws and Regulations (as amended), which emphasizes the principles of clarity of purpose, transparency, and justice. Case studies show that violations of these principles have implications for low legal legitimacy and the need for correction through constitutional mechanisms, as reflected in the decisions of the Constitutional Court.

Therefore, the reconstruction of national legal politics must be carried out comprehensively through three main pillars, namely:

- 1) Strengthening the legal substance based on Pancasila values as the source of all state law;
- 2) Reform of institutional structures that uphold the principles of constitutionalism and the supremacy of law; and
- 3) Developing a legal culture through internalizing the values of Pancasila and the 1945 Constitution in the education system and professional practice. In this regard, state ideology education must be positioned as a strategic instrument, as mandated by the constitution, to ensure that all public policies and legal practices align with the nation's goals and values of justice.

Thus, strengthening morality in legal politics is not only a normative obligation, but also an urgent need to ensure the sustainability of national legal development that is just, dignified, and in accordance with the character of the Indonesian nation.

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